



The Nation Building Committee is looking for feedback on the:

## **Draft Curve Lake First Nation Constitution**

This document will represent the core values of the people of Curve Lake First Nation and we want to hear any feedback that you may have.



Please provide written comments to Melissa Dokis at the Government Services Office, by email, [MelissaD@curvelake.ca](mailto:MelissaD@curvelake.ca), or at 705-657-8045

**For Discussion Purposes Only (Draft #7)**

**Curve Lake First Nation Constitution**

**Title**

Curve Lake First Nation Constitution - Draft

**Preamble**

We are the people of Curve Lake. We are Mississauga. We are of the Anishinaabe Nation. We are unconquered.

Since time immemorial we shared all of Turtle Island and its resources. Today, we share our traditional territory that includes our settlement at Curve Lake.

Our traditional way of life, language, culture, teachings, roles and responsibilities given to us by the Creator determine who we are, all that we know, and all that we believe. These gifts will guide us moving forward.

All creation is sacred, needing preservation and protection.

Our children are our sacred gifts and their well-being is a primary responsibility.

We affirm all rights to the land, water, culture, language and traditions of those before us, those of us today and those to come in the future.

We respect all peoples.

The right to set rules of life flow from the Creator and we, the people of Curve Lake, share that right with our chosen leaders.

All relations with others will be Nation to Nation.

Through a sharing of responsibilities and accountabilities, this Constitution of the people of Curve Lake represents a unified foundation upon which we confirm nationhood - now and forever strong, healthy, safe, and prosperous.

**Supreme Law**

This Constitution is the Supreme Law of the people of Curve Lake and shall prevail in the event of a conflict or inconsistency with any other law or regulation.

**Definitions**

Council-

Code –

Law –

Nation -

## **Purpose**

The *Curve Lake First Nation Constitution* confirms, in a modern context, the principles under which the members of Curve Lake First Nation choose to be governed.

## **Language of Curve Lake First Nation**

Anishnaabemowin is the traditional language of Curve Lake First Nation. English is a second language of our choice.

## **Membership**

Curve Lake First Nation has the exclusive right to determine its membership. Members of Curve Lake First Nation shall be those persons who meet eligibility criteria set in a Membership Code.

## **Rights and Freedoms of Membership**

Each member shall have the right to exercise the following freedoms without discrimination:

- Freedom of speech;
- Freedom of religion;
- Freedom of thought;
- Freedom to reside safely in Curve Lake First Nation;
- Freedom of movement within and to and from Curve Lake First Nation territory;
- Freedom to acquire, hold and use land on Curve Lake First Nation territory; and the,
- Freedom to exercise our inherent and Treaty rights as the original occupants of Turtle Island.

## **Reasonable Limits**

This Constitution guarantees the rights and freedoms set out above subject only to such reasonable limits that can be demonstrably justified to protect the collective interests of Curve Lake First Nation.

## **Members' Decision-Making**

The members' decision-making process shall afford all Curve Lake First Nation members the opportunity to be informed of issues and to further explore these issues with Council in a members' forum. Those things requiring a community vote include the enactment, amendment and rescinding of a:

- Membership Code/Law;
- Matrimonial Real Property Code/Law;
- Leadership Selection Code/Law;
- Land Management Code/Law;
- Financial Management Code/Law;
- Residency Code/Law
- Approval to sign a Treaty; and
- Approval to settle claims

## **Leadership**

The Curve Lake First Nation leadership shall be comprised of members of Curve Lake First Nation and include a Chief and Council selected through a vote of members. The number of Councillors, eligibility for candidacy for the positions of Chief and Councillor, eligibility to vote and the selection process shall be in accordance with the Curve Lake First Nation Leadership Selection Code approved by a members' decision-making process. The Chief and Councillors, as a whole, shall constitute 'the Council'.

## **Leadership Authority**

Council shall have executive and administrative authorities in the day-to-day governance and operation of the First Nation. Delegation of any leadership authority shall be by way of an approved motion of Council.

## **Treaty Matters**

Council and its delegates are the sole authority to negotiate any and all treaty matters on behalf of Curve Lake First Nation.

## **Leadership Operations and Conduct**

Council shall adhere to the Code of Conduct as outlined within the Curve Lake First Nation Policy and Guidelines for Chief and Council and the Curve Lake First Nation Leadership Selection Code.

## **Lands and Land Management**

Council shall manage all lands held for the use and benefit of Curve Lake First Nation members. Under no circumstances shall there be a diminishing of the total land area held for the use and benefit of Curve Lake First Nation members.

## **Fiscal Capacity and Accountability**

It is the responsibility of Council to manage First Nation financial resources to the benefit of Curve Lake First Nation members.

## **Nation to Nation Relations**

Council shall have the authority to engage in Nation to Nation relations.

## **Dispute Resolution**

The Council shall establish a Curve Lake First Nation dispute resolution mechanism or, through agreement, affiliate with any other accredited dispute resolution body to be used by its members for all, but not limited to, disputes between its members, disputes between its members and Council and disputes between its members and outside governments. This shall not preclude any First Nation member from seeking alternative mechanisms for dispute resolution.

## **Jurisdiction and Law-Making**

Council shall make laws, regulations, policies and procedures on any matters subject to the members' right to limit or withhold an authority.

All laws and by-laws pre-existing this Constitution shall remain in force and effect.

**Establishment of Public Institutions**

Council may create public institutions in accordance with its laws, to perform the necessary functions of government to which authorities may be delegated but may not be sub-delegated.

**Laws in the Event of Emergencies**

Council may enact a law, if in its opinion, such law is needed urgently in the interest of public health and safety. Any law passed under this authority shall only remain in effect until the emergency has been properly dealt with and the law rescinded by Council or a permanent law is passed and enacted.

**Access to Laws**

All Curve Lake First Nation laws shall be entered in a Law Register which shall be available to the public.

**Compliance to the Curve Lake First Nation Constitution**

The members and any others who enter Curve Lake First Nation territory, shall abide by and respect this Constitution.

**Amendment of the Constitution**

Amendment of this Constitution requires approval through the community decision-making process.

**Community Approval**

This Constitution has been approved by the members of Curve Lake First Nation in accordance with the community decision-making process.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_.

Curve Lake First Nation, etc, etc