

APPENDIX B

FINAL REPORT OF THE CONSTITUTIONAL REVIEW COMMITTEE

As part of our review of the constitution of the First Nation of the Nacho Nyak Dun (the “NND”), we make the following recommendations and observations for the consideration of the Assembly.

1. Throughout our discussions with NND citizens, it was emphasized to us that various NND laws and policies or the implementation and administration of such laws and policies are inconsistent with the NND constitution. There must be consistency between the NND constitution and the various laws and policies of the NND. To that end, we suggest that it may be appropriate for the mandate of the committee to be extended so that it can oversee the review and, if necessary, amendment of any NND laws and policies to ensure consistency.

In particular, we recommend that the NND undertake a review of its various policies, including policies related to health, education, housing and justice, to ensure conformity with any equality provisions of the NND constitution.
2. Although the NND constitution does not state whether or not the Councillors would be full-time positions or be entitled to full-time salaries, we recommend the responsibilities of the Councillors be reviewed in order to determine whether it is appropriate or warranted for the Councillors to be full-time employees of the NND.
3. The lack of support for the Elders Council was raised to us. To that end, we recommend that the Council take steps to ensure that the Elders Council be provided a support worker so that their respective duties and responsibilities can be carried out, including the development of their written rules. It is clear that the Elders Council would not be effective without such support.
4. In our view, it is clear that the Youth Council requires committed and consistent support from the NND in order to be operational. A support worker must match the enthusiasm and energy of the youth. Without such administrative support, it is clear that the Youth Council would not be effective.
5. Further review and work in relation to the NND citizenship code is required. Again we recommend that the mandate of the constitutional review committee be extended so that it can meet with the Elders Council and others to review the citizenship code and prepare draft revisions to the code for the review and consideration of the Assembly.

6. We suggest that a code of conduct be developed to provide guidance and direction to the members of Council, Assembly, Elders Council and Youth Council. This code should also apply to NND citizens and others who attend meetings of the Council, Assembly, Elders Council and Youth Council.