

MoCreebec Eeyoud Constitution

Ratified by the people of MoCreebec on June 6, 1993

Part I: Guiding Principles

Recognizing the supremacy and will of the Creator, the people who have chosen the name MoCreebec renew the social contract of Sharing, Kindness, Strength and Honesty which was the basis for the first meeting of aboriginal and European peoples.

We reaffirm the aboriginal rights guaranteed by the Canadian Constitution, asserting that these rights also embody a sense of community, equality, a need for independence and self reliance.

Bound by a shared history and common destiny, with ties both to our origins and to our home today, MoCreebec, as part of the Cree Nation, is empowered with a natural right of governance founded on the values, beliefs, culture, language and collective wisdom of the Cree People.

Part II: Purpose and Objectives

Section 1: Purpose

MoCreebec members have chosen to give formal recognition of their community so as:

- (a) To express the Common identity of its members, despite their diverse origins;
- (b) To represent the MoCreebec community in the absence of local or regional representation of its members or their interests;
- (c) To restore the integrity of their independence and relationship with other orders of government;
- (d) To establish a foundation for community control of its members' common destiny;
- (e) To create conditions that enhance the quality of life of its members through community effort and support;
- (f) To motivate community participation in pursuit of the Common Good;
- (g) To organize individual ability for the collective benefit of the community as a whole;
- (h) To defend the aboriginal rights of its members, while promoting their language and culture.

Section 2: Objectives

In keeping with its Guiding Principles and Purpose, MoCreebec is committed to the fulfillment of the following Objectives on behalf of its members;

- (a) the attainment of the basic needs of life;
- (b) economic independence and support for its members' self reliance;
- (c) individual freedom to choose the level of participation in the traditional or cash-based economies;
- (d) the ability to determine economic priorities based on collective values;

- (e) the enhancement of its members' language and culture through a celebration of the Cree way of life;
- (f) a social contract based on a shared spiritual foundation and a respect for traditional customs and practices;
- (g) a critical re-evaluation of Cree culture and values as the basis for the resolution of local and regional conflict;
- (h) the healing and empowerment of its members;
- (i) the preservation and enhancement of the natural environment;
- (j) the mutual understanding and application of legislative or constitutional guarantees of aboriginal rights for the individual and collective benefit of MoCreebec members;
- (k) the recognition of MoCreebec members' right to share in the traditional territories of the Cree Nation.

Part III: Foundation of Membership

Empowerment of the Family

Membership in MoCreebec is founded on the traditions of freedom and sharing; responsibility to oneself, to one's family and to the community as a whole. Membership is an individual's choice. Accordingly, the authority of the MoCreebec Constitutional Framework is based on the interdependence MoCreebec members have chosen to empower the natural core of their community, the family.

Ratification

Section 3: Ratification Process

3.1 Ratification of the MoCreebec Constitutional Framework will occur after:

- (a) Notification of a General Membership Meeting for this purpose has been given;
- (b) A General Membership Meeting has been convened and;
- (c) Consensus has been reached among those members attending this meeting.

3.2 Criteria for Consensus

Consensus will be deemed to have been reached after discussion of the provisions of the constitutional Framework has taken place and the general test of "Time" and "Opportunity" for agreement has been met.

3.3 Alternate Means of Agreement

If consensus is not reached, the General Membership Meeting may choose to adopt procedures to allow for revision of the Constitutional Framework and its ratification by consensus or other means.

Section 4: Amendment by Consensus

Until such time a Cree version of the MoCreebec Constitutional Framework has been presented to a General Membership Meeting and ratified, the Framework may be amended by consensus of the members present at such a meeting.

Section 5: Implementation

Following ratification of the MoCreebec Constitutional Framework, its implementation will be signified by (the)

5.1 Establishment of Membership Committee

- (a) Formal signing by persons present of a document attesting to their fulfillment of membership criteria stated in Section 8 (1) (a), (b) and (c);
- (b) Establishment by consensus of an Ad hoc Membership Committee.

5.2 Six Month Transition Period

For a period of 6 (six) months the Ad hoc Membership will then:

- (a) make a determination of potential members;
- (b) issue a general invitation to become a member based on the fulfillment of membership criteria;
- (c) confirm those members fulfilling stated membership criteria.

5.3 Interim MoCreebec Council

The Ad hoc Membership Committee will also constitute an interim MoCreebec Council to oversee implementation of all aspects of the MoCreebec Constitutional Framework for a period of six months. The Interim MoCreebec Council's responsibilities will include:

- (a) Translation of the MoCreebec Constitutional Framework;
- (b) Assistance in the establishing the MoCreebec organizational structure;
- (c) Consideration of all outstanding MoCreebec business.

Section 6: First Constituted General Membership Meeting

6.1 Establishment of Standing Membership Committee Membership Process

Following the completion of the initial 6 (six) month period, the first constituted meeting of MoCreebec membership will be held.

- (a) At this meeting, a Standing Membership Committee will be formed by consensus and give the mandate of devising specific procedures which will be applied to any person who subsequently requests membership. These procedures will include:
 - I. Submissions of a request for membership;
 - II. Review by the Membership Committee;

- III. Recommendation to the MoCreebec Council;
- IV. Consideration / ratification by the membership.

(b) The Membership Committee will also consider special provision for the membership of children of MoCreebec members.

6.2 Ratification by General Membership

These procedures will be ratified by consensus by the General Membership

Section 7: Acceptance of New Members

On the completion of the procedures determined by the Membership Committee and ratified by the General Membership, any person fulfilling two of the membership criteria below, namely section 8 (1) (b) and (c), may be accepted as a member of MoCreebec.

Section 8: Membership

8.1 Membership Criteria

Eligibility for membership in MoCreebec is based on the fulfillment of the following three criteria:

- (a) Descendence from a “Y” dialect Cree speaking person (on mother’s or father’s side);
- (b) Birthplace or Resident “home’ in the Moosonee/Moose Factory area;
- (c) Having reached the age of 18 (eighteen), a commitment to and the promotion of the principles, purpose and objectives of the MoCreebec Constitutional Framework.

8.2 Demonstration of Commitment

A commitment to and the promotion of the principles, purpose and objectives of the MoCreebec Constitutional Framework will be demonstrated by:

- (a) an active interest and participation in the affairs and discussions of the MoCreebec community;
- (b) a willingness to relinquish beneficiary status, if necessary, under the James Bay and Northern Quebec Agreement;
- (c) a willingness to empower MoCreebec as sole agent in the administration of any legislative benefits or constitutional guarantees of its members;
- (d) a willingness to consider appropriate membership contributions, based on community agreement, for the purpose of supporting community representation, economic development, social and cultural efforts.

Section 9: Leadership

Leadership based on Family Relation

MoCreebec members choose to select their representatives based on family relation as the fundamental structure of governance. Section 10: Clan Council 10.1 Clan Council Structure Each family name will constitute its own Clan Council, with all members of this family who choose to become MoCreebec members represented on it.

Section 10: Clan Council

10.1 Clan Council Structure

Each family name will constitute its own Clan Council, with all members of this family who choose to become MoCreebec members represented on it.

10.2 Clan Council Meetings

Each Clan Council will meet at appropriate times to discuss issues of interest or concern to the MoCreebec community.

10.3 Clan Council Rules and Procedures

Clan Councils are free to adopt rules and procedures which will assist in the effective working of their council.

10.4 Clan Council Committees

Each Clan Council may also choose to constitute whatever committees, offices, associations or sub-councils necessary for the smooth operation of its deliberations.

10.5 Selection of Clan Council Representatives

Each Clan Council will select a member of their family to represent their clan's interests on MoCreebec Council for a period of 3 (three) years.

10.6 Selection of Elder and Youth

At the same time, each Clan Council will select one Elder and one Youth as honorary non-voting members of the MoCreebec Council.

10.7 Selection of Director of MoCreebec Development Corporation

Each Clan Council will also select a member of their family to act as a Director of the MoCreebec Development Corporation for a period of 3 (three) years.

10.8 Clan Council Meeting before Recognition

Each Clan Council must formally constitute itself as such prior to its representatives being recognized as a member of the MoCreebec Council.

10.11 Accountability of MoCreebec Council Members

The Clan Council's representative to the MoCreebec Council will hold primary responsibility for the timely communication of MoCreebec Council business and decisions.

Section 12: Notification of Clan Council Choice of Representatives

12.1 Honorary Members

Each Clan Council will inform the Membership Committee of its choice of representative to the MoCreebec Council and honorary Elder and Youth members prior to their recognition at the first constituted meeting of the MoCreebec Council.

12.2 Designation of Alternatives

The Clan Councils are free as well to designate alternate representatives and honorary members so long as notification is given to the Membership Committee.

Section 13: Voting Members of MoCreebec Council

13.1 Voting members

All voting members of the MoCreebec Council will be the selected representatives of their Clan Councils.

13.2 Recognition Confirmed by Membership Committee

Recognition at Council meetings will be on the basis of Membership Committee confirmation.

13.3 Oath of Office

Prior to being recognized, all members will sign an oath of office.

- (a) The Membership Committee will devise an oath office, to be ratified by the General Membership.
- (b) The Oath of office will commit members to ethical standards of conduct and may be grounds for their removal from the MoCreebec Council if breached.

13.4 MoCreebec Council Decisions Stand

In the event of dispute, once constituted, decisions of the MoCreebec council will stand.

Section 14: Council Leadership

14.1 Selection of "Chief" and "Deputy Chief"

The MoCreebec Council will select from its members a "chief" and "deputy chief" for the purpose of representing MoCreebec members' interests in other fora.

14.2 Confirmation by General Membership

Once selected the “chief” and “deputy chief” will be confirmed at the next scheduled General Membership Meeting.

14.3 Change of Name

The MoCreebec Council may also recommend other suitable names for these positions, subject to membership ratification.

14.4 Term of Office

The “chief and “deputy chief” will hold office for a term of 3 (three) years following their confirmation, with the option of extending this term by one year on the recommendation of Council and the ratification by the General Membership.

14.5 Replacement of Chief

In the event that the “chief or “deputy chief cannot fulfil their term of office, the MoCreebec Council will select their replacement.

14.6 Responsibilities of the “Chief” The responsibilities of the “chief” will include:

- (a) representation of the interests of MoCreebec members in discussions with all other orders of government, committees, agencies and organizations;
- (b) protection of the principles, purpose and objectives of the MoCreebec Constitutional Framework;
- (c) development of policies, procedures and programs to enhance the recognition of members’ rights and benefits’
- (d) coordination of efforts to amend the MoCreebec Constitutional Framework.

14.7 The “Deputy Chief”

The “deputy chief” will assume the responsibilities of the Chief in the event that he / she is temporarily unable to assume them or if expressly asked to do so for a specific purpose by the “chief”.

Section 15: Council Executive

15.1 Selection of "chairperson" and "deputy chairperson"

The MoCreebec Council will also select a “chairperson” and “deputy chairperson” for the purpose of ensuring the smooth operation of council proceedings.

15.2 Rotational Term

The position of Chairperson and Deputy Chairperson will be held on a rotational basis for a period of 6 (six) months.

15.3 The Deputy Chairperson

The Deputy Chairperson will assume the responsibilities of the Chairperson in the event that he/she is temporarily unable to assume them.

15.4 Responsibilities of Chairperson

The responsibilities of the Chairperson will include:

- (a) appropriate notification of MoCreebec Council or General Membership meetings and distribution of information for such meetings;
- (b) the smooth operation of MoCreebec Council or General Membership meeting proceedings;
- (c) coordination of the MoCreebec Council's accountability through assistance to the Clan Council representatives;
- (d) the receipt of any representations made by MoCreebec members or their representatives;
- (e) the receipt of reports from board or committee representatives, as well as reports from MoCreebec incorporated and non-incorporated entities
- (f) coordination of efforts by the MoCreebec Council to implement the MoCreebec Constitutional Framework;
- (g) other responsibilities agreed to by the MoCreebec Council.

15.5 Bi-monthly MoCreebec Council Meetings

The Chairperson will convene a MoCreebec Council meeting at least bi-monthly.

15.6 Semi-annual General Membership Meetings

The Chairperson will convene a General Membership Meeting at least semi-annually.

Section 16: Decision Making

16.1 Consensus

In its operation, once quorum is reached, consensus will be strived for by the MoCreebec Council

16.2 Quorum

A quorum will consist of at least 50% of MoCreebec Council representatives

16.3 Agreement Without Consensus

If consensus cannot be reached, the Chairman may ask that the issue be set aside until the next meeting of the Council. On being raised again, if consensus cannot be reached it may again be set aside. However, if an issue, being raised for a third time does not receive agreement by consensus, the Chairperson may ask for a recorded vote, and if the question being asked receives support from 75% of the Council representatives, the question will be deemed to be agreed to.

Section 17: Equal State of Cree and English

In MoCreebec Council deliberations equal respect and status for Cree and English will be provided.

Section 18: Rules and Procedures

18.1 Adoption of Rules and Procedures

The MoCreebec Council may adopt any rule or procedure necessary to the effective management of MoCreebec members' interest and consistent with the principles, purpose and objectives of the MoCreebec Constitutional Framework.

18.2 Advisory Committees

The MoCreebec Council may constitute any committee of its members or of community members at large. Once constituted, however, their role will remain advisory to the MoCreebec Council

Section 19: Council Representation

19.1 Appointment of Representatives

The MoCreebec Council will appoint all representatives to local and regional boards and committees based on procedures adopted to ensure active community participation through their Clan Councils.

19.2 Terms of Office

All appointments will be made for a defined period of time, with the replacement of representative contingent on demonstrated performance.

19.3 Reporting Requirement

Appointed MoCreebec representatives to local and regional boards and committees are required to provide timely reporting of their deliberations to the MoCreebec Council, at least monthly or on the request of the Chairperson.

Section 20: MoCreebec Entities

20.1 Incorporated and Non-Incorporated Entities Organizational Structure

In its organizational structure, the MoCreebec Council will oversee the operations of all MoCreebec Council at least annually or on the request of the Chairperson.

20.2 Reporting

All incorporated and non-incorporated entities of MoCreebec are required to provide timely reporting of their operations to the MoCreebec Council at least annually or on the request of the Chairperson.

Section 21: MoCreebec Development Corporation

The MoCreebec Development Corporation is defined as the MoCreebec Office of Political Economy. Accordingly, the MoCreebec Development Corporation Board of Directors will construct rules and procedures to ensure the coordination of MoCreebec Members' economic interests, while safeguarding the authority of the MoCreebec Council and encouraging community participation generally.

Section 22: Committees, Assemblies, and Ceremonies

22.1 Constitutional Committee

The MoCreebec Council will constitute a committee to oversee the development and amendment of the MoCreebec Constitutional Framework.

22.2 Bi-annual constitutional Assemblies

Following the adoption of an amending formula by MoCreebec Council and its ratification by the General Membership, Special Constitutional Assemblies will be held to discuss amendments to the MoCreebec Constitutional Framework on a bi-annual basis.

22.3 Inclusion of Traditional Ceremony and Practice

The constituted MoCreebec Council committee will also devise means by which to include traditional ceremony and practices in the MoCreebec Constitutional Framework.

Public Complaints Committee

1) The MoCreebec Council is free to constitute a Standing Public Complaints committee to investigate whether a decision by the MoCreebec Council upholds the principles, purpose and objectives of the MoCreebec Constitutional Framework.

Committee Investigation

(2) The Committee will investigate any allegations brought to it in a formal manner and will make a recommendation for action.

Remedies

(3) The Committee may:

- (a) refer the matter to the appropriate Clan Council for discussion and / or resolution;
- (b) refer the matter to the appropriate MoCreebec Incorporated or non-incorporated entity for review;
- (c) refer the matter to the Chairperson for discussion and / or resolution by the General Membership;
- (d) refer the matter to the Chairperson for discussion and / or resolution by the MoCreebec Council.