

Oral Questions

I congratulate the minister and all those from the provinces who agreed to have aboriginal people at the table and to discuss aboriginal issues. All Canadians agree it is time for that long-outstanding historical issue regarding Canada's First Nations to be dealt with.

Today the minister is quoted as saying that provinces uncomfortable with the proposed constitutional agreement on aboriginal self-government could opt out of a new constitutional arrangement.

Could the minister tell this House whether or not in his view this jeopardizes the legitimacy of the tentative agreement that was reached last week on the inherent right to self-government for aboriginal peoples?

Right Hon. Joe Clark (President of the Privy Council and Minister Responsible for Constitutional Affairs): Mr. Speaker, I thank the leader of the New Democratic Party for her question. Let me take the opportunity to thank all members of the House for the encouragement they have given me through these negotiations.

The answer to her question is that in my judgment, it does not jeopardize the agreement. The question was raised by one of the premiers who indicated that it should not be interpreted that he would be intending to invoke that right. I think that as a matter of law he is correct, but I have no reason to believe that there will be any unravelling of the agreements that occurred on aboriginal issues.

Hon. Audrey McLaughlin (Yukon): Mr. Speaker, the fact is the matter has been raised. I am sure the minister is quite correct. We all agree he is certainly very familiar with all aspects of the Constitution. It may be that Premier Wells, who made this comment, was not necessarily suggesting that he on behalf of his province would do so, but it does raise a very important question.

I believe Canadians and indeed aboriginal people feel that any agreement reached on aboriginal issues would apply to aboriginal people and First Nations in every part of this country.

I ask the Minister Responsible for Constitutional Affairs, on behalf of himself and his government, will he assure this House that it is his intention to support and to

ensure that the final agreement will contain a clause on the inherent right of aboriginal self-government?

Right Hon. Joe Clark (President of the Privy Council and Minister Responsible for Constitutional Affairs): Let me deal with that question directly, Mr. Speaker.

Yes, it is our intention. We think that there has been historic progress made on these matters, not simply in the establishment of the inherent right, but also in the recognition by aboriginal peoples that that must be exercised within Canada, that there must be other recognitions of the sovereignty of Canada, that the right would be inherent, and most important, the agreement by all parties that there would be a three-year period before which anyone would take it to court.

That should give a great deal of comfort to everyone. It gives us three years in which we can work out by negotiation, not by court decree, not by the decision of politicians or by native leaders, but work out by negotiation the form of aboriginal self-government.

The one other thing I should say has to do with the word "agreement" coming out of the process that I am chairing. It is understood by everyone that any conclusions we come to at that table have to be approved by respective governments. So in a sense, there is no formal agreement, but there is a willingness around the table to work to secure the agreement of governments to the proposals that have been the subject of consensus there.

• (1430)

Hon. Audrey McLaughlin (Yukon): A supplementary question, Mr. Speaker.

I would like to ask the minister this question. In terms of the position taken by the federal government, if it is clear and if it is his intention to ensure that the recognition to the inherent right of self-government for aboriginal people, as negotiated in this round, is advocated by this government will be that it will be the right of inherent self-government for aboriginal peoples, first nations in all parts of this country. Is he prepared to commit today that this is the position he is taking on behalf of the government and that it is his intention to see this in the final package?