

*Oral Questions*

● (1420)

**Mr. Epp:** Madam Speaker, my supplementary question is directed to the same minister. It is not a matter of what I consider is adequate consultation. The point which must be made is that the Indian leadership feels there has not been adequate consultation, and that is why they are here.

**Some hon. Members:** Hear, hear!

**Mr. Epp:** In view of the testimony of the Minister of Justice that Indian rights flow from the Royal Proclamation of 1763 and that in fact it is protected in section 24 of the proposed resolution, can the minister give a full guarantee to the Indian people that in fact under section 24 their present rights are guaranteed, a position which we do not accept? More importantly, is it not possible that courts in the future, if section 24 remains as it is, in fact could abrogate, reduce or remove Indian rights now in place?

**Mr. Munro (Hamilton East):** Madam Speaker, I have already answered that question. It is my view based on the legal advice which I have received—

**An hon. Member:** Table it.

**Mr. Munro (Hamilton East):**—that section 24 does protect all the rights of the Indian people as at the present time, in the sense that the joint resolution in no way detracts from any and all rights of the native people. That is precisely why I anticipate the native people are being invited to appear before the joint committee, so that people like the hon. member can listen to them and make recommendations which could be embodied in a report that would go to Parliament. If the hon. member feels that way, certainly he will have ample opportunity to express those views when the native people appear before the joint committee.

## ESTABLISHMENT OF RIGHTS OF NATIVE PEOPLE

**Mr. Stan Schellenberger (Wetaskiwin):** Madam Speaker, my question is also directed to the Minister of Indian Affairs and Northern Development. As many native people do not believe that the present section 24 establishes their rights, is the minister not concerned that their rights will have to be established, given the amending formula in the resolution, at the hands of the majority in the provinces? That is why there is so much concern in the native community which is here at the present time that this section is not adequately protecting them; that they are at the mercy of the majority to get any of their rights put in the constitution.

**Hon. John C. Munro (Minister of Indian Affairs and Northern Development):** Madam Speaker, it seems to me that their rights remain the same because the Royal Proclamation is still there; but as I have indicated, certainly it would be very useful to see some of the provinces taking a position with respect to protecting the rights of native people. On many of their aboriginal claims hunting rights are affected; they fall within provincial jurisdiction. For that reason if for no other, it

would be useful to have the backing of some of the provinces. Today I saw some indication that at least the Premier of Saskatchewan is prepared to take some of these matters into consideration. So perhaps it is not too late to have that type of support from some of the provinces.

**Mr. Schellenberger:** Madam Speaker, given that answer, it is no wonder the native people are concerned about what will or will not be in the constitution. I cannot understand why the minister has not recommended that the Royal Proclamation be in the schedule. But because native people have no way other than that process to renew their language and culture rights, can the minister outline if he has any other proposals which will assure them that this will be done after the patriation process has gone through?

**Mr. Munro (Hamilton East):** Madam Speaker, there was already an assurance in a letter from the Prime Minister to the leadership of the three principal native national organizations that, in the second phase after patriation, one of the very first items on the agenda of the first ministers' conference would be the primary concerns of the native people. That assurance was not only given in a letter, but it was repeated orally on several occasions. Again I reiterate that it would be useful, since the joint committee is set up for that very purpose, if the hon. member and other hon. members would give consideration to suggestions of the kind he has made at that committee; that is what the committee is there for.

● (1425)

## SUGGESTED MEETING BETWEEN PRIME MINISTER AND NATIVE PEOPLE'S DELEGATION

**Mr. Edward Broadbent (Oshawa):** Madam Speaker, in the absence of the Prime Minister my question is for the Minister of Indian and Northern Affairs Development. It deals with the same subject which was just raised. Considering that the Prime Minister was well received by the Indian people when he spoke to them last April, as strange as that may seem under the present circumstances, when he pointed out he agreed that they have a unique position among all the peoples of Canada, and considering that there are more than a thousand men, women and children representing the Indian, Inuit and Metis communities across Canada who are here now, is it the minister's view that the Prime Minister should take some time this week to sit down and listen to these people about their expressed concerns with regard to the constitutional resolution?

**Hon. John C. Munro (Minister of Indian Affairs and Northern Development):** Madam Speaker, the Prime Minister indicated orally in the House last Friday and by letter that he would be prepared to meet the Indian leadership at some appropriate time. If he studies the Prime Minister's remarks of last Friday closely, the hon. member will understand that the joint committee is sitting right now to consider many matters, including the requests and concerns of the native people. He indicated that to the House previously. Those concerns expressed there will give us a chance to find out exactly what