

Mr. Mulroney: Mr. Speaker, the Leader of the Opposition knows full well that the Meech Lake initiative was undertaken as an opportunity to bring Quebec back into the Constitution, which all of us agree is a primordial responsibility.

The reference in those negotiations to the “notwithstanding” clause was—and I think this is accurate; we can check *Hansard*—was made by me. I think I was the only Leader to refer to the fact that this “notwithstanding” heritage of 1981 was deeply unacceptable and would have to be dealt with.

[Translation]

Concerning the comment made by the Leader of the Opposition, I have before me the text of what was said by the Secretary of State, and I quote:

“The use of the “notwithstanding clause” is a legal and legitimate action under the mechanism included in the Constitution of our country.”

I think this is accurate. He also said:

“It is therefore incumbent upon the Government of Quebec to assess the circumstances under which it may use the “notwithstanding clause”.”

I think that is accurate.

Quebec having been the beneficiary of that clause given by the former Liberal Government, and since the clause exists to the benefit of Quebec and the other provinces, it is now difficult to those who granted that clause to blame another level of Government for using it. I explained the position of this Government, the reasons why I was opposed to its use under the circumstances at hand, that is the decision by the Supreme Court, because I thought that a legislative formula could be found that would reconcile the two major principles laid down by the Supreme Court, that is respect of the French language on the one side, and respect of the provisions of the Quebec Charter of Rights and Freedoms on the other hand. This was not only my own preference, but I think the wish and expectation of every Member in this House.

It is however unfortunate in my view that the Leader of the Opposition, having received most specific answers yesterday, would revert today to that kind of accusation. He knows full well that the answer—

Some Hon. Members: Order.

Oral Questions

Mr. Mulroney: Anyway, I will conclude on this, Mr. Speaker—the answer I gave on behalf of all Government Members, concerning the protection of minority rights, was commended by the Hon. Member for Mount Royal and the Liberal Member from Notre-Dame-de-Grâce. I would think this reflects the wishes of everyone.

Some Hon. Members: Hear, hear!

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[English]

GENERAL AGREEMENT ON TARIFFS AND TRADE

UNITED STATES IMPORT BAN ON CANADIAN ICE CREAM

Mr. Vic Althouse (Mackenzie): Mr. Speaker, my question is directed to the Minister for International Trade.

This week the Minister announced that Canada has asked the GATT to investigate why the U.S. has prohibited imports of Canadian ice cream since 1970.

Given that the Government told Canadians throughout the election campaign that the Free Trade Agreement would provide “assured access” to the U.S. market, why is the Minister going to the GATT on this question of access just days before the deal goes into effect?

Hon. John C. Crosbie (Minister for International Trade): Mr. Speaker, as Hon. Members may be aware, earlier in the year Canada imposed import controls on yoghurt and ice cream, as we have the right to do, in our view.

The United States objected to the import controls we imposed in respect of ice cream and yoghurt and brought a complaint before the GATT with respect to that action. We, therefore, brought our own complaint before the GATT in relation to the fact that, for the last 15 years, the U.S. has not permitted the importation of any ice cream from Canada.

What is sauce for the goose is sauce for the gander, and it is for that reason that we are proceeding before the GATT.

Had the Hon. Member listened to my speech made earlier today on Bill C-2, he would realize that the Canada-U.S. Free Trade Agreement does not mean that there will not be trade disputes between the U.S. and