

PRINCE ALBERT GRAND COUNCIL CONVENTION, 2005



PRINCE ALBERT GRAND COUNCIL CONVENTION

THIS CONVENTION MADE THE 16TH DAY OF MAY, 2003 AND AMENDED THIS 18TH OF OCTOBER, 2005.

BETWEEN:

The Member First Nations/Bands as represented by their Chief and Council/Headmen as follows:

**The Chief and Council of the
Black Lake Denesuline First Nation, Treaty No. 8** OF THE FIRST PART

-and-

**The Chief and Council of the
Cumberland House Cree First Nation, Treaty No. 5** OF THE SECOND PART

-and-

**The Chief and Council of the
Fond du Lac Denesuline First Nation, Treaty No. 8** OF THE THIRD PART

-and-

**The Chief and Council of the
Hatchet Lake Denesuline First Nation, Treaty No. 10** OF THE FOURTH PART

-and-

**The Chief and Headmen of the
James Smith Cree First Nation, Treaty No. 6** OF THE FIFTH PART

-and-

**The Chief and Council of the
Lac La Ronge Indian Band, Treaty No. 6** OF THE SIXTH PART

-and-

**The Chief and Council of the
Montreal Lake Cree First Nation, Treaty No. 6** OF THE SEVENTH PART

-and-

**The Chief and Council of the
Peter Ballantyne Cree First Nation, Treaty No. 6** OF THE EIGHTH PART

-and-

**The Chief and Headmen of the
Red Earth Cree First Nation, Treaty No. 5**

OF THE NINTH PART

-and-

**The Chief and Council of the
Shoal Lake Cree First Nation, Treaty No. 5**

OF THE TENTH PART

-and-

**The Chief and Council of the
Sturgeon Lake Cree First Nation, Treaty No. 6**

OF THE ELEVENTH PART

-and-

**The Chief and Council of the
Wahpeton Dakota Nation,
King George III (Pre-Confederation) Treaty**

OF THE TWELFTH PART

HEREINAFTER referred to collectively as "the Prince Albert Grand Council".

WHEREAS we are determined to assert and maintain our right to self-government and the right to pursue our own political, economic, social and cultural development; AND

WHEREAS we have resolved to combine our efforts to accomplish these aims; AND

WHEREAS we undertake individually and collectively to take steps to actively pursue the full realization of our inherent and treaty rights;

NOW THEREFORE THE PARTIES HERETO UNDERTAKE TO ADOPT SUCH ADMINISTRATIVE AND LEGISLATIVE PROCESSES AND OTHER MEASURES AS MAY BE NECESSARY TO GIVE EFFET TO THE FOLLOWING CONVENTION ACT:

DEFINITIONS

1. **FIRST NATION/BAND** means a jural society of sovereign indigenous peoples who exercise their distinct culture, language, and inherent rights within a defined territory.
2. **MEMBER FIRST NATION/BAND** means a First Nation/Band who is signatory to this Convention.
3. **FEDERATION OF SASKATCHEWAN INDIAN NATIONS (FSIN)** means the federation of sovereign First Nations/Bands organized for the purpose of promoting and protecting the inherent, aboriginal and treaty rights of Saskatchewan First Nations/Bands based upon the primacy of the Member First Nations/Bands who are signatory to the F.S.I.N. Convention.
4. **PEOPLE** means a group of persons sharing the following characteristics: a common history, racial or ethnic ties, cultural or linguistic ties, a common territory or geographic location, a common economic base, and a sufficient number of people having traditions of their own and united by identity of race, culture, and language in the sentiment of solidarity, with a view to preserving their traditions, insuring the instruction of their children in accordance with the spirit and traditions of their race and rendering mutual assistance to each other.
5. **PRINCE ALBERT GRAND COUNCIL (or PAGC)** means the collective of Member First Nations/Bands who are signatories to this Convention Act.
6. **PRINCE ALBERT GRAND COUNCIL CONVENTION** means the political accord identifying the common principles that will govern the policies and organization of the Prince Albert Grand Council
7. **PRINCE ALBERT GRAND COUNCIL ACT** means the legal instrument that is developed to give legal effects to *The PAGC Convention*.

PRINCE ALBERT GRAND COUNCIL CONVENTION

IDENTITY

We, the representatives of the Member First Nations/Bands of *The Prince Albert District Chiefs Convention 1982 ("PADC Convention 1982")* and *The Federation of Saskatchewan Indian Nations Convention 1982 (FSIN Convention 1982)*.

SOVEREIGNTY

Convinced that it is the inalienable right of all people and the foundation of freedom, justice and good government to control their own destiny as bestowed by the Creator.

INHERENT RIGHTS

Having retained our inherent and Treaty rights to govern and function as sovereign First Nations/Bands.

CUSTOMS AND TRADITIONAL VALUES

Confirming that our Member First Nations/Bands were historically organized into jural societies which established, empowered, and regulated our institutions of government by custom and traditional values and that these governments exercised executive, judicial and legislative powers.

TREATIES

Reaffirming the guarantees our ancestors secured through Treaties with the Crown of Great Britain and Ireland, to preserve our way of life in perpetuity.

FIRST NATION/BAND

Convinced that we must affirm the inherent right of our Member First Nations/Bands to exercise their own forms of Government.

FIRST NATION/BAND REPRESENTATIVES

Believing that the Chiefs and Councillors/Headmen are the representatives of our Member First Nations/Bands and further that it is necessary and expedient to use our collective economic and technical resources to develop institutions and processes in order to establish and assist our individual and collective governments to ensure the enjoyment of all political, economic, social and cultural rights herein set forth.

CODIFICATION OF FIRST NATIONS/BANDS LAWS

Persuaded that laws for establishing, empowering, and regulating our institutions of Governments, although evolving since time immemorial, must be written to preserve continuity and to provide us with clear rules for administering, regulating and managing our communities, lands and resources and exercising appropriate governance over our lands and people, according to our Member First Nation's/Band's customs and traditional values.

PADC CONVENTION (1982) AND FSIN CONVENTION (1982)

Conscious of our responsibility to continue our ancestors' mission to join and unite in a common front to protect and preserve our First Nation/Band way of life, which has already inspired our participation in the FSIN Convention, and the Prince Albert District Chiefs Convention and their replacement legislation.

PRINCE ALBERT TRIBAL COINCIL TO PRINCE ALBERT GRAND COUNCIL

Recognizing that our respective Governments continue to evolve, the Member First Nations/Bands of the Prince Albert Tribal Council have agreed by this Convention to reconstitute themselves as Prince Albert Grand Council, based on the following principles:

PRINCIPLES

PRINCIPLE I FIRST NATIONS/BANDS GOVERNMENT JURISDICTION, LAWS AND POLICIES

To promote and protect Member First Nation/Band Governments through the establishment of Grand Council structures and supporting institutions in accordance with the principle of the primacy of the Member First Nation/Band governments and the Treaties.

PRINCIPLE II TREATY PROTECTION

To promote and protect the rights of Member First Nations/Bands as represented herein, including rights accrued to the parties hereto, resulting from the international Treaties which were entered into between the First Nations/Bands and the Crown of Great Britain and of Ireland, their heirs and successors, as represented by the Governments of the People of Canada, and upon the Government of People of the Member First Nations/Bands as herein represented. The Treaties shall be interpreted according to their spirit and intent as understood by the Member First Nations/Bands.

PRINCIPLE III PROMOTION OF FIRST NATIONS/BANDS RIGHTS

To promote the betterment of sovereign indigenous Peoples by advancing their well-being, languages, education, health, economic, spiritual, cultural, land, natural resources and political rights.

PRINCIPLE IV REPRESENT COMMON ISSUES

To develop a common action plan on matters of mutual interest to the First Nations/Bands, Tribal Councils and the Prince Albert Grand Council.

PRINCIPLE V PROMOTE JURISDICTION

To recognize and affirm each Member First Nation's/Band's jurisdiction and territory and to promote the exercise of that jurisdiction over those territories.

PRINCIPLE VI PRIMACY OF MEMBER FIRST NATIONS/BANDS

The terms and conditions of this Convention shall not be construed to mean that any rights, powers, or jurisdiction of the Member First Nations/Bands who are parties to this Convention are affected in any way, shape or form, unless with the consent of the parties hereto, and that no rights or powers shall be created for the Prince Albert Grand Council or the Federation of Saskatchewan Indian Nations without the ratification of all the Member First Nations/Bands.

PRINCIPLE VII MEMBER FIRST NATIONS/BANDS CONSTITUTIONS / CONVENTIONS

The Member First Nations/Bands agree to establish their own constitutions/conventions outlining the said powers, rights, and obligations inherent in their traditional values and customs.

PRINCIPLE VIII GOVERNING BODIES OF PRINCE ALBERT GRAND COUNCIL

The Member First Nations/Bands of the Prince Albert Grand Council agree to establish the Council of Chiefs and the Annual Assembly as the governing bodies of the Prince Albert Grand Council for the purpose of developing or adopting laws consistent with the duties and powers delegated to them by the Member First Nations Band.

PRINCIPLE IX POWERS, DUTIES AND RESPONSIBILITIES

The Prince Albert Grand Council will have the following delegated powers, duties and responsibilities subject to the limitations imposed by the Member First Nations/Bands;

1. to protect and strengthen Member First Nations'/Bands' inherent right to self-government as bestowed by the Creator;
2. to protect, defend, preserve, and reclaim First Nations/Bands traditional territories and resources;
3. to safeguard and promote the implementation of Treaties and other international agreements entered into by Member First Nations/Bands;
4. to safeguard and promote the special relationship with the Crown as established by Treaty and recognized and affirmed by the *Canadian Constitution 1982*;
5. to initiate dialogue, develop working relations, and negotiate with other First Nation/Band governments and other governments based upon the principles enunciated in this Convention;
6. to plan, develop, and establish policies, regulations, and procedures to execute decisions made by Council;

7. to hold in trust and safeguard any and all acquired property for the benefit of the Member First Nations/Bands as established by various executive, legislative and judicial acts and trust instruments;
8. to report annually to each Member First Nation/Band and to account for all political and fiscal action undertaken by the Prince Albert Grand Council.

PRINCIPLE X PRINCE ALBERT GRAND COUNCIL ACT

The Prince Albert Grand Council whose First Nations/Bands are party to the Convention shall enact a Legislative instrument to be called the *Prince Albert Grand Council Act* to give legal effect to this Convention.

PRINCIPLE XI LIABILITY

The relationship between the Member First Nations/Bands shall be limited to the terms of this Convention. Nothing shall be construed to mean that a general partnership has been created between and among the Member First Nations/Bands or to authorize any Member First Nation/Bands hereto to speak or act as an agent for another First Nation/Band.

PRINCIPLE XIII PARTICIPANTS TO THIS CONVENTION

Each Member First Nation/Band shall determine their own authorization from their membership respecting their participation to the Convention herein. Notwithstanding the manner of ratification, and unless otherwise agreed, the signatories as parties herein, require a Band Council Resolution signed by a Quorum of the Chief and Council/Headmen from each and every First Nation/Band acknowledging such participation.

PRINCIPLE XIV WITHDRAWAL

Each Member First Nation/Band of the Prince Albert Grand Council shall determine their own authorization from their membership respecting their withdrawal from the Convention herein. Membership can be terminated at the option of the Member First Nation/Band by formally notifying the Prince Albert Grand Council that they wish to withdraw from the Prince Albert Grand Council and, unless otherwise agreed, along with the submission of a Band Council Resolution signed by a Quorum of the Chief and Council/Headmen from each and every First Nation/Band acknowledging the withdrawal.

PRINCIPLE XV AMENDMENT

An amendment may be initiated by a Member First Nation/Band. The amendment shall be approved in principle by a simple majority (50% plus one) of the Council of Chiefs. The amendment shall then be subject to a ratification vote passed by 50% plus one of the Delegates to the Prince Albert Grand Council Annual Assembly.

IN WITNESS WHEREOF the Chiefs now enter into this amended Convention on behalf of their respective First Nation/Band, dated this 18th day of October, 2005.

Witness

Chief
Black Lake Denesuline First Nation

Witness

Chief
Cumberland House Cree First Nation

Witness

Chief
Fond du Lac Denesuline First Nation

Witness

Chief
Hatchet Lake Denesuline First Nation

Witness

Chief
James Smith Cree First Nation

Witness

Chief
Lac La Ronge Indian Band

Witness

Chief
Montreal Lake Cree First Nation

Witness

Chief
Peter Ballantyne Cree First Nation

Witness

Chief
Red Earth Cree First Nation

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Chief
Shoal Lake Cree Nation

Witness

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Sturgeon Lake Cree First Nation

Witness

Chief
Wahpeton Dakota Nation