

DRAFT CHARTER RESOLUTION
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AFN Annual General Assembly, July 9-11, 2024, Montreal, QC

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| TITLE: | Addressing National Chief Election Voting Deadlocks |
| SUBJECT: | AFN Charter |
| MOVED BY: | Chief David Monias, Pimicikamak Cree Nation, MB |
| SECONDED BY: | Chief Matt Pasco, Oregon Jack Creek Band, BC |

WHEREAS:

- A. The Chiefs' Committee on Charter Renewal (CCoCR) continues to identify and discuss potential amendments to the Charter of the Assembly of First Nations (AFN).
- B. Recent and recurring concerns involving deadlocks or prolonged repeated voting requirements by Chiefs when there are only two candidates remaining on the ballot are areas identified by the CCoCR for improvement. Specially, Article 22(1) and the Appendix "A" (1990) ELECTORAL RULES FOR THE OFFICE OF NATIONAL CHIEF, which do not provide a clear and time-effective means for resolving voting deadlocks in the instances that the final two candidates fail repeatedly to reach the 60% qualified majority threshold.
- C. There have been previous National Chief elections where multiple rounds of non-decisive voting continued through the evening into the next day, and where the 'deadlock' could only be resolved through a voluntary concession. Such voting deadlocks undermine morale and are a risk to the health and wellbeing of participants to the Assembly.
- D. The December 2023 Special Chiefs Assembly (SCA) saw another prolonged election that included 2 rounds of non-decisive voting for the final two candidates, which has renewed calls to amend the AFN Charter provisions.
- E. This AFN Charter Resolution seeks to improve and clarify the National Chief Election provisions within the Charter by amending the Appendix "A" (1990) provisions to address voting deadlocks when only two candidates remain, and amending Article 22(1) to refer specifically to Appendix "A" for electoral rules.
- F. This AFN Charter Resolution also presents an opportunity to address other outstanding Charter amendment recommendations, particularly regarding campaign expenses and recognition of virtual and hybrid Assembly formats.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

- 1. Direct that the following amendments be made to AFN Charter Appendix "A" (1990), Electoral Rules for the Office of the National Chief:
 - I. To amend B. 1(b) Functions of the Chief Electoral Officer to now read, "e-mailing the names and brief particulars of the candidates to the Chiefs (using the official list of Chiefs at the

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- National Office) at least four (4) weeks before the election, and posting the same information on the AFN website;”
- II. To amend E. 1 Campaign Expenses by replacing “\$35,000” with “\$100,000”;
 - III. To amend F.2 under Conduct of Election, to add a second sentence that reads, “The vote may be cast in-person at the Assembly or virtually/online.”
 - IV. To amend F. 7 Conduct of Election, to read, “Subject to F.10, The winner of the election shall be that person who first gains a majority of sixty (60) per cent of the votes of members who cast ballots who are registered at the Assembly.”
 - V. To amend F. 10 Conduct of Election to add a second sentence, to read, “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.
 - VI. To update the title of the Appendix to, “AFN Charter Appendix “A” (2024), Electoral Rules for the Office of the National Chief.”
2. Direct that Article 22(1) of the Charter of the Assembly of First Nations (AFN) be amended to read “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.”