

October 31, 2024

Clarified January 28, 2025

The Tłegóhłı Got'ıne Government Constitution

PREAMBLE

We the People of Tłegóhłı in the heart of our traditional territories are the Tłegóhłı Got'ıne;

The land, the rivers, and the lakes of our traditional territories made us a People and have sustained us physically and spiritually as a People for hundreds and thousands of years, since time immemorial;

Since time immemorial we have governed ourselves as original inhabitants of our traditional territories;

The Tłegóhłı Got'ıne Government is and has always been an expression of our inherent rights of self-determination and self-government;

We have never surrendered our inherent rights of self-determination and self-government; not to the Crown of France before 1763, not to the Crown of Great Britain or the Crown of Canada any time thereafter;

Our nation-to-nation relationship with the Crown of Great Britain and the Crown of Canada was recognized in the Royal Proclamation issued in 1763, in Treaty No. 11 signed in 1921, and in the *Sahtu Dene and Metis Comprehensive Land Claim Agreement* signed in 1993;

We have negotiated the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* with the Crown of Canada for its governments' recognition of the Tłegóhłı Got'ıne Government as a government within the constitutional framework of the Canadian confederation and as the foundation for a new

government-to-government relationship between its Canadian governments and the Tłegóhłı Got'ıne Government;

From the date the Crown's recognition of the Tłegóhłı Got'ıne Government as a government within the constitutional framework of the Canadian confederation is effective under Canadian law, we will exercise our inherent rights of self-determination and self-government through the Tłegóhłı Got'ıne Government consistent with the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* and with this Constitution, which we hereby declare, ratify, and confirm.

PART I – INTERPRETATION

1. This is the “Tłegóhłı Got'ıne Government Constitution” referred to the *Final Self Government Agreement for the Tłegóhłı Got'ıne* and may be referred to as “this Constitution” or “the Constitution”.
2. Unless expressly defined in this Constitution, all capitalized terms in this Constitution have the same meaning given to them in the *Final Self Government Agreement for the Tłegóhłı Got'ıne*.
3. “Dene Law” means the ancient knowledge and wisdom, customs and traditions of our ancestors and includes the teachings of Yamória and the following values and principles:
 - a) Share what you have;
 - b) Help each other;
 - c) Love each other as much as possible;
 - d) Be respectful of elders and everything around you;
 - e) Pass on the teachings;
 - f) Be as happy as possible;
 - g) Sleep at night and work during the day;
 - h) Be polite and do not argue with anyone; and
 - i) Young girls and boys should behave respectfully.

PART II - TRANSITION AND CONTINUITY

4. The administration, executive and legislative power and authority of the Tłegóhłı Got'ıne Government being exercised by the President and the other members of the Board of Directors of The Tłegóhłı Got'ıne Government Incorporated, formerly known as the Norman Wells Land Corporation, continues and is vested in them as the President and the other members of the Legislative Council of the Tłegóhłı Got'ıne Government until the elections to be held under section 5.
5. Within two (2) years of the date that the Crown's recognition of the Tłegóhłı Got'ıne Government as a government within the constitutional framework of Canada is effective under Canadian law the Tłegóhłı Got'ıne shall:
 - a) elect, for a four (4) year term of office, a President who must be a resident of Tłegóhłı;
 - b) elect, for a four (4) term of office, four (4) members of the Legislative Council at least two (2) of whom must be residents of Tłegóhłı; and
 - c) elect, for a two (2) year term of office, four (4) members of the Legislative Council at least two (2) of whom must be residents of Tłegóhłı.
6. When the terms of office of the members of the Legislative Council elected under section 5(c) are due to expire, and every four (4) years thereafter, the Tłegóhłı Got'ıne shall elect four (4) members of the Legislative Council at least two (2) of whom must be residents of Tłegóhłı.
7. When the terms of office of the members of the Legislative Council elected under section 5(b) are due to expire, and every four (4) years thereafter, the Tłegóhłı Got'ıne shall elect four (4) members of the Legislative Council at least two (2) of whom must be residents of Tłegóhłı.
8. When the term of office of the President elected under section 5(a) is due to expire, and every four (4) years thereafter, the Tłegóhłı Got'ıne shall elect a President who must be a resident of Tłegóhłı.

PART II – GOVERNMENT

9. The Tłegóhłı Got'ıne Government, its Institutions, officials, and representatives shall exercise all powers and authorities in a manner consistent with Dene Law and this Constitution and in accordance with Tłegóhłı Got'ıne Law and shall also, at all times, act fairly and without discrimination against, or abuse of, any individual.

10. The Legislative Council shall, consistent with Dene Law and this Constitution, protect our inherent aboriginal and treaty rights, protect our interests, and subject to section 13 have overall legislative responsibility for the Tłegóhłı́ Got'ı́ne Government, including:
 - a) the exercise of all legislative power and authority of the Tłegóhłı́ Got'ı́ne Government;
 - b) the exercise of all the Jurisdictions and Authorities set out in the *Final Self-Government Agreement for the Tłegóhłı́ Got'ı́ne*;
 - c) the exercise the jurisdiction and authority set out in an *Act respecting First Nations, Inuit, and Métis children, youth and families* (Canada) invoked by the Tłegóhłı́ Got'ı́ne in January 2021; and
 - d) the exercise of all powers and responsibilities of a designated Sahtu organization that were exercised by The Tłegóhłı́ Got'ı́ne Government Incorporated, formerly known as the Norman Wells Land Corporation.
11. A majority of the members of the Legislative Council present in person or remotely, if permitted in accordance with Tłegóhłı́ Got'ı́ne Law, shall be quorum for all meetings of the Legislative Council and, for that purpose:
 - a) the President shall be counted, if present, and
 - b) if the President or other members leave the meeting and do not participate in the discussion or decision-making for reasons of conflict of interest, or for other reasons, quorum is not lost.
12. Decisions of the Legislative Council will be made by consensus amongst the members present at a meeting of the Legislative Council or, if consensus cannot be achieved, by a majority vote of those members present who vote; the President being a full voting member.
13. The President shall, consistent with Dene Law and this Constitution, protect our inherent aboriginal and treaty rights, protect our interests, and have overall executive responsibility for the Tłegóhłı́ Got'ı́ne Government, including
 - a) representing the Tłegóhłı́ Got'ı́ne Government and its Institutions within and beyond the Tłegóhłı́ Got'ı́ne;
 - b) calling, subject to Tłegóhłı́ Got'ı́ne Law, meetings of the Legislative Council;
 - c) presiding over meetings of the Legislative Council as a full voting member;
 - d) presiding over any Executive Council meetings as a full voting member;

- e) presiding over the administration of the Tłegóhłı́ Got'ı́ne Government and its Institutions in accordance with Tłegóhłı́ Got'ı́ne Law and this Constitution; and
 - f) making, with the advice and consent of the Legislative Council, such agreements with one or more Sahtu Dene and Metis Governments or with other, like, Indigenous governments or with other Canadian governments as may be in the best interests of the Tłegóhłı́ Got'ı́ne.
14. The office of the President or a member of the Legislative Council shall be automatically vacated if:
- a) the officeholder dies or resigns by delivering a written resignation to the Legislative Council;
 - b) the officeholder is found by a court of competent jurisdiction to be of unsound mind;
 - c) the officeholder becomes bankrupt or suspends payment or compounds with their creditors;
 - d) the officeholder fails to attend three (3) consecutive meetings of the Legislative Council and a majority vote of the remaining members of the Legislative Council approve the removal of the officeholder; or
 - e) the officeholder is recalled by a written petition signed by 66% of all Tłegóhłı́ Got'ı́ne eligible to vote under Tłegóhłı́ Got'ı́ne Law.
15. In the event an office becomes vacant under section 14 and there are nine (9) months or more remaining until the next election for that office, a by-election shall be held to fill the vacancy.
16. There shall be three (3) members of the Justice Council nominated by the President and appointed by the Legislative Council for four (4) year terms who shall, independent of all other branches of the Tłegóhłı́ Got'ı́ne Government, perform their duties consistent with Dene Law, this Constitution and Tłegóhłı́ Got'ı́ne Law.
17. The office of a member of the Justice Council shall be automatically vacated if:
- a) the officeholder dies or resigns by delivering a written resignation to the Legislative Council;
 - b) the officeholder is found by a court of competent jurisdiction to be of unsound mind;
 - c) the officeholder becomes bankrupt or suspends payment or compounds with their creditors; or

- d) a majority vote of the Legislative Council approves the removal of the officeholder for failure to perform the duties of a member of the Justice Council.

PART III – INDIVIDUAL RIGHTS

- 18. There shall be a General Assembly of the Tłegóhłı Got'ıne held in Tłegóhłı, called by the Legislative Council at least once every calendar year, at which General Assembly the Tłegóhłı Got'ıne:
 - a) will receive an annual report, in writing, on the activities of the Tłegóhłı Got'ıne Government and its Institutions;
 - b) will receive audited financial statements;
 - c) may ask questions and receive answers; and
 - d) may make recommendations to the Tłegóhłı Got'ıne Government for its consideration.
- 19. The *Canadian Charter of Rights and Freedoms* applies to the Tłegóhłı Got'ıne Government and its Institutions where:
 - a) not in conflict with our inherent aboriginal and treaty rights;
 - b) consistent with the *Final Self-Government Agreement for the Tłegóhłı Got'ıne*; and
 - c) subject to such reasonable limits prescribed by Tłegóhłı Got'ıne Law as may be demonstrably justified under Dene Law.
- 20. The Legislative Council shall make no law that:
 - a) mandates or prohibits an individual's personal spirituality or spiritual practices; or
 - b) denies an individual's right to vote based on their residence.

PART IV –AMENDMENTS

- 21. This Constitution is a living document intended to reflect the present-day government of the Tłegóhłı Got'ıne and may be amended by the Tłegóhłı Got'ıne from time to time.
- 22. Amendments to this Constitution must be approved in a secret ballot vote in which at least 25% of the Tłegóhłı Got'ıne eligible to vote under Tłegóhłı Got'ıne Law cast ballots and in which at least 60% of the ballots cast are in favour of the proposed amendment or amendments.

23. Notice of a referendum to amend this Constitution under section 22 must include a copy of the proposed amendment or amendments and a written explanation of the proposed amendment or amendments and must be given to all Tłegóhłı Got'ıne eligible to vote under Tłegóhłı Got'ıne Law at least 90 days prior to the referendum.
24. Amendments to the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* that must be ratified by the Tłegóhłı Got'ıne, the Government of Canada and the Government of the Northwest Territories, shall be ratified by the Tłegóhłı Got'ıne in a secret ballot vote in which at least 25% of the Tłegóhłı Got'ıne eligible to vote under Tłegóhłı Got'ıne Law cast ballots and in which at least 60% of the ballots cast are in favour of ratification.
25. Notice of a referendum to ratify amendments to the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* under section 24 must include a copy of the proposed amendment or amendments and a written explanation of the proposed amendment or amendments and must be given to all Tłegóhłı Got'ıne eligible to vote under Tłegóhłı Got'ıne Law at least 90 days prior to the referendum.
26. Notwithstanding section 24, amendments that are by the terms of the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* automatic or administrative amendments, including amendments under 5.4 and 5.5 of the *Final Self-Government Agreement*, shall be ratified by resolution of the Legislative Council.
27. Notice given under section 23 and 25 shall be sent to the Tłegóhłı Got'ıne eligible to vote by sending it to the address each has given to the Tłegóhłı Got'ıne Government or in such other manner as may be determined by Tłegóhłı Got'ıne Law.

PART V – EFFECTIVE DATE

28. This Constitution is effective immediately upon the approval by the Tłegóhłı Got'ıne of the *Final Self-Government Agreement for the Tłegóhłı Got'ıne* under 7.7.2 a) of the *Final Self-Government Agreement*.
29. Amendments to this Constitution are effective immediately upon the approval by the Tłegóhłı Got'ıne in the referendum referred to in section 22.