

onihcikiskwapowin – moving forward

Establishing Next Steps in membership/election code development



Objectives and Goals

- Enable members to understand where we have been (history) on the question of membership and election code
- Demonstrate the issues presented by human rights complaints, administrative law matters and governance requirements
- Create a clear path to success with an amended election code and next steps for dialogue on Nation membership issues

Membership/election code - History

➤ Pre 1876 – Treaty No. 6

- leaders of the nation decided membership based on kinship, traditional adoptions and lineage
- selection process of leadership was a combination of traditional leadership (women, men) and role players within the nation
- members chose their leaders based on who was identified either by heritage or traditional methods

History continued

- Post 1876 – Indian Act imposition
 - Leaders chosen by ‘voting’
 - Election held under the Indian Act provisions
 - Changes to approach came during the 1960’s – along with devolution process beginning in 1962
 - Saddle Lake – Tribal Custom Election Code (1965)
 - Tribal Custom ‘regulations’ are how we have run our elections; however between 2000 and today there have been several attempts at updating/amending
 - Despite these attempts – the 1965 code has been successfully challenged in 2016.

History – Then and Now

Update the code – why?

- 1. We are a nation and nation's have laws that reflect governance and authority.
- 2. We are being challenged successfully by band members utilizing human rights legislative standards as well as those seeking redress by the Federal Court.
- 3. The code needs to be updated/amended in accordance of our way of life (ceremony, tradition, language, fairness) and the manner by which we live together.
- We need to ensure everyone has a say and can ensure we can decide who we are and how we will govern in a way all band members can support

Date yyyy-mm-dd	Summary of Event or Action	Reference in affidavit or to document
2016/10/15	Review of materials related to the judicial review by researcher, tribal administrator and policy advisor	Affidavit of N. Large, Policy Advisor to SLCN Chief and Council
2016/12/01	Governance Strategic Planning – Saddle Lake Cree Nation in SLCN	Strategic Planning (N.Large affidavit reference) and Leadership planning docs
2017/01/01	Governance Strategic Planning – Saddle Lake Cree Nation in SLCN SLCN Elders Gathering @ ayiwakes Cultural Centre	Strategic Planning and Research materials including previous election code development (binder materials) Meeting notes from Elders Gathering
2017/3/01	Membership and Election Code Review – Proposal Development	Draft Proposal (s)
2017/5/01	Membership and Election Code Proposal – Final Document with 65 k in year one and 135 k in year two	Proposal Finalized
2017/6/6	Meeting with Regional Director, INAC – Jim Sisson at SLCN Council Chambers	Proposal Discussed and Approved Motion of SLCN/WFL Chief and Council ***funding not actually received until late September 2017
2017/6/21	Pipe Ceremony and Community Gathering held at the ayiwakes Cultural Centre	Poster for Community Gathering – information distributed about membership and election reform process
2017/7/12	Public notification of the establishment of the Redetermination Panel as per FC Action T-978-16	Notice posted physically at administration building, Bison auto stop and online
2017/7/13	Public notification regarding usage of social media during the timeframe for completing redetermination	Notice posted physically at administration building, Bison auto stop and online
2017/7/26	Redetermination Panel established as Ernie Cardinal, Jim Cardinal and Louis Lapatak - panel will create its own rules for completing the process in accordance with FC expectations	Motion of SLCN Chief and Council

Date yyyy-mm-dd	Summary of Event or Action's Continued	Reference in affidavit or to document
<p>2017/8/1</p> <p>2017/8/31</p> <p>2017/9/6</p>	<p>Letters from Redetermination Panel to Applicants, Shannon Houle, Eric Shirt, Greg Cardinal and Valerie Steinhauer are delivered – completion timeframe given between August 2-11, 2017 but Applicants choose not to participate</p> <p>Redetermination Panel submits decision rendering Applicant Eric Shirt eligible</p> <p>Letter to Redetermination Panel from SLCN Chief and Council acknowledging receipt of panel decision and asking for information supporting the reasoning based on evidence and in accordance with the FC decision.</p>	<p>Letters delivered and on record; St. Paul Conference Centre utilized for interviews and meetings of the panel</p> <p>Decision on file</p> <p>Letter delivered and on record</p>
<p>2018/04/25</p> <p>2018/7/6</p>	<p>Community Information Meeting re Election Reform held at ayiwakes hall from 9-3 pm report</p> <p>Survey distribution at Whitefish Lake Band Office</p>	<p>Survey's distributed – information distribution</p> <p>250 surveys distributed</p>
<p>2018/7/10</p>	<p>Information Session scheduled at Whitefish Lake scheduled for 6-8 pm</p>	<p>Meeting attempted but reps were locked out of the WFL band hall</p>
<p>2018/7/4</p> <p>2018/7/11</p> <p>2018/7/16</p>	<p>MEC Working Group meeting to discuss questionnaires</p> <p>Survey distribution at Saddle Lake Cree Nation, youth centre, education offices, employment and training offices</p> <p>MEC Working Group meeting to discuss the survey results to date – discuss the dismantled GFL Working Group</p>	<p>Meeting held at Whitefish Lake First Nations Health Centre – meeting notes</p> <p>Posted opportunities on official SLCN Facebook site with information about email and website access to surveys</p> <p>Held at membership office – meeting notes</p>

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2018/7/18	MEC Working Group regular meeting held at Peyasew 10 am	Meeting notes
2018/8/8	MEC Coordinator meets with Senior's at Senior's Lodge at 10 am	Meeting notes
2018/8/17	MEC Coordinator continues survey gathering from SLCN members	Meeting notes
2018/9/4	MEC Coordinator continues survey gathering from WFL members	Meeting notes
2018/9/14	Edmonton meeting with urban members held at Boyle Street for information distribution and survey gathering	Meeting notes - memo
2018/10/16	Elders Advisory Committee (EAC) begins review of SLCN Constitution – this includes elections and membership	Presentation notes from ohsapatamowin centre
2018/10/19	EAC establishes priorities, discusses next steps, actions and timelines – weekly meetings to March 2019	Meeting notes
2018/10/24	EAC meets with Onion Lake Elders at ohsapatamowin to discuss governance priorities and OL processes	Matrix map document for laws development process; review of OL materials, sharing of OL laws including elections/appeals processes
2018/11/7	EAC laws development continues with meeting with Alexander Elders in ohsapatamowin regarding governance practices and laws development	Review of the laws and governance relative to Treaty – meeting minutes EAC Terms of Reference agreed upon
2018/11/14	EAC laws development strategy session – review and discussion of the OL approach	Meeting minutes
2018/11/21	EAC begin line by line review of the 2007 Constitution and 1955 Custom Election Regulation	Meeting minutes
2018/11/28	EAC continued review of the issues presented by FC, CHRT impacts on developing the 'custom' code in 2019	Meeting minutes

Date yyyy-mm-dd	Summary of Event or Action's Continued	Reference in affidavit or to document
2018/12/5	EAC Constitutional review and ongoing discussion about 'common law' reference, residency rules and principles of natural justice from a nehiyawak perspective.	Meeting minutes
2018/12/10	EAC Strategy session to link constitutional document with next stage development processes	Final laws/policy process for ratification and presentation to band membership Powerpoint created to demonstrate to the people; reported by newsletter
2018/12/17	EAC informational review in preparation for planned band meeting December 21	Meeting minutes
2018/12/21	SLCN Band Information Meeting held at ayiwakes hall – survey results presented and information provided	Surveys and Presentation given as information
2019/01/21	SLCN Band Information Meeting held at Youth Centre – survey results presented and amendments regarding marriage and residency presented to band membership	Presentation and draft amendments presented for discussion/feedback Motions x2 to support EAC ongoing laws work and additional support for election laws amendment to date
2019/01/9	EAC amendments review continued – additional changes and discussion about common law as custom and additional feedback from band information meeting about age 18, residency and appeals process	Next draft amendments for discussion, appeals procedure; white board and meeting notes
2019/01/17	EAC appeals procedure amendments – initial line by line review	Next draft amendments and white board notes
2019/01/31	EAC discussions about progress to date – planning for next SLCN and WFL meetings as well as the Edmonton meetings (note: MEC Coordinator has asked for a layoff at this point in time)	Draft amendments for marriage, residency, appeals procedure are finalized for delivery at scheduled meetings on February 19-20, 26 and March 6, 2019.
2019/02/7	EAC discussions on removal of Indian Act and movements of GoC to new legislative requirements and the impact of additional S-3 members onto the SLCN membership list. Implications for the band list and voting privileges discussed.	Meeting notes

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2019/02/14	<p>EAC asked by SLCN Chief and Council to advise on matters relative to new court expectation for status report by February 28, 2019 – seeking guidance on approach. EAC advises continued planning for Edmonton dialogue with off-reserve members on the code reform and for EAC to approach Eric Shirt for sharing circle.</p> <p>EAC hand delivers letter to Eric Shirt asking for sharing circle about his applications and to provide information directly about the process for completion to date</p>	<p>Meeting notes</p> <p>Letter</p>
2019/02/19	Meeting held in Edmonton at the Chateau Nova to discuss impacts of S-3 on SLCN governance and implications to service/program delivery including election voter list	Meeting notes
2019/02/20 2019/02/21	<p>Meeting held in Edmonton at the Chateau Nova to discuss SLCN Election Code reform</p> <p>SLCN Chief and Council held meeting in Edmonton and establish May 29, 2019 date of nominations and June 12, 19, 2019 for 2019 SLCN Election</p>	<p>Presentation and amendments presentation</p> <p>Motion</p>
2019/02/27	Band membership meeting held at onihcikiskwapowin at ayiwakes hall to present final amendments for approval	<p>Letter</p> <p>Presentations and Motions (TBD)</p>
2019/02/24	Though Eric Shirt initially agrees to the circle, he instead gives correspondence back written to N. Large and Circle of Elders indicating the prothonotary instructions.	Sharing circle declined by Eric Shirt on February 24th – Letter received
2019/03/6	Band membership meeting scheduled at Whitefish Lake community hall to present final amendments for approval by WFL membership	Presentation and Motions (TBD)

Next Steps

- Membership/Election Code – Working Group to build on the early band member discussions of spring, summer, fall 2018, and now
- Look at key mechanisms and bring to community members for discussion and direction (in SL, GFL, Edmonton)
- Create a website or link to current to demonstrate progress to date (completed)
- Hired coordinator and technical writer (complete – SLCN policy advisor is doing the technical writing for expedience in process - underway)
- Ongoing schedule of activities and Elders Advisory Committee sessions to provide oversight (underway)
- New or amended membership and election code for final discussions and ratification in 2019.
- Ongoing MEC Working Group tasks for outstanding issues related to membership and election code amendment (living documents)

Process

1. Formalize mtgs
- recording, sign-in
2. Agenda +
Schedule Timelines
3. Prepare funding
proposal
4. Committee Make-up
5. " T/R
6. Research + Creating
Visual Presentations
7. Tracking progress
8. Elder's Participation
9. Pipe Ceremony +
Protocol

Issues

1. Common Law Issues
press
relatively common
reliable
2. Residency *(ok)*
6 or 8
off 5000
3. G.F.L
4. Membership *
5. Treaty + Language
6. Qualities of Leadership
7. Bill C-31
8. Criminal Records
Adm Matters
9. CHRT - Human Rights
Appeals Process
10. How to establish
Custom (oral/written)
11. Broad Consensus
amongst 11 + ppl's
12. 18 year olds eligibility
to vote/run
13. Drug + Alcohol Testing

Treaty Governance – Elders Advisory Committee (EAC)

