

The Constitution

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons".

3. The said Act is further amended by adding thereto, immediately after section 35 thereof, the following section:

"35.1 The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to Class 24 of section 91 of the Constitution Act, 1867, to section 25 of this Act or to this Part,

(a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and

(b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item."

4. The said Act is further amended by adding thereto, immediately after section 37 thereof, the following Part:

"PART IV.1 CONSTITUTIONAL CONFERENCES

37.1 (1) In addition to the conference convened in March 1983, at least two constitutional conferences composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada, the first within three years after April 17, 1982 and the second within five years after that date.

(2) Each conference convened under subsection (1) shall have included in its agenda constitutional matters that directly affect the aboriginal peoples of Canada, and the Prime Minister of Canada shall invite representatives of those peoples to participate in the discussions on those matters.

(3) The Prime Minister of Canada shall invite elected representatives of the government of the Yukon Territory and the Northwest Territories to participate in the discussion on any item on the agenda of a conference convened under subsection (1) that, in the opinion of the Prime Minister, directly affects the Yukon Territory and the Northwest Territories.

(4) Nothing in this section shall be construed so as to derogate from subsection 35(1)."

5. The said Act is further amended by adding thereto, immediately after section 54 thereof, the following section:

"54.1 Part IV.1 and this section are repealed on April 18, 1987.

6. The said Act is further amended by adding thereto the following section:

"61. A reference to the Constitution Acts, 1867 to 1982 shall be deemed to include a reference to the Constitution Amendment Proclamation, 1983."

7. This Proclamation may be cited as the Constitution Amendment Proclamation, 1983.

Mr. Keith Penner (Cochrane-Superior): Mr. Speaker, in the closing moments of this debate, and I am very much aware of the cogent points that have been made with respect to this accord, I want to take a few moments of the time of the House to say, from the point of view of a Member of Parliament who was part of the federal delegation, a Member of Parliament who has for a number of years sat on the Standing Committee on Indian Affairs and Northern Development and who has since 1980 chaired that committee and is presently involved with his colleagues in sharing the task force on Indian self-government, what a proud moment it was for me to sit in the Conference Centre and see the process work in a most acceptable manner, leading to a satisfactory conclusion after only a few days.

It was less than a year since our Constitution was patriated when this meeting in March, 1983 was held. It was fitting that the Government of Canada should have chosen for the first

constitutional amendment to deal with the aboriginal peoples of this country, the Indian, the Inuit and the Metis.

The true partners of Confederation were there: the Prime Minister of Canada (Mr. Trudeau), the Premiers of the Provinces, the Leaders of the Territorial Governments, the Leaders of the Indian peoples, the Inuit and the Metis. The proper, correct partners of Confederation were there. Although I agree with much of what has been said by my Hon. friends on the other side, I cannot agree that the process was incorrect. The process was the right one because the aboriginal peoples of this country know that the future for them lies by way of constitutional recognition, by way of constitutional guarantees.

I want to say also that the opening statement made by the Prime Minister at that conference was one of the most remarkable speeches on the subject of aboriginal peoples I have ever heard. I say it was remarkable because, although it was delivered by the Prime Minister, it was not just the product of his own thinking. It is true that Dr. Ahenikew on Tuesday evening lamented the fact that parliamentarians had not been as fully involved in the process as he would have liked. I must say I give Dr. Ahenikew full marks for his respect for Parliament.

The Prime Minister's speech was the product of a great deal of discussion which has gone on among parliamentarians, Inuit leaders, Indian leaders and the representatives of the Metis people. Thousands of hours of dialogue have taken place at the Indian Affairs Committee and at meetings with parliamentarians in their offices on the aspirations and the hopes of aboriginal peoples. Those many, many thousands of hours of discussions and honest exchange were reflected in the Prime Minister's statement. That is why I applaud this document. It does represent for me the participation of parliamentarians over a long period of time.

I said that I was proud, I sat as a member of the federal delegation at that first constitutional conference, but I want to be very clear about the basis of my pride. I was proud because the Government of Canada had agreed that this was going to be the first action that we would take now that the Constitution was fully in our control. I was proud of that. I was proud that this was a new beginning for the aboriginal peoples of Canada. However, as I saw the Indian leaders, the Inuit leaders and the Metis leaders, I was not proud at all of the besmirched past which had brought them to this point.

It is not necessary in this debate to go over all of that, but there is testimony in the thousands of pages of the proceedings of the Standing Committee and of the task force which I am presently chairing which tells just how dark and shameful is that past relationship between the Government of Canada and the aboriginal peoples of this country. It is not a relationship of which any of us can take any pride. Therefore I want to be very clear that I was proud because it was a new beginning. It was a start for a new relationship that is going to make the aboriginal peoples full and complete partners in Confederation.