



ASSEMBLY OF FIRST NATIONS

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# Conference Booklet



## PURPOSE and SCOPE:

This Assembly of First Nations (AFN) Conference Booklet, updated September 2024, comprises four main parts:

1. Rules of Procedure for AFN Assemblies
2. Resolutions Procedures
3. Frequently Asked Questions (FAQ)
4. Charter of the Assembly of First Nations (AFN Charter)

The **Rules of Procedure** contain provisions for how to conduct both the Annual General Assembly (AGA) and a Special Chiefs Assembly (SCA). Along with the Assembly agenda, these are adopted by way of motion at the beginning of an Assembly and are then followed to guide the Assembly throughout. Between Assemblies, these provisions can be amended via AFN Executive Committee Motion so long as they remain consistent with the AFN Charter. Adherence to these procedures is critical to ensuring fair and accountable Assemblies, which includes the review and adoption of resolutions as an essential mechanism by which First Nations provide specific mandates and direction to the AFN.

The **Resolutions Procedures** provide further guidance specific to the resolutions process and the essential criteria that resolutions must meet prior to being presented for consideration to the First Nations-in-Assembly.

The **FAQ** is a supplementary document provided for informational purposes only.

All the abovementioned materials are carefully aligned with the **AFN Charter** and bylaws. However, in the case of a real or perceived conflict, they are subordinate to the Charter and bylaws, which are always in effect and need not be “adopted” by motion or otherwise. Charter amendments can only be made via “Organizational” resolutions submitted 60 days in advance of a scheduled Assembly. Resolutions to amend the AFN Charter are a specific type of resolution described in Article 28 of the Charter.



Assembly of First Nations  
**CONFERENCE BOOKLET**



## Table of Contents

Rules of Procedure for AFN Assemblies .....	2
Meeting Types.....	2
I. Participants and Eligibility.....	3
II. Assembly Format, Agenda & Quorum.....	5
III. Chairperson(s).....	6
IV. Resolutions and Voting .....	8
AFN Resolutions Procedures .....	14
Frequently Asked Questions (FAQ) .....	23
Charter of the Assembly of First Nations .....	30
Appendix I: Code of Conduct for AFN Event Participants .....	52
Schedule "A": Code of Conduct for AFN Event Participants.....	54





# Assembly of First Nations

# CONFERENCE BOOKLET

## RULES OF PROCEDURE FOR AFN ASSEMBLIES

### MEETING TYPES

The following Rules of Procedure for AFN Assemblies apply to all AFN Annual General Assemblies and Special Chiefs Assemblies, whether conducted in-person, virtually, or in combination of the two (i.e., in a “hybrid” form).

**Article 9** of the Charter of the Assembly of First Nations reads:

“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.”

### Annual General Assembly (AGA)

The *Article 9* “regular annual session” is more commonly known as the Annual General Assembly.

### Special Chiefs Assembly (SCA)

The *Article 9* “special sessions” are more commonly known as Special Chiefs Assemblies. These special sessions are regularly—but neither necessarily nor exclusively—held in December.





## **I. PARTICIPANTS and ELIGIBILITY**

### **REGISTRATION**

1. Every person attending an AFN Annual General Assembly or Special Chiefs Assembly, online or in person, must register as a Chief, Proxy, Elder, Elder's Helper, AFN Council representative, Guest, Media, or Observer, and pay such fees as have been set by the Executive Committee prior to the Assembly.
2. Except for Assembly Staff, no person shall be admitted to the Assembly unless they are duly registered. No person shall register under more than one category.

Participants who wish to attend an AFN Assembly are eligible to register as one of the following:

### **CHIEF**

3. A person may register as a Chief if their name is on a current list of the Chiefs for all First Nations maintained by the AFN Secretariat. Where there has recently been an election or change by the First Nation in who occupies the position of Chief, the person presenting as Chief may offer proof of credentials by presenting a letter from the electoral officer or other verifiable proof that they now occupy the position.

### **PROXY**

4. A person may register as a Proxy if they present a duly executed Band Council Resolution (BCR) from the Member of the Assembly of First Nations on whose behalf the proxy is made, or a hand-written or typewritten letter signed by the Chief. Facsimiled or emailed documents will be accepted provided they are legible.
5. No person may carry more than one (1) Proxy.
6. A person carrying a Proxy may not delegate or assign their Proxy.

### **ELDERS**

7. A person may register as an Elder if they are recognized as such by a principal organ of the AFN, or their First Nation.

### **ELDERS HELPERS**

8. Where a person registering as an Elder is accompanied by a helper, the helper may be registered as an Elder's Helper.





## **AFN YOUTH COUNCIL / WOMEN'S COUNCIL/ KNOWLEDGE KEEPERS COUNCIL/ FIRST NATIONS VETERANS COUNCIL / 2SLGBTQIA+ COUNCIL AND AFN ACCESSIBILITY AND DISABILITY COUNCIL**

9. A person may register as a representative of the AFN Youth Council, Women's Council, Knowledge Keepers Council, First Nations Veterans Council, 2SLGBTQIA+ Council and AFN Accessibility and Disability Council, if they are a current member of the Council on behalf of which they are purporting to register.

### **GUESTS**

10. A person may register as a guest if they have been officially invited to the Assembly by the National Chief or Executive Committee.

### **MEDIA**

11. A journalist, reporter or persons attending an Assembly on behalf of a media organization must be accredited by the AFN Communications Director and duly registered.

### **OBSERVERS**

12. All persons other than those described in paragraphs 3 through 11 may register as an observer.

### **DISPUTES OVER REGISTRATION**

13. All disputes regarding registration will be referred to the Registration Coordinator, who may consult with AFN Legal Counsel, for a final decision.
14. Any person wishing to appeal a decision of the Registration Coordinator may request to be heard by the AFN Knowledge Keepers Council, which may make a recommendation to the Assembly.

### **CHIEFS AND PROXY REPRESENTATIVES**

15. For the duration of the Assembly and for the purposes of these Rules, all duly registered Chiefs and Proxies will be recognized and jointly referred to as "Chiefs and Proxy Representatives."
16. A member First Nation must only be represented by one Chief or Proxy Representative.

### **SEATING**

17. Elders, Council Members and Chiefs and Proxy Representatives will be given priority access to seating in the main seating area.
18. A designated seating area will be available at all Assemblies for Chiefs and Proxy Representatives.
19. The designated seating area will recognize and encourage seating by Nations / Treaty affiliations.





## **II. ASSEMBLY FORMAT, AGENDA & QUORUM**

### **SESSION**

20. A regular Annual Session or Special Session is a meeting held in accordance with Article 9 of the AFN Charter. These rules of procedure apply similarly to both; they will be referred to commonly throughout as the “Assembly” or “session”.
21. The Assembly may be held in-person, virtually, or as a combination of in-person and virtual (i.e., in a “hybrid” format). The determination of the meeting format will have been made by the Executive Committee and clearly indicated to registrants.
22. An Assembly will normally start at 9:00 a.m. and will not normally continue for longer than three days. For virtual or hybrid meetings, later start times may be considered to accommodate different time zones.
23. The Chairperson(s) may recess or adjourn the session at any time, and at their discretion. When announcing a recess or temporary adjournment, the Chairperson(s) will specify the time and place that the session will resume.

### **QUORUM**

24. Quorum for Assemblies will be established as follows:
  - a) On each day of the Assembly, a count will be conducted of Chiefs and Proxy Representatives present on the floor of the Assembly room, including those who are present in the designated virtual Assembly room, when the Chair calls the meeting to order.
  - b) On each day of the Assembly, a quorum will then be maintained so long as the number of Chiefs and Proxy Representatives present on the floor of the Assembly room (including those attending virtually) is equal to at least 50% plus one of that initial count for that day.
  - c) On each day of the Assembly, quorum must be established prior to decision-making by the First Nations-in-Assembly.
25. The Registration Coordinator must advise the Chairperson(s) of the number of Chiefs and Proxy Representatives who have checked in with Registration one hour after the Call to Order of a session.

### **ADOPTION OF AGENDA AND RULES**

26. The Provisional Agenda for the Assembly, and the Rules of Procedure for AFN Assemblies that will be applied, must be adopted by way of motion at the beginning of Day 1 of that Assembly prior to any other decision making.
27. The Provisional Agenda shall be structured to allow for a period of discussion and decision on duly presented resolutions on each day of the Assembly. The Provisional Agenda will be provided to all Assembly participants and will have been posted to the AFN website 30 days prior to the beginning of the Assembly.





# Assembly of First Nations

# CONFERENCE BOOKLET

28. Any proposal to amend the AFN Charter shall be the first order of business on the agenda, on condition that it was also submitted 60 days in advance of the Assembly as per Article 28 of the AFN Charter.

## RECORD OF PROCEEDINGS

29. A Record of Proceedings will be maintained for all sessions and will include:
- a) description of meeting i.e., Annual or Special;
  - b) name of the Assembly;
  - c) date and location of meeting;
  - d) the name(s) of the Chairperson(s);
  - e) all the main motions (including Mover and Seconder), points of order and appeals whether sustained or lost, and all other motions that were not lost or withdrawn;
  - f) resolutions and votes; and
  - g) the hours of meeting and adjournment.

## III. CHAIRPERSON(S)

### APPOINTMENT

30. The National Chief, with the advice of the Executive Committee, must appoint a person or persons to serve as permanent Chairperson(s) for Assemblies. This position should be filled by an individual with legal/mediation training, who is bilingual, and has public speaking experience and a high degree of familiarity with First Nations political culture, traditions and values. The Chairperson(s) must be available to participate in Assembly planning, briefing and follow-up analyses.

### DUTIES

31. The Chairperson(s) are the presiding officers for the Assembly and have overall responsibility for the conduct of the session. They must preserve order and decorum of the Assembly throughout the session.
32. The Chairperson(s) will ensure that all preparations for the Assembly are complete, except for the election process.
33. The Chairperson(s) will ensure that the Registration Coordinator is prepared for the Assembly.
34. The Chairperson(s) will ensure that the Security Coordinator is prepared for the Assembly.
35. The Chairperson(s) may identify and assign duties to one or more Deputy Chair(s).



# Assembly of First Nations CONFERENCE BOOKLET



36. From the opening Call to Order until the final adjournment, the Chairperson(s) will control all proceedings, except during the election process for the Office of National Chief, at which time the Chief Electoral Officer is in control. In serving this function, the Chairperson(s) must be completely non-political on all issues.
37. The Chairperson(s) will not participate in the discussion; their role is to control discussions so as to make best use of the limited plenary time available, and in adherence to the agenda and rules of procedure.

## **AUTHORITY**

38. To facilitate an orderly and productive meeting, the Chairperson(s) will have, at the discretion of the AFN Chief Executive Officer, full delegated authority over the following:
  - a) Office of the Chairperson(s):
    - Recording Staff and Technicians
    - Resource Staff, Legal Advisors and Technicians
  - b) Deputy Chair(s)
  - c) Assembly Coordinator and Registration Coordinator
  - d) Security Coordinator
  - e) Floor Distribution Coordinator
  - f) Resolutions Committee
  - g) Media Relations
39. The Chairperson(s) must decide any questions of order that arise during the session and, in doing so, may consult with AFN Legal Counsel or whomever they feel is necessary to arrive at a decision.
40. The Chairperson(s) may be called upon to make decision on procedural matters, such as whether to allow a certain type of motion or whether a vote should be taken by a show of hands or a secret ballot.

## **ORDERLY CONDUCT**

41. Every person in attendance at the Assembly must conduct themselves in a manner that is respectful of the honour and decorum of the Assembly.
42. No person shall be permitted in the Assembly while under the influence of alcohol or drugs.
43. The Chairperson(s) may order anyone disruptive to the proceedings to be evicted and may prohibit them from re-entering the Assembly.





# Assembly of First Nations

# CONFERENCE BOOKLET

44. All participants to the Assembly will have signed and thereby agreed to abide by the Assembly of First Nations Code of Conduct for AFN Event Participants, which is also included at the back of the AFN Conference Booklet as **Appendix I**.

## IV. RESOLUTIONS and VOTING

(Please also refer to the AFN Resolutions Procedures)

45. The Assembly may give policy direction or mandate any of its principal organs to take action on an issue by adopting a Resolution.

### RESOLUTIONS COMMITTEE

46. The Chief Executive Officer shall, before the Assembly, establish a Resolutions Committee, consisting of technical and legal advisors for the purpose of reviewing resolutions to ensure draft resolutions satisfy all of the necessary requirements established in the AFN Resolutions Procedures before they are presented to the Assembly.

### FORM AND TIME

47. Every Resolution must be:
- a) moved and seconded by a Chief or Proxy Representative ("Mover" and "Seconder");
  - b) presented in draft form to the Resolutions Committee no later than 5 weeks prior to the Assembly; and
  - c) supported by a Mover and Seconder who are present at the Assembly to speak to the resolution.

### ROLE OF RESOLUTIONS COMMITTEE

48. When presented with a draft Resolution, the Resolutions Committee shall:
- i. review to ensure that:
    - a) it is consistent with and within the powers set out in the Charter;
    - b) it includes the relevant Whereas and Therefore Be It Resolved clauses;
    - c) its purpose and intent are clearly understood;
    - d) it is not in conflict with past resolutions (or clearly states that there is a conflict and seeks to establish a new or modified mandate or direction);
    - e) it is not in conflict with a draft resolution that has already been submitted; and
    - f) it is a resolution that can be reasonably implemented by the AFN including taking into consideration financial implications.



# Assembly of First Nations CONFERENCE BOOKLET



- ii. advise the Mover and Seconder of substantive or procedural irregularities that could impede the Assembly's ability to arrive at a consensus on the resolution.
  - iii. make recommendations to the Mover and Seconder on revisions that may assist the adoption of the resolution and, if necessary, take other steps to facilitate agreement among the parties on the resolution.
  - iv. return resolutions that do not meet the criteria to the Mover and Seconder for further work.
  - v. if the Mover and Seconder fail to provide reasonable and timely response to the Resolutions Committee in the Resolutions Committee's exercise of these functions, the resolution may not be recommended for inclusion on the Assembly agenda.
49. The Resolutions Committee shall indicate to the Chairperson(s) that the draft resolution has been reviewed and shall recommend that the Resolution be placed before the Assembly.
50. The Chairperson(s) may follow the recommendation of the Resolutions Committee or may take such other direction as they see fit.

## CONDUCT OF DEBATE

51. Only Chiefs and Proxy Representatives, or, with permission of the Chairperson(s), their designated spokesperson may address the Assembly. Designated spokespersons may only address the Assembly for reasons that are germane to the agenda topic at hand.
52. A person who seeks to address the Assembly shall rise, or otherwise be recognized by the Chairperson(s) and use a microphone when provided. If they are attending virtually, they shall use the dedicated electronic platform to signal their desire to take the floor and then wait to be recognized by the Chairperson(s).
53. No person shall address the Assembly unless first recognized by the Chairperson(s).
54. A person must identify themselves and their member First Nation before addressing the Assembly.
55. A Chief or Proxy Representative or, at the discretion of the Chairperson(s), their designated spokesperson may speak to the issue under debate. Where a designated spokesperson speaks on behalf of a Chief or Proxy Representative, they shall conform to the rules of debate of the Assembly and the Chief or Proxy Representative shall forfeit their right to be heard on the same matter during the debate on that issue unless otherwise permitted by the Chairperson(s).
56. Unless the Chairperson(s) indicates otherwise, Chiefs, Proxy Representatives or their designates may speak for up to four (4) minutes when addressing the Assembly<sup>2</sup>. Following

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2 July 11, 2024, Annual General Assembly (AGA) in Montreal, QC – motion during adoption of the Provisional Agenda and Rules of Procedure, to change the time limit for addressing the Assembly to four (4) minutes for all interventions, rather than four minutes to introduce an issue and three (3) minutes for each subsequent intervention.





# Assembly of First Nations

# CONFERENCE BOOKLET

debate on the issue, the Chief or Proxy Representative who introduced the issue may re-address the issue for three (3) minutes. Limitations on presentations will be strictly enforced and interventions from the floor will be monitored through a warning system that ends with the muting of the microphone.

## CONSENSUS DECISION MAKING

57. When entertaining a motion, the Chairperson(s) shall seek a consensus decision or general agreement by the Assembly.
58. When a motion is proposed during an Assembly, another Chief or Proxy Representative may suggest amendments:
  - a) The Chairperson(s) must first recognize the person making the motion to amend, and then they must clearly state their proposed changes.
  - b) The proponent to an amendment must make all reasonable efforts to submit their amendment in writing to the Resolutions Committee so that it can be captured accurately and in timely fashion.
  - c) The Chairperson(s) will seek consent from the Mover and Seconder of the original motion to confirm whether they approve the proposed amendment.
  - d) If the Mover and Seconder approve or otherwise agree to consider the amendment, the Resolutions Committee must make all reasonable efforts to display the amendment to the Assembly, clearly indicating where and how the language is to be altered.
59. Where there are no proposed amendments, the Chairperson(s) may ask if anyone opposes the decision. If there is no opposition, the Chairperson(s) may declare that the Resolution has been adopted by consensus.
60. If there is opposition, the Chairperson(s) may allow additional time to build a consensus and if all efforts at achieving consensus have been exhausted without success, they shall put the matter to a vote.



# Assembly of First Nations CONFERENCE BOOKLET



## VOTING

61. For Assemblies that are held exclusively in-person, voting may be by show of hands, by standing vote or by such other means as the Chairperson(s) deem(s) appropriate.
62. If at least 60% of the Chiefs and Proxy Representatives in attendance vote in favour of the motion, it shall be carried.
63. Chiefs and Proxy Representatives who abstain from the vote will have their vote counted. However, it will not be included in calculating the necessary percentage required to carry the motion.
  - a) An abstention is when someone does not want to vote either “for” or “against” a motion. Chiefs or Proxy Representatives always reserve the right to abstain on any motion. This indicates a neutral or undecided position.
  - b) All abstentions must be noted and recorded.
64. Virtual and hybrid format Assemblies must also include an Online/Remote Voting System that provides Chiefs and Proxy Representatives with the option to use internet to submit their vote confidentially. The specific Online/Remote Voting System to be used in an Assembly will be selected by the Executive Committee and must:
  - a) incorporate an authentication system to confirm that voters are entitled to vote and to restrict voting to one vote per member per poll;
  - b) ensure the secrecy of the vote; and
  - c) include security protocols and data and privacy protection measures.
65. For votes that take place using an Online/Remote voting system:
  - a) in respect of each poll, a member may exercise its one vote by having its Chief or Proxy Representative cast a vote using the Online/Remote Voting System;
  - b) to be eligible to vote, a Chief or Proxy Representative must be on the voters list and be present at the meeting;
  - c) a member will be deemed to be “present” at the meeting for the purposes of the Bylaws, the Rules of Procedures for AFN Assemblies, and the Charter of the Assembly of First Nations, if the Chief or Proxy Representative attends the relevant AFN Assembly by videoconference in accordance with the instructions provided by the AFN Secretariat as part of the meeting notice;
  - d) Chiefs and Proxy Representatives on the voters list who are present at the meeting will be provided access to the Online/Remote Voting System;
  - e) casting a vote in a poll using the Online/Remote Voting System will be deemed to be a “secret ballot” for the purposes of the Bylaws and Governance Manual;





## Assembly of First Nations

# CONFERENCE BOOKLET

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- f) in circumstances where a Chief or Proxy Representative wishes to publicly declare their abstention or opposition to a vote, the Chairperson(s) may publicly enter this into the Record of Proceedings; and
- g) in circumstances where a Chief or Proxy Representative cannot access the Online/Remote Voting System, the Registration Coordinator will make available an alternate means to cast a vote (i.e., vote by smartphone.) In these circumstances, all other voting rules apply.
- h) The Chairperson(s), in consultation with the Resolutions Committee and the Registration Coordinator will determine when and for how long online/telephone voting will be open to members during the meeting (the "Online/Telephone Voting Period") subject to proper notice of the Online/Telephone Voting Period being provided to members as part of the meeting notice.
- i) The Chairperson(s) will confirm the final count of votes cast using the Online/Telephone Voting System and read the results into the record before the meeting is adjourned.
- j) The Registration Coordinator will generate and make a secure electronic record of votes cast, the voters list, the identities of members who cast votes using the Online Voting System, and any other record the Registration Coordinator deems appropriate (the "Electronic Record") to allow for verification of the voting and results of the vote.
- k) The Electronic Record made will be delivered to AFN's head office, where it will remain for thirty (30) calendar days after the Assembly or such longer period as a court of competent jurisdiction may order. The Electronic Record may be accessed and/or inspected only in the presence of legal counsel for AFN.
- l) No one may challenge the voting results unless filing an appeal in accordance with the Bylaws.



# Assembly of First Nations CONFERENCE BOOKLET



## DISPUTES

66. Where a Chief or Proxy Representative wishes to appeal a ruling of the Chairperson(s), they shall do so by way of a motion.
67. A decision of the Chairperson(s) may be overturned by 60% of Chiefs and Proxy Representatives.

## IMPLEMENTATION

68. In accordance with the AFN Charter, the Executive Committee is empowered, in between Assemblies, to conduct business and implement decisions as passed by the First Nations-in-Assembly.

## RECOMMENDATIONS FOR CHAIRPERSON(S)

1. When a decision is being considered, it is recommended that the Chairperson(s) ask the following questions in order:
  - a) Ask if anyone is opposed to the Resolution/Motion.
  - b) Ask if there are any abstentions.
  - c) Ask if all are in support.
2. Once a Resolution is introduced to the Assembly by its Mover, it is recommended that the Chairperson(s) ask each Chief or Proxy Representative seeking to speak to the issue to:
  - a) Identify themselves and their member First Nation; AND
  - b) Indicate immediately whether they will be proposing an amendment
3. It is recommended that the Chairperson(s) do not allow multiple amendments to be considered simultaneously IF they involve the same clause ("Whereas" or "Therefore Be It Resolved").





# Assembly of First Nations

# CONFERENCE BOOKLET

## AFN RESOLUTIONS PROCEDURES

### WHAT ARE RESOLUTIONS?

Resolutions are the essential mechanism by which First Nations provide specific mandates and direction to the Assembly of First Nations (AFN). The resolutions process serves to effectively foster and capture national consensus on significant policy matters. Resolutions are considered at Annual General Assemblies and at Special Chiefs Assemblies.

### WHAT IS THE ROLE OF THE RESOLUTIONS COMMITTEE?

The Resolutions Committee manages all administrative aspects of the resolutions process from the time a draft resolution is first submitted through to when it is finalized and posted with the National Chief's signature on the AFN website. The Resolutions Committee consists of technical and legal advisors who review all resolutions before they are presented to the First Nations-in-Assembly. The Resolutions Committee works closely with the Chairperson(s) appointed to preside over an Assembly and the AFN Executive Committee.

### WHO CAN SUBMIT RESOLUTIONS?

Only a Chief or duly mandated Proxy can submit a resolution. All proposed resolutions must have a Mover and Seconder who is a Chief or duly mandated Proxy. A proposed resolution must include the name and First Nation of the Mover and Seconder, with their contact information (phone and e-mail). The Mover and Seconder of a resolution must be available to speak to the Resolution at the Assembly.

### WHERE DO YOU SEND RESOLUTIONS?

A proposed resolution must be submitted to the Resolutions Committee for it to be considered at an Assembly ([resolutions@afn.ca](mailto:resolutions@afn.ca)). The proposed resolution should use the format of the template posted on the AFN website ([www.afn.ca](http://www.afn.ca)). Resolutions should be submitted by email or can be mailed to the Resolutions Committee at:

Assembly of First Nations  
Attn: Resolutions Committee  
50 O'Connor Street, Suite 200  
Ottawa, Ontario K1P 6L2  
E-mail: [resolutions@afn.ca](mailto:resolutions@afn.ca)



# Assembly of First Nations **CONFERENCE BOOKLET**



## **WHEN MUST RESOLUTIONS BE SUBMITTED?**

Resolutions must be received by the Resolutions Committee by the Friday that falls five full weeks before the first day of a scheduled Assembly.

A Call for Resolutions will be distributed by the AFN at least one month before the resolutions deadline and reminder notices will be sent approximately two and one week before the final deadline.

Resolutions that are received after the deadline will be processed as 'Late' resolutions. Late resolutions will generally only be presented to the First Nations-in-Assembly for consideration on the last day of an Assembly, time permitting.

## **WHAT MUST A RESOLUTION INCLUDE?**

In order to be accepted and processed by the Resolutions Committee, a resolution must include:

- The name and First Nation of the Mover;
- The name and First Nation of the Seconder;
- A short but descriptive title; and
- The relevant Whereas and Therefore Be It Resolved clauses.

Once a proposed resolution has been accepted for processing by the Resolutions Committee, it becomes the joint responsibility of the Mover, Seconder, and Resolutions Committee to ensure that it satisfies the following criteria:

- It is consistent with the AFN Charter
- It is national in scope (it cannot be purely regional)
- It addresses relevant cost considerations for its implementation
- It is not in conflict with previously passed resolutions (or clearly states that there is a conflict and seeks to establish a new or modified mandate or direction)
- It is not in conflict with any other draft resolution that has also been submitted
- It is concise and to the point (typically no longer than two pages)

Only once all of these criteria are satisfied will the proposed resolution be advanced for consideration by the First Nations-in-Assembly.

## **LATE RESOLUTIONS**

All resolutions received after the resolutions deadline (i.e., five full Fridays before an Assembly) are deemed Late resolutions. Late resolutions are subject to review by the Resolutions Committee, in coordination with the Chairperson(s) of an Assembly and the AFN Executive Committee. The Resolutions Committee will submit all Late resolutions to the Executive Committee with recommendations on which resolutions should be prioritized for discussion by the First Nations-in-Assembly, should time be available.





# Assembly of First Nations

# CONFERENCE BOOKLET

At an Assembly, the Resolutions Committee will communicate with the AFN Executive each evening to summarize the status of resolutions processed on that day, as well as to make recommendations on the receipt of any further Late draft resolutions for potential consideration at the Assembly.

The Resolutions Committee will work with the Chairperson(s) of an Assembly to resolve issues relating to a Late resolution in dialogue with members of the AFN Executive Committee.

Resolutions that are not submitted to the Resolutions Committee in writing will not be provided to the AFN Executive Committee for their consideration.

All accepted late resolutions will be clearly marked as such and may be deliberated upon (time permitting) on the third day of the Assembly. Given the time required to process draft resolutions, no resolutions will be accepted for processing after 12:00 noon on Day 2 of an Assembly.

## EMERGENCY RESOLUTIONS

A resolution that is of an urgent and emerging nature will be qualified as an “Emergency” resolution and will be processed on a priority basis when:

- it is in relation to an emergent issue of concern to the First Nations-in-Assembly that requires intervention prior to the next scheduled Assembly; and
- it is in relation to a situation that has national implications; and
- the resolution complies with all other guidelines for resolutions set out in this policy, including processing through the Resolutions Committee.

In rare cases, a Late resolution may be processed and prioritized as an Emergency resolution if it meets this additional criterion:

- it is submitted to the Resolutions Committee and is supported by at least half of the members of the AFN Executive Committee.

## TYPES OF RESOLUTIONS

There are several types of Resolutions. The type determines their order of priority on Assembly agendas:

1. Organizational / Charter
2. Emergency
3. Mandating / Directional
4. Support
5. Late



# Assembly of First Nations CONFERENCE BOOKLET



**Organizational Resolutions:** These resolutions relate to internal matters regarding the operation and function of the AFN (such as the audit or appointment of officials). These resolutions require full consideration by the First Nations-in-Assembly and must be the first order of business during the Business portion of the meeting ordinarily at the beginning of Day One.

**Emergency Resolutions:** If a resolution meets the necessary criteria to qualify as an Emergency resolution, it must be identified as such upon submission so that it can be prioritized on the agenda accordingly, after any Organizational resolutions.

**Mandating / Directional Resolutions:** These resolutions provide specific direction and/or mandate a specific action on a particular matter. The AFN requires a mandate to engage with government on particular topics. In addition, the resolution process allows First Nations-in-Assembly to set out their collective position on a particular issue, legislation, or any matter affecting First Nations. These resolutions require full consideration by the First Nations-in-Assembly during designated times identified by subject matter on the Assembly agenda.

**Support Resolutions:** These resolutions call for a specific advocacy approach, such as requesting a meeting or endorsing a strategy or proposed funding allocation formula. It is important that Support resolutions clearly describe the desired outcome from the First Nations-in-Assembly to ensure that the request is being addressed in the most effective and timely manner possible. Other tools and means that do not require a Support resolution may be explored to achieve the desired outcome. For example, if a Chief/Proxy is looking for an action, such as correspondence from the National Chief to a specific federal Minister, this could be done without a resolution. Support resolutions will be dealt with at such times that the specific topic area to which they relate is being discussed OR brought to First Nations-in-Assembly on the final day of the Assembly and may be read and adopted within an omnibus package.

**Late Resolutions:** Any resolution that is submitted after the resolutions deadline will be defined as a Late resolution, irrespective of its content. The only exception is in the rare instances that a resolution is submitted after the resolutions deadline, but where new issues have emerged since this deadline and require an urgent response from the First Nations-in-Assembly, in which case it may qualify for consideration on an emergency basis (i.e., an Emergency resolution).

## HOW DO THE FINAL RESOLUTIONS GET ACTIONED?

The Resolutions Committee assigns each resolution to the appropriate AFN sector based on its subject matter. The AFN Secretariat will maintain and post a progress tracker on approved AFN Resolutions from the previous three years. A report will be done at the Annual General Assembly on the progress of all resolutions passed within the previous year. This report includes each of the resolutions with the number, title, Mover, Second and all clauses in the "Therefore be it Resolved" section. The actions taken to implement the resolution are outlined for each resolution. This report is included with the distribution information at the next Assembly.

Resolutions, once adopted, will remain the mandate of the AFN unless modified by subsequent resolution or until the resolution expires due to completion of all actions in the operative clause. If there is no action on a resolution within five years, the resolution is then deemed inactive.





# Assembly of First Nations

# CONFERENCE BOOKLET

## GUIDELINES

### HOW DO YOU WRITE A RESOLUTION?

#### General Format and Writing Guidelines

Writers are encouraged to observe the following guidelines when drafting resolutions for submission to the Resolutions Committee:

- All AFN resolutions have the same format, which includes the information block (general info including Mover and Seconder), the preamble (background information that follows the term “whereas”), and the operative clause (course of action set forth by “therefore be it resolved that”).
- Writers are asked to use the template that can be found at [www.afn.ca](http://www.afn.ca).
- A vocabulary that is national in scope should be used at all times when drafting resolutions to maintain national significance of all AFN resolutions.
- Keep wording as simple, straightforward, and specific as possible.
- Be clear and concise when stating rationale and desired outcomes.

#### Information Block

- Title – this should appropriately reflect the intended course of action of the resolution.
- Subject – main topic areas of the resolution (health, education, treaties, etc.).
- Mover – include properly spelled Chief or Proxy name (first and last names), community name, province.
- Seconder – include properly spelled Chief or Proxy name (first and last names), community name, province.

#### Preamble (begins with “WHEREAS”)

- This section provides the background information for the resolution.
- It identifies the exact problem to be addressed.
- Each “whereas” is a reason for the resolution and each reason requires a separate clause.
- If the rationale cannot be explained in five clauses or less due to the complexity of the issue, then background or supporting documentation may be provided to the Resolutions Committee.
- This section should prepare the reader for the action presented in the next section.

#### Operative Clause (begins with “THEREFORE BE IT RESOLVED that the First Nations-in- Assembly”)

- This is the very reason why the resolution is being drafted in the first place.
- The course of action that is being put forward should be identified here.
- Each action requires a separate clause.



# Assembly of First Nations CONFERENCE BOOKLET



- Be as clear as possible when stating what the resolution is meant to achieve.
- Try to begin each clause with an action verb (e.g., direct, request, call upon, etc.)
- There should be no doubt as to what action is being requested, who should do it, how it should be done and when it should be done.
- Clauses addressing federal issues should direct the AFN to request the federal government to work to achieve the desired objective (e.g., “that the First Nations-in- Assembly direct the AFN to urge/call upon the federal government to...”).
- The First Nations-in-Assembly cannot direct another organization or government to do something, however, a course of action can be recommended to another organization.
- A recommendation for action must consider the cost of doing so and may be contingent upon funding—any available sources of funding should be identified in the resolution.

## PROCESS

### WHAT STEPS DOES A RESOLUTION GO THROUGH?

There are several steps in the resolutions process from the time of submission of the draft resolution to the time the final versions are signed by the National Chief and distributed to First Nations.

#### PRE-ASSEMBLY:

1. Draft resolutions are received and recorded by the Resolutions Committee (all versions of submissions from original to final draft are kept on file).
2. Review for compliance with the resolution policy. (If necessary, return any submitted resolutions to the Mover and Seconder to have deficiencies corrected.)
3. Review for grammar and format.
4. Resolutions are compiled in a package and reviewed in draft form by the AFN Executive Committee, at a meeting convened for this purpose.
5. Send to appropriate team leader for content and technical review.
6. Draft resolutions are posted on the AFN website.
7. Based upon Executive Committee and Resolutions Committee Lead review and feedback, advise both the Mover and Seconder of substantive or procedural irregularities that could impede the Assembly’s ability to arrive at a consensus on the resolution and/or make recommendations on revisions that may assist the adoption of the resolution.
8. Resolutions Committee meets to review all draft resolutions including legal review and to discuss any potentially contentious issues.





# Assembly of First Nations

# CONFERENCE BOOKLET

9. Steps may need to be taken to build consensus or consolidate drafts where resolutions dealing with the same subject matter are submitted.
10. Modify draft resolutions as required.
11. Send suggested changes back to the Mover and Seconder.
12. Resolutions that do not meet the criteria will be returned to the Mover and Seconder for further work. Resolutions will be provided to First Nations-in-Assembly for consideration once all criteria have been satisfied.
13. Prepare final draft versions for presentation at Assembly.
14. Prioritize the order of resolutions based on the draft agenda for the Assembly.
15. Assign draft number beginning with #1/year.
16. Send for translation to French.
17. Send all drafts (English and French) for inclusion in the Assembly kit materials for distribution at time of registration. They are also posted on the AFN website.

*\* If background materials accompany the draft resolution, the material will be forwarded to the appropriate team leader and kept on file. However, the background will not be translated, nor will it be included in the distribution package at the Assembly.*

## **DURING THE ASSEMBLY:**

### **Final Draft Resolutions**

1. The projected time that resolutions will be discussed will appear on the Assembly agenda provided to delegates.
2. The Chairperson(s) will introduce each draft resolution by indicating the number, the title of the resolution, the Mover and the Seconder.
3. The Chairperson(s) will ask the Mover and Seconder to identify themselves. If they are not present, the Chairperson(s) will ask another Chief/Proxy to move/second the draft resolution. If there is no Mover and Seconder, the resolution may be deferred to a later time, or it dies.
4. At this point, the Mover may declare intent to withdraw the proposed resolution. In this event, the Chairperson(s) will declare the resolution withdrawn and no further debate or comments will be allowed.
5. If not withdrawn, the Chairperson(s) will read the operative "Therefore Be It Resolved" clauses of the resolution or, in the case of Charter / Organizational resolutions, the Chairperson(s) will read the resolution in its entirety.
6. The Chairperson(s) will call for the Mover to speak to the resolution and open the debate. The Mover and Seconder are allowed a limited and pre-determined amount of time to speak to the resolution.
7. The resolution is then debated by the First Nations-in-Assembly. Each delegate is allowed a



# Assembly of First Nations CONFERENCE BOOKLET



- limited and pre-determined amount of time to speak to the resolution.
8. A designated member of the Resolutions Committee, as well as the official note taker, will record any amendments from the floor.
  9. Amendments from the floor are allowed if they comply with the intent of the original resolution. The Chairperson(s) will seek consent from the Mover and Seconcer of the original motion to confirm whether they accept or otherwise agree to consider the amendment. The amendments must be submitted in writing to the Resolutions Committee and the note taker.
  10. When the Chairperson(s) call an end to the debate, they will then call for any opposition or abstentions to the resolution.
  11. If there is no opposition or abstentions, the Chairperson(s) will declare the draft resolution carried by consensus.
  12. If there is opposition, the Chairperson(s) may allow additional time to build consensus.
  13. If all efforts at achieving consensus have been exhausted without success, the Chairperson(s) shall put the matter to a vote.
  14. A resolution can be voted on as long as there is a quorum (see Rules of Procedure for AFN Assemblies).
  15. Voting may be by a show of hands, by standing vote, or by another means as determined by the Chairperson(s).
  16. At least 60% of the Chiefs and Proxy Representatives in attendance must vote in favour of the resolution for it to be carried.
  17. Abstentions will not be counted in calculating the necessary percentage required to carry the resolution.
  18. The results of the vote will be recorded, including the decision (number of votes for, against, and abstentions) and the date/time.

## Other Notes

1. If the allotted time for resolution debate and voting expires, the session will be closed, unless a majority of Chiefs and Proxy Representatives present vote to extend the allotted time. If the resolutions do not get debated due to time constraints or lack of quorum, the Chairperson(s) may refer the draft resolutions to the next AFN Executive Committee meeting, with recommendations, for their consideration.
2. Resolutions proposed from the floor will not be entertained unless the Chairperson(s) deem the action appropriate after consultation with the Resolutions Committee, the AFN Executive Committee or others as the Chairperson(s) deem appropriate and necessary. The Chairperson(s) would then suspend the Rules of Procedure for the stated purpose and ask the Chiefs or Proxy Representative to proceed. If there is any objection, a majority of Chiefs and Proxy Representatives present may decide if the rules are suspended.
3. All draft resolutions are kept at the distribution table.





# Assembly of First Nations

# CONFERENCE BOOKLET

## POST-ASSEMBLY:

1. All versions of the draft resolutions are returned to the AFN office electronically and in hard copy for filing.
2. All draft resolutions carried by the First Nations-in-Assembly are still considered “draft” until they are amended and signed by the National Chief. Final versions may take several weeks to prepare for distribution.
3. The Resolutions Committee will maintain a list and contact information for all inquiries for copies of final resolutions and final copies will be circulated as they become available.
4. Draft versions are amended, using tracked changes, by the Resolutions Committee as passed by the First Nations-in-Assembly. Changes are made based on the handwritten notes taken by the Resolutions Committee and the note taker’s notes, as well as the submissions provided by the Mover/Seconder.
5. Resolutions passed by the First Nations-in-Assembly shall not be further amended or modified except where spelling, grammar and clarification requirements suggest that additional changes are absolutely necessary.
6. All information in the information block (Mover/Seconder name, community, etc.) is verified against the registration list.
7. All amended resolutions will be reviewed one last time by the Resolutions Committee.
8. The list of resolutions including the original draft number and the new final number (determined chronologically from the last resolution passed in that calendar year) is prepared.
9. Final versions, with tracked changes, are sent for translation to French.
10. English and French final versions are printed on AFN letterhead and provided to the National Chief for their signature.
11. Once signed, resolutions become final and are distributed and posted on the AFN website.
12. All original finals are given to Central Records for safekeeping. All original drafts are filed by the Resolutions Committee.

## Other Notes

1. If draft resolutions have been referred to the AFN Executive Committee, copies will be prepared, and a package made available prior to the next AFN Executive Committee meeting.
2. All resolutions passed by the AFN Executive Committee follow the same process as those passed by the First-Nations-in-Assembly.





## Frequently Asked Questions (FAQ)

### CONTENTS

1. Why attend an AFN Assembly?
2. When is the next AFN Assembly?
3. Are there fees to participate?
4. When should I arrive to the venue for an Assembly?
5. Are there side sessions or events during the Assembly?
6. Can I attend the Assembly virtually?
7. What is quorum?
8. What is a resolution?
9. Where do I get copies of draft resolutions?
10. How do I submit a resolution?
11. When is the deadline to submit a resolution?
12. What is a late resolution?
13. How is a resolution passed?
14. How do I request an amendment to a resolution?
15. What is the limit to speakers' time and why does it exist?
16. How are seating arrangements organized during the sessions?
17. How can media attend the Assembly?
18. How can participants with disabilities get assistance?
19. Where do I find more information?





# Assembly of First Nations

# CONFERENCE BOOKLET

## 1. Why attend an AFN Assembly?

AFN Assemblies are where First Nations Chiefs and Proxy Representatives give voice to their priorities, and provide direction to the AFN staff through resolutions.

The AFN exists to advance the interests of First Nations rights-holders. To do this, they require specific mandates from leadership on how to work on these priorities, such as by influencing Canadian laws, policies, budgets and more.

Assemblies are the place to present, discuss, and decide on potential AFN mandates.

## 2. When is the next AFN Assembly?

AFN members are notified by e-mail of the dates and location of the next Assembly as soon as they are confirmed. This information is also shared through AFN social media, as well as posted to the AFN website ([afn.ca](http://afn.ca)).

Members can expect the AFN's Annual General Assembly (AGA) to be held every July, typically on the first full week that does not include the July 1st Canada Day holiday.

The AFN also holds a Special Chiefs Assembly (SCA) on the first full week of December every year in Ottawa.

While the AGA must be held as per Article 9 of the Charter of the Assembly of First Nations, the decision to hold one or more Special Chiefs Assemblies rests with the AFN Executive. For example, there were three SCAs held in 2023 in the months of April, June and December.

## 3. Are there fees?

It depends. Fees are set by the AFN Executive Committee prior to the Assembly.

For observers, yes, there is normally a standard fee that must be paid as part of the registration process.

For guests such as presenters, Knowledge Keepers, media, as well as Chiefs and Proxy Representatives, there may be **no** or **different** fees.

Fees will be made clear in the registration process and package for that Assembly.

## 4. When should I arrive to the venue for an Assembly?

If you must travel to the city where the Assembly is being held, it is recommended that you arrive on the day before the first scheduled day of the Assembly.

No two Assembly agendas are the same. Please refer in advance to the Assembly Agenda which will be posted on the AFN website and included in the materials package for participants, so that you know which sessions are happening, where, and when.

The main agenda and plenary sessions occur over three days, from Tuesday through Thursday. Normally, each day starts at 9:00 a.m. or later.



# Assembly of First Nations CONFERENCE BOOKLET



With the introduction of virtual and hybrid Assemblies, start times have varied depending on where the Assembly is being held.

For example, Assemblies held in Halifax (Atlantic Daylight Time) should start closer to 11:00 a.m. or 12:00 p.m. to accommodate those who may be participating virtually from Vancouver (Pacific Daylight Time) where there is a four-hour difference.

Finally, there are often Chiefs' committee meetings, Dialogue Sessions, or other side events scheduled on the Monday. If you are participating in any of these sessions you should plan to arrive at the venue a day earlier.

## 5. Are there side sessions or events during the Assembly?

Yes. Most Assemblies include **Dialogue Sessions**. These often occur concurrently (at the same time) meaning it is not possible to attend them all. They are normally scheduled on the Monday prior to beginning of the main plenary agenda on Tuesday.

Dialogue Sessions are focused on a particular issue, resolution, or batch of related resolutions. They might be used to provide technical updates on a proposed strategy or funding allocation formula, or to provide an opportunity for validation or building consensus on a draft resolution that is likely to be contentious.

There are also **Regional Caucuses** that are usually held in the morning before the opening of the plenary sessions on Tuesday, Wednesday and Thursday. These sessions are used for a variety of reasons, such as discussions to establish a regional position or consensus on an important, technical or sensitive matter.

Finally, there may be events such as a Winter Gala or other dinners and entertainments.

Any events associated with the Assembly will be clearly indicated on the agenda.

## 6. Can I attend the Assembly online?

Generally, the answer is yes; however this is not guaranteed.

Whether an Assembly is held virtually, entirely in-person, or in hybrid format is determined by the AFN Executive Committee.

The format for the Assembly will be communicated well in advance, along with the meeting dates and location.

Since July 2020 when the first Assembly was held virtually due to the COVID-19 pandemic and public health restrictions, the AFN has been regularly holding virtual or hybrid format Assemblies.

If you plan to attend an Assembly online you need to indicate this on your registration. This will ensure that you receive a link to the online platform where you will:

- a) View the Assembly if you are registered as an observer; or
- b) Participate in the Assembly if you are registered as a Chief or Proxy Representative.





# Assembly of First Nations

# CONFERENCE BOOKLET

## 7. What is quorum?

Quorum is the minimum number of members of an Assembly that must be present in order for decision-making to be valid.

First Nations-in-Assembly cannot provide direction to the AFN if there are not enough Chiefs and Proxy Representatives in the room.

Members are therefore encouraged to participate in all AFN Assemblies, and to stay throughout the full three days of plenary sessions so that quorum is not lost.

The rules for how quorum is determined on each day of an Assembly are described in the AFN Conference Booklet rules of procedure (page 5).

## 8. What is a resolution?

Resolutions are the main, essential mechanism for First Nations to provide specific mandates and direction to the AFN.

Resolutions are intended to capture national consensus on matters that are significant to First Nations and that impact their rights and interests.

Therefore, resolutions are important advocacy documents that formally spell out the AFN's position on important policy matters and the actions that the AFN should carry out, as well as what is expected from the Government of Canada or other entities.

The AFN Conference Booklet contains detailed descriptions of what a draft resolution must contain, as well as the rules that govern the overall resolutions process, beginning on page 14.

To ensure that AFN Assemblies are effective, and to be respectful of the time and money participants devote to attending Assemblies, it is critical that all participants understand and respect these rules.

## 9. Where do I get copies of draft resolutions?

All resolutions that have been received on-time and duly processed will be included in the Assembly materials package and posted to the AFN website.

However, there are sometimes late emergency resolutions or significantly amended resolutions that Assembly participants may wish to review.

Paper copies of these Resolutions will be prepared as quickly as possible and be available to participants at the **distribution** table.

This table is usually placed along the wall to one side of the plenary stage, under a large black-and-white banner that says 'Distribution'.

## 10. How do I submit a resolution?

Draft resolutions should be submitted by email to the AFN Resolutions Committee at [Resolutions@afn.ca](mailto:Resolutions@afn.ca). Submission may also be made by fax: **(613) 241-5808**.



# Assembly of First Nations CONFERENCE BOOKLET



They should be drafted using the template posted on the AFN website ([www.afn.ca](http://www.afn.ca)).

This template is also shared with all members when the call out and reminder notices for resolutions submissions are issued.

Resolutions are only accepted by the Resolutions Committee if the name and First Nation of the Mover and Seconder are noted on the resolution. The Mover and Seconder must be either a Chief or a duly mandated Proxy and must be available to speak to the Resolution at the Assembly.

## **11. When is the deadline to submit a resolution?**

The resolution submission deadline falls on the Friday five full weeks prior to the first day of a scheduled Assembly. A Call for Resolutions will be distributed at least one month before the deadline and reminder notices will be sent approximately two and one week before the final deadline.

## **12. What is a late resolution?**

Resolutions that are received after the resolutions deadline are considered late.

Given the time it takes to process and review draft resolutions, it is very unlikely that a late resolution will be considered by First Nations-in-Assembly until the next scheduled Assembly.

No resolutions will be accepted for processing after 12:00 noon on Day 2 of an Assembly.

Additional details on the rules and process for Late resolutions are provided in the AFN Conference Booklet beginning on page 15.

## **13. How is a resolution passed?**

The Chairperson(s) of an Assembly will call for the Mover of a resolution to speak to the resolution and open the debate. The Mover and Seconder are provided a limited and pre-determined amount of time to speak to their resolution.

The resolution is then debated by the First Nations-in-Assembly. Each Chief or Proxy Representative who wishes to speak to the resolution must line up at one of the designated microphones, be invited by the Chairperson(s) to speak, and then be allowed a limited and pre-determined amount of time to speak to that specific resolution.

When the Chairperson(s) call an end to the debate, they will then call for any opposition or abstentions to the resolution. If there is no opposition or abstentions, the Chairperson(s) will declare the draft resolution carried by consensus. If there is opposition, the Chairperson(s) may allow additional time to build consensus.

If all efforts at achieving consensus have been exhausted without success, the Chairperson(s) may put the matter to a vote. If at least 60% of the Chiefs and Proxy Representatives in attendance vote in favour of a resolution, then the resolution is carried.





# Assembly of First Nations

# CONFERENCE BOOKLET

## 14. How do I request an amendment to a resolution?

Amendments can be requested from the floor of the Assembly during debate if they comply with the intent of the original resolution.

To propose an amendment, a Chief or Proxy Representative must have been invited to speak to that particular resolution as per answer 13 above.

Amendments will be accepted only when the Chairperson(s) confirm that the Mover and Seconded of the original motion approve the proposed amendment. The amendments are then submitted in writing to the Resolutions Committee for processing.

## 15. What is the limit to speakers' time and why does it exist?

Each Chief, Proxy Representative, or their designate is allowed a limited and pre-determined amount of time to speak to the resolution. They may speak for up to four (4) minutes. Following debate on the issue, the Chief or Proxy Representative who introduced the issue may re-address the issue for three (3) minutes. Limitations on presentations will be enforced by the Chairperson(s) and interventions from the floor will be monitored through a warning system.

Limits to speaking time and the number of speakers are important to ensure that the process is fair and that time is available to get through all resolutions that were submitted on time.

## 16. How are seating arrangements organized during the sessions?

Elders, Knowledge Keepers, Council Members and Chiefs and Proxy Representatives will be given priority access to seating in the main seating area.

A designated seating area will be available at all Assemblies for Chiefs and Proxy Representatives.

The designated seating area will recognize and encourage seating by Nations / Treaty affiliations.

Aside from this, other seating considerations will depend on the venue. There are often large seating areas for observers at the back of the plenary room, with large screens so that draft Resolutions and presenters can be seen and heard clearly from anywhere in the room.

## 17. How can media attend the Assembly?

A journalist, reporter or persons attending an Assembly on behalf of a media organization must be accredited by the AFN Communications Director.

Aside from this, every person attending an Assembly must register using the same registration form which includes the option to register under **Media**.

Completing this registration will include and require payment of any fees.



# Assembly of First Nations **CONFERENCE BOOKLET**



## **18. How can participants with disabilities get assistance?**

At most Assemblies the AFN staff will include an Accessibility team who will make all reasonable efforts to accommodate the accessibility needs of participants.

If you will require assistance, you may note this as part of your registration so that the Accessibility liaison can be best prepared for any assistance that may be required.

Also, as noted, should a need for assistance arise you can go to the information desk where AFN staff can either assist you directly or connect you with the accessibility team.

## **19. Where do I find more information?**

At every Assembly there is also an on-site information desk where AFN staff will either answer your questions directly or connect you with someone else who can.

For virtual and hybrid Assemblies, there will also be one or more AFN staff monitoring questions posed in the designated virtual Assembly room.

Chiefs and Proxy Representatives can also seek supporting materials at the Resolutions Committee Desk or Distribution Table onsite at the Assembly.

For more information about the overall conduct of Assemblies, as well as the resolutions procedures, please refer to the appropriate sections of the AFN Conference Booklet.





# Assembly of First Nations

# CONFERENCE BOOKLET

*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



# Assembly of First Nations **CONFERENCE BOOKLET**



## **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.





# Assembly of First Nations

# CONFERENCE BOOKLET

## 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. 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<sup>2</sup>
7. The resources allocated to the Assembly of First Nations Secretariat shall be distributed and utilized for the great benefit of all Member First Nations in efforts that are truly in form and substance national in scope and for which consensus has been achieved by the member First Nations.

## 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

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



# Assembly of First Nations CONFERENCE BOOKLET



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;<sup>3</sup>
  - The Council of Women;
  - The National Youth Council; and
  - The First Nations Veterans Council.<sup>4</sup>
  - Two Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex and Asexual Plus (2SLGBTQQIA+) Council;<sup>5</sup>

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

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

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





# Assembly of First Nations

# CONFERENCE BOOKLET

- AFN Accessibility and Disability Council<sup>6</sup>
- 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.<sup>7</sup>

## 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.
  - 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.

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6 Annual General Assembly July 11-13, 2024, Montreal, QC Resolution 03/2024 – Amendment to Charter Re: Establishment of an Accessibility and Disability Council as a Recognized "Principal Organ" Under Article 5 of AFN Charter

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



# Assembly of First Nations CONFERENCE BOOKLET



- 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.<sup>8</sup>

## DECISION MAKING

### ARTICLE 8

- a) Quorum for Assemblies will be established as follows:
  - 1. On each day of the Assembly, a count will be conducted of Chiefs and Proxy Representatives present on the floor of the Assembly room, including those who are present in the designated virtual Assembly room, when the Chair calls the meeting to order.
  - 2. On each day of the Assembly, a quorum will then be maintained so long as the number of Chiefs and Proxy Representatives present on the floor of the Assembly room (including those attending virtually) is equal to at least 50% plus one of that initial count for that day.
  - 3. On each day of the Assembly, quorum must be established prior to decision-making by the First Nations-in-Assembly.<sup>9</sup>

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

9 Annual General Assembly July 11-13, 2024, Montreal, QC Resolution 02/2024 – Clarifying Rules and Procedures for Establishing Quorum at AFN Assemblies





# Assembly of First Nations

# CONFERENCE BOOKLET

- b) In the event of voting, each member shall have one vote which may be exercised by proxy.
- c) 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.

## 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.<sup>10</sup>

## 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.

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



# Assembly of First Nations

## CONFERENCE BOOKLET



- 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.
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.





# Assembly of First Nations

# CONFERENCE BOOKLET

## 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 Council <sup>11</sup> (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.<sup>12</sup>
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.<sup>13</sup>

## 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.
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.

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

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

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



# Assembly of First Nations CONFERENCE BOOKLET



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.<sup>14</sup>
10. Members of the Executive Committee may participate in Confederacy of Nations meetings with voting privileges.

## 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.<sup>15</sup>

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

15 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





# Assembly of First Nations

# CONFERENCE BOOKLET

## 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.

### 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 as per AFN Charter Appendix "A" (2024), Electoral Rules for the Office of the National Chief.



# Assembly of First Nations CONFERENCE BOOKLET



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.<sup>16</sup>

## 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.<sup>17</sup>

## 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

<sup>16</sup> Resolution 75/2019 Article 22 (6) – National Chief Oath of Office

<sup>17</sup> Annual General Assembly December 8-9, 2020, Ottawa, ON  
Resolution 01/2020 Article 23 (1) (2) (3) – Knowledge Keepers Council





# Assembly of First Nations

# CONFERENCE BOOKLET

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.<sup>18</sup>

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.<sup>19</sup>
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.

## 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.<sup>20</sup>

## 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,

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

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

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



# Assembly of First Nations CONFERENCE BOOKLET



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.<sup>21</sup>

## **AFN ACCESSIBILITY AND DISABILITY COUNCIL**

### **ARTICLE 23.E**

1. The Accessibility Disabilities Council shall consist of the lived experience of First Nations persons and Knowledge Keepers with disabilities and First Nations care givers and representatives from the First Nations Blind and Deaf community, among others. The Accessibility and Disabilities Council shall be inclusive of male, female, and 2SLGBTQQIA peoples with lived experience with a disability. Each Region shall appoint and can remove one member to serve on the Council in accordance with the process and procedures governing that Region.
2. The Chairperson will be selected by the representatives of the Accessibility and Disabilities Council, each representative will serve for a term of three years and shall be eligible for re- appointment.

## **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.
4. The Chairperson or the alternate shall participate in Executive Committee meetings in an advisory capacity.
5. The role of the Resident Knowledge Keepers is to provide assistance, guidance and support to the National Chief and the Executive Committee.<sup>22</sup>

## **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.

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

22 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

# CONFERENCE BOOKLET

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.<sup>23</sup>

## 2SLGBTQQIA+ COUNCIL

### ARTICLE 24.D

1. The 2SLGBTQQIA+ 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 2SLGBTQQIA+ 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 2SLGBTQQIA+ Council may participate in meetings of the Executive Committee.

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



# Assembly of First Nations CONFERENCE BOOKLET



3. The 2SLGBTQIA+ Council will determine and elaborate further on quorum, procedures, functions, etc. at the inaugural meeting of the Council.<sup>24</sup>

## AFN ACCESSIBILITY AND DISABILITY COUNCIL

### ARTICLE 24.E

1. The role of the Accessibility and Disability Council is to provide assistance, guidance, and support to the National Chief, Executive Committee, and First Nations in-Assembly to support the creation, strengthening, and capacity development of the AFN with respect to FNPWD.
2. The Accessibility Disability Council may discuss any question or any matter with the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and may make recommendations to the AFN Executive Committee, the Confederacy of Nations or to any subsidiary organ on any such question or matter.

## 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.
2. Conflict of interest are or may be:

<sup>24</sup> Special Chiefs Assembly December 7-9, 2021, Ottawa, ON Resolution 15/2021- Establishment of a 2SLGBTQIA+ Council





# Assembly of First Nations

# CONFERENCE BOOKLET

- 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 the issue 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.*



# Assembly of First Nations CONFERENCE BOOKLET



## AFN Charter APPENDIX "A" (2024)<sup>25</sup>

### 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) emailing 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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25 Annual General Assembly July 11-13, 2024, Montreal, QC Resolution 02/2024 – Addressing National Chief Election Voting Deadlocks





# Assembly of First Nations

# CONFERENCE BOOKLET

- (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 one-hundred thousand dollars (\$100,000.00).
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.



# Assembly of First Nations CONFERENCE BOOKLET



*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. The vote may be cast in-person at the Assembly or virtually/online.
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. Subject to F11, 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.
11. When there are only two candidates remaining, the Chief Electoral Officer shall announce that a final ballot will be conducted and the candidate with the most votes shall be declared the winner even if that candidate does not reach the 60% benchmark.





## 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



# Assembly of First Nations CONFERENCE BOOKLET



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
14. Annual General Assembly July 9-11, 2024 Montreal, QC Resolution 03/ 2024 Establishment of an Accessibility and Disability Council  
  - Article 5 (1) - Principles
  - Article 23.E- Composition Accessibility and Disability Council
  - Article 24.E – Roles and Function Accessibility and Disability Council
  - Resolution 02/2024 – Addressing National Chief Election Voting Deadlocks
  - Article 22(a) – Election and Term
  - AFN Charter Appendix “A” (2024) b(1) - Functions of the Chief Electoral Officer e(1) – Campaign Expenses f(2) f(7) and f(11) Conduct of Election
  - Resolution 01/2024 – Clarifying Rules and Procedures for Establishing Quorum at AFN Assemblies
  - Article 8 – Decision Making





## APPENDIX I

### Code of Conduct for AFN Event Participants

#### THE ASSEMBLY OF FIRST NATIONS CODE OF CONDUCT FOR EVENTS

1. The Assembly of First Nations ("AFN") hosts meetings, gatherings, and Assemblies from time to time ("events"). The AFN is committed to providing a safe, respectful, inclusive, and welcoming environment where individuals are empowered to express their authentic selves and are heard.
2. The AFN has a zero-tolerance policy for actions or words that constitute harassment (including sexual), bullying, intimidation, discrimination, or violence.
3. This Code of Conduct identifies the standard of behaviour expected of all event participants, as well as the consequences of unacceptable behaviour. It applies to all AFN events and event related activities.
4. All event participants are expected to help the AFN maintain a safe space and positive event experience for everyone. Where a participant registers to attend an AFN event, the participant will be required to agree to this Code of Conduct by signing the "Acknowledgement Form" attached as Schedule A.

#### EXPECTED BEHAVIOUR OF EVENT PARTICIPANTS

5. By participating in any AFN event or activity, participants must always conduct themselves in a manner that is:
  - a. Considerate, respectful, and collaborative.
  - b. Mindful of your surroundings and of your fellow participants, and to alert event organizers if you witness unacceptable behaviour.
  - c. Refrain from any form of conduct which involves violence, discrimination, and harassment at the event including at social functions, during AFN event-related travel, on social media, over the telephone or via email and text messages.





## **UNACCEPTABLE BEHAVIOUR OF EVENT PARTICIPANTS**

6. Examples of unacceptable behaviours at AFN events include but are not limited to:
- a. Intimidating, harassing, abusive, discriminatory, derogatory, or demeaning conduct.
  - b. Harassment, which includes any unwanted physical or verbal behaviour that offends or makes unwelcome remarks or jokes about one's race, religion, sex, age, disability or any other of the grounds of discrimination.
  - c. Sexual harassment, which is considered any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any person or that might, on reasonable grounds, be perceived by that person as placing a condition of a sexual nature on a person.
  - d. Violence, defined as any action, conduct, threat, gesture of a person towards another person that can reasonably be expected to cause or threaten harm, injury or illness to that person.

## **CONSEQUENCES OF UNACCEPTABLE BEHAVIOUR**

7. Participants who are asked to stop any inappropriate behaviour by any other participant or event organizer are expected to comply immediately.
8. Unacceptable behaviour will not be tolerated. Event organizers may take action they deem appropriate, including immediate removal from the event without refund and expulsion from future AFN events.

## **REPORTING OF UNACCEPTABLE BEHAVIOUR**

9. "If you believe someone is violating the Code of Conduct and you wish to report it, please notify an event organizer immediately. Assistance will be provided to contact the appropriate officials within AFN and they will assist to safely escort you or others if required or they can provide additional assistance with the situation at hand. Your anonymity will be protected at all times."





## Schedule “A”

### Code of Conduct for AFN Event Participants

I, \_\_\_\_\_, an AFN Event Participant, declare that I have read, understood and agree to comply with the AFN Code of Conduct and other applicable rules and policies adopted by the event participants, and I will:

1. exercise the responsibilities and expected behaviours contained within this Code, at all times, with due diligence, care and skill in a reasonable and prudent manner;
2. respect and support the AFN’s rules, policies, including this Code and decisions of the meeting Chair(s) and/or CEO;
3. conduct myself in a spirit of collegiality and respect for the other participants in attendance at the AFN Event; and

Signature: \_\_\_\_\_

AFN Event Participant









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