

## ORAL QUESTION—KEVIN O'REILLY, MLA FRAME LAKE

### QUESTION 241-18(2): ADHERENCE TO THE UNITED NATIONS DECLARATION ON THE RIGHTS OF ABORIGINAL PEOPLES

June 16, 2016

**MR. O'REILLY:** Mahsi, Mr. Speaker. I'm not sure I can top that one. I have questions for the Minister of Aboriginal Affairs and Intergovernmental Relations regarding the United Nations Declaration on the Rights of Indigenous Peoples. As I said in my statement, Minister McLeod co-chaired the inaugural Federal-Provincial-Territorial Indigenous Forum in Ottawa; he was chair of its Aboriginal Affairs working group. Can the Minister give us a report on the substance and outcome of that meeting and what future actions are planned towards compliance with the UN Declaration? Mahsi, Mr. Speaker.

**MR. SPEAKER:** Mahsi. Minister of Aboriginal Affairs and Intergovernmental Relations.

**HON. BOB MCLEOD:** Thank you, Mr. Speaker. The June 10<sup>th</sup> meeting of Ministers and leaders in Ottawa marked the first under the new Federal-Provincial-Territorial Indigenous Forum aimed at improving outcomes for indigenous people throughout Canada and to advance the vital work of reconciliation. This new forum replaces the former Aboriginal Affairs working group and includes the federal government now as a full partner in working with provincial and territorial governments and the national indigenous organizations. This meeting provided an opportunity to discuss the scope of the new forum and to identify priorities, including the collaborative means for moving these priorities forward.

Our discussions covered a number of important issues, including the Truth and Reconciliation Commission of Canada: Calls to Action, the United Declaration on the Rights of Indigenous Peoples, youth engagement, and child and family services. These areas were discussed as priorities that the new forum can and should provide leadership on. Mr. Speaker, in addition, there was agreement to a number of areas for collaboration, including continuing to support the national inquiry into missing and murdered Indigenous women and girls; moving forward with efforts started within the Aboriginal Affairs working group to develop a socio-economic action plan for Indigenous women and girls; and sharing best practices that have led to measurable results.

What is very clear from the discussions is that ministers and leaders are committed to working in partnership to address the issues that are important to Indigenous peoples in Canada.

**MR. O'REILLY:** It's great to get the report in the House on the meeting that the Premier attended last week. Earlier today, though, I pointed out this article 19 in the declaration and it reads as follows:

"Consult and cooperate in good faith with indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them."

The single article creates immense new responsibilities. I'd like to ask the Premier how GNWT intends to comply with article 19 of the declaration.

**HON. BOB MCLEOD:** Canada has stated that it will engage with Indigenous groups on how to implement the principles of the declaration and that this work will include the provinces and territories. It is expected that the Government of the Northwest Territories and Canada, along

with other jurisdictions, will engage in a clearer understanding of the meaning and implications of Canada's recent full endorsement of United Nations Declaration of Rights of Indigenous Peoples, and this will require further dollars as it stands now. However, Canada appears to be saying that they fully endorse the U.N. Declaration, but applied in Canada our constitutional framework already allows for the implementation of the principle of free, prior and informed consent. Unlike the previous government they have left unstated that this also means that our constitutional framework does not guarantee a veto. Consequently, much more work will be required with the federal government so that we understand fully the legal background that they use for making their statements at the United Nations.

**MR. O'REILLY:** I appreciate the response from the Premier, but my question was really not so much how we're going to work with the federal and provincial governments but what are we going to do as a government. I'll just give one example here. So can the Premier tell this House how GNWT will obtain free, prior and informed consent from indigenous governments in developing and implementing new resource management legislation?

**HON. BOB MCLEOD:** As I said, the Government of Canada's recent adoption of the United Nations Declaration in accordance with Canada's laws and Constitution is a very encouraging and tangible demonstration of the federal government's renewed commitment to Canada's Aboriginal people. The Government of the Northwest Territories will continue to work with the federal government and Aboriginal governments to further the promotion and protection of Aboriginal and treaty rights. And the successful conclusion of modern treaties and self-government agreements can be seen as the ultimate expression of free, prior and informed consent among partners.

**MR. SPEAKER:** Masi. Oral Questions. Member for Frame Lake.

**MR. O'REILLY:** I appreciate the Premier's response on how we're going to work together with the federal and provincial governments, but he still hasn't answered my question about what this government is going to do to help implement this declaration. We're one of the first sub-national governments that actually endorsed this back in 2008, so what is our government going to do to help implement this legislation, and can he commit to report back to the House, and this side of the House, how we intend to do that?

**HON. BOB MCLEOD:** We are a part of Canada. We have endorsed the United Nations Declaration. The Government of Canada has stated that they will approve it without qualifications and we will work with them to make sure that we are all dovetailed together in fulfilling the commitments made under the United Nations Declaration.