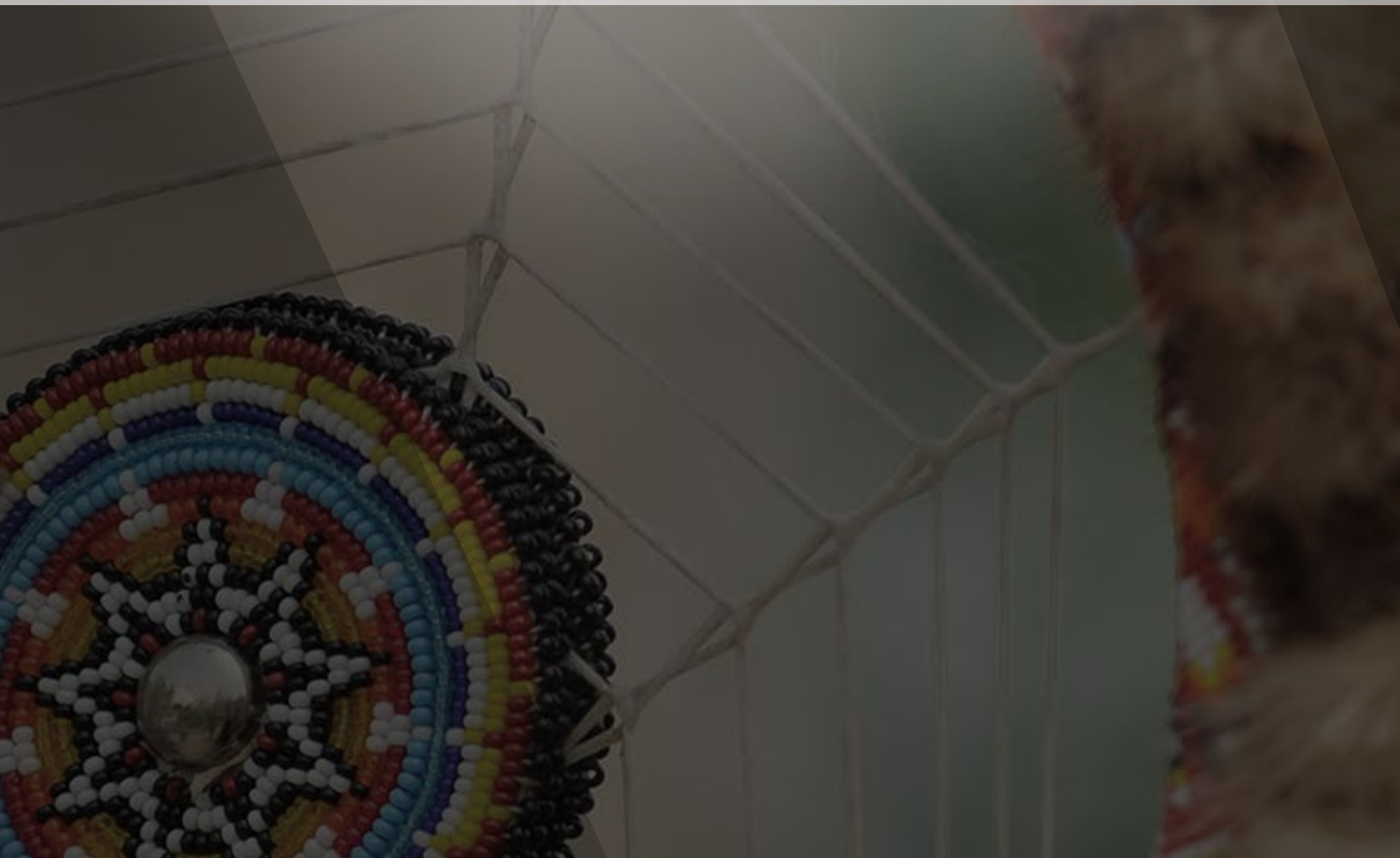




Assembly of First Nations (AFN)
Charter





Assembly of First Nations (AFN) Charter

*This is a consolidation of the original AFN Charter adopted in 1985
and subsequent amendments up to 2022.*

December 2022

CHARTER OF THE ASSEMBLY OF FIRST NATIONS (AFN)

PREAMBLE

WE THE CHIEFS OF THE INDIAN FIRST NATIONS IN CANADA HAVING DECLARED:

THAT our peoples are the original peoples of this land having been put here by the Creator;

THAT the Creator gave us laws that govern all our relationships for us to live in harmony with nature AND MANKIND, THAT the laws of the Creator defined our rights and responsibilities;

THAT the Creator gave us our spiritual beliefs, our languages, our cultures, and a place on Mother Earth which provided us with all our needs;

THAT we have maintained our freedom, our languages, and our traditions from time immemorial;

THAT we continue to exercise the rights and fulfill the responsibilities and obligations given to us by the Creator for the land upon which we were placed:

THAT the Creator has given us the right to govern ourselves and the right to self determination;

THAT the rights and responsibilities given to us by the Creator Cannot be altered or taken away by any other nation;

THAT our aboriginal title, aboriginal rights and international treaty rights exist and are recognized by international law,

THAT the Royal Proclamation of 7 October 1763 is binding on both the Crowns of the United Kingdom and of Canada,

THAT the Constitution of Canada protects our aboriginal title, aboriginal rights (both collective and individual) and international treaty rights;

THAT our governmental powers and responsibilities exist; and THAT our nations are part of the international community

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ARE DETERMINED

To protect our succeeding generations from colonialism;

To reaffirm our faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of our First Nations large and small;

To establish conditions under which justice and respect for the obligations arising from our international treaties and from international law can be maintained, and

To promote social progress and better standards of life among our peoples,

AND FOR THESE ENDS,

To respect our diversity,

To practice tolerance and work together as good neighbors, To unite our strength to maintain our security, and To employ national and international machinery for the promotion of the political, economic and social advancement of our peoples,

SO, WE HAVE RESOLVED TO CONFINE OUR EFFORTS TO ACCOMPLISH COMMON AIMS.

ACCORDINGLY, our respective Governments, through their Chiefs assembled in the City of Penticton in 1982, agreed to establish a national organization known as the Assembly of First Nations (AFN) and now agree in the City of Vancouver in 1985 to the Charter of the Assembly of First Nations.

IDEALS

ARTICLE 1

Diplomatic and political relations between First Nations in all fora of the Assembly of First Nations shall be guided by the following ideals:

- a) By virtue of their rich heritage, historical experience and contemporary circumstances, First Nations possess common interests and aspirations to exercise their political will in common and to develop a collective struggle or cause based upon the Indian values of trust, confidence and toleration.
- b) By virtue of the recognition and affirmation of their mutual freedom and self determination, First Nations possess the knowledge and political will to respect the sovereignty of each First Nation.
- c) By virtue of the recognition and respect for their mutual sovereign equality, First Nations can establish collective political relations based upon respect for diversity.
- d) By virtue of their mutual belief in justice, First Nations can establish collective political relations that will not render a single First Nation to suffer or benefit as a direct result of privilege, favoritism preferential treatment or the abuse of power.



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PRINCIPLES

ARTICLE 2

First Nations, in the pursuit of the ideals stated in Article 1, shall subscribe to and maintain these Principles:

1. First Nations involved in diplomatic and political relations within the Assembly of First Nations recognize that collective political power and action is a practical imperative for the preservation and integrity of the right of self-determination for each First Nation.
2. In order to achieve political solidarity, diplomatic and political relations between First Nations involved in the Assembly of First Nations shall be characterized by the principles of coexistence and diversity.
3. The purpose, authority, responsibilities and jurisdiction of the Assembly of First Nations shall be derivative in nature and scope. All actions or initiatives in excess of the delegation from First Nations shall be null and void and of no force or effect.
4. All delegated power, mandates or responsibility derive from the sovereignty of First Nations; and the persons or institutions entrusted to exercise such delegation have a sacred trust and duty, in performance, to comply strictly with the nature and quality of the delegation.
5. The Assembly of First Nations shall remain at all times an instrument to advance the aspirations of First Nations and shall not become greater in strength, power, resources or jurisdiction than the First Nations for which it was established to serve.
6. Any decision or direction on a subject matter of a fundamental nature that may affect the jurisdiction, rights and survival of First Nations, may be undertaken as a national or international matter provided the First Nations-in-Assembly have reached a consensus to grant delegated power, mandate or responsibility to the Assembly of First Nations. When all efforts at achieving a consensus have been exhausted without a success, a positive vote of 60% of the Chiefs and Proxies of First Nations shall be sufficient for the Assembly of First Nations to undertake any subject matter of a national or international matter. Quorum will be established when a minimum of 51% of those Chiefs and Proxies registered for the Assembly are present in the Assembly room. Decisions of the First Nations-in-Assembly 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 positive vote of 60% of the Chiefs and Proxy representatives of First Nations present in the Assembly room shall be sufficient to constitute a decision.¹

¹ Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 3/ 2021 Article 2 (6) Clarification of Designated Representative and Proxy

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ROLE AND FUNCTION

ARTICLE 3

The role and function of the Assembly of First Nations is:

- a) To be a national delegated forum for determining and harmonizing effective collective and co-operative measures on any subject matters which the First Nations delegate for review, study, response or action.
- b) To be a national delegated forum of First Nations which, by virtue of their sovereignty, are the sole legitimate source for what it is, does or may become in the future.
- c) To be a national delegated forum for the purpose of advancing the aspirations of First Nations and to remain subordinate in strength power and resources to the First Nations jurisdiction for which it is established to serve.
- d) To perform and adhere strictly, as a sacred trust and duty, to the nature, scope and extent of the delegation granted from time to time by First Nations.
- e) To seek, utilize and distribute resources for the greater benefit of all First Nations in endeavours that are truly in form and substance national or international in nature and scope and for which delegation has been granted by First Nations.

MEMBERSHIP

ARTICLE 4

All First Nations in Canada have the right to be Members of the Assembly of First Nations.

ORGANS

ARTICLE 5

1. There are established as principal organs of the Assembly of First Nations:
 - First Nations-in-Assembly;
 - The Confederacy of Nations;
 - The Executive Committee;
 - The Secretariat;
 - The Knowledge Keepers Council;²
 - The Council of Women;

² Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 01/2020 Article 5 (1) – Knowledge Keepers Council



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- The National Youth Council; and
 - The First Nations Veterans Council.³
 - Two Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex and Asexual Plus (2SLGBTQQA+) Council;⁴
2. Such subsidiary organs may be found necessary may be established from time to time by the First Nations-in-Assembly.

THE FIRST NATIONS-IN-ASSEMBLY COMPOSITION ARTICLE 6

1. The First Nations-in-Assembly shall consist of all the Chiefs of those First Nations who exercise their right to be Members of the Assembly of First Nations.
2. Each First Nation shall have one representative in the First Nations-in-Assembly.
3. In the absence of a Chief of a First Nation, Proxies, who are accredited officially in writing by a First Nation for that purpose, may participate in the First Nations-in- Assembly.⁵

FUNCTIONS AND POWERS ARTICLE 7

1. The First Nations-in-Assembly is a forum for First Nations to conduct nation-to-nation discussions, consultations and deliberations and to collaborate on any matter within the jurisdiction of First Nations.
2. The First Nations-in-Assembly have power:
 - a) To discuss any matter related to the conduct or operations of any organ of the Assembly of First Nations and to make binding decisions regarding such matters.
 - b) To make decisions on any subject matter that chiefs of First Nations desire to initiate or undertake co-operatively and collectively through the Assembly of First Nations.
 - c) To delegate authority, mandates, tasks, responsibilities or duties to the Assembly of First Nations whenever such delegation is deemed necessary by the Chiefs of the First Nations.
 - d) To ensure that the positions and directions given by First Nations are implemented and to take disciplinary measures whenever the sacred trust and duty to perform and adhere to, in strict compliance with the delegation is deliberately breached.

3 Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 02/2020 Article 5 (1) – First Nations Veterans Council

4 Special Chiefs Assembly December 7-9, 2021, Ottawa, ON Resolution 15/2021 - Establishment of a 2SLGBTQQA+ Council

5 Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 3/2021 Article 2 (6) Clarification of Designated Representative and Proxy

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- e) To instruct the Executive Committee to proceed with a ratification process of its decisions regarding any subject matter of a fundamental nature that may affect the jurisdiction, rights and survival of First Nations.
 - f) To ensure that the Principles enumerated in Article 2 are maintained and put into practice in relation to the role and function of the Assembly of First Nations and all its regions.
 - g) To be, in general, the sole legitimate inherent source of what the Assembly of First Nations is, what it can do and what it may become in the future.
3. The First Nations-in-Assembly shall, by way of resolution, establish a Chiefs' Committee from time to time that will lead work or take action on a specific subject.
- a) Chiefs' Committee members shall be appointed by Regional Chiefs following each region's formal rules, policies and procedures for the operation of the regional AFN offices.
 - b) The Chiefs' Committee shall draft a terms of reference at its first meeting to guide the work and forward the terms of reference to the Executive Committee for approval. The terms of reference shall include, at a minimum standard, the authority, accountability, mandate, objectives, composition, reporting structure and timeline for the work by the Chiefs' Committee.
 - c) The National Chief shall be an ex officio member of all Chiefs' Committees and shall assign, in a collaborative process with the Executive Committee, a member of the Executive Committee as the appropriate portfolio holder to act as the Chair of the Chiefs' Committee.
 - d) The portfolio holder shall select a Co-Chair from the members of the Chiefs' Committee and the Co-Chair shall support the Chair and chair all meetings in the absence of the portfolio holder Chair.
 - e) At no time does a Chiefs' Committee have the authority to pass motions that bind the Executive Committee or First Nations-in-Assembly, but instead, the Chiefs' Committee shall provide recommendations to the Executive Committee and the First Nations-in-Assembly for voting purposes. ⁶

⁶ Special Chiefs Assembly December 3-5, 2019, Ottawa, ON Resolution 74/2019 Article 7 (3) (a) (b) (c) (d) (e) – Chiefs Committees



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DECISION MAKING

ARTICLE 8

1. Quorum will be established when a minimum of 51% of those Chiefs and Proxies registered for the Assembly are present in the Assembly room. Decisions of the First Nations-in-Assembly 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 positive vote of 60% of the Chiefs and Proxy representatives of First Nations present in the Assembly room shall be sufficient to constitute a decision.⁷
2. In the event of voting, each member shall have one vote which may be exercised by proxy.

ASSEMBLIES

ARTICLE 9

The First Nations-in-Assembly shall meet in regular annual sessions in the months of June or July and in such special sessions as occasion may require. Special sessions may be convened by the National Chief at the request of the Confederacy of Nations, or of the Executive Committee.

PROCEDURE

ARTICLE 10

The First Nations-in-Assembly shall adopt its own Rules of Procedure.

THE CONFEDERACY OF NATIONS COMPOSITION

ARTICLE 11

The Confederacy of Nations shall be composed of First Nations representatives of each region on the basis of one representative for each region plus one representative for each 10,000 First Nations' citizens of that region.

For the purposes of representatives and quorum, the Executive Committee shall maintain a record of the First Nations populations of each region which shall be British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia, Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories, Yukon Territory.⁸

⁷ Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 3/ 2021 Article 8 (1) Clarification of Designated Representative and Proxy

⁸ Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 04/2021 Article 11 Composition Change Prince Edward Island

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FUNCTIONS AND POWERS

ARTICLE 12

1. The Confederacy of Nations exists and functions as the governing body between assemblies of the First Nations- in-Assembly, with authority:
 - a) To review and enforce decisions and directions of the First Nations-in-Assembly.
 - b) To interpret resolutions, decisions and directions of the First Nations-in-Assembly in cases where ambiguity or conflict arises in the interpretation of resolutions, decisions.
 - c) To ensure that the Secretariat and Executive Committee (including the National Chief) conform to, and implement, the decisions and directions of the First Nations-in-Assembly.
 - d) To take corrective and remedial disciplinary measures in respect of any member of the Secretariat or Executive Committee (including the National Chief) in instances of willful breach of a national mandate.
 - e) To receive, consider, make decisions and take appropriate action on any matter raised by an individual First Nation or collectively of First Nations between meetings of the First Nations-in-Assembly provided that the response and action undertaken is within the scope of existing delegated mandates of the First Nations-in-Assembly, and provided resources that may be required are available and within the budget of the organization, and further provided that the matter dealt with does not have a detrimental effect on the rights and interests of all First Nations.
 - f) To address any emergency in matters of a fundamental nature affecting one or more First Nations. The Confederacy of Nations shall consider, first, whether that matter is of a fundamental nature, second, whether an emergency exists before any decision or action is taken on that matter. Any decision made shall be referred to the First Nations-in-Assembly at the earliest opportunity for ratification.
 - g) To approve, allocate, monitor and control the fiscal resources of the Assembly of First Nations.
 - h) To develop short-term and long-term plans and establish priorities consistent with the directions and decisions of the First Nations-in-Assembly.
 - i) To ensure that quarterly written reports are submitted directly to the Chiefs of the First Nations.

ACCOUNTABILITY ARTICLE 13

1. The Confederacy of Nations shall be accountable to, shall report to and take direction from the First Nations-in-Assembly.



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2. The Confederacy of Nations representatives may be elected or appointed and removed by the Chiefs of each region at a meeting convened for that purpose.

MEETINGS ARTICLE 14

The Confederacy of Nations shall meet in regular quarterly sessions and in such special sessions as occasion may require. Special sessions may be convened by the National Chief on his own initiative, or at the request of a quorum for the duly selected members of the Confederacy of Nations or at the request of the Executive Committee.

QUORUM

ARTICLE 15

Fifty percent of participating representatives and fifty percent of the participating regions shall constitute a quorum for any meeting of the Confederacy of Nations.

PROCEDURE ARTICLE 16

The Confederacy of Nations shall adopt its own Rules of Procedure.

THE EXECUTIVE COMMITTEE COMPOSITION

ARTICLE 17

1. Executive Committee shall consist of the National Chief, the AFN Regional Chiefs and the Chairperson of the Knowledge Keepers Council⁹ (in an advisory capacity).
2. National Chief shall be elected in accordance with Article 22 of the present Charter.
3. The AFN Regional Chiefs shall be elected by the Chiefs in their regions according to the following formula: one each from British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia, Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories, Yukon Territory.¹⁰
4. The AFN Regional Chiefs shall be elected for a three-year term and shall be eligible for re-election. The term of office may be terminated before the expiry date if the Chiefs of that Region so decide at a meeting called for that purpose.¹¹

FUNCTIONS AND POWERS ARTICLE 18

1. The Executive Committee shall function as a unit and any decisions or actions by any individual member of the Executive Committee shall be null and void and of no force or effect.

9 Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 01/2020 Article 17 (1) – Knowledge Keepers Council

10 Special Chiefs Assembly December 3-5, 2019, Ottawa, ON Resolution 74/2019 Article 7 (3) (a) (b) (c) (d) (e) – Chiefs Committees

11 Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 3/ 2021 Article 8 (1) Clarification of Designated Representative and Proxy

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2. The Executive Committee shall make representations on behalf of First Nations consistent with properly delegated mandates.
3. The Executive Committee shall monitor, and control the Secretariat, set policy for the internal operations of the Secretariat, select all senior officials and approve all personnel or service contracts the value of which exceeds five thousand (\$5,000.00) dollars.
4. On matters of concern to an individual First Nation that will not affect other First Nations, the Executive Committee shall consider a request from any First Nation and decide on an appropriate course of action.
5. The Executive Committee shall bring to the attention of First Nations, the First Nations-in-Assembly and the Confederacy of Nations any matters which, in their opinion, may jeopardize the security, survival, rights, aspirations and jurisdiction of First Nations.
6. The Executive Committee shall develop the budget requirements of the Assembly of First Nations and obtain the approval of the budgets by the Confederacy of Nations.
7. The Executive Committee shall secure fiscal resources for the Assembly of First Nations and monitor and control the expenditures of the Assembly of First Nations.
8. In implementing the decisions of the First Nations-in-Assembly and the Confederacy of Nations, the Executive Committee shall comply in all cases with the true spirit and intent of the delegation granted from time to time.
9. The National Chief shall assign portfolios in a collaborative process with the Executive Committee and/or re-assign portfolio topics to Regional Chiefs serving on the Executive Committee to lead specific topics of work as required. Upon assignment, the Regional Chief shall report quarterly to the Executive Committee and the First Nations-in-Assembly as well as to their own Regions. If the Regional Chief fails to report quarterly, the National Chief may consider re-assigning the portfolio.
 - a) The portfolio holder shall be responsible for leading the work of the portfolio as directed by resolutions from the First Nations-in-Assembly;
 - b) The portfolio holder shall chair all Chiefs' Committee meetings that are associated with their portfolio and oversee the work of the Chiefs' Committee to ensure that all procedures and processes are being followed and maintained under the Terms of Reference, By-Laws and the AFN Charter.¹²
10. Members of the Executive Committee may participate in Confederacy of Nations meetings with voting privileges.

¹² Special Chiefs Assembly December 3-5, 2019 Ottawa, ON Resolution 73/2019 Article 18 (9) (a) (b) – Executive Committee Portfolios



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ACCOUNTABILITY ARTICLE 19

The Executive Committee shall be accountable to, shall report to and take direction from the Confederacy of Nations and the First Nations-in-Assembly.

- a) Each Region shall formally adopt rules, policy and procedures for the operation of the Regional AFN offices.
- b) Regional Chiefs, upon election, shall swear an oath of office that contains the role, function, authority, and accountability provisions contained in the AFN Charter. The Oath of Office swearing-in will include ceremony as guided by Knowledge Keepers from the Region.¹³

NATIONAL CHIEF

ROLE AND FUNCTION ARTICLE 20

1. The National Chief is a member of and is not separate and apart from the Executive Committee. He functions as a member of a collective leadership.
2. The National Chief shall take direction from the Executive Committee as a unit, and, with the Executive Committee, is responsible to the Confederacy of Nations and ultimately to the First Nations-in-Assembly.
3. The National Chief shall make regular political and financial reports to his colleagues in the Executive Committee, to the Confederacy of Nations and to the First Nations-in-Assembly.
4. The National Chief has a political role and is the primary spokesperson of the Assembly of First Nations.
5. The National Chief shall maintain and direct the Secretariat in accordance with the directions set by the Executive Committee, the Confederacy of Nations and the First Nations-in-Assembly.
6. The National Chief shall preside over Executive Committee and Confederacy of Nations meetings.
7. The National Chief shall develop a budget for the office of National Chief and the rest of the Executive Committee and shall retain support staff to help the Executive Committee carry out their duties and obligations to the First Nations.
8. The National Chief shall operate the Secretariat within the Budget approved each fiscal year by the Confederacy of Nations.
9. The National Chief shall reside in the National Capital area.
10. The National Chief shall be paid a salary established by the First Nations-in-Assembly.

¹³ Special Chiefs Assembly December 3-5, 2019 Ottawa, ON Resolution 77/2019 Article 19 (a) (b) - Regional Chief Oath of Office and adoption of rules, policies and procedures for AFN Regional Offices



AUTHORITY AND ACCOUNTABILITY ARTICLE 21

1. The National Chief shall have no inherent political authority.
2. Any authority the National Chief may have shall derive exclusively and entirely from authority granted from time to time by the First Nations-in-Assembly.
3. As a leader who exercises delegated mandates, authority, responsibilities and duties, the National Chief has a sacred political trust to comply in every respect with the direction given by the First Nations-in-Assembly, the Confederacy of Nations and the Executive Committee.

ELECTION AND TERM ARTICLE 22

1. The National Chief shall be elected by the First Nations-in-Assembly by a majority of 60% of the registered representatives of First Nations at an Assembly convened for the purpose of electing a National Chief.
2. The National Chief shall be elected for a three-year term and be eligible for re-election but may be removed by a majority of 60% of the registered representatives of First Nations at a Special Assembly convened by the Confederacy of Nations for that purpose.
3. In the event that the National Chief is removed from Office in accordance with paragraph 2 of this article or in the event that he dies or resigns, or is found to be medically unfit to carry on his duties and complete his term of office owing to physical or mental disability, or in the event that his term of office ends before a new election, the rest of the Executive Committee shall assume his role and function until such time as other arrangements are made by the First Nations-in-Assembly.
4. A National Chief who is seeking re-election, and any other candidate for the Office of National Chief, shall maintain a strict accounting of all moneys raised for their campaign and a preliminary disclosure of these records shall be made to the Assembly at which they are seeking election prior to the time of the election.
5. At any Assembly at which an election for the Office of National Chief occurs, the Chief Electoral Officer shall review the accounts disclosed by each candidate in accordance with paragraph 4 of this Article and shall ensure that standards set for such accounts by the First Nations-in-Assembly are applied fairly and evenly to all candidates.
6. The National Chief shall swear an oath of office that contains the Role, Function, Authority and Accountability provisions contained in the AFN Charter. The Oath of Office swearing-in will include ceremony as guided by the Knowledge Keepers Council.¹⁴

¹⁴ Resolution 75/2019 Article 22 (6) – National Chief Oath of Office



Assembly of First Nations (AFN) Charter

COUNCILS

KNOWLEDGE KEEPERS COUNCIL COMPOSITION ARTICLE 23

1. The Council shall consist of three Knowledge Keepers, inclusive of male, female, and 2SLGBTQQIA peoples, from each of AFN's affiliated regions across Canada. Each Region shall appoint and can remove a Knowledge Keeper to serve on the Council in accordance with the process and procedures governing that Region.
2. Two Resident Knowledge Keepers, who represent the genders/sexes equally, inclusive of 2SLGBTQQIA people, shall be appointed to and can be removed from the Council by the National Chief, on advice from the AFN Executive Committee.
3. Knowledge Keepers shall elect a Chairperson and an alternate Chairperson to preside over Council meetings.¹⁵

COUNCIL OF WOMEN ARTICLE 23.A

1. The Council of Women shall consist of one or more female(s) in a leadership position representing each of the twelve regions according to the following formulas: one each from British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia, Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories, and the Yukon Territory. Each region will be responsible for identifying the process for the appointment of their regional representative. In addition, the Chairperson (or designate) shall be associated with the Secretariat and be a member of the Executive Committee.¹⁶
2. The Chairperson will be selected by the representatives of the Council of Women; each representative will serve for a term of three years and shall be eligible for re-appointment.

NATIONAL YOUTH COUNCIL ARTICLE 23.B

1. The National Youth Council shall consist of two youth representatives from each of the twelve regions of the Assembly of First Nations.¹⁷
2. Each region shall determine their one male and one female representative between the ages of 16 and 29 inclusive and appoint them to the National Youth Council.
3. The National Youth Council shall elect two Chairpersons, one of whom shall be male and one female, representative of east and west (which shall include the North).
4. The National Youth Council shall be appointed for a term of three years and shall be eligible for reappointment.

¹⁵ Annual General Assembly December 8-9, 2020, Ottawa, ON
Resolution 01/2020 Article 23 (1) (2) (3) – Knowledge Keepers Council

¹⁶ Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 04/2021 Article 23. A (1) Composition Change
Prince Edward Island

¹⁷ Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 04/2021 Article 17 (2) Composition Change
Prince Edward Island



FIRST NATIONS VETERANS COUNCIL ARTICLE 23.C

1. The First Nations Veterans Council shall consist of veterans, representative of all First Nations veterans within Canada and the United States of America, as well as First Nations within the Royal Canadian Mounted Police (RCMP), the Canadian Department of National Defense, First Nation Peacekeeper societies, First Nations police forces and First Nations who have served in other law enforcement agencies.
2. The First Nations Veterans Council shall be inclusive of male, female, and 2SLGBTQQIA peoples.¹⁸

2SLGBTQQIA+ COUNCIL ARTICLE 23.D

1. The 2SLGBTQQIA+ Council shall consist of one or more 2SLGBTQQIA+ people in a leadership position representing each of the twelve regions according to the following formulas: one each from British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Labrador, Nova Scotia, Newfoundland, New Brunswick, Prince Edward Island, Northwest Territories and the Yukon Territory. Each region will be responsible for identifying the process for the appointment of their regional representative. In addition, the Chairperson (or designate) shall be associated with the Secretariat and be a member of the Executive Committee.
2. The Chairperson will be selected by the representatives of the 2SLGBTQQIA+ Council, each representative will serve for a term of three years and shall be eligible for re- appointment.¹⁹

ROLE AND FUNCTION

KNOWLEDGE KEEPERS COUNCIL

ARTICLE 24

1. The role of the Knowledge Keepers Council is to provide assistance, guidance and support to the National Chief, Executive Committee and First Nations-in-Assembly.
2. The Knowledge Keepers Council will meet bi-annually in conjunction with the AFN Annual General Assembly and Special Assembly. The Council Chairperson may call additional Council meetings where, in the view of the Chairperson, such meetings are necessary.
3. The Knowledge Keepers Council may provide oral and/or written reports to the First Nations-in-Assembly, Executive Committee and National Chief on issues that the Council deems of national or international concern. The Chairperson or the alternate shall participate in Executive Committee meetings in an advisory capacity.
4. The role of the Resident Knowledge Keepers is to provide assistance, guidance and support to the National Chief and the Executive Committee.²⁰

¹⁸ Annual General Assembly December 8-9, 2020, Ottawa, ON
Resolutions 02/2020 Article 23.C (1) (2) – First Nations Veterans Council

¹⁹ Special Chiefs Assembly December 7-9, 2021, Ottawa, ON Resolution 15/2021- Establishment of a 2SLGBTQQIA+ Council

²⁰ Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 01/2020 Article 24 (1)(2)(3)(4)(5)
- Knowledge Keepers Council



Assembly of First Nations (AFN) Charter

COUNCIL OF WOMEN

ARTICLE 24.A

1. The Council of Women may discuss any question or any matter within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and make recommendations to the Executive Committee, the Confederacy of Nations, the First Nations-in-Assembly or to any subsidiary organ on any such question or matter.
2. Any member of the Council of Women may participate fully in meetings of the First Nations-in-Assembly or of the Confederacy of Nations or of any subsidiary organ. The Chairperson (or designate) of the Council of Women may participate in meetings of the Executive Committee.
3. The Council of Women will determine and elaborate further on quorum, procedures, functions, etc. at the inaugural meeting of the Council.

NATIONAL YOUTH COUNCIL

ARTICLE 24.B

1. The National Youth Council may discuss any questions or any matter within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter.
2. At least two representatives of the National Youth Council (chosen by consensus by members of the Council) shall participate in all Annual General Assemblies and Confederacy of Nations meetings.
3. The two National Youth Council Chairpersons shall be advisory members to the Executive Committee meetings.
4. The role and function of members of the National Youth Council is to represent First Nations youth perspectives in all political, social, economic, cultural and traditional matters.

FIRST NATIONS VETERANS COUNCIL

ARTICLE 24.C

1. The First Nations Veterans Council shall promote the recognition of contributions of First Nation veterans in Canada made in all conflicts as allies to Canada, to educate First Nations about the history of First Nations veterans, develop and maintain a database recognizing First Nations Veterans and to engage with Veterans Affairs Canada in efforts to advance reconciliation and healing.²¹

²¹ Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 02/2020 Article 24.C – First Nations Veterans Council



2SLGBTQQA+ COUNCIL ARTICLE 24.D

1. The 2SLGBTQQA+ Council may discuss any question or any matter within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and make recommendations to the Executive Committee, the Confederacy of Nations, the AFN Executive Committee or to any subsidiary organ on any such question or matter.
2. Any member of the 2SLGBTQQA+ Council may participate fully in meetings of the AFN Executive Committee or of the Confederacy of Nations or of any subsidiary organ. The Chairperson (or designate) of the 2SLGBTQQA+ Council may participate in meetings of the Executive Committee.
3. The 2SLGBTQQA+ Council will determine and elaborate further on quorum, procedures, functions, etc. at the inaugural meeting of the Council. ²²

THE AFN SECRETARIAT COMPOSITION

ARTICLE 25

The Secretariat of the AFN shall be comprised of the Executive Committee and such administrative, technical and support staff as the Assembly of First Nations may require.

FUNCTIONS

ARTICLE 26

1. The Secretariat shall function in accordance with its By-laws but so as to ensure the implementation of the decisions of the First Nations-in-Assembly and those of the Confederacy of Nations consistent with the decisions of the First Nations-in-Assembly.
2. The Secretariat shall provide administrative, technical and support services to the Assembly of First Nations.
3. The Secretariat shall receive, administer and distribute monies and transact business and engage in such activities as are ancillary to, or necessary for, the realization of the decisions of the First Nations-in-Assembly, the Confederacy of Nations and the Executive Committee.
4. The AFN Secretariat shall provide orientation on behalf of the Assembly of First Nations specifically to support and provide information for official AFN political and/or technical representatives to ensure the efficiency of AFN's operations, gatherings and assemblies.

ARTICLE 27

1. All members of principal organs of the AFN with a direct conflict of interest or appearance of a conflict of interest must adhere to Section 27 of this Charter.

22 Special Chiefs Assembly December 7-9, 2021, Ottawa, ON Resolution 15/2021- Establishment of a 2SLGBTQQA+ Council



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2. Conflict of interest are or may be:
 - a. defined as situations in which personal, business, or financial considerations may affect, or appear to affect a member of the Principal Organ's objectivity, judgement or ability to act in the best interests of the Assembly of First Nations.
 - b. real, potential or perceived in nature:
 - i. a real conflict of interest arises where a member of a Principal Organ has a private or personal interest, for example, a close family connection or financial interest.
 - ii. a potential conflict of interest may arise when a member of a Principal Organ has a private or personal interest, such as an identified future commitment.
 - iii. A perceived or apparent conflict of interest may exist when a reasonable, well-informed person has a reasonable belief that a member of a Principal Organ has a conflict of interest, even if there is no real conflict. Full disclosure, in itself, does not remove a conflict of interest.
3. Conflicts of Interest should be declared as soon as is practicable to the respective body, and that person must recuse themselves from deliberation and decision on that topic.
4. Where a conflict of interest is raised by any members of principal organs of the AFN, the AFN may choose to retain the advice of legal counsel for advice on the conflict-of-interest matter to uphold the integrity of the applicable process. Each principal organ of the AFN may choose to address and resolve the issue by means identified by that organ to maintain the integrity of the process.

ARTICLE 28

This Charter may be amended by consensus or general agreement of the Chiefs or their duly accredited Proxy of the First Nations present at any Annual Meeting or Special Meeting of the First Nations-in-Assembly provided that at least 60 days written Notice is given to the First Nations in advance of the Annual Meeting or Special Meeting at which such amendment is to be tabled.

ADOPTION OF THE CHARTER

ARTICLE 29

The present Charter is adopted by consensus or general agreement of the Chiefs and their duly accredited representatives of the First Nations present at the VI Annual Assembly of First Nations held in Vancouver, British Columbia, on 31 July 1985.

NOTE: This Appendix is an integral part of the Charter.



APPENDIX "A" (1990)

ELECTORAL RULES FOR THE OFFICE OF THE NATIONAL CHIEF

A. Appointment of the Chief Electoral Officer

1. At least ten (10) weeks prior to the General Assembly at which the election is to occur, the Confederacy of Nations shall meet and have included on its agenda an item dealing with the appointment by resolution of the Chief Electoral Officer.
2. The Chief Electoral Officer shall assume office eight (8) weeks prior to the election and shall cease functions two (2) weeks after the election.
3. Once in office, the Chief Electoral officer is an absolutely impartial officer of the Assembly accountable directly to the General Assembly or Confederacy.
4. The Chief Electoral Officer can be removed only for cause by resolution of the General Assembly or the Confederacy.

B. Functions of the Chief Electoral Officer

1. The Chief Electoral Officer is responsible for:
 - (a) devising nomination forms and receiving nominations of candidates for the Office of National Chief and ensuring that they are in proper form including a passport-type photograph;
 - (b) mailing the names and brief particulars of the candidates to the Chiefs (using the official list of Chiefs at the National Office) at least four (4) weeks before the election;
 - (c) receiving an accounting from all candidates of all moneys raised and spent for their campaigns including the names of contributors;
 - (d) reviewing the accounts disclosed by each candidate and ensuring that spending limits are applied fairly and evenly to all candidates;
 - (e) arrangements for the All-Candidates Open Forum on the evening prior to the election (and presiding thereat);
 - (f) informing the All-Candidates Open Forum of the preliminary financial record of each candidate including the names of contributors;
 - (g) devising and making all administrative arrangements in connection with the election at the General Assembly including the destruction of the ballots upon a resolution of the Assembly,
 - (h) counting of the ballots (after voting has occurred) in the presence of one (1) observer each appointed by the candidates and of at least one (1) security officer;
 - (i) announcing the results of the ballot to the General Assembly; and



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- (j) submitting a written report on the election including details of results, to the Executive Committee within two (2) weeks after the election.

NOTE: The Executive Committee shall make available to the Chief Electoral Officer such staff and facilities as he might require to carry out his duties.

C. The Timing of the Election

1. The election for the Office of National Chief shall take place on the morning of the second day of the General Assembly at which the election is to occur, the first ballot commencing at 9:00 o'clock and ending at noon. (If necessary, the election procedure shall continue throughout the day.)
2. On the evening prior to the election, the candidates are obliged to participate all together in an open forum (This is in addition to any meetings with caucuses as individual candidates may choose to participate in).
3. As soon as the election results have been announced, the declared winner shall take the Oath of Office as National Chief in the presence of the General Assembly and shall assume office from that time.

D. The Nomination and Endorsement of Candidates

1. Commencing eight (8) weeks prior to the election and ending at midnight on the day that is five (5) weeks prior to the election, nomination papers in proper form shall be submitted to the Chief Electoral Officer at the Branch Office of the Assembly of First Nations in the National Capital Region.
2. Each nomination in proper form shall be endorsed by fifteen (15) eligible electors who shall be Chiefs representing First Nations Members of the Assembly and at least eight (8) of them shall be from a province or territory other than that from which the candidate comes.
3. Each nomination in proper form shall be accompanied by a statement signed by the candidate certifying that the candidate is of the age of eighteen (18) years and upwards and is of First Nations ancestry and belongs to a specified First Nation community which is in good standing as a Member of the Assembly of First Nations. Note: For the purpose of these Rules, the term "in good standing as a Member of the Assembly of First Nations means that the particular community holds itself out to be a Member of the Assembly, subscribing to the Charter of the Assembly (in particular, accepting the Role and Function of the Assembly as set out in Article 3 and the principles as set out in Article 2) and supporting the work of the Assembly.
4. Each nomination in proper form shall be accompanied by a photograph and biographical sketch of the candidate as well as appropriate addresses and telephone numbers.



E. Campaign Expenses

1. The limit for expenditures by each candidate for election purposes shall be thirty-five thousand dollars (\$35,000.00).
2. On the day prior to the election, each candidate shall submit a certified preliminary statement of campaign expenses and names of contributors to the Chief Electoral Officer in sufficient time for the All-Candidates Open Forum to be informed.

NOTE: The Chief Electoral Officer may disqualify any candidate who does not participate in the All-Candidates Open Forum or does not submit a financial statement or whose financial statement appears, upon reasonable grounds, to be false.

An appeal from such disqualification may be made by the disqualified candidate to the General Assembly.

F. Conduct of the Election

1. All voter registration for the election shall cease one (1) hour before the ending of the first ballot, that is, at 11:00 a.m.
2. Each Member of the Assembly shall have one (1) vote.
3. Only accredited representatives of Members shall be allowed to vote.
4. A Member may be represented by proxy in the form of a duly executed original or facsimiled Band Council Resolution (BCR) or an original or facsimiled hand-written or typewritten letter signed by the chief representative of the Member for whom the proxy is made provided that the signature is legible.
5. No accredited representative may carry more than one (1) proxy.
6. There shall be no proxies of proxies.
7. The winner of the election shall be that person who first gains a majority of sixty (60) per cent of the votes of the representatives of Members who are registered at the Assembly.
8. A candidate who fails to gain at least fifteen (15) votes shall be automatically eliminated.
9. In addition to any candidate eliminated under clause 8, after each ballot, the candidate who gains the lowest number of votes shall be automatically eliminated.
10. Any candidate may withdraw from the election at any time.



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Amendments

1. VII Annual General Assembly
August 20, 1986, St John's, Newfoundland Resolution 16/86 Articles 17(3), 20(9), 22(3) (4) (5)
2. VIII Annual General Assembly June 26, 1987, Toronto, Ontario Resolution 43/87 Appendix "A" - Electoral Rules for the Office of National Chief
3. XI Annual General Assembly May 7, 1990, Whitehorse, Yukon Resolution 1/90 Appendix "A" - Electoral Rules for the Office of National Chief Resolution 2/90 Article 11(1) (2)
4. Special Chiefs Assembly
December 11, 1990, Ottawa, Ontario Resolution 12/90
Appendix "A" - Electoral Rules for the Office of National Chief; Article D(3)
5. XIV Annual General Assembly
July 29, 1993, Tsuu T'ina Nation, Calgary, Alberta Resolution 11/93 Article 17(3)
6. XXII Annual General Assembly July 17-19, 2001, Halifax, N.S. Resolution 16/2001 Article 23.A, Article 24.A, Article 5
7. XXII Annual General Assembly July 17-19, 2001, Halifax, N.S. Resolution 25/2001 Article 23.B, Article 24.B, Article 5
8. XXIII Annual General Assembly
July 16-18, 2002, Kahnawake, Quebec Resolution 29/2002 Article 27
9. Special Chiefs Assembly December 3-5, 2019, Ottawa, ON Resolution 73/2019 Article 18 (9) (a) (b) – Executive Committee Portfolios Resolution 74/2019 Article 7 (3) (a) (b) (c) (d) (e) – Chiefs Committees Resolution 75/2019
Article 22 (6) – National Chief Oath of Office Resolution 76/2019
Article 17 (4) – Numerical correction, inclusion of a number '4'. Resolution 77/2019
Article 19 (a) (b) - Regional Chief Oath of Office and adoption of rules, policies and procedures for AFN Regional Offices.
10. 1Annual General Assembly December 8-9, 2020, Ottawa, ON Resolution 01/2020 Article 5 (1) – Knowledge Keepers Council Resolution 02/2020
Article 5 (1) – First Nations Veterans Council Resolution 01/2020 Article 17 (1) – Knowledge Keepers Council Resolution 01/2020
Article 23 (1) (2) (3) – Knowledge Keepers Council Resolutions 02/ 2020 Article 23.C (1) (2) – First Nations Veterans Council Resolution 01/2020 Article 24 (1)(2)(3)(4)(5) - Knowledge Keepers Council Resolution 02/ 2020 Article 24.C – First Nations Veterans Council

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11. Annual General Assembly July 6-8, 2021, Toronto, ON Resolution 03/2021 Clarification of Designated Representative and Proxy Article 2 (6) – Principles
Article 6 (3) – First Nations-in-Assembly Composition Article 8 (1) – Decision Making Article 27 Resolution 04/2021
Composition Change Prince Edward Island Article 11- Confederacy of Nations Composition Article 17 (3) – The Executive Committee Composition Article 23.A (1) Council of Women Composition Article 23.B (1) National Youth Council Composition
12. Special Chiefs Assembly December 7-9, 2021, Ottawa, ON Resolution 15/ 2021
Establishment of a 2SLGBTQQIA+ Council Article 5 (1) - Principles
Article 23.D- Composition 2SLGBTQQIA+ Council Article 24.D – Roles and Function 2SLGBTQQIA+ Council
13. Special Chiefs Assembly December 6-8, 2022, Ottawa, ON Resolution 19/ 2022
Executive Committee Representation Newfoundland Article 11 – The Confederacy of Nations Composition
 - Article 17(3) – The Executive Committee Composition
 - Article 23.A – Council of Women
 - Article 23.D (1) – 2SLGBTQQIA+ Council
 - Resolution 20/2022
 - Corporate Name Change
 - Article 5 (1) – Organs
 - Article 25 – The AFN Secretariat Composition
 - Article 26 (1) – The AFN Secretariat Functions
 - Appendix “A” (1990) – D (1) The Nomination and Endorsement of Candidates
 - Resolution 21/2022
 - Conflict of Interest
 - Article 27 – Conflicts of Interest
 - Resolution 22/2022
 - AFN Orientation
 - Article 26 (4) – The AFN Secretariat Functions



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