

KAKISTUSTEHK NISICHAWAYASI NEHETHOWUK

(SUPREME LAW OF NCN)

OTHASOWEWIN

(CONSTITUTION)

**APPROVED OCTOBER 4, 2017 FOR SUBMISSION TO NCN
CITIZENS FOR RATIFICATION**

NISICHAWAYASI NEHETHOWUK OTHASOWEWIN

PREAMBLE

- A. We, the *Nisichawayasi Asiniskaw Nehethowuk* are the people who live on the lands near where the Three Rivers Meet;
- B. We live according to the *Kihche'othasowewin* (the Great Law) which forms the basis for our spiritual and philosophical beliefs, values, principles and goals, and from this Great Law, our people developed customary law principles (also known as traditional laws) to define our rights and responsibilities;
- C. We, *have* exercised *Tipethimisowin* (sovereignty) within *N'tuskenan* (our sacred land) as entrusted to us by *Kehchi Manitou* (the Great Spirit) from *Michimahch'ohci* (time immemorial);
- D. *Kehchi Manitou*, through *Kehchi Othasowewin* (the Great Law), granted us, as the guardians of *N'tuskenan* (our sacred land), the responsibility to care for, and the right to use and benefit from its resources;
- E. Our customary laws are based on the seven sacred teachings of our ancestors as represented by the animals to remind us of our connection to Mother Earth – love (eagle), respect (buffalo), courage (bear), honesty (loon), wisdom (beaver), humility (wolf) and truth (turtle) and from these teachings, *mamawi nisitawenachikewin* (mutual recognition), *mamawi kistithichikewi* (mutual respect), *mamawi wichihirowin* (sharing), and *mamawi tipethimisowin kanawapatamasowin* (mutual responsibility) with all relations in *tapwetamowinihk* (honesty, truth, trust and understanding) within *N'tuskenan*;
- F. We continue to exercise our inherent right to govern ourselves and to make laws in the best interests of the *Nisichawayasi Nehethowuk*, in a manner that is consistent with our traditional teachings and practices, which are a vital and intrinsic part of our spiritual, cultural, social and economic well-being;

2.2 Rights in Canadian Constitution and International Law

The *Nisichawayasi Nehethowuk* are also entitled to all rights and freedoms established by the Canadian Constitution including the *Charter of Rights and Freedoms*, Canadian human rights legislation and international laws such as the Universal Declaration for Human Rights and the Universal Declaration for the Rights of Indigenous Peoples.

2.3 Responsibilities of *Nisichawayasi Nehethowuk*

In exercising their rights under this Constitution, *Nisichawayasi Nehethowuk* shall act in a respectful manner in their interactions with each other, members of Chief and Council and the *Nisichawayasi Nehethowuk Okimawin*.

CHAPTER 3

CANADIAN LAWS

3.1 Application Other Laws

Laws of Canada and Manitoba shall apply to the *Nisichawayasi Nehethowuk* and their lands unless replaced by an NCN Law. This Article shall not be construed or interpreted in any way to limit the jurisdiction of *Nisichawayasi Nehethowuk Okimawin*.

3.2 Resolution Conflict of Laws

Where there is a conflict between *Nisichawayasi Nehethowuk* laws and the laws of Canada or Manitoba, the *Nisichawayasi Nehethowuk* law shall prevail to the extent of the inconsistency subject to any contrary conflict rules established by agreement. Laws of Canada and Manitoba shall continue to apply to *Nisichawayasi Nehethowuk* and its lands unless replaced by an NCN Law.

- (b) discharge the member's fiduciary and other public duties with the utmost integrity, honesty and ethical behavior;
- (c) maintain decorum in Chief and Council meetings and not engage in disruptive behavior that impedes the business of Chief and Council;
- (d) make decisions that promote the collective interests of the *Nisichawayasi Nehethowuk* rather than the individual interests of the member or the member's family;
- (e) abide by decisions of Chief and Council even if the member personally opposes the decisions and not take any direct or indirect action to undermine such decisions;
- (f) act as a role model by carrying out the member's duties in a respectful manner including acting respectfully towards all NCN Citizens, employees and NCN service providers;
- (g) if required, respond to negative, hurtful and damaging comments or actions in the most appropriate manner required to defend the Nation, themselves, their reputations and their families;

and each member of Chief and Council shall not:

- (h) engage in dishonourable or illegal conduct including theft, improper use of public resources or property, fraud, bribery or other corrupt practices;
- (i) use confidential information obtained while holding public office for the member's own direct or indirect personal benefit, including disclosing how other members of Chief and Council voted in relation to confidential or sensitive matters before Chief and Council;
- (j) discriminate against any person on the basis of the person's race, religion, sex, sexual orientation, family status, disability or any other matter prohibited by law;
- (k) exceed or abuse their authority as a member of Chief and Council;