

CONSTITUTION
OF THE
SOUTHERN CHIEFS' ORGANIZATION



ADOPTED BY SUMMIT JULY 25, 2000

I OBJECTIVES

The Southern Chiefs Organization is established:

- 1.1 to assist members First Nations in the advancement and achievement of their goals as mandated by the Chiefs meeting in Summit;
- 1.2 to provide a common front for initiatives mandated by the Chiefs meeting in Summit;
- 1.3 to promote and assist member First Nations in providing good government for their First Nations;
- 1.4 to assist member First Nations in promoting and defending Treaty and aboriginal rights as mandated by the Chiefs in Summit;
- 1.5 to assist member First Nations in holding the Crown, and holding the Federal and Provincial governments responsible for the fulfillment of their fiduciary duties and other responsibilities and obligations.

II MEMBERSHIP

- 2.1 Membership in the Southern Chiefs Organization consists of First Nations as represented by Chief and Council who are signatories to the Accord of the Southern Chiefs of Manitoba attached hereto as appendix A or First Nations as represented by Chief and Council who subscribe to this Constitution by council resolution and their successors as amended from time to time.
- 2.2 A First Nation may withdraw from membership by providing the Southern Chiefs Organization Office with a Council Resolution to that effect. A First Nation may regain membership into the Southern Chiefs Organization by providing a Council Resolution of the First Nation to the Southern Chiefs Organization Office. In order to vote at the next Summit, the Council Resolution must be received by the Southern Chiefs Organization at least two weeks in advance of any voting procedure.

III GOVERNING ENTITIES

- 3.1 The following are established as principled entities of the Southern Chiefs Organization:
- Chief-in-Summit
 - The Executive Committee
 - The Finance Committee
 - The Personnel Committee
- 3.2 Policies developed by these entities and any substantial amendments thereto shall be brought to the Summit for approval.
- 3.3 Any action(s) or decision(s) of the entities that potentially impact or affect the Southern Chiefs Organization as a whole shall be brought to the Chiefs in Summit for discussion and ratification.

CHIEFS-IN-SUMMIT

- 4.1 The Chiefs-in-Summit (hereinafter the "Summit") shall be the primary governing body of the Southern Chiefs Organization.
- 4.2 The Summit shall consist of all Chiefs of those Southern First Nations who exercise their right to be members of the Southern Chiefs Organization in accordance with this Constitution.
- 4.3 Each member First Nation shall have only one representative in the Summit.
- 4.4 In the absence of a Chief of a member First Nation, a designated representative duly authorized in writing by Council of that member First Nation may participate in the Summit.

Functions And Authorities

- 5.1 The Summit is a forum for Southern First Nations to conduct nation-to-nation discussions, consultations and deliberations and to collaborate on any matter dealing with Southern member First Nations.
- 5.2 The Summit has authority:
 - (a) to discuss any matter related to the conduct or operations of any entity of the Southern Chiefs Organization and to make any binding decisions regarding such matters;
 - (b) to make decisions on any subject matters that Chiefs of Southern First Nations desire to initiate or undertake co-operatively and collectively through the Southern Chiefs Organization;
 - (c) to delegate authority, mandates, tasks, responsibilities whenever such delegation is deemed necessary by the Chiefs of the Southern First Nations;
 - (d) to create, restructure, or dissolve any committees, including the committees establish in paragraph 3.1, as deemed necessary;
 - (e) to ensure that the objectives enumerated in Article 1 are maintained and put into practice in relation to the role and function of the Southern Chiefs Organization; and;
 - (f) to remove a Grand Chief from office as deemed necessary.

Decision Making

- 6.1 No decisions shall be made unless there is a quorum of the Summit. Quorum shall be 50% of all Southern Chief Organization member First Nations.
- 6.2 Decisions of the Summit shall be made as far as possible by consensus or general agreement. When all efforts at achieving a consensus have been exhausted without success, a majority vote of Chiefs and proxy representatives in attendance shall be sufficient to constitute a decision provided there is a quorum present.
- 6.3 In the event of voting, each Chief shall have one vote which may be exercised by proxy.
- 6.4 All proxy holders must be duly authorized recognized Council representatives.

Assemblies

- 7.1 Meeting of the Summit will be held in various places in Southern Manitoba four times annually. Extraordinary meetings can also be held at the call of a quorum of the Chiefs in Summit or Assembly who are members of the Southern Chiefs Organization.

Procedure

- 8.1 The Summit shall adopt its own Rules of Procedure.

EXECUTIVE COMMITTEE

- 9.1 The Executive Committee shall consist of only representatives from each of the Tribal Council areas and one representative to represent all independent First Nations.

Functions And Powers

- 10.1 The Executive Committee shall function by quorum and any decisions or actions by any individual member of the Executive Committee shall be null and void and of no force and effect unless that individual is an authorized delegate of the Executive Committee.
- 10.2 The Executive Committee shall elect a chairperson who shall preside over meetings of the Committee and who shall speak or act on behalf of the Committee in accordance with the direction of the quorum.

- 10.3 The Chairperson may be removed by the quorum of the Executive Committee as deemed necessary.
- 10.4 The Executive Committee shall meet once every two months. All other additional meetings must be called by a quorum of the Executive Committee in consultation with the Grand Chief.
- 10.5 The Executive Committee is responsible:
- (a) for the political agenda of the Southern Chiefs Organization;
 - (b) for directing, assisting and supporting the Grand Chief as the political representative of the Southern Chiefs Organization and in advancing the political agenda and strategy of the Southern Chiefs Organization; and
 - (c) for ensuring that all direction and resolutions of the Summit are interpreted and formulated into political action plans.

Accountability

- 11.1 The Executive Committee shall at all times be accountable to, report to and take direction from the Summit.

FINANCE COMMITTEE

- 12.1 The Finance Committee shall consist of only one representative from each of the Tribal Council areas and one representative for all the Independent First Nations.

Functions and Powers

- 13.1 The Finance Committee shall function by quorum and any decisions or actions by any individual member of the Finance Committee shall be null and void and of no force or effect unless that individual is an authorized delegate of the Finance Committee.
- 13.2 The Finance Committee is responsible for:
- (a) the receipt, management and expenditure of Southern Chiefs Organization funds;
 - (b) the maintenance of records of the financial activities of the Southern Chiefs Organization;
 - (c) the preparation of the annual budget in accordance with priorities established by the Summit;

- (d) the development of policy relating to financial management and administration of the funds; and
 - (e) all matters relating to the financial affairs of the Southern Chiefs Organization.
- 13.3 For greater certainty, the Finance Committee shall have exclusive signing authority for all Southern Chiefs Organization funds and may delegate signing authority as deemed necessary and appropriate by the Finance Committee.

Accountability

- 14.1 The Finance Committee shall be accountable to, and shall report to and take direction from the Summit.

PERSONNEL COMMITTEE

- 15.1 The Personnel Committee shall consist of only one representative from each of the Tribal Council areas and one representative for all independent First Nations.

Functions and Powers

- 16.1 The Personnel Committee shall function by quorum and any decisions or actions by any individual member of the Personnel Committee shall be null and void and of less that individual is an authorized delegate of the Personnel Committee.
- 16.2 The Personnel Committee is responsible for:
- (a) the management and development of human resources of the Southern Chiefs Organization;
 - (b) the development of policy manual relating to human resource matters of the Southern Chiefs Organization; and
 - (c) all matters relating to staffing including, but not limited to employee contracts, hiring practices, overtime, job descriptions, benefit packages, discipline, and employee travel allowances.

Accountability

- 17.1 The Personnel Committee shall be accountable to, and shall report to and take direction from the Summit.

GRAND CHIEF

- 18.1 The Grand Chief is the political representative of the Southern Chiefs Organization.
- 18.2 The Grand Chief shall work with the Executive Committee to further the political agenda as directed by Summit resolutions.
- 18.3 The Grand Chief has a purely political role and is the primary spokesperson of the Southern Chiefs' Organization.
- 18.4 The Grand Chief shall be paid a salary established by the Summit.
- 18.5 The Grand Chief is an elected official and is not an employee of the Southern Chiefs Organization. Therefore, the Grand Chief's position does not fall within the mandate of the Personnel Committee.

Authority and Accountability

- 19.1 The Grand Chief shall have no inherent political authority.
- 19.2 Any authority the Grand Chief may have shall derive exclusively and entirely from authority granted from time to time by the Summit.
- 19.3 As a leader who exercises delegated mandates, authority, responsibilities and duties, the Grand Chief has sacred political trust to comply in every respect with the direction given by the Summit.
- 19.4 The Grand Chief shall develop an annual budget for the office of the Grand chief in consultation with the Finance Committee and a work plan based on the Summit resolutions in consultation with the Executive Committee and shall submit the same to the Summit for approval.

Election and Term

- 20.1 The Grand Chief shall be elected by the summit by a majority vote of 50% plus 1 of the registered representatives of member First Nations present at Assembly convened for the purpose of electing a Grand Chief provided there is a quorum.
- 20.2 The Grand Chief shall be elected for a three-year term and be eligible for re-election but may be removed from office by 50% plus 1 of the registered representatives of member First Nations present at a Special Summit convened for that purpose provided there is a quorum.

- 20.3 In the event that the Grand Chief is removed from Office in accordance with paragraph 20.2, or in the event that he/she dies or resigns, or is found medically unfit to carry on his/her duties and complete his/her term of office owing to physical or mental disability, or in the event that his/her term of office ends before a new election, the Summit by motion shall appoint an interim Grand Chief who will remain in office until a Summit is convened for the purpose of electing a Grand Chief.

Adoption of the Constitution

- 21.1 This Constitution is adopted by consensus or general agreement of the Chiefs and their duly appointed representatives of the member First Nations present at a Special Summit held in Winnipeg, Manitoba on July 25, 2000.

Amendments to the Constitution

- 22.1 This Constitution may be amended by consensus at any meeting of the Summit at which a quorum is present and for which a notice has been sent at least 14 days in advance to all members of the Summit setting out the purposed amendment and naming the date and place of the meeting. When consensus cannot be reached, the proposed amendment shall be decided by majority vote of Chiefs and duly authorized proxy representatives.

GENERAL

- 23.1 The head administrative office of the Southern Chiefs Organization shall be located in the Dakota Tipi First Nation territory, with an additional sub-office located in Winnipeg, Manitoba.
- 23.2 The Cree, Dakota Ojibway and English languages shall have equal status as the official languages of the Southern Chiefs Organization.
- 23.3 The Southern Chiefs Organization will incorporate an entity for the purpose of carrying out its objectives.
- 23.4 The Southern Chiefs Organization shall not become involved in internal political matters of any First Nation.

Addendum to Constitution:

1. A Proxy holder for a Member First Nation that does not elect a Chief and Council is not required to be an elected council official. Such proxy holders must be accredited officially in writing by the Chief in order to vote.

ACCORD

OF THE

SOUTHERN CHIEFS ORGANIZATION



ADOPTED BY SUMMIT JULY 25, 2000

ACCORD OF THE SOUTHERN CHIEFS OF MANITOBA

We, the Chiefs of the Southern Chiefs of Manitoba, hereby agree to establish an independent political forum to “protect, preserve, promote and enhance First Nations peoples’ inherent rights, languages, customs and traditions through the application and implementation of the spirit and intent of the Treaty-making process.

In a spirit of respect for the sovereign jurisdiction and Treaty-making powers of our respective First Nations; and, in order to achieve our common goals and objectives which are to strengthen our First Nations’ governments’ inherent jurisdiction and to empower our respective First Nations’ peoples to fully exercise our inherent and treaty rights; the First Nations and representative First Nations’ political organizations who are parties to this Accord, agree to undertake the following actions:

1. We agree to work together to develop and implement a coordinated plan of action which embodies the territorial entitlements and responsibilities of our sovereign First Nations.
2. We agree to solicit the input, guidance, and advice for our respective peoples to ensure that their rights, freedoms, and liberties continue throughout our nations’ territories.
3. We agree to uphold, defend, and protect the fundamental inherent, and treaty rights of our people and our respective First Nations governments.
4. We agree to work together to implement measures immediately to support the development of local, tribal, national and institutions of First Nation government, management and decision-making in all areas of importance to our First Nations’ fundamental inherent and treaty rights, freedom, and liberties.
5. We agree to establish nation-nation guidelines and other cooperative instruments to protect our peoples’ inherent right to self-determination.
6. We agree to protect, develop and exercise the spiritual, cultural, political, social, and economic freedoms of our peoples for the benefit of all.
7. We agree and affirm that our First Nations’ inherent sovereignty is expressed in the right of self-determination, which establishes in law the fundamental right of our peoples to withhold support for any measure or policy which they deem harmful to the exercise of our inherent and treaty rights, freedoms, and liberties.
8. We agree to develop and implement measures to establish a system appropriate to the needs and customs of our people in all areas.
9. We agree that all agreements and arrangements entered into by our respective First Nations’ governments with federal, provincial, or local government shall be without prejudice to the recognition and exercise of the inherent and treaty rights of all our peoples.
10. We agree to develop, consolidate and coordinate political and legal strategies that advance the objectives and goals of the Accord.

In order to give effect to this Accord, the parties agree to implement the following political and technical processes:

1. **POLITICAL**

- a) The parties agree to convene regular meetings of the Southern Chiefs as well as larger political forums to discuss and advance the common objectives of the Accord.
- b) The parties agree that their efforts in these forums shall focus on renewal of the treaty-making process and equitable treaty implementation, and that this shall include, but not be limited to:
 - recognition of Aboriginal title and rights in treaty-making (non-extinguishment treaty-making);
 - exercise of First Nation government jurisdiction;
 - international and constitutional protection for the treaties and treaty-making;
 - treaty ratification processes; and
 - treaty implementation in such areas as; land ownership, resources environment, education, health, social harvesting, justice and law enforcement, and sovereign nation' exemptions (tax, military service).
- c.) The parties will freely assign specific individuals and/or alternates, who shall attend meetings and other forums to represent and protect their interests, and who will be empowered and qualified to make such commitments and take such actions as shall be required to advance the goals and objectives of this Accord.
- d.) The parties agree to seek such mandates and authorities as may be required from their respective peoples to implement measures and strategies developed pursuant to this Accord.
- e.) The parties agree to respect differences of opinions and interpretations but agree that these differences shall not interfere with the implementations of this Accord

2. **TECHNICAL**

- a) The parties agree to assign the professional, technical, and advisory resources required to implement the terms of this Accord, in their own territories and in the national and international institutions.
- b) All professional, technical, and advisory resource people assigned to such support work shall remain accountable to their respective First Nations. In addition, they shall fulfil all terms of reference for work under this Accord that are mutually agreed upon by the parties.