

**Shabot Obaadjiwan
First Nation
Constitution**

TABLE OF CONTENTS

Preamble	06
Declaration of Identity (Nationhood)	06
Declaration of Values	07
Declaration of Rights	07
Declaration of Responsibilities	08
Definitions	09
Chapter 1 – Legal Capacity and Powers	11
Legal Capacity	11
Vesting and Exercising Powers	11
Scope of Powers	11
General Principals Concerning Delegation	13
Chapter 2 – Citizenship	14
General	14
Amendments	15
Other Citizen Rights	15
Chapter 3 – Rights	16
General	16
Application and Interpretation	16
Fundamental Freedoms, Human and Civil Rights	17
Mobility and Access Rights	18

Democratic and Political Rights	18
Legal Rights	18
Collective Rights	19
Limitations	20
Application of Other Rights Instruments	20
Enforcement	20
Chapter 4 – Lands and Resources	21
General Principles	21
Legal Status and Title	21
Land Management Law General	21
Delegation of Powers and Responsibilities	23
Chapter 5 – Shabot Obaadjiwan First Nation Government	24
Government Purpose	24
General Principles of Government	24
Government	25
Legislative Assembly	25
Chief	28
Chief Executive Officer	29
Elders Advisory Council	29
Youth Advisory Council	30
General Assembly	30
Representation and Involvement of Citizens	31
Elections	32
Assumptions, Resignations, Vacancy and Removal of Public Office	34

Conduct of Public Officials	35
Passage of Laws	36
Petitions to Challenge Laws	37
Chapter 6 – Relationship With Other Governments	38
General Principles	38
General Principles of Government	38
Participation, Withdrawal and Dissolution of AOO Participation	38
Recognition of the First Nation Governments	40
Relationships with Other Nation Governments	40
Relationship with Canada and Ontario	41
Merger and Division	41
Chapter 7 – Citizen Participation in Decision-Making	42
General Principles	42
Purpose and Procedures of Community Referendums	42
Consultative Referendums	45
Community Consultation	46
Other Processes	46
Chapter 8 – First Nations Public Bodies and Institutions	48
General	48
Establishment of public Bodies and Institutions	48
Chapter 9 – Constitutional Amendment	51
General	51

Appendix 1	52
Appendix 2	54
Appendix 3	55
Appendix 4	57

PREAMBLE

1. DECLARATION OF IDENTITY (NATIONHOOD)

WE THE PEOPLE of Shabot Obaadjiwan First Nation (SOFN) are Children of Light created by the divine union of the Great Spirit, the Spirit of Mother Earth and Water (Creator).

We, together with our Ancestors, have been autonomous and connected to our sacred land in Eastern Ontario for thousands of years as outlined in the document attached as Appendix 1 to this Constitution.

We have exercised our sovereignty within our sacred land as entrusted to us by the Creator from time immemorial.

The Creator has granted us as stewards of our sacred land; with the responsibility to care for, and the right to use and benefit from its resources.

We live in accordance with the laws bestowed upon us by the Creator, which serves as the foundation of our spiritual and philosophical beliefs, values, principles, goals, and the customary laws that define our rights and responsibilities.

We honor the Creator, our ancestors, our elders and commit ourselves to the values that they have preserved for us.

TOGETHER, THE PEOPLE of the SOFN are determined:

- To maintain and preserve our relationship with the land, its resources and living things on our sacred land now and into the future.
- To preserve and protect our unique culture, customs, traditions, language, and spiritual way of life.
- To strive for economic, communal, spiritual, and personal well-being.
- To instill an awareness and understanding of our Aboriginal identity and values to our youth and children.
- To enhance our Citizen's quality of life with the rights and freedoms set out by our ancestors.

With pride and confidence in ourselves as a people and nation, we adopt this Constitution as the Supreme Law of our lands

WE ARE the SOFN. As self-determining peoples, we accept the responsibilities inherent in governing ourselves and seek, with assistance of the Creator, to govern with wisdom and respect for all people (creation).

2. DECLARATION OF VALUES

The SOFN has existed from time immemorial, occupying the lands and waters within our traditional territory, and will continue to govern these lands and waters in accordance with our laws.

The fundamental values that define us, unite us, and upon which the Constitution is founded, derived from our long-established history and the laws bestowed upon us by the Creator.

As the SOFN, we commit ourselves to the values of our Nation as outlined in the Declaration of Values in Appendix 2, and as follows:

- a) Reverence for the Creator (Great Spirit, Spirit of Mother Earth, and Water).
- b) Stewards of our sacred land.
- c) Respect for our elders, children, families, future generations, and all people.
- d) Respect and honour for our ancestors and the wisdom, knowledge and experience they have given to us.
- e) A deep respect for our lands, nature, waters, rocks, and all living things within our sacred lands.
- f) Pride in our identity and our language.
- g) Respect for all things and the need to balance our traditions, customs, and way of life with the pursuit of economic opportunity.
- h) Reverence and acceptance for a spiritual basis of life.
- i) Profound appreciation for our unique culture that embraces our stories, myths, traditions, and ceremonies.

3. DECLARATION OF RIGHTS

The SOFN possesses fundamental and inalienable human rights that have never been extinguished, ceded, or surrendered. These rights — along with a full list of associated privileges — are set out in the Declaration of Rights in Appendix 3, and include the right to:

- a) own, manage, and benefit from all resources on our sacred lands; .

- b) govern our people independently;
- c) use, revitalize, and protect our language;
- d) protect our spiritual sites;
- e) practice and protect our culture;
- f) Preserve our family and kinship systems; and
- g) exercise self-determination.

Our right to self-determination includes the following fundamental elements:

- i. The right to govern ourselves and determine our own identity, including the right to develop and amend our own Constitution, laws, and governance procedures.
- ii. The right to establish and maintain our own form of government to provide for the well-being and prosperity of our people.

4. DECLARATION OF RESPONSIBILITIES

We the Indigenous people of the sovereign SOFN, accept the responsibilities that come with our rights, knowing that we are responsible for ourselves and that our government is accountable to its people

We acknowledge and accept our responsibilities as set out in the Declaration of Responsibilities in Appendix 4, including the responsibility to:

- a) Respect and abide by our Constitution, laws, and policies.
- b) Honour and uphold our culture, language, traditions, customs, and policies.
- c) Care for and protect the land, resources, and all living things on our lands.
- d) Respect and honor our Elders.
- e) Respect one another and all of those we encounter.
- f) Create and maintain a warm, healthy, and spiritually prosperous community.
- g) Nurture the youth and children who are the future of the SOFN.

DEFINITIONS

Algonquin Representative Entity (“ARE”): means one of ten (10) recognized Algonquin communities, as accepted by the Crown, to participate in negotiations toward the Final Agreement.

Citizenship: An SOFN citizen is a person who, by birth to one or both parents who are SOFN citizens, is granted full rights and responsibilities as a member of the SOFN community.

Councillor SOFN: A Councillor is one of the seven (7) individuals elected to serve on the Legislative Assembly.

Final Agreement or Treaty: means the Final Agreement on the Algonquin Nation of Ontario, being the comprehensive treaty concluded between the Algonquin Nation of Ontario, Canada, and Ontario, as ratified and brought into force in accordance with its terms, and includes any amendments made in accordance with that agreement.

First Nation: The reference “First Nation” will include other First Nation, Aboriginal, and Indigenous Communities.

General Assembly: The General Assembly consists of all SOFN citizens, whether resident or non-resident, and any community members present at a duly called community meeting.

Just Cause: According to Canadian courts, “Just Cause” refers to serious employee misconduct during the course of employment that fundamentally breaches the employment contract to such an extent that the contract cannot reasonably continue or be repaired. It has been described as the “capital punishment” of employment.

Legislative Assembly: The Legislative Assembly consists of the Chief and the elected Councillors

Member: A community member is any person who, regardless of citizenship status, maintains a meaningful connection to the SOFN community by residing in the territory, participating in its institutions, or contributing to its cultural, spiritual, or social life.

Non-Resident: A SOFN citizen who does not live or work within the SOFN community is considered a Non-Resident and retains the full rights and privileges of a resident citizen..

Public Body or Institution: means any entity, office, commission, board, council, agency, or other body or institution established by or under the authority of the SOFN

Government, including any entity that is wholly or substantially funded, owned, or controlled by the SOFN Government, and that carries out public functions on its behalf.

Quorum: The minimum number of members of an assembly (Legislative / General) that must be present at any of its meetings to make the proceedings of that meeting valid.

- i. Legislative Assembly - 4
- ii. General Assembly – 50

Referendum: A direct vote in which all eligible members of the community are invited to cast a ballot on a clearly defined question of significant importance, the outcome of which determines whether the proposed measure, law, or decision is accepted or rejected.

SOFN Lands: means lands to be transferred to the SOFN pursuant to the Final Agreement.

CHAPTER 1 – LEGAL CAPACITY AND POWERS

This Chapter sets out the legal capacity and powers of the SOFN, including its legislative jurisdiction and executive authority. It also establishes the procedures for delegating governmental responsibilities, jurisdiction, or authority to other governments and bodies.

1.0 Legal Capacity

1.1 The SOFN is a separate and distinct legal entity, possessing all the capacities, rights, powers, and privileges of a natural person.

1.2 The SOFN may exercise its capacities, rights, powers, and privileges for governmental purposes.

2.0 Vesting and Exercising Powers

2.1 The SOFN shall exercise its powers through:

- a) The SOFN Government, including the governmental bodies established under this Constitution; or
- b) Other governments or governmental bodies, when specific powers are delegated by the SOFN in accordance with the provisions of Section 6 of this Chapter.

3.0 Scope of Powers

3.1 The powers of the SOFN, as recognized by the SOFN Government, include:

- a) Legislative jurisdiction to enact laws in specific areas; and
- b) Executive authority to administer and deliver programs and services within the SOFN Community.

3.2 The legislative jurisdiction and executive authority of the SOFN may be exercised including without limitation, in relation to the following matters:

- a) Citizenship;
- b) Governance structures, institutions and processes;
- c) Civil and Administrative Law-Making;
- d) Conservation, management, and use of lands and natural resources;

- e) Harvesting and recreation;
- f) Administration of community justice;
- g) Preservation of culture, traditional laws, language, and education, including the revitalization of Indigenous languages and the transmission of cultural knowledge;
- h) Health and social services;
- i) Housing and community standards;
- j) Economic development and business regulation;
- k) Land use planning, zoning, development control, and environmental protection on SOFN Lands;
- l) Public works and community infrastructure;
- m) And such other matters as are internal to SOFN or integral to its governance of SOFN Lands;

3.3 The Jurisdiction of the SOFN shall be exercised on SOFN Lands.

3.4 Except as provided in the Final Agreement, legislative jurisdiction, and executive authority of the SOFN may be exercised with respect to the following persons and entities:

- a) Citizens ordinarily residing on SOFN Lands;
- b) Non-Resident Citizens;
- c) Non-Citizens residing on SOFN Lands; and
- d) Corporations, partnerships, joint ventures, and other entities conducting business operations or other activities on SOFN Lands.

3.5 Subject to the Final Agreement and any applicable federal or provincial laws, the SOFN may exercise legislative jurisdiction and executive authority in respect of SOFN Citizens who reside outside SOFN Lands, to the extent necessary to:

- a) Establish and maintain a citizen registry;
- b) Preserve and promote the culture, language, and identity of the SOFN;
- c) Provide programs and services to Non-Resident Citizens; and
- d) Regulate matters relating to internal governance, including elections and leadership selection, citizenship, and the rights and responsibilities of

SOFN Citizens.

4.0 General Principals Concerning Delegation

4.1 The SOFN may delegate its legislative jurisdiction or executive authority, in whole or in part, to another government, governmental body, or institution, to be exercised by that delegate in accordance with the terms of the delegation.

4.2 Any delegation of jurisdiction by the SOFN, or any withdrawal of such delegation, shall be effected by a law enacted by the SOFN Government.

4.3 In all instances where the responsibilities, jurisdiction, or authority of the SOFN Government are to be delegated or withdrawn, the following requirements shall apply:

- a) A written Delegation Agreement must be entered into, which clearly identifies the nature, scope, and subject matter of the jurisdiction or authority to be delegated or withdrawn, as well as the terms and conditions of the delegation or withdrawal;
- b) Community consultations must be undertaken in accordance with the consultation procedures set out in this Constitution; and
- c) The proposed delegation or withdrawal must be approved by SOFN Citizens through a community referendum, in which at least fifty percent plus one (50% +1) of eligible electors vote in favour.

4.4 A Schedule of Delegated Governmental Responsibilities, Jurisdiction and Authority, shall be appended to this Constitution and maintained to reflect the status of all delegations in force from time to time. The Schedule shall include, as applicable:

- a) A description of each jurisdiction or authority of the SOFN that has been delegated;
- b) The name of the government, governmental body, or institution to which the jurisdiction or authority has been delegated;
- c) The date on which community approval was obtained for the Delegation Agreement;
- d) A copy of the Delegation Agreement; and
- e) A reference to the SOFN law which gives effect to the delegation.

CHAPTER 2– CITIZENSHIP

This SOFN shall enact a Citizenship Code with respect to its people under its jurisdiction.

1.0 General

1.1 The Citizenship Code shall meet the following requirements:

- a) It must be enacted by the Legislative Assembly; and
- b) It must be approved by the SOFN through a community referendum in which at least fifty percent plus one (50% +1) of eligible voters cast their ballots in support.

1.2 The SOFN Citizenship Code must provide that any person who was a member of the SOFN prior to the enactment of the Citizenship Code, shall be retroactively recognized as a citizen of the SOFN.

1.3 The Citizenship Code must also provide that a person who was not a member of the SOFN immediately prior to the Citizenship Code coming into effect may be eligible for citizenship in the SOFN, provided they meet the requirements set out in the Citizenship Code.

1.4 The Citizenship Code must include provisions addressing the following matters:

- a) Explicit categories of persons eligible for citizenship in the SOFN, including the criteria, enrollment structures and procedures used to determine eligibility and process applications;
- b) Appeal structures and procedures for applicants denied citizenship;
- c) Procedures for abandonment, revocation, and reinstatement of citizenship;
- d) Rights and responsibilities of citizenship;
- e) Procedures for the review and amendment of the Citizenship Code;
- f) Management and administration of the SOFN Citizenship Code by the SOFN Government; and
- g) Confirmation of the initial body of citizens (also known as the Citizenship Roll) of the SOFN in any future Citizenship Code.

2.0 Amendments

2.1 Amendments to the Citizen Code must adhere to the following process:

- a) Proposal by the Legislative Council;
- b) Discussion by the General Assembly, Elder's Advisory Council, and Youth Advisory Council; and
- c) Approval through a community referendum in which at least fifty percent plus one (50% +1) of eligible voters vote in favor of the proposed amendment.

3.0 Other Citizen Rights

3.1 All SOFN citizens may simultaneously maintain their citizenship in Canada.

CHAPTER 3 – RIGHTS

This Chapter affirms the decisions of the SOFN concerning the rights of its Citizens, other persons occupying SOFN lands, and the collective rights of the SOFN as a distinct and self-governing people. These rights shall be recognized, upheld, and protected by the Governments of Ontario and Canada.

1.0 General

1.1 The Chapter affirms the fundamental rights and values of the SOFN, safeguarding the inherent dignity, worth, and freedom of all individuals, living together in families and in a community bound by shared resources, sacred responsibilities, and a common identity and future.

1.2 Notwithstanding any other provision of this Chapter, the rights recognized and protected herein are guaranteed equally to all persons.

1.3 Where the rights protected and guaranteed in this Chapter are expressed as available to all “persons,” the term includes individuals who are not SOFN citizens but who are ordinarily or temporarily residents of SOFN lands, as well as those visiting for short periods.

1.4 This Chapter constitutes the provisions respecting the recognition and protection of rights and freedoms, as determined by the SOFN Government. Any rights not explicitly stated herein are not waived and shall be deemed implicitly recognized under our status as a sovereign people.

2.0 Application and Interpretation

2.1 This chapter applies to SOFN members, citizens, and the SOFN Government.

2.2 The responsibility to observe, protect, and uphold the rights identified in this Chapter rests solely with the SOFN Government, including any bodies established by this constitution.

2.3 Subject to any limitations expressly stated herein, any action of the SOFN Government, its bodies, or public institutions that repeals, limits, or otherwise infringes upon the rights protected and guaranteed by this Constitution — including those inherent to individuals and the SOFN as a collective — shall be declared null and void.

2.4 This Chapter shall be interpreted and applied in a manner which formally recognizes the SOFN:

- a) As a collective body united by a shared history, tradition, language, culture, and values, including its Aboriginal rights and relationships with other First Nations and governments, including both Indigenous and non-Indigenous;
- b) In a manner consistent with SOFN's traditions, culture, and values;
- c) Balancing and reconciling the rights of the individual with those of the SOFN as a collective body, giving highest regard to the fundamental dignity, freedom, and value of the individual, as well as the Aboriginal and all other explicit and implicit rights of the SOFN;
- d) Ensuring that Aboriginal rights and all other explicit and implicit rights of the SOFN are not repealed, limited, or otherwise infringed; and
- e) With laws and procedures that are compatible with applicable domestic and international norms and standards regarding fundamental human rights and freedoms, explicitly including those rights and freedoms specifically granted to Indigenous peoples.

3.0 Fundamental Freedoms, Human and Civil Rights

3.1 All persons residing on SOFN Lands shall enjoy and retain all fundamental freedoms, including, but limited to:

- a) The right to life, liberty, and security of one's person;
- b) Freedom of conscience and religion;
- c) Freedom of thought, belief, opinion, and expression;
- d) Freedom to peaceful assembly;
- e) Freedom of association;
- f) Freedom of the press and all other forms of media;
- g) Freedom from cruel, inhumane, or degrading treatment or punishment;
- h) Freedom from arbitrary interference with one's privacy, family, home, or correspondence;
- i) Freedom to pursue traditional life, culture, and practices, and to exercise traditional and Aboriginal right; and
- j) All other freedoms derived from recognized human and civil rights.

3.2 All persons subject to SOFN jurisdiction shall be entitled to equal treatment and equal protection under all laws of the SOFN.

3.3 Every citizen shall receive equal protection and benefit of SOFN laws without discrimination on the basis of gender, age, race, colour, origin, disability, sexual orientation, or any other personal characteristic.

4.0 Mobility and Access Rights

4.1 Every citizen has the right to leave, enter, remain on, and move freely within SOFN Lands.

4.2 Any person who is either an ordinary resident or a non-resident of SOFN Lands shall have the right to enter, leave, remain on, and move freely within SOFN Lands, provided that the person:

- a) holds an interest in property on SOFN Lands; and
- b) whose interest has been recognized by SOFN through its Land Management laws.

4.3 No person shall be deterred or prevented from leaving SOFN Lands.

5.0 Democratic and Political Rights

5.1 Except as otherwise provided in this Constitution, every citizen who is eighteen (18) years of age or older shall be eligible to vote in SOFN general elections and community referenda, and to stand as a candidate for public office within in any SOFN governmental body.

5.2 Every citizen has the right to participate in political activities on SOFN Lands and to freely express their views on public issues.

5.3 Any person affected, directly or indirectly, by an SOFN law or by an administrative decision of an SOFN governmental body, Public Institution, or official shall have the right to petition for a remedy and to appeal administrative decisions in accordance with established procedures.

5.4 Every citizen has the right to timely access to information held by the SOFN Government and its public institutions concerning SOFN Governance, subject to reasonable exceptions as set out by SOFN laws.

6.0 Legal Rights

6.1 When SOFN judicial bodies are established under this Constitution, but before a system for their administration becomes operational, the legal rights and freedoms set out in this Chapter shall apply, within its jurisdiction, to all persons to whom the SOFN laws apply. No person shall be deprived of these rights and freedoms except in accordance with the principles of fundamental justice.

7.0 Collective Rights

7.1 The SOFN, as a collective body, has the immutable right:

- a) Pursue, maintain, protect, promote, develop, and strengthen its unique identity, culture, spirituality, traditions, history, and philosophy with its distinct political, economic, social, and cultural characteristics;
- b) Determine its relationships with the governments of Canada, Ontario, and other First Nations as well as all other organizations and associations;
- c) Maintain its special status and unique relationships with Canada;
- d) Determine the citizenship of its people;
- e) Maintain and strengthen its distinctive spiritual and material relationships with its lands and resources, and uphold its responsibilities in this regard for future generation;
- f) Own, develop, control, and use its lands and resources in accordance with its laws, traditions, priorities and customs;
- g) Pursue the restitution of lands, resources, and territories traditionally owned, or otherwise occupied or used, by the SOFN;
- h) Promote, develop, and maintain its institutional structures and distinctive juridical customs, traditions, procedures and practices;
- i) Educate its children in the Algonquin language and in a manner consistent with its cultural methods of teaching and learning, and ensure its education system reflects its culture, traditions, histories and goals;
- j) Pursue the restitution of cultural, religious, and spiritual property; historic and sacred sites; and other objects taken without consent or in violation of its traditions and customs;
- k) Pursue the lawful return of SOFN human remains;
- l) Manifest, practice, develop and teach its spiritual and religious traditions, customs, and ceremonies, including the use and control of its ceremonial objects;
- m) Revitalize, use, develop and transmit to future generations the history, language, oral traditions, and philosophies of the SOFN;
- n) Use and pursue its traditional medicines and health practices without interference; and

- o) Own, control, and protect SOFN cultural property.

8.0 Limitations

8.1 The rights set out in this Chapter may be subject only to such reasonable limits as are prescribed by SOFN laws, provided those limits are consistent with this Constitution and can be demonstrably justified in a free and democratic society of the SOFN.

8.2 Any limitation on the rights protected and guaranteed in this Chapter shall:

- a) Be expressly set out in an SOFN law enacted by the Legislative Council;
- b) Be supported by a resolution of the Chief and Council; and
- c) Not conflict with the Aboriginal, constitutional, or other rights of the Algonquin Nation of Ontario, including the inherent right of self-government.

8.3 Notwithstanding Section 8.2, the rights set out in Sections 3.0 (Fundamental Freedoms, Human and Civil Rights) and Section 7.0 (Collective Rights) are not subject to any limitation, and no law of the SOFN, including any enacted by the Legislative Council, may abridge or restrict those rights.

9.0 Application of Other Rights Instruments

9.1 Pursuant to the applicable provisions of the Final Agreement, the *Canadian Charter of Rights and Freedoms* applies to the SOFN Government.

10.0 Enforcement

10.1 Any person whose rights guaranteed by this Chapter have been infringed or denied may apply to a court of competent jurisdiction, as identified in Section 6.0 (Legal Rights) to seek such remedy as the court considers appropriate.

CHAPTER 4 – LANDS AND RESOURCES

This Chapter sets forth the rights of the SOFN in relation to the management and control of its lands and resources.

1.0 General Principles

1.1 The lands and resources of the SOFN were given by the Creator for the use and benefit of its people in perpetuity.

1.2 The SOFN bears sacred obligations and responsibilities to act as stewards of the land, both in the present and to ensure its provision for future generations.

1.3 All SOFN lands are held collectively and exclusively by the SOFN for its use and benefit.

1.4 Individual rights and interests in SOFN Lands and resources are subordinate to the collective rights and interests of the Algonquin Nation of Ontario.

1.5 SOFN lands and resources shall be managed by the SOFN Government in a manner that:

- a) Respects and fulfils the stewardship responsibilities of the SOFN;
- b) Serves the collective interests of both current and future generations; and
- c) Ensures transparency, accountability, and meaningful participation by SOFN citizens in major decisions affecting lands and resources under its management and control.

1.6 The rights, interests, and responsibilities of the SOFN in relation to its lands and resources arise directly from:

- a) Its traditional territories;
- b) Its inherent right to self-government; and
- c) The laws, customs and practices of the SOFN.

2.0 Legal Status and Title

2.1 The SOFN lands retain the status and protection of “Indian Lands” within the meaning set forth in the *Royal Proclamation* of 1763.

3.0 Land Management Law General

3.1 Upon its coming into force, the management and control of SOFN lands and

resources shall be exercised in accordance with the SOFN Land Management Law.

3.2 Until the Land Management Law referred to in section 3.1 comes into effect, SOFN Lands shall be managed and controlled in accordance with the Final Agreement and any applicable law.

3.3 Specific issues regarding land and land management codes and laws shall be fully addressed in the Final Agreement..

3.4 The initial Land Management Law shall be approved by SOFN citizens in a community referendum in which at least fifty percent plus one (50% + 1) of eligible voters vote in favor of the law.

3.5 Amendments to the Land Management Law shall be approved in a community referendum vote in which at least fifty percent plus one (50% + 1) of eligible voters vote in favor of the amendment.

3.6 Upon coming into effect, the Land Management Law shall constitute the initial SOFN Land Law, as contemplated in the Final Agreement.

3.7 The Land Management Law shall include provisions addressing the subject matters identified in the Final Agreement, for the purposes of effecting a smooth transition from the current system of land management by the Ontario and Canadian Governments to the SOFN system of land management and control of its lands and resources.

3.8 The SOFN Land Management Law will include detailed provisions respecting the following matters as they relate to the management and control of SOFN Lands and resources:

- a) Access and occupancy;
- b) Management and use, including land use planning;
- c) Receipt and management of revenues derived from land and resources;
- d) Use or taking of land for community purposes, including public works;
- e) Legal process for the encumbering and seizure of lands, or interests therein, as security for a debt;
- f) Voluntary exchange of lands;
- g) Creation, protection, and management of land interests for both third parties and SOFN Citizens;
- h) Registration of interests in SOFN Lands and resources; and

i) Mechanisms and procedures provide for public accountability;

3.9 The Land Management Law may include additional rules and procedures for community participation in the decision-making process concerning the management and control of the SOFN Lands and resources.

4.0 Delegation of Powers and Responsibilities

4.1 Any delegation of the authority to exercise powers and responsibilities over SOFN Lands and resources to another government or governmental body shall be made only in accordance with the rules and procedures established by this Constitution.

CHAPTER 5 – SHABOT OBAADJIWAN FIRST NATION GOVERNMENT

This Chapter sets forth the purpose, structure, and operation of the SOFN Government.

1.0 Government Purpose

1.1 The SOFN Government is established to exercise cultural, political, and economic authority in a manner that advances the collective interests and well-being of the SOFN and its Citizens.

2.0 General Principles of Government

2.1 The SOFN Government, and any other governing body acting under its authority, shall honor and uphold the traditions, rights, and relationships of the SOFN by protecting and affirming:

- a) The values, traditions, culture, and language of the SOFN;
- b) The Treaty and Aboriginal rights of the SOFN and its Citizens;
- c) The fundamental human rights and freedoms of all Persons residing on SOFN Lands;
- d) The fiduciary obligations owed by the Government of Canada to the SOFN and its Citizens; and
- e) The values of tolerance, inclusiveness, and non-discrimination.

2.2 The SOFN Government shall conduct itself as a democratic and responsible government by:

- a) Observing and adhering to the principles of political equality, fundamental justice, and fairness; and
- b) Providing meaningful opportunities to address and remedy legitimate grievances arising from legislative, executive, or administrative decisions and actions.

2.3 The SOFN Government shall operate as an efficient and accountable government by:

- a) Promoting openness, transparency and public disclosure in government decision-making and administration;

- b) Providing opportunities for community participation by SOFN Citizens and others as appropriate, in establishing government priorities, drafting, and enacting laws, and participating in decision-making processes;
- c) Maintaining fiscal accountability by ensuring that government expenditures and financial decisions are responsible, justified, and reported to SOFN Citizens; and
- d) Establishing and maintaining a stable financial framework that emphasizes cost-effectiveness, efficiency and long-term sustainability of government operations.

3.0 Government

3.1 The SOFN Government shall consist of various bodies established under this Constitution to act on behalf of the SOFN and exercise the powers delegated to them by the SOFN.

3.2 The SOFN Government may, in accordance with this Constitution and any applicable SOFN law, enter into agreements authorizing another body, including another government, to perform specified functions or deliver programs and services on its behalf.

3.3 The SOFN Government shall consist of the following divisions:

- a) Legislative Division, which shall be responsible for enacting laws;
- b) Executive/Administrative Division, which shall be responsible for implementing the laws, policies and programs enacted by the Legislative Division; and
- c) Judicial Division, which shall be responsible for interpreting and enforcing laws.

4.0 Legislative Assembly

4.1 The legislative functions of the SOFN Government shall be vested in the SOFN Legislative Assembly.

4.2 The SOFN Legislative Assembly is hereby established and shall be comprised of:

- a) The Chief; and
- b) Seven (7) General Councillors.

4.3 The Chief and General Councillors shall be elected by eligible voters for a term of four (4) years.

4.4 The Legislative Assembly shall appoint, by secret ballot and by a simple majority of Councillors present and voting, one of its members to serve as Vice-Chief for the duration of the term of the Chief and Councillors.

4.5 A quorum of the SOFN Legislative Assembly shall consist of the Chief or Vice-Chief and at least three (3) elected Councillors. A quorum is required to conduct any official legislative business.

4.6 The SOFN Legislative Assembly has the following duties and responsibilities:

- a) To enact laws and policies that are consistent with the traditions, objectives, and aspirations of the SOFN people, the principles identified in this Constitution, and the Final Agreement on SOFN Government;
- b) To ensure that all agreements entered into by the SOFN are implemented faithfully and in accordance with their terms;
- c) To oversee and review the implementation of laws, policies, and programs by the Executive/Administrative Division, ensuring accountability to the SOFN Citizens; and
- d) To provide guidance and recommendations on matters affecting the SOFN, its governance, and its collective rights and responsibilities.

4.7 Subject to this Constitution and any applicable SOFN laws, the Legislative Assembly may exercise any right, power, or privilege, and fulfill any duty or function of the SOFN within its legal capacity and powers under the SOFN Government.

4.8 Without limiting its general obligations and powers, the Legislative Assembly is explicitly authorized to:

- a) Enact laws in areas recognized in the Final Agreement on SOFN Government;
- b) Adopt as SOFN law any existing federal or provincial law that pertains to a subject matter within the jurisdiction and authority of the SOFN Government;
- c) Pass resolutions proposing amendments to this Constitution that shall be referred to the General Assembly for review;
- d) Propose questions for a community referendum;

- e) Establish standing or special committees and appoint non-members to serve on such committees;
- f) Establish conflict of interest rules, ethical guidelines and codes of conduct applicable to elected or appointed officials, as well as employees of SOFN Government bodies, public institutions established by this Constitution or by SOFN law;
- g) Represent the SOFN in intergovernmental relations or assign members to do so;
- h) Appoint persons to offices and positions in SOFN Government Bodies and Institutions as authorized by this Constitution or by SOFN law;
- i) Assign members responsibilities for overseeing the administration of SOFN laws, policies, programs, or services; and
- j) Refer matters to the General Assembly, Elders Advisory Council or Youth Advisory Council for their review and advice, including, but not limited to:
 - i. Proposed laws, policies, programs, and service.
 - ii. Proposed amendments to this Constitution.

4.9 Decisions of the Legislative Assembly, including approval of laws and resolutions, shall be made by consensus of the whole Council, or, if consensus cannot be reached, by a majority vote of members present and entitled to vote.

4.10 The Legislative Assembly shall hold regular sessions as determined by its members.

4.11 The Legislative Assembly shall hold special sessions at the request of the Chief or upon the written request of the Council as a whole.

4.12 The Legislative Assembly will conduct its regular and special sessions in public, except as otherwise provided by SOFN law for matters requiring confidentiality.

4.13 The Legislative Assembly may hold remote sessions using video or other electronic means; however, no SOFN law may be introduced, debated, or enacted during such sessions.

4.14 The Legislative Assembly shall maintain a complete and accurate record of all its sessions.

4.15 Records of public sessions shall be made accessible to all SOFN citizens.

4.16 Records of in-camera sessions shall remain sealed and maybe made available to SOFN citizens only after twenty (20) years, unless otherwise authorized by law.

4.17 When referring a matter to the Elders Advisory Council or Youth Advisory Council, the SOFN Legislative Assembly shall specify the timeframe within which the body must consider the matter and report its views.

4.18 Any contract or agreement entered on behalf of the SOFN must be signed by the Chief, on behalf of the Legislative Assembly.

4.19 The Legislative Assembly may enact laws establishing rules and procedures governing:

- a) The conduct of business during regular and special Legislative Assembly sessions; and
- b) The conduct of committee business when committees are established by the Legislative Assembly.

5.0 Chief

5.1 The Chief of the SOFN shall serve as:

- a) The general spokesperson of the SOFN; and
- b) The Chairperson of the General Assembly.

5.2 The Chief of the SOFN shall have the following duties, responsibilities, and powers:

- a) Leading delegations representing the SOFN in intergovernmental relationships, unless that responsibility has been otherwise assigned by the Legislative Assembly;
- b) Chairing sessions of the Legislative Assembly;
- c) Making presentations to the General Assembly, Elders Advisory Council, and Youth Advisory Circle on behalf of the Legislative Assembly;
- d) Delivering periodic reports on the state of the SOFN to the General Assembly and the SOFN citizens;
- e) Establishing executive committees responsible for overseeing the SOFN Government administration and operations, and appointing members of the Legislative Assembly or SOFN employees as *ex officio* of executive committees;

- f) Formally approving appointments to SOFN Public Bodies or Institutions established pursuant to SOFN election laws, or otherwise authorized by the Legislative Assembly; and
- g) Exercising additional powers as may be authorized under SOFN law.

5.3 The Chief shall hold no other public office, except those which he/she is required to hold because of occupying the Office of the Chief of the SOFN.

5.4 The Vice-Chair shall perform the duties and responsibilities of the Chief when delegated by the Chief, with the concurrence of the Legislative Assembly.

6.0 Chief Executive Officer

6.1 The office of the Chief Executive Officer shall be established, when appropriate, to lead the administration of the SOFN Government. The Legislative Assembly may appoint a Chief Executive Officer to perform the duties and responsibilities of the Office.

6.2 The Chief Executive Officer shall have the following duties and responsibilities:

- a) Managing the administration of government programs and services;
- b) Providing advice and administrative support to the Chief, the Legislative Assembly, and other bodies of the SOFN Government in the execution of their duties, responsibilities, and powers;
- c) Supervising and directing the SOFN Government's employees, advisers, professionals, and contractors providing services to the SOFN Government; and
- d) Reporting to the Chief concerning the ongoing operations of the SOFN Government administration and its employees.

7.0 Elders Advisory Council

7.1 The SOFN Elders Advisory Council is hereby established. It shall be comprised of SOFN Citizens, each appointed to terms of two (2) years.

7.2 The duties and responsibilities of the Elders Advisory Council shall be to:

- a) Provide advice to SOFN Government bodies, including on matters relating to the traditions, values, and culture of the SOFN; and
- b) Responding to matters referred to it by the SOFN Legislative Assembly.

7.3 Recommendations, and resolutions of the Elders Advisory Council shall be

made through consensus.

7.4 The Elders Advisory Council shall meet at least twice annually.

7.5 The Elders Advisory Council shall also meet when a matter is referred to it by the SOFN Legislative Assembly.

8.0 Youth Advisory Council

8.1 The SOFN Youth Advisory Council is hereby established. It shall be comprised of SOFN Citizens who are sixteen (16) to twenty-nine (29) years of age.

8.2 Youth Advisory members shall be appointed by the Chief and Council for a one (1) year term.

8.3 The duties of the Youth Advisory Council shall include:

- a) Providing advice, recommendations, and other information to the SOFN Legislative Assembly; and
- b) Responding to matters referred to it by the SOFN Legislative Assembly.

8.4 Recommendations of the Youth Advisory Council shall be made by consensus.

9.0 General Assembly

9.1 The General Assembly is hereby established and shall be comprised of all SOFN Citizens that have reached voting age.

9.2 The General Assembly shall serve as a forum for review, advice, and community engagement, providing oversight and guidance to the Legislative Assembly and other SOFN Government bodies.

9.3 The General Assembly shall have the following functions:

- a) Review and provide recommendations on laws, policies, budgets, and ethical guidelines enacted by the Legislative Assembly;
- b) Advise on matters referred to it by the Legislative Assembly for community input;
- c) Review conflict of interest rules and procedures, ethical guidelines and/or codes of conduct that will apply to members of the Government bodies;
- d) Reviewing financial statements, including budgets and annual reports, and provide input to the Legislative Assembly; and

- e) Provide general advice on matters of community importance, including those not specifically listed but referred by the Legislative Assembly.

9.4 The Assembly shall meet at least annually, and at such other times as the General Assembly or the Legislative Assembly determines is necessary.

9.5 In matters of compelling urgency, the Legislative Assembly may request that an unscheduled meeting of the General Assembly be convened.

9.6 Notice of meetings, including the proposed agenda shall be delivered at least two (2) weeks in advance to all Citizens who are residents on SOFN Lands.

9.7 Notice of the General Assembly meeting shall also be published through newspapers, and other appropriate media to ensure awareness among all SOFN citizen.

9.8 Matters not included on the agenda may be presented but shall be tabled and addressed at the next meeting to allow sufficient time for community consideration.

9.9 A quorum of the General Assembly shall consist of fifty (50) members.

9.10 The Chief shall chair meetings of the General Assembly.

9.11 The Legislative Assembly may enact laws to establish further procedures for convening and cancelling meetings of the General Assembly.

9.12 Every Citizen of voting age has the right to attend and address the General Assembly. Interpretation services in the Algonquin language will be made available where feasible.

10.0 Representation and Involvement of Citizens

10.1 The SOFN acknowledges that Citizen:

- a) Make an important contribution to the life and well-being of the SOFN community;
- b) Have interests that may be directly and significantly affected by the decisions and actions of the SOFN Government and its bodies; and
- c) Should be given meaningful opportunities to express their views, preferences, and concerns to the SOFN Government.

10.2 The Legislative Assembly shall enact a law establishing mechanisms to ensure that Citizens have appropriate and meaningful input into the decisions of the SOFN Government,

10.3 Citizens shall have the right to receive timely information regarding opportunities for participation and the outcomes of processes in which they are involved, including explanations of how their input influenced government decisions.

11.0 Elections

11.1 All SOFN Citizens who satisfy the criteria for candidacy as set out in the Election Rules may:

- a) Stand as a candidate for the public office of Chief or General Council; and
- b) Vote in all SOFN elections and community referendums.

11.2 A Citizen shall be disqualified from standing for election to any SOFN public office if the Citizen:

- a) Is a member of the Elections Board;
- b) Is serving as a Chief Electoral Officer, including a returning officer as defined under the SOFN Election Rules;
- c) Is a member of the SOFN judicial body;
- d) Is imprisoned or otherwise confined in a correctional institution; or
- e) Has been convicted of a corrupt or illegal practice relating to the conduct of an election.

11.3 General elections shall be conducted in accordance with the following principles:

- a) All elections shall be conducted by secret ballot in accordance with the Election Rules;
- b) The election of Chief and General Councillors shall be held to fill any offices that become vacant by reason of the expiry of term;
- c) An election for the office of Chief shall be held at approximately the same time every four (4) years; and
- d) Elections for General Councillors to the Legislative Assembly shall be held on a term not exceeding four (4) years.

11.4 The SOFN Elections Board or Chief Electoral Officer shall be established pursuant to the SOFN Election Rules

11.5 Members of the Elections Board, including the Chief Electoral Officer (who shall

serve as Chairperson and Senior Officer of the Elections Board), shall be appointed by the Legislative Assembly.

11.6 Members of the Elections Board shall hold office in accordance with the following:

- a) They shall be appointed for fixed terms as set forth in the Election Rules;
- b) They may be re-appointed upon the expiry of their term; and
- c) They may be removed from office before the expiry of their term for just cause.

11.7 The duties and responsibilities of the Elections Board are to oversee elections and community referendums, including

- a) Registering voters;
- b) Preparing and maintaining the electoral roll;
- c) Administering and conducting nomination processes and community referendums;
- d) Administering and conducting general elections; and
- e) Declaring and certifying the results of elections and community referendums.

11.8 In fulfilling its duties and responsibilities the Elections Board will act in accordance with:

- a) the provisions of this Constitution as they pertain to elections and community referendums;
- b) the SOFN Election Rules; and
- c) any SOFN laws pertaining to elections or community referendums.

11.9 The Elections Board shall have the authority to hear and determine disputes concerning any matter related to.

- a) Elections; and
- b) Community referendums.

11.10 The SOFN Election Rules may further establish the composition, powers, duties, and procedures of the Elections Board and of any officials responsible for the

administration of elections and community referendums.

12.0 Assumptions, Resignation, Vacancy and Removal of Public Office

12.1 Each candidate elected to hold public office shall assume office:

- a) On a date specified by a SOFN law, but no later than fourteen (14) days after the election; and
- b) After swearing or affirming the Oath of Office.

12.2 Any person holding public office may resign by tendering a written resignation to the SOFN Government body of which they are a member.

12.3 A member of the Legislative Assembly shall cease to hold office if:

- a) they fail to attend three (3) consecutive regular meetings of the Legislative Assembly without good reason, and this is confirmed by a resolution of the Legislative Assembly; or
- b) the Legislative Assembly adopts a resolution declaring the member unfit office.

12.4 A resolution to remove a SOFN public official from office shall first be introduced at a session or meeting of the Legislative Assembly prior to the joint session or meeting at which the resolution will be voted on.

12.5 A resolution to remove a public official from office shall be voted on at a joint session of the Legislative Assembly, called for that specific purpose.

12.6 A resolution to remove a public official shall be passed if approved by a majority of the members of the Legislative Assembly.

12.7 A public official who is the subject of a proposed removal resolution may participate in, and address any session or meeting at which the resolution is considered; but cannot vote for the proposed resolution.

12.8 A person removed from public office with just cause pursuant to a resolution of the Legislative Assembly shall not be eligible to stand as a candidate for the office of Chief or Councillor for a period of four (4) years.

12.9 Recall procedures for elected members of the Legislative Assembly are as follows:

- a) Any elected member of the Legislative Assembly may be recalled upon presentation of a petition to the Elections Board;

- b) The validity of a petition shall be determined by the Elections Board within fifteen (15) days of receipt;
- c) A petition shall be determined valid if it contains the signatures of at least seventy-five percent (75%) of voters who were eligible to vote for that public official in the previous General Election;
- d) Upon determining that a petition is valid, the Elections Board shall call for nominations and conduct a recall election;
- e) A recall election may not be called if a General Election is to be held within six (6) months of the formal receipt of a recall petition by the Elections Board; and
- f) A public official who is the subject of a recall petition may stand as a candidate in the recall election and may continue to hold public office until the Elections Board declares the results of the recall election.

12.10 Vacancies in the offices of Chief or General Councillors, arising for reasons other than the expiration of a term, shall be filled through a by-election if more than one (1) year remains in the term of office.

12.11 If less than one (1) year remains in the term of office, the vacancy in the office of Chief or General Councillor may be filled by appointment of the Legislative Assembly.

12.12 The Legislative Assembly may enact laws to further govern:

- a) Assumptions of Office:
- b) Resignations:
- c) Removal from Office:
- d) Recalls; and
- e) Vacancies

13.0 Conduct of Public Officials

13.1 The SOFN Legislative Assembly shall establish and maintain conflict of interest rules, ethical guidelines and/or Codes of Conduct for public officials which set out clear standards of behaviour, integrity, and accountability.

13.2 Every person elected, appointed, otherwise selected to hold office in a Government Body established under this Constitution, including members of the

Legislative Assembly and Executive Officers, shall comply with all applicable conflict of interest rules, ethical guidelines and/or Codes of Conduct.

13.3 The SOFN Legislative Assembly may enact laws or policies to provide mechanisms for monitoring, reporting, and enforcing compliance with the conflict of interest rules, ethical guidelines, and Codes of Conduct.

13.4 Any breach of conflict of interest rules, ethical guidelines, or Codes of Conduct may result in sanctions, removal from office, or other remedies as established in SOFN law.

14.0 Passage of Laws

14.1 The SOFN Legislative Assembly shall establish procedures to inform Citizens of proposed legislation and provide meaningful opportunities for them to express their views prior to a vote

14.2 A proposed law shall be considered enacted when it has:

- a) Been introduced, considered, and debated by the SOFN Legislative Assembly;
- b) Been passed by a simple majority (50% + 1) of members present and entitled to vote;
- c) Been signed by the Chief; and
- d) Where required, been approved through a community referendum.

14.3 A quorum of the Legislative Assembly must be present to conduct a vote on any law.

14.4 The Legislative Assembly shall maintain a Public Register of all SOFN laws, which shall:

- a) Provide clear and accessible documentation of the provisions of all SOFN laws;
- b) Be maintained in English and French and may also be provided in Algonquin; and
- c) Include simultaneous notification to Canada and Ontario upon registration of each law.

14.5 The Legislative Assembly may adopt additional rules and procedures governing the enactment, effective date, and publications of SOFN laws.

15.0 Petitions to Challenge Laws

15.1 Any SOFN law, resolution, or other action of the SOFN Legislative Assembly may be challenged by petition.

15.2 A petition shall be considered valid if it:

- a) Is submitted to the Election Board;
- b) Clearly identifies and describes the law, resolution, or action, or the portion thereof being challenged; and
- c) Contains the signatures of at least seventy-five percent (75%) of eligible electors.

15.3 The Legislative Assembly may establish additional rules and procedures governing petitions, provided that such rules require the Elections Board to:

- a) Determine the validity of a petition; and
- b) Conduct a binding community referendum vote to decide whether the law, resolution, or action shall be upheld..

15.4 This Section does not apply to, and shall not affect, any contract or agreement that has been validly entered into on behalf of SOFN.

CHAPTER 6 – RELATIONSHIPS WITH OTHER GOVERNMENTS

This Chapter establishes the principles and procedures by which the SOFN determines, forms, manages, and, where necessary, terminates relationships with other governments, including other First Nation governments and organizations, and the Governments of Canada and Ontario. It sets out the decision-making authority of the SOFN, the roles of its governmental bodies, and the process for conducting intergovernmental relations in a manner consistent with SOFN laws, traditions, and the interests of its citizens.

1.0 General Principles

1.1 The SOFN has the inherent right to determine the nature, scope, purpose, and duration of its relationships with other governments, including other First Nation governments and organizations, as well as the Governments of Canada and Ontario.

1.2 The SOFN retains the authority to initiate, negotiate, modify, or terminate such relationships, in accordance with SOFN laws, traditions, and the interests of its citizens.

1.3 The SOFN has a history of working cooperatively with other participating First Nations for the purpose of serving the common interests of the participating First Nations through the Algonquin Nation of Ontario.

1.4 The SOFN has a longstanding practice of working cooperatively with other First Nations to advance shared interests through its own government, as well as through First Nation governments, organizations, associations, and institutions operating at regional, provincial, and national levels.

1.5 Government-to-government relationships with Canada and Ontario are established by and recognized in the Final Agreement.

2.0 General Principles of Government

2.1 The SOFN may, in accordance with the provisions of this Chapter:

- a) Participate in, withdraw from or, together with other participating First Nations, dissolve the Algonquins of Ontario (AOO);
- b) Designate a First Nation government as a regional, provincial, or national level of the SOFN Government;
- c) Together with other First Nations, participate in, withdraw from, or dissolve

arrangements that provide for the recognition of First Nation governments, organizations, and associations, established at regional, provincial, and national levels;

- d) Enter into relationships with the Government of Canada, the Government of Ontario, and other provincial, territorial, and municipal governments within Canada; and
- e) Combine with one or more other First Nation Governments.

3.0 Participate in, Withdraw from, and Dissolution of the AOO

3.1 The SOFN recognizes that it and other Algonquin First Nations participating in negotiations toward the Final Agreement have historically advanced their collective interests through the AOO.

3.2 Subject to this Constitution, including Chapter 5, and any applicable governance arrangements of the AOO, the SOFN may, either independently or jointly with other participating First Nations:

- a) Delegate specified governmental responsibilities or authority to the AOO;
- b) Amend, limit, or revoke any responsibilities or authority previously delegated to the AOO;
- c) Participate in the restructuring or dissolution of the AOO in accordance with any governing agreements; and
- d) Enter into further agreements respecting the exercise of delegated responsibilities or authority;

3.3 The SOFN may withdraw from the AOO following approval by a community referendum in which at least fifty percent plus one (50% + 1) of the validly cast ballots support withdrawal.

3.4 Prior to the effective date of withdrawal, the SOFN shall engage in negotiations with the AOO to determine transitional or ongoing arrangements necessary to:

- a) Address the continuation or reassignment of governmental responsibilities exercised by the AOO on behalf of the SOFN;
- b) Address the continuation or termination of authority delegated by the SOFN to the AOO; and
- c) Determine the implications of withdrawal for negotiations or government-to-government relationships under the Final Agreement.

3.5 Upon complete withdrawal, all governmental responsibilities and authority delegated by the SOFN to the AOO shall revert to the SOFN, unless otherwise provided in a transitional agreement, and any delegation agreement shall terminate accordingly.

4.0 Recognition of the First Nation Government

4.1 The SOFN may, together with other participating First Nations, recognize a First Nation government as a regional, provincial, or national level government of the SOFN Government provided that:

- a) A community referendum is conducted in accordance with Chapter 7 (Citizen Participation in Decision Making) of this Constitution; and
- b) At least fifty percent plus one (50% + 1) of eligible voters vote in favour of such recognition.

4.2 Such recognition shall not take effect until the SOFN has entered into, and satisfactorily concluded, negotiations with Canada and Ontario for the purpose of determining how the recognition affects existing government-to-government relationships and the extent to which the Final Agreement applies to the new arrangements.

5.0 Relationships with Other First Nation Governments

5.1 The SOFN may enter into political and other relationships with other First Nations and with their governments, associations, organizations, or institutions, including those established at regional, provincial, or national levels.

5.2 The participation of the SOFN in, or its withdrawal from relationships with other First Nation governments, associations, organizations, and institutions may only occur following a community referendum conducted in accordance with Chapter 7 (Citizen Participation in Decision Making) of this Constitution, in which at least fifty percent plus one (50% + 1) of eligible voters vote in favour of the participation or withdrawal.

5.3 The SOFN may, in accordance with this Constitution, delegate governmental responsibilities, powers, jurisdiction, or authority to another First Nation Government, First Nation Organization, association, or institution, or any other First Nation body, provided that:

- a) the requirements of Chapter 1 (Legal Capacity and Powers) Section 1.8, concerning delegation are satisfied; and

- b) where the delegation may affect government-to-government relationships or the application of the Final Agreement, the SOFN has entered into and concluded negotiations with Canada and Ontario to determine the nature and extent of those effects.

6.0 Relationships with Canada and Ontario

6.1 The SOFN may, in accordance with section 1.8 (Legal Capacity and Powers — Delegation), delegate governmental responsibilities, powers, jurisdiction, or authority to the Government of Canada, the Government of Ontario, or to municipal or local governments in Ontario.

6.2 The SOFN may enter into agreements with the Government of Canada or the Government of Ontario pursuant to which those governments delegate jurisdiction, powers, or authority to the SOFN in respect of matters not otherwise recognized in the Final Agreement.

7.0 Merger and Division

7.1 A SOFN Government may merge with another First Nation or First Nations, or divide into two (2) or more First Nations, subject to the requirements of this section.

7.2 The SOFN Government shall not merge or divide unless or until:

- a) A plan for merger or division has been prepared by the SOFN Government; and
- b) At least sixty percent (60%) of all eligible voters vote in favor of the merger or division in a community referendum vote in accordance with Chapter 7 (Citizen Participation in Decision Making) of this Constitution.

7.3 Prior to completing a plan of merger or division, and prior to a community referendum vote, the SOFN shall enter into and satisfactorily conclude negotiations with Canada and Ontario to determine how the government-to-government relationship will be affected and the extent to which the Final Agreement will continue to apply to a merged or divided SOFN.

CHAPTER 7 – CITIZEN PARTICIPATION IN DECISION-MAKING

This Chapter sets out the circumstances in which SOFN Citizens shall participate in public decision-making, and establishes the processes by which such participation will be occur.

1.0 General Principles

1.1 SOFN citizens, whether resident or non-resident citizens alike, shall participate in public decision-making in the following instances:

- a) where the Constitution requires citizen involvement in decision- making, including through the community referendum;
- b) where decisions of the SOFN Government significantly affect the rights and interests of SOFN Citizens, including their collective rights and interests; and
- c) where the SOFN Government seeks advice and guidance from the community to assist its decision-making.

1.2 Citizen participation in decision making may occur through the following processes, which are described in detail in this Chapter:

- a) A Consultative community referendum, which is non-binding on the SOFN Government and may be held:
 - i. where mandated by this Constitution as consultative; or
 - ii. at the discretion of the Legislative Assembly;
- b) A binding community referendum, where expressly required by this Constitution, the results of which shall be binding in accordance with section 2.8;
- c) Community consultation, as set out in Section 4.0 of this Chapter; and
- d) Such other processes for community participation in decision-making as may be established by SOFN law pursuant to this Constitution.

2.0 Purpose and Procedures of Community Referendums

2.1 Citizens shall participate in decision making through a community referendum in the following circumstances:

- a) Where this Constitution expressly requires a community referendum to be held;
- b) Where the Legislative Assembly determines that it wishes to obtain the views of its citizens on any question or matter of public interest, or concern, or any proposed or contemplated decision or action; or
- c) Where proper public notice of the community referendum has been provided in accordance with this Constitution.

2.2 The Legislative Assembly may order that a community referendum be held, and when doing so shall inform the SOFN Citizens of:

- a) The purpose of the community referendum;
- b) The proposed question or questions to be submitted;
- c) The date on which the referendum will be held; and
- d) The location or locations where voting will take place.

2.3 A referendum question shall be worded:

- a) Using clear, concise, and impartial language; and
- b) So as to permit each voter to respond in the affirmative (“yes”) or the negative (“no”).

2.4 Any SOFN citizen who is an eligible voter, as determined by this Constitution, and/or any future SOFN Election Rules, may vote in a community referendum.

2.5 A community referendum may be held on the same date as a General Election.

2.6 Where a community referendum is held on the same date as a General Election, separate ballots shall be prepared and provided to voters for the purposes of each.

2.7 The Legislative Assembly shall announce the results of a community referendum as soon as practicable, in a manner it considers will best inform SOFN citizens.

2.8 If fifty percent plus one (50% +1) of the validly cast ballots vote for the same answer on a question, that result shall be binding on the SOFN Government.

2.9 Notwithstanding Subsection 2.8, where this Constitution requires a threshold of citizen support different from fifty percent plus one (50% plus1) of the validly cast ballots for a community referendum, the threshold specified in this Constitution must be met for the result to be binding on the SOFN and its government.

2.10 Where the results of a referendum are binding, the SOFN Government shall, as soon as practicable, take steps within its authority to implement those results.

2.11 The rules and procedures governing the conduct of a community referendum shall be further established in a SOFN Community Referendum Code, law, or regulation. Such rules may, among other things:

- a) Specify which provisions of the Election Rules apply to a community referendum;
- b) Adapt or modify provisions of the Election Rules to make them applicable to community referendums;
- c) Determine the rules and responsibilities of the Chief Electoral Officer and the Elections Board in conducting a community referendum;
- d) Require that the Legislative Assembly submit a referendum question to the Chief Electoral Officer, the Election Board or another SOFN Government body for review and advice;
- e) Identify areas, locations or constituencies in which community referendums will be held;
- f) Specify whether referendum questions should be translated into the Algonquin language for public information purposes and for inclusion on the referendum ballot;
- g) Address any procedural matter concerning the conduct and administration of a community referendum, including:
 - i. how citizens will be notified of a community referendum;
 - ii. the minimum number of days required between public notification of a community referendum and the holding of the referendum;
 - iii. the regulation of “campaigns” or, “committees” established to promote a particular result in a community referendum, including:
 1. registration of campaign organizations, and rules governing campaign spending, expenses, advertising, recordkeeping, and

conduct; and

2. limitation on campaign organizations and activities

- h) Provide for the preparation of voter lists;
- i) Provide for the preparation and appearance of referendum ballots;
- j) Provide for public broadcast, information, and discussion on referendum questions;
- k) Establish rules for the determination of results, including ballot counts and recounts;
- l) Provide for the certification of referendum results;
- m) Specify how the results will be declared, and how citizens will notified;
- n) Identify the source of funds for administrative costs of conducting a referendum; and
- o) Address other matters essential to the fair administration and conduct of a community referendum.

2.12 The Legislative Assembly may declare that any provision of the Election Rules, or any regulations made thereunder, applies to a community referendum.

3.0 Consultative Referendums

3.1 Citizens may participate in decision-making through a consultative referendum where:

- a) The Legislative Assembly considers that it is in the best interest of SOFN to obtain the opinion, guidance, or advice of its citizens on any question, matter, or concern of public interest, including a proposed or contemplated decision or action of the SOFN Government; and
- b) The Legislative Assembly calls for a consultative referendum to be held.

3.2 Any SOFN citizen who is an eligible voter may participate in a consultative referendum.

3.3 A consultative referendum will be called and conducted in the same manner as the community referendum, as provided for in Chapter 7 Section 2.0, except for those provisions relating to the binding nature of referenda.

3.4 The results of a consultative referendum are not binding on the Legislative

Assembly but may be considered by the Legislative Assembly in its decision-making with respect to any decision, matter, or action.

4.0 Community Consultation

4.1 Citizens will participate in decision making through community consultation when the Legislative Assembly determines that such a process is required to provide:

- a) Information on subject matters and issues of public interest and concern;
- b) Information on decisions and actions being contemplated by the Legislative Assembly;
- c) An opportunity for citizens to discuss, exchange and share their opinions, views, concerns, preferences, and ideas with the Legislative Assembly regarding such matters, issues, decisions, or actions; and
- d) An opportunity for citizens to raise matters, issues, actions, or decisions that they believe the Legislative Assembly should address or initiate.

4.2 Community consultation shall be conducted in a manner that:

- a) Provides sufficient time and opportunity for information to be shared, considered, and discussed by the community.
- b) Ensures all citizens who wish to obtain information and express an opinion have adequate time and opportunity time to do so; and
- c) Is respectful of different opinions, views, concerns, preferences, and ideas.

4.3 A record of community consultation shall be maintained and made available to SOFN citizens upon request and in a public location.

4.4 The results of community consultation are not binding on the Legislative Assembly but may be used to guide and inform its decision-making and actions in relation to any matter that affects the rights and interests of the SOFN and its Citizens.

5.0 Other Processes

5.1 The SOFN Government may establish additional processes to facilitate community participation in decision making, including but not limited to:

- a) A community initiative petition process, the results of which will be non-binding on the SOFN Government; and
- b) A counter-petition initiative process, the results of which will be non-binding on the SOFN Government.

5.2 Additional processes for community participation in decision-making may be established through an SOFN law.

5.3 Any such law establishing additional processes must include provisions specifying:

- a) The purpose of the process;
- b) The circumstances under which the process may be initiated;
- c) Who may initiate the process;
- d) Eligibility requirements for participation;
- e) Public notification requirements, rules, and procedures;
- f) The effect of the outcome of the process on the SOFN Government, its decisions, and actions;
- g) The relationship of the process to other participation processes established in this part of the Constitution, including the community referendum; and
- h) Any other matters necessary for the implementation and conduct of the process.

CHAPTER 8 – FIRST NATIONS PUBLIC BODIES AND INSTITUTIONS

This Chapter affirms that the SOFN Government may establish Public Bodies and Institutions, and shall determine the purposes for which they are created, together with how their organization, structure and the process by which they are established.

1.0 General

1.1 The SOFN Legislative Assembly may delegate any of its powers to a SOFN Public Body or Institution, except for the power to make laws.

1.2 The SOFN Public Bodies and Institutions may be established for the purposes of:

- a) Carrying out governmental responsibilities and exercising powers delegated by the SOFN Legislative Assembly in relation to subject matters recognized in Chapter 1 (Legal Capacity and Powers) of this Constitution, including developing, managing, administering, and delivery of programs and services to its citizens in an accessible, efficient, and effective manner;
- b) Providing information and advice to the SOFN Government;
- c) Engaging and coordinating with other public bodies and institutions, established by the First Nation, at the First Nation level, established by the AREs at a regional level, or established in cooperation with other First Nations, governments, organizations, and associations, at regional, provincial, and national levels;
- d) Promoting a stable and effective government-to-government relationship with Canada and Ontario; and/or
- e) Any other lawful purpose consistent with this Constitution.

1.3 The SOFN Public Bodies and Institutions shall conduct themselves in a manner consistent with the General Principles of Government set out in Chapter 5, Section 2.0 of this Constitution.

2.0 Establishment of Public Bodies and Institutions

2.1 Any SOFN Public Body or Institution shall be established:

- a) By the Legislative Assembly; and

b) Pursuant to a SOFN law, made in accordance with Chapter 8.

2.2 A SOFN Public Body or Institution may be established in any form, including, but not limited to the following:

- a) An Agency;
- b) Board;
- c) Committee;
- d) Commission; or
- e) Circle;

2.3 A SOFN public body or institution may be composed of Citizens who are elected by the SOFN Citizens, including Citizens ordinarily resident on SOFN Lands, and non-resident Citizens who:

- a) are appointed by the SOFN Government or duly authorized delegate thereof;
- b) hold public office in another SOFN Public Body established by this Constitution; or
- c) are selected by other means as determined in accordance with this Constitution or SOFN law.

2.4 Wherever possible, SOFN Public Bodies and Institutions shall be established to provide for the direct participation and representation of Citizens as elected or appointed members of the Public Body or Institution.

2.5 The SOFN Public Bodies and Institutions may also be established to provide for the participation and representation of non-Citizens ordinarily resident on the SOFN Lands in matters that directly and significantly affect them.

2.6 The means of participation or representation of non-Citizens may include:

- a) The ability to become elected as a member of the Public Body or Institution where the Public Body or Institution is elected;
- b) Appointment of a non-Citizen as a member of the Public Body or Institution; or
- c) The opportunity to provide advice, information, or make representations to the Public Body or Institution on particular matters.

2.7 A SOFN law which establishes a SOFN public body or institution shall specify:

- a) The name of the Public Body or Institution;
- b) The purpose and mandate of the Public Body or Institution;
- c) The governance structure and composition, including its membership, the method of selection, term of office, remuneration, duties and responsibilities of members and any other relevant matter;
- d) Procedures of the Public Body or Institution, including rules for meetings, decision-making, record keeping and reporting;
- e) Accountability to the Legislative Assembly and to SOFN Citizens through regular financial and performance reporting;
- f) The scope of governmental responsibilities that are to be carried out by the Public Body or Institution and the scope of SOFN authority delegated or assigned to it, as including any limitations or conditions pertaining to the carrying out of governmental responsibilities and the exercise of authority;
- g) The relationship of the SOFN Public Body or Institution to:
 - h) The Legislative Assembly and any other SOFN government body established under this Constitution:
 - i) The SOFN Government Administration;
 - j) The AREs and any Public Bodies and Institutions established by it.
 - k) Other First Nation governments, organizations, associations and their respective public bodies and institutions;
 - l) The Governments of Canada and Ontario, including any public bodies, institutions, or agencies established by them; and
- m) Any additional conditions pertaining to the structure, procedures, exercise of authority or responsibilities, operations, or activities of the public body or institutions.

2.8 As soon as possible after this Constitution comes into effect, the SOFN Legislative Assembly shall enact a law or laws in respect of the initial SOFN Public Bodies and Institutions identified in Chapter 5.

CHAPTER 9– CONSTITUTIONAL AMENDMENT

1.0 General

1.1 This Constitution may be amended only where:

- a) the proposed amendment is adopted by the Legislative Assembly in accordance with its rules;
- b) the proposed amendment is presented at a meeting of the SOFN General Assembly for consideration and discussion; and
- c) the amendment is approved by the SOFN through a community referendum in which at least fifty percent plus one (50% + 1) of the validly cast ballots support the amendment.

INTRODUCTION

In looking at the longevity of the Algonquin's in the Shabot Obaadjiwan First Nation, you find that there is archaeological evidence showing that areas were known to have been occupied by our Algonquin ancestors during the pre-historic era. A site on Sharbot Lake has yielded ceramic and lithic artifacts that are dated from 3000 to 1000 B.C. and from 900 to 1500.

Beginning in the early 1800 historical records reveal the identity of various Algonquin bands that traditionally occupied the Ontario side of the Ottawa River. The ancestors of the Shabot Obaadjiwan First Nation were one of these bands.

The area around the Townships of South, Central and North Frontenac as well as North Lanark Townships had long been the winter hunting grounds for the Algonquin' of the area. These Algonquin' were said to have used the area since at least 1817.

Church records covering the period 1842 to 1863 indicate that ancestors of the Shabot Obaadjiwan band were leading a semi-nomadic life style in the townships of Frontenac's as well as North Lanark Townships.

It has been shown that the Algonquins' lived a semi-nomadic life-style, organized into small family-based groups that utilized resources co-operatively. They moved from place to place according to the opportunities and needs of the seasons. Typically, groups congregated annually, usually in summer, at resource rich locations for social, religious, political and economic activities. The abundance of food during the summer months with, hunting, fishing, and gathering, facilitated a community type of living, however when the cold and winter weather arrived it became necessary to move allowing for easier game hunting. Since 1817 it is shown that Sharbot Lake and the surrounding area was used as winter hunting grounds.

VALUES OF THE SHABOT OBAADJIWANS INDIGENOUS PEOPLE

The Great Spirit and the Spirit of Mother Earth and Water are as one, and at the same time different and distinct with neither being over the other. We the Children of Light are created in their image and characteristics of both. We believe each person has a relationship with the Great Spirit and Spirit of Mother Earth and Water as the Creator and teach of all life.

We are not owners of the gifts of the Great Spirit and the Spirit and Mother Earth and

Water. We are good stewards for a time until we pass them on or give them back. We renounce the principle of ownership and embrace the principle of stewardship.

Our children and our elders are gifts from the Great Spirit.

We receive and care for the forests, lakes, rivers, rocks, hills and plains that are all together the home of the Great Spirit and the Spirit of Mother Earth and Water have given us.

We accept the principle of the Great Spirit and the Spirit of Mother Earth and Water to provide in abundance. Therefore, we receive and value that which is in abundance. Resources that are scarce are to be treasured and preserved, not exploited.

We value the love of nature, of self, of family and of community as the supreme ideal to embrace.

We treasure the wisdom, knowledge and experience of our ancestors as passed on by our elders, teachers and Shamans. We value their willingness to teach and share.

We embrace the virtues of honesty, appreciation, gentleness strength, humility, charity, gratitude assertiveness, restraint and generosity. These virtues originate from before our lifetime and last long after we have individually passed through the portal of Death. They lead to growth in personal stature before the Great Spirit and our brothers and sisters.

The Shabot Obaadjiwan First Nation has the right to self-determination. Citizenship is one of the fundamental components of self-determination.

“No state, through legislation, negotiation or other means, shall take actions interfere with the sovereign power of an indigenous nation or group to determine its own membership.”

Values of the Shabot Obaadjiwan Indigenous People

We, the People of the Shabot Obaadjiwan Sovereign Indigenous First Nation, as part of our Declaration of Nationhood hereby proclaim our values as follows:

The Great Spirit and the Spirit of Mother Earth and Water are as one, and at the same time different and distinct with neither being over the other. We, the Children of Light, are created in their image and have characteristics of both. We believe each person has a relationship with the Great Spirit and the Spirit of Mother Earth and Water as the creator, ruler, preserver, protector and teacher for all life.

We are not owners of the gifts of the Great Spirit and the Spirit of Mother Earth and Water. We are good stewards for a time until we pass them on or give them back. We renounce the principle of ownership and embrace the principle of stewardship.

Our children and our elders are gifts from the Great Spirit and the Spirit of Mother Earth and Water. We are all children and we all become elders.

We receive and care for the forests, lakes, rivers, rocks, hills and plains that are all together the home that the Great Spirit and the Spirit of Mother Earth and Water have given us.

We accept the principle of the Great Spirit and the Spirit of Mother Earth and Water to provide in abundance. Therefore, we receive and value that which is in abundance. Resources that are scarce are to be treasured and preserved, not exploited.

We value the Love of nature, of self, of family and of community as the supreme ideal to embrace.

We treasure the wisdom, knowledge and experience of our ancestors as passed on by our elders, teachers and Shamans. We value their willingness to teach and share.

We embrace the virtues of honesty, appreciation, gentleness, strength, humility, charity gratitude, assertiveness, restraint and generosity. These virtues originate from before our lifetimes and last long after we have individually passed through the portal of Death. They lead to growth in personal stature before the Great Spirit and before our brothers and sisters.

Rights and Privileges of the Shabot Obaadjiwan Indigenous People

We, the people of the Shabot Obaadjiwan Sovereign Indigenous First Nation, as part of our Declaration of Nationhood hereby assert our rights and privileges together with our right to defend them as follows:

The right to privacy of our person, our thoughts, our personal information and correspondence;

The right to associate and speak freely with each other;

The right to health of body, mind and spirit;

The right to be respected as equals by the people of equivalent rank in ours and other jurisdictions;

The right to interact and trade with each other and with other peoples in our traditional manner;

The right to receive education, knowledge and the development of intellectual skills;

The right to peaceful enjoyment of life, liberty and security;

The right to be protected by the nation;

The right to exercise freely one's opinion, conscience, faith and religion;

The privilege of being free from hate, cruelty and torture;

The privilege of being free from undue judgement and condemnation;

The privilege of being free from harassment

The privilege of being free from arbitrary arrest, detention and exile;

The privilege of being free from attacks upon one's personal honour and reputation;

And all the rights and freedoms provided in the United Nations Universal Declaration of Human Rights

Whenever there may be conflict between the rights and privileges of the individual and the

rights and privileges of our Sovereign Community, those of the nation shall take precedence over those of the individual.

Responsibilities of the Shabot Obaadjiwan Indigenous People

We, the people of the Shabot Obaadjiwan Sovereign Indigenous First Nation, as part of our Declaration of Nationhood, hereby acknowledge and accept our responsibilities as follows:

- To respect, honour, listen to and hear the whispers of the Great Spirit and the Spirit of Mother Earth and Water as an important and reverent necessity of life;
- To fulfill our honour and duty toward our family and our nation;
- To welcome and honour strangers, as they are also children of the Great Spirit and the Spirit of Mother Earth and Water;
- To revere the leadership of those Chieftains, Shamans and Elders who do no evil and serve both the least and the greatest of our people;
- To preserve and enhance the sanctity of the natural environment and to recycle waste materials from the activities of our lives in recognition that the natural environment is the home of all people, animals and plants that live in it;
- To be warriors in the defense of our nation and peacemakers among our enemies;
- To dispense justice with fair discernment, judgment and wisdom for both the victim and the accused with the assurance that wisdom originates in the Great Spirit;
- To provide opportunities for our children to develop intellectual skills, moral skills, social skills, employment skills together with their spiritual awareness, and to provide opportunities for adults to pursue life-long learning;
- To provide opportunities for our people to engage in meaningful, productive employment;
- To support those who are hungry, and those who are in sickness, infirmity, adversity or in the grip of evil;
- To encourage each other to be strong, cheerful, gracious, virtuous and clean in body, mind and spirit;
- To learn from our adversities, to refrain from complaining and to forgive others for their transgressions;
- To be honest, genuine, assertive and open in our dealing with ourselves, each other and all people;
- To acknowledge fear and in the face of fear, to be courageous;
- To be worthy of the love and respect of the Great Spirit, the Spirit of Mother Earth and Water and of all people.