CANADA

# House of Commons Debates

VOLUME 133 • NUMBER 273 • 1st SESSION • 35th PARLIAMENT

**OFFICIAL REPORT**
**(HANSARD)**

## Thursday, December 7, 1995

**Speaker: The Honourable Gilbert Parent**

**CONTENTS**

(Table of Contents appears at back of this issue.)

**OFFICIAL REPORT**

At page 17233 of *Hansard*, December 5, the fifth line in the last paragraph in the left hand column should have read:

government will withdraw from the area of manpower training

# HOUSE OF COMMONS

**Thursday, December 7, 1995**

The House met at 10 a.m.

*Prayers*

## ROUTINE PROCEEDINGS

[*Translation*]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to five petitions.

* * *

[*English*]

### COMMITTEES OF THE HOUSE

JUSTICE AND LEGAL AFFAIRS

**Mr. Morris Bodnar (Saskatoon—Dundurn, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 12th report of the Standing Committee on Justice and Legal Affairs.

Pursuant to the order of reference of Monday, December 4, 1995 the committee has considered Bill C–110, an act respecting constitutional amendments, and the committee has agreed to report it without amendment.

[*Translation*]

PUBLIC ACCOUNTS

**Mr. Richard Bélisle (La Prairie, BQ):** Mr. Speaker, I have the honour to present the 18th report of the standing committee on public accounts, pursuant to Standing Order 108(3)(*d*). The committee reviewed chapter VI of the May 1995 auditor general's report and is now reporting on this chapter, which concerns federal transportation subsidies, and the Atlantic Region Freight Assistance Program in particular.

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

[*English*]

PROCEDURE AND HOUSE AFFAIRS

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have the honour to present the 107th report of the Standing Committee on Procedure and House Affairs in relation to the operating budget and the vote structure in the estimates.

Treasury Board officials presented a document entitled ''Operating Budget and the Vote Structure''. This document explains the reasons for altering an aspect of the votes in the estimates and proposes that a new operating expenditures vote be introduced for the 1996–97 main estimates. The new vote would contain items of minor capital expenditure currently included in separate capital votes. Parliament would be presented with a more accurate view of the way departments and agencies expend the funds which are allocated to them. The proposed change is an interim measure that will be in place until the government adopts a new accounting system.

Officials of the office of the auditor general have advised the subcommittee of the procedure and House affairs committee that the change being proposed by the Treasury Board Secretariat is largely administrative in nature and that it is designed to make it easier to manage government departments and agencies. The subcommittee was assured that Parliament's ability to scrutinize and approve the expenditure plans of the government would not be diminished by a change of this kind.

I am pleased to present the report. There is no need for concurrence, Mr. Speaker, as it is simply for the information of members.

* * *

### PETITIONS

LAND MINES

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, on behalf of people all over Canada, I would like to present a petition which calls on Parliament to enact legislation to prohibit Canadian involvement in the international proliferation of land mine production.

PEACE TAX

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, I have a second petition from constituents of my riding that I would like to present which calls for the establish-

ment of peace tax legislation by passing into law a private member's bill entitled the conscientious objection act.

ASSISTED SUICIDE

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, I would like to present a third petition which calls on Parliament to ensure that the present provisions of the Criminal Code of Canada prohibiting assisted suicide be enforced vigorously.

* * *

**QUESTIONS ON THE ORDER PAPER**

**Mr. Peter Milliken (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

---

# GOVERNMENT ORDERS

[*English*]

**SUPPLY**

ALLOTTED DAY—BRITISH COLUMBIA LAND CLAIMS

**Mr. John Duncan (North Island—Powell River, Ref.)** moved:

That the House urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the current provincial government mandate in order to respect the views of British Columbians on this issue as expressed by both major provincial opposition parties.

He said: Madam Speaker, the Reform Party had concerns about this matter before today. For example, on October 30 I asked the Minister of Indian Affairs and Northern Development a question. On November 27 I asked a similar question of the Minister of Fisheries and Oceans. I have also pursued this same subject in committee.

• (1010)

The question I put to the minister on October 30 concerned the polls in British Columbia which now rate aboriginal issues as the number one issue. Among the provincial political parties, there certainly is a growing divergence of views on aboriginal issues. We now have an NDP administration which is in the waning days of its mandate.

The question I put to the minister was whether he would assure the House that he will not entertain completion of any comprehensive agreement, such as the Nisga'a claim, until there is a new provincial administration with a fresh mandate. The response from the minister included the fact that the Reform member was asking not to do anything until the non–Nisga'a government changed in British Columbia and he certainly was not prepared to do that.

In addition, there is a major divergence of opinion on costs which was a supplementary to that question. The provincial government says that the cost of settling claims in British Columbia will be about $10 billion and the federal government says it will be about $5 billion. This divergence of views is something of which we should take note. We are talking billions not millions.

On November 27 my question for the Minister of Fisheries and Oceans dealt with the apparent intended agreement on the Nass. I say apparent intended because everything is based on leaks. We do not have open negotiations. We do not have transparency. The only things we know are based on leaks. However, there apparently is an agreement to include some of the Nass fishery in the Nisga'a agreement. I wanted the minister's assurance that the Nass River commercial fishery would not be entrenched in a treaty which would then get further entrenched constitutionally, and be unchangeable, socially divisive and the very opposite of free enterprise. Once again, I received no substantive response from the minister.

This is no longer an emerging issue in British Columbia. This is an established issue. The transformation happened over the last three years. It is considered to be an issue which has gone off the track. Public concerns are driving a re–examination of all of the basic assumptions underlying the treaty or land claims process in British Columbia.

I can give a thumbnail summary of some of these concerns. This issue has tremendous long term implications and ramifications; socially, financially and in other ways. The issue has parallels with B.C. concerns about what many call the disunity bill that the House has been debating very recently and where we have seen closure adopted. There are many parallels here. It invokes, for example, special status, whereas the public is demanding the principle of equality.

The whole question of public ratification of the government's aboriginal initiative has not been sought. This has all been done within a cloistered environment. Neither the provincial nor federal governments has involved the public in establishing the goals and objectives of the treaty process in British Columbia.

At this time I should give a background to the negotiations going on in B.C. The Nisga'a negotiations have been going on for many years and a framework agreement was signed in March 1991. There are many who say that the openness associated with this agreement was really closed off in 1991. That is a very self–serving analysis of the agreement by some of the bureaucracy and by some government parties.

● (1015)

Clause 7.1.1 of the agreement states:

> The parties will, together, develop and implement a process of public information and consultation and will attend meetings with such selected individuals, organizations or groups as they may agree will assist in the process of public consensus building.

It is a real stretch to suggest that any of that in terms of the Nisga'a negotiations has occurred. The Nisga'a agreement is the closest to completion in the province and is a major focus of today's opposition motion.

There are some major concerns which are front and centre with the Nisga'a negotiations. One is the Nass River fishery which I have already mentioned. This is a public resource. Last week there were five British Columbia aboriginal fishery test cases argued in the Supreme Court.

There is an outstanding class action suit from commercial fishermen involving the Minister of Fisheries and Oceans. The outcome, if anything, would appear to rule against an aboriginal right to a commercial fishery.

This is not so much an issue of allocation of commercial licences. It is an issue of treaty entrenchment leading to constitutional entrenchment and protection of a commercial aboriginal fishery which would be in many people's minds and in my mind socially divisive and the antithesis of free enterprise.

Another major concern deals with costs. If we look at the costs involved in the Nisga'a agreement, once again we are dealing only with leaks. We never know where these leaks originate. They may be self–serving leaks, they may not be. This is one of the problems with the lack of transparency.

I put out a press release in November. I talked about some of the statements which have been made very recently on the Nisga'a offer and which were reported in the popular press. Back in March when I was doing a series of town hall meetings in British Columbia, I had taken the known offer of the day and extrapolated it to British Columbia using the Nisga'a example as a precedent. I said that the total compensation package would work out to $8.5 billion. At that time the Reform Party was accused of extrapolating figures from various sources in order to scare the British Columbia public.

In October the minister of aboriginal affairs of the province of B.C. said publicly that the cost of land claim settlements in British Columbia would be $10 billion. According to the leaks, the Nisga'a offer had grown between March and October. This is consistent with what I was saying back in March.

According to the latest leaks in the Nisga'a offer we are talking about a turnover of 2,200 square kilometres of land, a significant forest resource, $175 million cash and 30 per cent of the Nass River fishery. I might point out that other bands also have claims on part of the Nass River fishery.

● (1020)

When we talk about this total cost package of $10 billion as stated by the provincial minister, at the same time the director general from the federal ministry said that he was baffled by the number and said that the cost of the settlement was closer to $5 billion. Either he knows something we do not know or I know not what. Maybe he is only talking about the federal component. According to the way I calculate it, it is about a 50:50 split provincially and federally. That is a very significant difference and one that should concern the public and the government.

Against the backdrop of these Nisga'a precedent setting background negotiations, we also have the B.C. treaty process. We talked about that in the House not too long ago with Bill C–107 the enabling legislation from the federal end to set up the B.C. Treaty Commission.

The Nisga'a negotiations are not part of the B.C. treaty process in terms of the treaty commission. They predate it and are not subject to the same terms of reference. The B.C. Treaty Commission has only been in place since 1993.

An estimated 77 per cent of the British Columbia bands are currently involved in the process. There is a total of 196 bands in British Columbia. The other 23 per cent of British Columbia bands are not part of the B.C. treaty process and they have no other option. They either go with this process or they are left out. This is problematic for that other 23 per cent.

In July 1993 the federal and provincial governments announced the establishment of a treaty negotiation advisory committee. They have also set up regional advisory committees in each treaty negotiation area to represent public and local interests. There is much public and participant unhappiness about the consultation process and about the ratification process at this time.

If a band enters into the B.C. treaty process it receives 80 per cent funding repayable upon completion of negotiations. In effect this is a loan. The Nisga'a negotiations on the other hand are 100 per cent paid for by the federal government.

I have other concerns. The municipal level of government is not recognized in any of this. There is simply a sidebar arrangement through the provincial negotiators. Right now their intervenor funding or advisory funding or whatever we want to call it is capped at $250,000 a year. It comes from the province.

The municipalities have many concerns about this. Some of the municipalities are dealing with multiple claims. Their costs are far and away exceeding the compensation they are receiving. They are caught up in this process, not through their own doing but they cannot afford not to be there. Their interests are certainly affected.

There are no readiness guidelines to the regional advisory committee boards. They are not in the terms of reference of the treaty commission. This has also proved to be very problematical.

Interim agreements have been negotiated at the provincial level. This has also compromised the B.C. Treaty Commission process. This was identified by the B.C. Treaty Commission in its 1993 annual report. That is as far as it can go. The commission can identify it but it cannot deal with it unless one or the other or both levels of government agree to do something about it.

Governments have lost their mandate in those parts of the province most familiar with and closest to the settlement process. There has been some movement toward openness and other things to which the federal Reform has contributed. We have done some things to open up the public process. In March we had an aboriginal town hall series in the province. We covered eight communities in 11 nights province wide. In a separate exercise we set out through a 10–month process new aboriginal policy initiatives. They were very well received in British Columbia and were considered to be very refreshing.

• (1025)

Much of what we were saying in March was common sense, bottom up thinking which had not been reflected before in B.C. political circles. Now much of what we have said is mainstream political dialogue in British Columbia. Issues being talked about are an end to the Indian taxation exemption and certainly a focus on not entrenching commercial activities in B.C. treaties.

We have done more as a federal opposition party to open up this process than the B.C. Treaty Commission and both levels of government combined. The treaty commission is hampered by its mandate and the governments are still locked into an agenda they foresaw three years ago.

The layers of bureaucracy surrounding this process are leading to inevitable massive gridlock. Unless the governments obtain a publicly ratified negotiating mandate, the public will never accept the terms and conditions which are being negotiated. This will foster further disharmony and misgivings.

We are not objecting to a fair, open and complete conclusion to the process, but we do have a problem with the status quo arrangement. People are begging for leadership to break the binds of the status quo and they are not seeing it forthcoming. We are trying to fill that void. The manner and the approach currently being pursued is intrinsically wrong. It is neither enlightened nor receptive. Therefore, people conclude they are being manipulated and that the process is entrenched and resistant to change, despite mounting opposition.

One might ask what the provincial opposition parties are saying. I can talk a little bit about a B.C. Liberal government. It is talking about instituting a series of public hearings and free votes in the legislature; initiating public consultation on a principal framework for treaty negotiations; and developing a set of guidelines that would have to be approved by the legislature with the approval of MLAs who would be free to vote without following party lines.

A second step would be to set up new negotiating teams that would include local non–Indian representation. The next stage would be to send any agreements to public hearings. The final stage would be to take this back to the legislature through another free vote of MLAs.

The B.C. Reform Party is saying many things about this whole process. It does say we must offer to negotiate treaties because it is the right thing to do. The goal of treaties should be to lift the yoke of the Indian Act off the backs of native people. Further, they must own their own reserve lands and govern their own affairs within the context of the Constitution and B.C. laws. Treaties negotiated should not aspire to the false promise of native sovereignty. The principle of equality is central to our support for treaty talks.

A Reform government would insist upon renegotiating the cost sharing agreement as a precondition for B.C.'s ongoing participation in land claims negotiations. It would reject constitutional entrenchment of the inherent right of self–government, would reject a third order of government enshrined under the Constitution, would reject formal recognition of aboriginal title, and would define the meaning and scope of aboriginal rights, title and self–government. That is what treaty negotiations are all about. It would seek a clear negotiating mandate from the people, not the politicians.

If treaties confer special rights, they must first pass muster with the majority. Any deal that purports to accord special status will not pass public scrutiny in their opinion. Treaties should be aimed at removing barriers based on race, not at entrenching new inequalities.

• (1030)

In conclusion, given the importance of the issue, the costs of the issue, the social implications and the permanence of this, there is absolutely no way an outgoing government should be binding the public. I urge in the strongest possible terms for government to respect this position.

**Mr. Boudria:** Madam Speaker, I rise on a point of order. Once the minister of Indian affairs has completed his remarks I would like to invoke Standing Order 43(2) so that subsequent Liberal speakers will be sharing their time.

I also wish to seek unanimous consent to revert to the tabling of reports by standing committees. I understand that a report

was unavailable earlier and that there is all–party consent to do that at the present time, which will only take a moment.

**Mr. Duncan:** Madam Speaker, I am anticipated to be at the aboriginal affairs standing committee to finalize a report on co–management. Am I subject to a 10–minute question and answer period? If so, could we do that first?

**The Acting Speaker (Mrs. Maheu):** Questions and comments, the hon. member for Fraser Valley East.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Madam Speaker, I do appreciate the chance to question the member on some of the things he has said. As a fellow MP from British Columbia, I share his concern that aboriginal issues are getting short shrift, especially here in Parliament by the government and the minister who seem to think, as with so many other issues, they have a made in Ottawa solution to what is really a problem affecting primarily B.C.

B.C. is the area that is not covered by treaties within the country. Depending on who we believe, it is a $5 billion to $10 billion question. It is a huge issue, which even touches on the Constitution, where rights are entrenched and different rights are given to different people. It is a big issue in British Columbia. The government should take heed that this issue is something that also could be very divisive in the country if it is not handled and settled properly.

Last week I was home on Friday and attended a public meeting where the chief federal negotiator for the southern half of the province gave a talk on the progress to date of the aboriginal land claim settlements. Afterwards we had a question and answer period. During that time I said there are three things I think people are saying they want to see happen in this federal negotiation for eventual settlement of the land claims. First, they want finality to any agreements. They do not want any leap–frogging ability and they do not want anybody to be able to reopen these cases in the future. When the deal is settled they want it settled for good. In other words, we do not want to do this again 10 years from now.

Second, they say they want any deal they make with aboriginal communities in order to settle outstanding land claims to reinforce the idea of equality rather than inequality, hyphenated Canadians. If it does not lead to that equality in taxation and before the law, I do not think British Columbians are going to support it.

Third, I asked the negotiator what his specific instructions are when it comes to the bottom line. In other words, how much money are we talking here? Are we talking $10 billion or are we talking $5 billion or $1 billion? The rumour mill is rampant. Mr. Cashore, the minister in British Columbia, has thrown out a $10 billion figure. His response was you hate it as a negotiator when somebody starts throwing out those figures because it makes it so difficult to have negotiations. He says that hidden away in his vault is an envelope with some kind of figure inside concerning how many dollars we are talking about because there is no openness in this process and we are dealing with rumours of rumours. I wonder if the hon. member could comment on those three things, about the finality or the extinguishment clause that should be in these agreements, on the principle of moving toward equality of all Canadians and because the minister will not give us anything, if he has any idea what kind of a bottom line we are looking at when it comes to settlement of British Columbia land claim issues.

• (1035)

**Mr. Duncan:** Madam Speaker, the hon. member talks about the finality of these agreements. In many cases there is a major disagreement in the aboriginal political leadership concerning this concept. One of the concerns I have about the finality of these agreements is that there is a word that is no longer used within hearing of the minister of Indian affairs. That word is extinguishment.

One of the first agreements that came before the 35th Parliament, in terms of aboriginal agreements, was the Sahtu agreement in the western Arctic. There is certainly extinguishment within that agreement. When the major native spokesman for the Sahtu was at the committee hearings, he was asked about that clause. He said that was a natural quid pro quo or a trade–off for the other things that the Sahtu were receiving in exchange for an extinguishment of the aboriginal interest in lands outside of the settlement area.

That is fine and dandy but the expectation has now been delivered by the current government that no, that is not the case any more and we are quite prepared to reopen all of these old negotiations. The government is raising expectations at a time when it has not even fulfilled bottom line expectations. It keeps raising the ceiling on something that does not have a foundation at this point.

This is most inappropriate and it is certainly not something on which the public has been well informed, nor is it something that I believe the public wants to accept. It is like a never–ending set of negotiations and everything once negotiated can be reopened at any time. That is not appropriate.

The second question dealt with equality. This is probably demonstrated most clearly in the fact that the taxation exemption is becoming more and more of a problem in more and more locations across Canada. I are not talking about just British Columbia in this case.

While other Canadians are taxed to the max there is a portion of the native population that is insulated from most forms of taxation. These are the people living on reserves. Perhaps this cannot be changed overnight but we have to move in that direction.

Another major concern is that the governments be democratic and accountable with checks and balances that go far beyond the checks and balances of the Department of Indian Affairs and Northern Development. The lives of many people living on reserves are being regulated by one department. That becomes very problematic. If we had multiple jurisdictions that would be fine.

We are finding that what resonates with the public is a municipal style of self–government as being an appropriate model. We have an example in the Sechelt Band, in my riding.

• (1040)

The final question posed deals with the cost and the negotiating mandate. The negotiating mandate provincially and federally, the way it sits right now, is a cabinet secret known only to the federal and/or provincial negotiators. Public ratification of that negotiating mandate is a major shift in thinking that has gone on and something that is being asked for more and more and something we promote.

**Mr. Boudria:** Madam Speaker, I rise on a point of order. Given that the 10 minutes have now expired, I wonder if we could ask for unanimous consent to revert to the tabling of reports by standing committees.

**The Acting Speaker (Mrs. Maheu):** Is this agreeable to everyone?

**Some hon. members:** Agreed.

---

# ROUTINE PROCEEDINGS

[*English*]

## COMMITTEES OF THE HOUSE

CITIZENSHIP AND IMMIGRATION

**Mrs. Eleni Bakopanos (Saint–Denis, Lib.):** Madam Speaker, I have the honour to table today the ninth report of the Standing Committee on Citizenship and Immigration.

I thank members of the House for their unanimous consent.

[*Translation*]

**Mr. Osvaldo Nunez (Bourassa, BQ):** Madam Speaker, the Bloc Quebecois presented a minority report on the issue of immigration counsellors. This is a very serious issue. We agree with the diagnosis: we are indeed confronted with a serious problem. Some counsellors are good, but the ethics of others are questionable.

But we differ on the constitutional issue, since we maintain that it is up to the provinces, and not to the federal government, to regulate trades and professions. That is the reason behind our minority report.

# GOVERNMENT ORDERS

[*English*]

## SUPPLY

ALLOTTED DAY—BRITISH COLUMBIA LAND CLAIMS

The House resumed consideration of the motion.

**Hon. Ron Irwin (Minister of Indian Affairs and Northern Development, Lib.):** Madam Speaker, it is an honour to rise again in the House to address this resolution. However, the motion has no thought behind it and therefore gives no idea of its consequences. I do not even know why we are entertaining such a motion. I honestly feel that we are not doing our job here debating it.

This motion, as it is written, goes against the very democratic fabric of Canadian society. Basically it asks the federal government to stop doing business with a duly elected majority provincial government. If we were to stop conducting business with the current government in British Columbia we would be insulting the majority of British Columbians who voted for this government.

Perhaps this is not the intent of the motion. Perhaps the intent of the motion is even more appalling. Perhaps the opposition party does not want the government to continue doing business with the duly elected government in British Columbia and not do business with the aboriginal people in British Columbia.

What is it we are debating here? Are we debating whether the provincial government has a valid mandate or are we debating a motion based on race? If race is the issue, perhaps we can ask the hon. members of the opposition if they have any particular wishes regarding Sikhs in British Columbia, the Chinese people in B.C. or other minority groups, or are they just willing to continue this debate on aboriginal people in B.C.?

I might remind hon. members that the negotiations to create the provinces of Alberta and Saskatchewan were conducted in 1904, four years into the mandate of the second Laurier government. Would the hon. member have wanted these talks to be put on hold because the federal government was facing an election the next year? The second world war began four years into the mandate of Mackenzie King in 1935. Did Parliament say that it could not get involved because the Prime Minister had to go to the polls? In 1956, the last year of the St. Laurent government, the UN emergency force was created, thanks to the work of Lester Pearson. He won the Nobel prize for his efforts.

If the hon. member for North Island—Powell River had been sitting in the House back then he would have said: ''I object. Canada cannot enter into such an important international commitment, not with just one year left in the government's mandate''.

Let us look at the history of treaty negotiations with the aboriginal peoples. Treaty 7 was signed in 1877. The Macdonald government had been in office since January 1874. It faced an election. It would come in the fall of 1878. Was there any question then that the government had no mandate to sign? Of course not.

• (1045)

Treaty No. 8 was signed in 1899 when the Laurier government had been in office for three years. It would go to the polls the following year.

In our time, the James Bay agreement was signed a year before the end of the Quebec Liberal government.

Would the hon. member for North Island—Powell River be prepared to defer his authority on votes on issues that come before the House because the other parties in his constituency have not nominated their candidates yet or have nominated them but there has not been an election yet? Of course he would not.

Let us not hear any more self–righteousness from the Reform Party with its claims that it speaks for the people. The people elected the hon. member for North Island—Powell River on October 25, 1993, just as the people of Sault Ste. Marie elected me to come here.

Why have a Parliament at all? Why not just have an office where public pollsters send their findings to the bureaucrats? If that is the argument of the hon. member for North Island—Powell River, I invite him to give up his seat, go back home, take up his old job and do something worth while.

The First Nations in British Columbia have waited 200 years to reach agreements. Most have never had an opportunity to sign an agreement outlining their rights. That is an historic anomaly in Canada which the Liberal government inherited from the leader of the Reform Party of B.C. He was a minister in the Social Credit government that signed an agreement with the Nisga'a. He was on the committee that pushed the B.C. treaty process.

What do Reform members have to say about that? What have they said to the leader of the Reform Party of B.C.? Is he not a little embarrassed by the Reform Party in Ottawa about all his work and efforts of the past? I commend him. He at least had the courage to do something for aboriginal people.

In 1990 Premier Vander Zalm reversed a longstanding position of the province of British Columbia which held that aboriginal rights had been extinguished prior to B.C.'s entry into Confederation, or if the rights did exist they were the exclusive responsibility of the federal government. That has changed the climate out there. Premier Vander Zalm said: ''You have been sitting there with the Nisga'a for 15 years by yourself. We will do these things. We will get some certainty for B.C.''

The current government came into office in October 1993. We opened the doors in December 1993. Since that time 70 per cent of the just under 200 First Nations in B.C. have been at the table. They are doing it our way. They are saying: ''We will trust you white people once more. We will not build roadblocks. We will come to the negotiating table''. And this is the way they are treated.

The Reform Party has not voted for one piece of aboriginal legislation in the House in two years, except in the one instance when it benefited an oil company. When an oil company could make a profit vis–à–vis aboriginal people, the Reform Party voted unanimously in favour of it. That party says it will speak for the people, that it will come here with an open mind and not vote like a bunch of sheep.

Last week 42 Reform members showed up in the House to vote against the B.C. treaty process, the enabling legislation which allows us to sit down with the First Nations. Yet Reformer members stand every day to denounce Adams Lake and the Penticton blockade. So do we, but the difference is that we are prepared to sit down with the First Nations people. What I hear today is that the Reform Party will not even sit down with the First Nations people to negotiate.

I once said that the House of Commons in many instances sounds like the ill informed conversing with the ill intentioned on any given day. For the first time today I heard the ill informed conversing with the ill intentioned of the same party when they questioned each other.

I will give the Reform Party some correct information. Reformers said vis–à–vis the Nisga'a that we gave them money for negotiations. That is incorrect. It is based on loans 100 per cent. The people who are supposed to know the issues out there said that in the House.

• (1050)

Let me go back and refer to some of the history. I am in cabinet representing the poorest of the poor people in the country. Most of the time I am on my knees and my colleagues know that.

Just before the election when we were hoping to be elected, we said that the Pearson airport deal was illegal and immoral and that if we were elected we would reverse it. Why? We alleged there were a lot of people making a lot of money. There was a lot of lobbying and a lot of money being made by lobbyists. A few weeks before the election we came into the House and who defended the lobbyists and voted against the legislation? It was the Reform Party.

Reformers should think about what they are doing today vis–à–vis aboriginal people and what the Reform Party did in the protection of lobbyists on the Pearson airport deal. Reformers are saying today that there may be an election a year from now because the opposition parties are opposed to dealing with the poorest of the poor. However they will stand here righteously two weeks before an election and defend the right of lobbyists

to make a bundle of money. It gives Canadians an idea of the priorities of that party.

They say: ''Let us have a referendum''. This is much the same. It is another way of saying we should have a referendum. I remember last year when this was placed before the Prime Minister as an important issue. They said: ''Let us have a referendum''. The Prime Minister said: ''It is our job to make decisions and if we do them well we will be re–elected; if we do not we will be turfed''. When will Reformers learn that, as we did in 1984? Reformers will learn that because the public is coming to understand the Reform Party.

Reformers thought they were the party that would talk about fiscal responsibility and bring a new spirit to the House. Instead they found a party that lusted badly for power. It had such an anti–francophone bias they were willing to destroy the country on a fraudulent question to which the answer was yes by 50 per cent plus one. It shows the public the bias of the Reform Party. It shows the public how badly the Reform Party leader wants to be Prime Minister of Canada, that he would do that, destroy the country on a 50 per cent plus one response to a fraudulent question.

I sat here and I listened. I have waited two years and listened to aboriginal bashing from the Reform Party. Some Reform members actually go out and talk to aboriginal people, an insignificant portion of that group that is deserving of respect. An insignificant number of Reformers know what the Reform Party is doing, and that it is wrong.

After two years the Reform Party has an interim policy on aboriginal issues, but it did not talk to the aboriginal people. The leader of the Reform Party says that they did not. I do not know if they could not find them; there are a million and a half aboriginal people out there. There are 608 reserves. There are 50 tribal councils. Where was the consultation? It did not exist.

A key member of the committee that devised this is the member for Athabasca who said, and it is there in two papers: ''What is this treaty? The treaty process is a fraud''. We negotiated in good faith and now they are saying it is a fraud. ''We defeated these people''. I notice an uneasiness on the face of Reformers because those with a conscience know that what that member said was wrong. He was a member of the committee that devised this. He said: ''If we did not defeat them, why did they allow themselves to go to small, worthless reserves?''

There are only two ways of looking at it. We said the treaty was honourable. We made these agreements and told them in B.C. that some day we would get to them. We finished the numbered treaties at Edmonton, Alberta. We said we would with the honour of the crown and the honour of Canadians sit down with them. Or, we can take the attitude of the member for Athabasca, a member of the Reform Party. I refuse to use a name in the House again unless I put the party behind it. The member for Athabasca is a member of the Reform Party. He said: ''We beat these people. We beat them into the ground. That is why they are on small reserves. This treaty process is a fraud. Rebut that''.

• (1055)

Then I heard another member of the Reform Party say that he knows all about reserves, that those people live in a south seas environment—I was in the House that day—and the men go around burning women with cigarettes. That is the most atrocious, ill informed, ignorant comment I have ever heard about aboriginal people. That was from the Reform Party.

Now we have the B.C. treaty process and Reformers do not even want us to go to the table and after 200 years do the honourable thing. What they would rather do is stand here and have us sing O Canada. At the same time they will say: ''Side with the separatists''. I see no difference. I see different geography but I do not see any difference with the separatists facing me or the separatists from western Canada to my far right.

They would say to the Prime Minister that they want the country dismantled on a 50 per cent plus one vote in Quebec on a fraudulent question. They say that day after day all week. Yet what did they waste the time of the House on last week? A crest. They would destroy the country but keep the crest. They can have their crest but I want my country. It will never be saved by the Reform Party.

This is the new insight. Let us process the situation. We have the Reformers' position on francophones. We can take them out of the equation of what is the Reform Party. We know their non–position on women. If I were a woman, I would be a little concerned. We know their position on immigration. They are for immigration but not to Canada. If I were an immigrant, I would be concerned. If I were a nationalist and wanted to keep the country together, I would be concerned. If I were a lobbyist, I would like that party. If I had big money invested in the Pearson airport, I would like that party.

What do we have left after we strip the philosophy of that party? Not much. That party stood here and told the Yukon Indians that the negotiations with them would never work. They came here. They stood in the House in their costumes. It was one of the proudest moments of our party. It is working. Yet the Reform Party said the Manitoba dismantling would not work.

I get a rough time in Manitoba from the media, and rightly so. Last week the Manitoba media reported:

> In Manitoba, Grand Chief Phil Fontaine and the Assembly of Manitoba Chiefs are currently negotiating one of the most progressive, daring and risky self–government initiatives in Canadian history. For the first time since Confederation, the federal government says it's prepared to give back to First Nations what many say was never relinquished in the first place.

Harvard University called the Manitoba dismantling the most progressive move in self–government negotiations in the world. The same party denounced inherent right; the Reform Party denounced inherent right. There were over a hundred editorials in the country by people who are paid to be critical. That is their job in the democratic process. A hundred of them were favourable and one was not favourable. The criticism was that we should have waited until the royal commission report.

**Mr. Scott (Skeena):** The people voted on the Charlottetown accord—

**Mr. Irwin:** I am not talking about the Charlottetown accord.

**Mr. Scott (Skeena):** You do not want to talk about it.

**Mr. Irwin:** —or a group of intellectuals sitting around discussing the Constitution. I will address the Reform. I am talking about the poorest of the poor, the constituents of the Reform Party that seems to think they do not count. Reformers do not consult with them. They do not talk to them. They do not meet with the chiefs and we have roadblocks. It is the job of the Reform Party to go out and represent these poor people. We were not elected to come here to cater to the rich, to the haves, to the white communities. We were elected to come here to cater to Canadians.

**Mr. Scott (Skeena):** What about the Bronfmans?

• (1100 )

**The Acting Speaker (Mrs. Maheu):** Sorry, Mr. Minister. I ask for order, please.

**Mr. Irwin:** Once in the four–year mandate I would like to hear Reform members talk about the housing conditions and what we can do on reserves. Once I would like to hear a Reform member talk about suicide problems. I have to go out there and meet with people who have lost their children. Once I would like to hear the Reform talk about health. All we get is denunciation, denunciation of Indian people for one reason, because they are Indians.

The country will not tolerate that. What Reform learned in New Brunswick and in Abbotsford it will learn in the next election. The people of B.C. want to be proud of the members they send here. The people of B.C. are nation builders and what they see strips away that pride. The Reform Party will learn that in the next election.

When the Reform Party came to my riding it said to the steelworkers of Sault Ste. Marie when the company went under and the unions had to take it over ''do not give them a penny''. They now have eight months of profit and two weeks ago the men did it, the men this party does not want to represent. They now have $400 million in the financial community and have invested it. They are working, no thanks to the Reform Party.

Every time the Reform Party comes up to my riding of Sault Ste. Marie every steelworker there will know that along with all the other things I have said about Reform and the groups it excludes, it has excluded the working people of the country.

[*Translation*]

**Mr. Ghislain Lebel (Chambly, BQ):** Madam Speaker, I listened very carefully to the minister. If he wants to blame the Reform Party for anything, he should first do his homework and pay close attention to this debate. He compares the Bloc Quebecois with Reform. Well, when I, as a member of this House, tabled a bill to limit the interest collected on delinquent mortgages, for example, Reform was not the only opponent. His party was also opposed, because it was eating into the fund, the large amounts put at its disposal by Canada's large banks, the so–called seven sisters.

So he is in no position to throw snowballs at the Reform Party. It is his party that abolished the council on the status of women. What I mean is that, in spite of everything, I recognize that native people have been here for 20,000 years, according to some experts, that they have rights, and that we must recognize these rights. What better way to do so than by signing treaties? I think that the party I represent in this House will oppose the motion tabled by Reform because it is unacceptable.

Some people who have been here for 20,000 years are being denied their very right to exist, while some first– and second–generation Canadians claim that they have all the rights. I feel that all the people here, whatever their origins, have rights, but why deny them to native people? Although I disagree with the minister, I say that we should oppose the motion tabled by the Reform Party because it does an injustice to an important group of fellow citizens.

[*English*]

**Mr. Irwin:** Madam Speaker, I appreciate what the hon. member has said. I see the member for Saint–Jean out there working hard.

However, we have a fundamental difference. We just went through the referendum. Last week we heard the guru of the Bloc. I thought he was gone but he just stepped to the back of the bus. He was quoted in the *Globe and Mail*. What did Mr. Pierre Bourgault say? It is the Jews, the Italians and the Greeks who vote in an ethnic block who are the racists, not us. They only have one objective, to obstruct things. They are saying these Jews, Italians and Greeks, because they want to be Canadians, are obstructionists. If we multiply that by about fivefold we have an idea of the Cree, the Montagnais, the Attikamekw and the Micmac and their feeling of alienation within the province of Quebec.

• (1105)

We have to have a uniform philosophy. As much as I appreciate what the Bloc is saying today it cannot blame the Reform for what is happening out in B.C. and have a different philosophy in Quebec. Reform in B.C. cannot side with us to protect the Indians of Quebec because it fits its agenda and because it is taking an anti–francophone position, but not do the same thing in B.C.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Madam Speaker, I am not going to get into a long diatribe of rhetoric as the hon. minister put forth today against the Reform Party. The Liberal government does not have a monopoly on caring and compassion nor a monopoly on stupidity.

The goal we have today is shared by the minister and by every person in the House. Each and every one of us wants to ensure aboriginal people, particularly those who as the minister referred to are the poorest of the poor, are able to stand on their own two feet, and that we are able to decrease the terrible parameters of rape, sexual abuse, crime and violence that occurs within their societies.

I was going to ask the hon. member a question, but he has departed.

**The Acting Speaker (Mrs. Maheu):** The hon. member knows we do not refer to the presence or absence of anyone in the House.

**Mr. Martin (Esquimalt—Juan de Fuca):** Madam Speaker, the goal is to help aboriginal people, working with them in a co–operative fashion. That is the goal of Reform members, many of whom have aboriginal people in their ridings. We work closely with them to resolve these difficulties.

I listened to the individual responsible for the B.C. treaty process on Vancouver Island. I listened for one hour on what they were going to do for the aboriginal people. I asked: ''At the end of the day will the B.C. treaty process actually help the poorest of the poor, the people I mentioned earlier? Will it actually help them?'' That individual said: ''I do not know''.

That is the basis on which we do not approve of this process. The process will not help the poorest of the poor in aboriginal communities. That is what we want and I know that is what the government wants. The course the government is pursuing will not help the poorest of the poor.

Other concerns we have are in the resource management. Who will ensure the resources are taken care of? As the minister knows, at Stony Creek we saw a terrible tragedy with the timber on that reserve. We are also concerned about where the money goes. The minister well knows that aboriginal leadership in many cases has been known to pocket vast sums of money that was supposed to be going to those people who are the poorest of the poor. Those are our concerns.

Does the minister think the B.C. treaty process will truly help those aboriginal people who are the poorest of the poor? Who will preserve and safeguard the resources in the areas they are asking for in terms of land? Does the minister not believe that the fundamental and most important part of developing self–respect and respect in one's community is the ability for people, whether aboriginal or non–aboriginal, to stand on their own two feet and take care of themselves and be gainfully employed?

**Mr. Irwin:** Madam Speaker, I want this question because I often hear this member questioning the health minister and I have always wanted to respond to him.

This member is a doctor and we would think he would bring his skills to the House. If he brought those skills as a doctor to the House he would see the suicide problems we have in First Nations. He would realize that a lot of these suicides are a result of no self–sufficiency because there is nothing left. We took all the lands. We took it all.

• (1110)

He would realize that there is more than having social workers there. There has to be self–sufficiency. He would realize that where there is self–sufficiency, where there are richer reserves there is stability and there is health. He would go out and learn this. He would know what is happening there.

Instead he sits here in a nation that provided him with medical skills and encouraged him to go to school, subsidized him and encouraged him to go through school and become a doctor, to bring this knowledge and skill to the House. But he says: ''Let us spread this poverty equally. They are poor. Let them go out and be self–sufficient''.

The bottom line is when we negotiated these treaties, and he should know this, in many cases we spent a day or two. In British Columbia, with treaties 6, 7 and 8, in a couple of days with three treaties we took away a whole province. We took away the resources from the native people.

We have spent 200 years to not make the same mistake in B.C. and make sure there is some self–sufficiency there, that we have a vision and we can work together as partners. What does this hon. member do? He is going to vote: ''Stop the process. Do not negotiate any further. Let those poor people fend for themselves''. Shame on him.

[*Translation*]

**Mr. André Caron (Jonquière, BQ):** Madam Speaker, I am pleased to address, on behalf of the Bloc Quebecois, the opposition motion.

I will read the motion, for the benefit of the members who are here. It goes as follows:

That the House urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the current provincial government mandate in order to respect the views of British Columbians on this issue as expressed by both major provincial opposition parties.

My comments will be twofold. In the first part, I will discuss the constitutional validity of such a proposal, and in the second part, I will deal with the issue of aboriginal claims.

Does a government, democratically elected in Canada according to the laws of the land and in compliance with our constitutional principles, have the right to govern? In other words, does a government that is the government have the right to be a government?

The Reform Party's answer to that question is no. Indeed, it is asking this House to urge the Government of Canada to not enter into any agreements to which a provincial government, duly elected according to the Constitution, would be a party, because such an agreement would not reflect public opinion, as expressed by the two major provincial opposition parties. In other words, the Reform Party is asking the House to ascertain, before entering into an agreement with a Canadian province, whether public opinion, as expressed by the opposition, is favourable to the proposal.

Our friends from the Reform Party do not seem to understand the nature of our institutions. This motion is wrong in the sense that it is an attack against the legitimacy of our institutions. It provides that the House should ask the government to determine, through polls, through supposedly scientific studies, perhaps through open lines in B.C., or editorials from the *Vancouver Sun*, the opinion of British Columbians, before entering into an agreement supported by the legitimately elected government of that province.

• (1115)

I am not sure whether our Reform Party friends realize what they are asking from the House. People participating in a political meeting could say: ''Since the B.C. government is in the last year of its mandate, it no longer has the democratic or political right to —'', and so on. As you know, it is easy to organize a partisan political meeting. It is easy to resort to inflated rhetoric and to exaggerate, so as to make an impact on public opinion.

The motion before us comes from an official party in the House of Commons. That party got 52 members elected in the last federal election and is now asking the House to pass such a resolution.

Let us change the wording a bit in order to examine the unbelievable nature of a resolution such as this. What, for example, would our reaction be if the motion were to read, selecting Quebec at random as an example: ''That the House urge the government to not enter into agreement with the Government of Quebec on the sharing and devolution of manpower training until such time as the Government of Quebec has passed a motion in the National Assembly recognizing the landslide victory by the no side in the last referendum''? I think everyone here would say it was unbelievable.

To take another example, what would our reaction by if the motion were to read: ''That the House urge the government to not enter into any agreement with the Government of Ontario as long as that government plans to cut back on welfare payments''? We would say it was impossible.

Yet here we have a government, the Parliament of Canada, being asked to pass judgment on the legitimacy of another duly elected government within a federation. The legitimacy of the B.C. government is just as important, just as valuable, just as constitutionally justified, as the legitimacy of the Government of Canada.

Just looking at the wording of the motion would be enough to make the Bloc oppose it.

But there are other grounds. Basically, this motion casts doubt on the entire issue, on the whole process for settling aboriginal land claims in Canada.

I have just listened to my Reform colleague's defence of the proposition. He touched on many topics. He spoke of territorial rights, of the fact that aboriginal people living on reserves pay no taxes. When it comes down to it, he has challenged the rights of these first inhabitants of Canada to demand any particular rights whatsoever to certain lands within Canada. He even referred to the B.C. Reform Party's program on aboriginal issues which proposes that it oppose inclusion of aboriginal self–government in the province's legislation. Yet, it has been in the Canadian Constitution since 1982. According to a Reform government out there, however, there must be no mention in any of the laws of B.C. of any entitlement whatsoever to aboriginal self government.

• (1120)

There was another resolution that I hesitate to mention here, because in many ways it challenges the position of minorities in Canada. According to the Reform Party's provincial platform, before aboriginal peoples obtain certain rights in Canada, they should first have the consent of the majority of the population.

It seems this party wants to propose that in British Columbia, minority rights shall be subject to the will of the majority. It is unthinkable, in a democratic country like Canada that recognizes the rights of specific populations subject to certain criteria, that these rights should be subject to injunctions or decisions by a majority of the population.

Basically, the Reform Party's proposal challenges the whole issue of aboriginal rights in Canada. That is its general purpose, but the Reform Party also challenges specific aspects. Some-

what ironically, the Reform Party's comments were fuelled by several kinds of issues.

There is a reference to the Nass River agreement now being negotiated with the Nisga'a in British Columbia. In fact, the Reform Party would rather see the agreement dropped, because of issues like commercial fishing rights, for instance. There are groups who are making representations. However, I think we should keep a sense of proportion in all this.

Today in Canada we have a major problem concerning aboriginal land claims. It is a problem that must be dealt with as quickly as possible, in a way that is fair to all Canadians and respects the rights of all concerned. The issue should not be used as an excuse to postpone agreements that may be finalized very shortly.

I think they are playing with fire, because today in Canada, there is a polarization of positions on these issues. If we read editorials in Canada or Quebec and listen to open–line shows, we realize that non–aboriginal groups are critical. They think there is some exaggeration in the whole issue of aboriginal claims, and they are right, but as a result of this situation, prejudice is rife, which is not conducive to good relations between aboriginal peoples and the general public in Quebec and Canada.

Opinions are becoming polarized, often with somewhat bizarre results. As an example of what will happen if we do not deal with these issues fairly quickly, I was reading a speech made by the hon. member for Churchill yesterday at a sacred assembly held in Hull. Now we should realize the assembly is more or less religious in nature and often the language is very symbolic. Our colleague said in his opening speech that the Creator had put aboriginal peoples in this part of the world known as Canada.

I agree one can argue that aboriginal peoples have certain rights because they were here before we were, because they were the first occupants, but I think it is a bit much to say the Creator put the aboriginal peoples in Canada.

This was said in a particular context before an audience of important dignitaries.

• (1125)

The Prime Minister of Canada was present at this gathering. Ministers of the crown were also in attendance. There was little reaction. The context is, however, a particular one. If native peoples get the idea now that Canada was given to the aboriginal people, like in the Bible, things are going to get tougher.

So, I think, in order to avoid things getting out of hand—because I think it could happen, and I am sorry to have to say it, out of respect for my colleague for Churchill—native claims have to be settled as quickly as possible and, in British Columbia, where things are developing, matters must be resolved right away. Because, in British Columbia, things go back a long way.

Between the end of the 1880s and 1990, native claims were not considered valid. In 1990, the British Columbia government began to recognize native rights, but only then. I heard the Minister of Indian Affairs say earlier that the situation of native peoples in Quebec was terrible. He said that journalists and some people are making remarks about the referendum vote. People are saying it must be awful for the native population.

In 1985 or 1986, the National Assembly of Quebec recognized 11 native nations. One of these nations barely has 500 members, but it was recognized because it had rights. The people of Quebec did not vote on whether a nation of 150 people constituted a nation. There was no vote. The National Assembly looked at the cultures and the characteristics of all the nations and recognized them. That is what happened in Quebec.

There is the James Bay agreement, which was signed in 1974 or 1975, as the minister pointed out. It was the first major agreement between Canada and the native populations. It was concluded in Quebec, while, in British Columbia, it was not until 15 years later that the territorial rights of native peoples were recognized and the validity of their claims acknowledged.

I think Quebec can hold its head high. The Montagnais of Lac–Saint–Jean, the Montagnais on the north shore and the Mohawks have always been respected. The Attikameks and the Maliseet are few in number, but worthy of respect and have certain rights they are claiming. It happened in Quebec. We, the people of Quebec, were among the governments and peoples of Canada to recognize the First Nations. We know that there is a Quebec nation, a Quebec people. But Quebec also includes other peoples.

We recognized 11 other nations. We negotiated. Our National Assembly recognized them. Agreements were signed with some of these peoples. An agreement is being negotiated with the Montagnais of the North Shore and Lac–Saint–Jean. Things were done. No one in Quebec told the government that it should not sign.

No one in the 1970s tabled a motion here in the House of Commons urging the Government of Canada not to sign an agreement with Quebec because the Bourassa government, which signed this agreement, was in the last year of its mandate. It was the James Bay agreement; it was not about fishing rights on a river somewhere. The James Bay agreement covers a vast territory. The Cree hold property rights over some lands, surface rights over others, fishing and hunting rights over other parts of the territory.

We did not undermine these people's rights by signing treaties with them. We respected them. We told them: ''You are a nation, you will have territorial rights, you will be given money for development''. It was not a bargaining session, as demonstrated by the fact that, in the last referendum, 95 per cent of these people—this figure is a little conservative; it is probably

higher—voted no in the referendum. Ninety–five per cent is a lot of people.

What this means is that, on some parts of this reserve, not a single person voted yes. No one in Quebec questioned these results or these people's legitimacy. No one accused them of being ungrateful after we gave them territorial rights. That is not how we do things.

• (1130)

We did not give them rights. They already had rights, which we recognized and enshrined in legislation. This legislation, this treaty, this agreement was also ratified by the federal government, which also had fiduciary rights and was a party to the case.

I hope that the House will carefully examine the content of this motion. First, it should realize that the motion limits the rights of a democratically elected government in Canada. Second, the motion challenges the rights of people in Canada who belong to a nation different from the so–called Canadian nation and from what we call the Quebec nation.

I feel it is important to be aware of all this and of native people's right to demand some land claim agreements in Canada. We must hasten to correct some visible mistakes that are emerging so that we do not end up in situations that would adversely affect the future for the people of Quebec and Canada and for all the native peoples in Canada.

[*English*]

**Mr. Andrew Telegdi (Waterloo, Lib.):** Madam Speaker, it makes me curious when an hon. member refers to the Quebec people and the Quebec nation. I am not quite sure what he means by this in terms of the population of Quebec. This is a point of concern for me. Obviously I am a Canadian to be able to sit in this Chamber. I came to this country after the Hungarian revolution in 1957. My 10–year old daughter was born in Canada. My wife is Irish going back seven generations.

When we talk of people within the confines of a province, I want to make sure there is some definition to it. Looking at the demographics of the population in Quebec, the direct descent French is 74.6 per cent; British, 4.2 per cent; German, half a per cent; Italian, 2.6 per cent; Chinese, half a per cent; aboriginal, 1 per cent; Dutch, one–tenth of one per cent; east Indian, three–tenths of one per cent; Polish, three–tenths of one per cent; Portuguese, one–half per cent; Jewish, 1.1 per cent; Greek, seven–tenths of one per cent; Filipino, one–tenth of one per cent; Hungarian, one–tenth of one per cent; other, 5 per cent; people of multiple origins, 8.4 per cent.

Maybe the hon. member could clarify for me that all the people living in Quebec are indeed Quebecers and are indeed Canadian.

**The Acting Speaker (Mrs. Maheu):** I question the pertinence to the subject of today's debate.

[*Translation*]

The hon. member may want to respond, but I do question the relevance of the question with regard to the motion.

**Mr. Caron:** Madam Speaker, I will gladly answer the question because some members may wonder how to define a Montagnais, a Malecite or a Nisga'a.

Allow me to answer by first asking a question and answering it. How do you define a Canadian? As far as I can understand, Canadians are persons who live in Canada and call themselves Canadians. Our hon. colleague told us: ''I am a Canadian. I have been living in Canada since the late 50s''. He said he came to Canada from Hungary after the insurrection over there.

• (1135)

I am sure the hon. member calls himself a Canadian, probably in his Hungarian or Magyar mother tongue, and never doubts for a moment that he is a Canadian.

Similarly, Quebecers are people living in Quebec who call themselves Quebecers. These people's ancestors may have been established in Quebec since 1636, or for 360 years, like mine, or for just two, three, four or five years. Perhaps their mother tongue is Greek or Spanish. Perhaps they are like my hon. colleague from Bourassa, originally from Chile, who calls himself a Quebecer.

Therefore, a Quebecer is someone who lives in Quebec, claims to be a Quebecer and recognizes that he or she and the other people living in Quebec share the same identity as Quebecers. Of course, this identity is coloured. The Prime Minister himself mentioned in his distinct society proposal that it should be recognized that, in Quebec, we have a French speaking majority and a unique culture, although the Prime Minister told us yesterday that there was no Quebec culture. At any rate, such are the vagaries of politics.

We have our own civil law tradition inherited from old France. Of course, the people of Quebec have a colour, as do the people of Canada. From what I can see, the predominant language among Canadians is English. There is a Canadian culture defending itself against the American culture, and Canada also has its social and legal institutions.

In short, a Quebecer is someone living in Quebec who claims to be a Quebecer, like a Montagnais from the Lac–Saint–Jean region, who speaks the same language as me and looks somewhat like me, come to think of it. It is someone who says: ''I am a Montagnais from Lac–Saint–Jean, living in Mashteuiatsh, attending school in Roberval, working at the Canada Employ-

ment Center in Roberval and proud to call myself a Montagnais''.

A Montagnais is someone who claims to be a Montagnais and is recognized as such by other Montagnais, the same way that a Quebecer is someone who claims to be a Quebecer and agrees to belong to this nation, without any distinction based on culture, race or language. Quebec gladly welcomes everyone, as long as you call yourself a Quebecer.

[*English*]

**Mr. Mike Scott (Skeena, Ref.):** Madam Speaker, because I did not have the opportunity to address the minister's comments on debate, I will take the first few minutes of my intervention to address some of the remarks which he made.

It is difficult to listen to the sheer arrogance of the minister and the government on the subject of aboriginal issues. The minister talked about it being a democratic process. He talked about the Government of British Columbia being a democratically elected government which has a mandate to engage in the negotiations which are currently taking place. I beg to differ.

The current NDP Government of British Columbia was elected by 40 per cent of the popular vote at the last general election. That means six out of ten people who cast a ballot did not vote for the policies, the platform or the party which is now governing British Columbia.

When we speak about democratic principles, we have to recognize that the system of voting does not allow for a proper representation of the views of a majority of citizens on many issues, and this is one of them. This is a very important issue for British Columbia.

The second thing I want to address with respect to the minister's remarks is that he made the comment that natives have waited for 200 years to have the issue resolved. I do not dispute the fact that since Confederation the federal government has had the clear constitutional responsibility to deal with the issue in British Columbia and in other parts of Canada. However, in British Columbia for whatever reason, the federal government chose to abrogate that responsibility. It is not the province of British Columbia which has the responsibility to deal with the issue, it is the federal government. I might also add that for the majority of the time since Confederation there have been Liberal governments in Ottawa. What is the minister doing throwing stones at the Reform Party or anybody else when it is clearly the federal government and a host of Liberal governments since Confederation that have created the problem in the first place?

• (1140)

The third point the minister made, and one which needs to be responded to most strenuously, is the point that the Reform Party is not interested in helping the poorest of the poor. It is his government and him, as minister of Indian affairs, who is really deeply concerned about these poor people who live on reserves in Canada. I suppose he has a lock on caring.

A lot of native people live in my riding. There are a large number of reserves and nine Indian bands in total in my riding. I have written on behalf of many people who have come to see me who have demanded financial accountability from the minister. Can they get it? This $5.8 billion a year that the minister and the government is funnelling into aboriginal affairs is going to benefit a very few at the top.

The minister does not have any lock on caring for the poorest of the poor because it is the very people in these communities who are the poorest of the poor and they are not receiving the benefits the taxpayers of Canada are contributing. It is because of the minister's refusal to take on his responsibility and demand accountability that these people are in the position they are in.

I ask the House to recognize that although the minister may be making these grandiose statements and engaging in the flaming rhetoric that he loves to engage in so much, the reality is that the minister cares more about the entrenched leadership in Canada's aboriginal communities than he does about the poorest of the poor or the ordinary people. It is very clear to me that the leaders in the aboriginal communities are as much out of touch with their constituents as this government is out of touch with the people of Canada.

In talking about the land claim situation in British Columbia, we started by saying that almost nobody in British Columbia disagrees with the proposition that we have to resolve these longstanding disputes between aboriginals and the Government of Canada. No one disputes the fact that we have to get these outstanding claims resolved and get on with life. No one disputes the fact that there have been injustices done to native people historically and I might add in contemporary times.

How did we get to be where we are today? The government is saying that there is a a huge problem out there which has to be dealt with. The government says it has a mandate to deal with it, although there are many who would disagree with that, so it has get on with it and it is going to engage in a modern treaty making process in British Columbia.

We have to go right back to the Act of Union by which British Columbia joined Confederation to understand where we are today. By that Act of Union in 1871 British Columbia joined Confederation with an agreement that the federal government would be responsible for all existing and future obligations to aboriginal peoples. That is stated in the Act of Union. The federal government has a clear responsibility going right back to the day that British Columbia joined Confederation. However, it has never addressed that responsibility and that is why we are in the situation we are in today.

Going back to the 1970s some Indian bands decided they were going to commence legal actions to have their grievances aired and dealt with because they could not get them dealt with any other way.

The most famous legal case, the one that is the pre–eminent legal case in Canada today with respect to aboriginal issues, native land claims and the inherent right to self–government, is the Delgamuukw case. This was launched by the Gitksan–Wet'suwet'en people who also happen to be within the riding I represent.

• (1145 )

The B.C. supreme court listened to 360 days of testimony, to all kinds of anthropological evidence, oral evidence presented by the elders of the Gitksan–Wet'suwet'en people, listened to all kinds of legal arguments made on their behalf. At the end of that process when the court rendered its decision it found clearly that there is no inherent right to self–government and there is no aboriginal title to land.

The court also found that the federal government had a constitutional obligation to address the issues of concern to aboriginal people and urged it to get on with it. In the meantime, after the court decision was rendered the Government of British changed. We had an outgoing Social Credit government and an incoming NDP government with an ideological bent on this issue, fervent in its belief it has to deal with the land claim issue in a way the province has never considered doing until then.

What did it do? The Gitksan–Wet'suwet'en people are continuing with their court action. They have appealed the decision to the B.C. court of appeal. The province of British Columbia fired the successful legal firm of Russell & DuMoulin, which had won the Delgamuuku case on behalf of the people of British Columbia, and replaced it with the firm Swinton & Company, a registered paid federal lobbyists in 1994 on behalf of the very people it was to be squaring off with in court, the Gitksan–Wet'suwet'en people.

Furthermore, Swinton & Company was also engaged in an action on behalf of the Gitksan in the B.C. supreme court against the province of British Columbia at a time when it had accepted this landmark legal case to represent the province of British Columbia on the very issues it was fighting the province with on behalf of the Gitksan at the time it was appointed. Talk about a conflict of interest.

This is the way the NDP government in British Columbia has behaved with this issue. It wanted a political decision from the court. It was not prepared to allow the process to be followed through as it should have.

In following the ideological rather than the legal decisions of the court and totally ignoring how the people of British Columbia, and in Canada for that matter, voted against the inherent right to self–government in the Charlottetown accord, British Columbia in concert with the federal government went ahead and started to try to implement these things anyway, much as the federal government is trying to do with distinct society and a veto for Quebec in the unity issue right now.

This is a slap in the face to British Columbia and a slap in the face to democracy. When the people have spoken in a democratic referendum and the government ignores that decision and goes about implementing the decisions anyway, legislatively rather than through constitutional change, that is a clear slap in the face to the people of Canada, particularly the people of British Columbia.

The native population in British Columbia voted against the Charlottetown accord with almost the same percentage as the non–native population did. I have talked to enough native people to know very clearly they do not favour this notion of inherent right to self–government. I am talking about the ordinary grassroots people, not the chiefs, not the people benefiting from it.

Now we have a process in place designed to achieve ends the public does not support. They are not supported by legal jurisprudence. The public is shut out of the process. There is no opportunity for the public to even be involved. What do we have but a bunch of bureaucrats getting their marching orders from Ottawa and Victoria. They are up in my riding negotiating with the Nisga'a. We hear rumours of these negotiations although we do not even know for sure what has or has not been put on the table.

We hear rumours of a potentially massive conveyance of land, $175 million in cash, 2,200 square kilometres of land and a constitutionally protected right to 30 per cent of the Nass River fishery on a basis of forever and ever. Let us not forget the deals will be set in constitutional concrete. They will be forever. It is vital that we not make mistakes. Of course, the governments of the day are totally ignoring that.

• (1150)

I took the time to canvass people in my riding. One of the reasons I became so deeply involved in the issue is that I was receiving hundreds of letters and phone calls from constituents extremely uneasy with what they perceive to be a process taking place behind closed doors with the potential to alter the social fabric and the economic fabric of British Columbia with no legitimate opportunity for public input.

As I said before, there are many parallels to the current national unity issue we are seized with. There are two agendas in Canada, the government's and the people's. Most of the time those agendas are not in sync. The government is proposing to give distinct society status to Quebec and to provide vetoes on a regional basis, but it is not in sync with what the people of Canada want. We can understand why the people of British Columbia, in particular the people of rural British Columbia, are uncomfortable with the current process. There is no legitimate

opportunity for them to be involved. This is all going on behind closed doors.

The ratification process proposed by the government is that once an agreement in principle is signed it will be brought to the House for a vote. That means for the most part there will be members of Parliament from the rest of Canada voting on legislation which will have major, long term, far reaching consequences for the people of British Columbia, which has a leaderless, lame duck administration in Victoria that has lost virtually any shred of credibility.

That is the thrust of the motion today. It is in recognition of the fact that the Government of British Columbia has no mandate and has never sought a mandate to be involved in negotiations of this magnitude. It has no credibility with the public. Its administration is in shambles. It is caught up in scandal. The aboriginal people of British Columbia, the ordinary grassroots people, are saying: ''We are not represented in this process. The people negotiating on our behalf do not have a mandate from us. We do not feel comfortable with it. We do not feel comfortable that this will ever benefit us. We think it will benefit the leaders. We think it will benefit the negotiators''.

We are in the process of entering into agreements which will forever change the landscape of British Columbia. They have the potential to do that.

In canvassing my constituents, which I have taken the time and the care to do, they have said very clearly they are looking for finality and extinguishment. They want an end to the division. The root cause of most of the problems in which native people find themselves is that we have treated them separately from day one. We have never given them the opportunity to be ordinary Canadians. We have never treated them as if they are able and capable of looking after themselves. We have built a pervasive welfare system around native people in Canada which has robbed them of their dignity, their self–esteem and their initiative.

● (1155 )

The minister was talking about the poorest of the poor and what we will do about aboriginal housing and about the plight of these people.

Friederich von Hayek talks about the Liberal philosophy and the socialist philosophy, which are virtually indistinguishable in this country, and he talks about fatal conceit. The fatal conceit is that people elected to government somehow feel like they have a God given ability to correct all the problems of people and society rather than letting those people have the opportunity to resolve their own problems.

It is because of these interventionist, elitist, arrogant, top down policies created by government and driven by government, supposedly to solve all the problems, that we have the problems we see on native reserves today.

What we are doing in this process right now, from my window, is creating new and better ways to separate people by race. We are saying the way we kept them separate and distinct and apart from Canadian society in the past has not worked. It has been a failure. The Indian Act is no good. Virtually everybody agrees with that now. We will find a new and better way to keep them separate. We will find a new and better way to give them a status different from that of ordinary Canadians.

In the long run and maybe even the short run that as well intentioned as some members opposite are on this issue, and they feel this will resolve the problems of native people, it will entrench them that much deeper. It will not solve their problems.

As the member for Esquimalt said in his remarks a few minutes ago, we should be considering what is right, doing what will actually work; an encouragement to these people to take control of their own lives on an individual basis and forget about expecting the government to solve their problems because the government has a disastrous track record in that regard.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Madam Speaker, I listened with great interest to my hon. colleague's remarks this morning, as I did with preceding speakers.

For the record I will read the subject of the motion the Reform Party put forward today and then talk about the hon. minister's objection to it and why that is. In part it states:

> That the House urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the current provincial government mandate.

The hon. minister said that for the federal government to do that would be insulting. I find that strange and more than a little contradictory because it is the same government that had no problem in arguing quite successfully that the EH–101 helicopter purchase which the Tory government had entered into was not right and we should not be doing that as a nation, that we should not be spending the money on that.

It argued the Pearson airport deal was not right because it was entered into in the dying days of the Mulroney administration and should be cancelled.

It does not find that insulting, to back out of commitments made by previous governments. Yet for some reason the hon. minister seemed to think today it would be insulting the Government of British Columbia to insist that we do not enter into any trilateral agreements with B.C. and the natives of British Columbia in the dying days of that administration. I find it more than a bit puzzling and I wonder if my hon. colleague would care to remark on that.

I note with interest that the hon. minister spent almost his entire 20 minutes bashing Reformers for being aboriginal bashers. I find that puzzling. That type of name calling and labelling is nothing new for Reformers. We have been labelled that and subject to those types of attacks right from the very beginning when we started our party. We are going to insist on carrying forward sensible arguments on this and other issues, even if they are non–politically correct arguments, regardless of how we are attacked or how often ministers openly attack us in the House.

• (1200)

Would the hon. member care to remark on what he has done. One of the things we have heard this morning is that the public is not well enough informed and the expectations of the native people have been raised. What about the awareness? What has this member actually done in British Columbia to bring to the attention of all British Columbians what is happening?

**Mr. Scott (Skeena):** Mr. Speaker, I thank my colleague for his question.

He is absolutely right. The minister began his remarks today by having the gall to question the Reform Party for even wanting to debate this issue in the House. He asked, how dare we to even want to debate this issue? Is this not a democratic institution? Is this not what this House is for? But, no, we should not be debating this. Anytime we even raise an aboriginal issue and want to debate it, we are labelled. Frankly that has an odour to it that I cannot abide.

Second, my colleague points out that the minister said that this would be an insult to the province of British Columbia if the government were to accept the motion of the Reform Party. For the benefit of members in the House who do not live in British Columbia, I could tell them how insulting the government of the province of British Columbia has been to the citizens of British Columbia in recent months. Its members have absolutely no regard for the public interest. They put their own interest forward all the time. They are so blatantly ideologically driven that there is no hope they could ever be re–elected as a government in British Columbia.

Yet this very administration is the one that is negotiating behind closed doors, in secret, with the Nisga'a and with other aboriginal groups right now and contemplating, as rumours go, making agreements that are going to have long term implications for British Columbia.

In response to the member's question on what I have done as a member of Parliament and as a representative of the people of Skeena since I was elected, I held a series of four town hall meetings in my riding, in Smithers, Terrace, Prince Rupert and Kitimat. I brought the issue to the people and said that we need to have a public discussion on this.

Subsequent to that, my colleague and I went around the province of British Columbia. We held town hall meetings at Williams Lake, Quesnel, Prince George, Nanaimo, Cranbrook and in several areas in greater Vancouver. We have done as much as we possibly can to bring the issue to the people, something that the province of British Columbia, and I might add, the federal government have never cared one whit about doing, not one whit.

The reason I feel so passionate about this, and I mean this sincerely, is this. What is going to happen if the province of British Columbia and the federal government sign a deal with which the people cannot live? The native people's expectation levels are at an all time high. They have been led to believe that these agreements, once they are entered into and signed, are going to be abided by, that they are going to be honoured. We already have opposition parties in British Columbia saying that they do not intend to honour them.

Think of the tremendous social upheaval we are going to have if governments sign agreements with which the people are not going to live, which the people do not want and will not accept. It is absolutely critical that we do not sign agreements unless we are sure they are going to be supported by the public.

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.):** Mr. Speaker, I would like to congratulate my hon. colleague from Skeena for actually standing up and saying what he wants to do to help those that the minister referred to as the poorest of the poor.

• (1205 )

It is interesting to compare both speeches. The minister went on a 20–minute diatribe against the Reform Party instead of stating what he was going to do for the people who he claims are the poorest of the poor in our society.

While we stand in the House talking rhetoric among political parties, those aboriginal people who are on or off reserve that are suffering from sexual abuse, violence and the poverty that they endure, are still out there suffering. We should be ashamed in the House to be seeing that happening.

Previous governments have created for the aboriginal people an institutionalized welfare state. They have done this by giving money to people in the honest expectation that it would help them.

As my hon. colleague mentioned, one cannot keep giving things to people and expect them to have pride and self–respect. Pride and self–respect comes from within one's person and it is rooted in the ability of the person to take care of himself or herself.

Contrary to what the minister said, I would like to ask my hon. colleague from Skeena, and for him to reiterate if he could, that the pursuit of the treaties is constitutionally and legally from the court's point of view, illegal.

What does he propose to help those people on or off reserve who are suffering from the terrible things that I mentioned previously? How is he going to help the poorest of the poor stand on their own two feet and take care of themselves? That is the root of the problem.

**Mr. Scott (Skeena):** Mr. Speaker, I thank my colleague for his question. It is very clear that the plight of native people in Canada, the tremendous social problems that we see on reserves, are a direct result of the huge welfare state that we built up around them. It is the arrogance and the elitist notion on the part of government that it can fix problems by throwing money at them and creating new programs and so on that entrenches these very serious human conditions on native reserves.

What is required is for the government to say first, stop treating aboriginals as if they all think and act and want the same things. They are not communists. They are individuals just like we are. They are individuals who have individual aspirations, desires, visions, hopes and dreams.

We need to break that welfare state, start dismantling it. We need to give a hand up to those people and encourage them to get out into the private sector, to become ordinary citizens and provide them with a one–time opportunity to make that transition easier.

We have to understand that the corollary of success is failure. The government cannot guarantee success and it cannot guarantee that people will not fail. That is axiomatic. That is something that we have to live with. It is a human condition. It is natural law, if you will. One cannot guarantee that anybody is going to be successful. All one can do is try to make the conditions as fertile as possible for success to happen.

I believe very strongly that when the government backs out of this interventionist mode it is in right now and allows native Indian people to take the bull by the horns and start controlling their own lives, we will see some failures. There is no question about it. However, we are going to start seeing successes. We will see more success as time goes by.

When we talk about having native Indian people as ordinary Canadians, I am not saying that I do not respect the culture. I respect the culture and I respect that there are differences. Those differences can and should be celebrated, but not celebrated in law, not entrenched in the Constitution, not entrenched in distinctiveness and separateness in law that is going to keep us apart forever.

The gulf between native and non–native people is widening all the time because of the policies of government, not because there is a fundamental problem. It is the policies.

• (1210 )

The Minister of Fisheries and Oceans announced he was going to increase access fees for fishermen, but the access fees were only going to go up by 50 per cent for native fishermen but 100 per cent for everyone else. I am convinced the native fishermen did not ask for that. It was this minister who came up with some woolly–thinking policy that this was what he should be doing. What it does is create division. Why is it that we have the problems with the native and non–native fishermen on the Fraser River system? It is because government created a policy that allowed access to a resource on a different basis based on race. That has to be done away with.

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, I will be sharing time with my distinguished colleague, the hon. member for Vancouver Centre.

The motion put forward is an interesting one and I respect the spirit in which it was put forward. It raises issues going to what is called the lame duck status of government. It is a principle of American constitutional law that I think sensibly could become part of Canadian constitution law, but it is limited in its potential application to actions taken by governments between the dropping of an electoral writ and the return of the electoral writ and the formation of a new government or the continuance of an old one.

Having said that, I would like to enter into discussion of some of the very interesting issues that have been raised. This is a subject, rightly said, of special concern to British Columbia. British Columbia, as we all recognize, is not a province like the others and in the area of land claims we do have elements of distinctiveness that separate us off from the other provinces of Canada.

The substantial absence of treaties is one very important consideration which has led to a proliferation of sometimes overlapping claims. Perhaps this is one of the reasons for the public discussion and the lack always of full understanding of how these complications can be removed.

I leave to one side the issue of the status of treaties, which is something that has always interested me professionally. Do they have international law status, as some argue, or are they simply constitutional documents within the ambit of provincial law?

Elements of concern have been expressed in this debate on which perhaps we could offer some clarification. I was, I think, the first to suggest the implications for Canadian law of the International Court's judgment in western Sahara in 1975 and the two concurring opinions which rested very strongly on the argument made by then counsel, Mr. Bedjaoui who is now the president of the World Court. Let me say that although I think they do raise the intellectual challenge very effectively, which

the court has recognized, to the concept of acquisition of territorial title and sovereignty by European colonial powers, they do not necessarily raise any implications as to the dispositions in view of that and in substitution for that. These are issues to which a body constituted on an independent basis like the treaties commission, armed with the facilities for research and the time for thinking, can offer fresh light.

Let me say that it is a misconception to assume that automatically by querying the original basis of acquisition of sovereignty over North America one automatically displaces supervening claims. In fact, in the most recent international law act, the two–by–four treaty, the treaty between the four occupation powers of Germany and the two Germanies about to be reunited, there is a specific clause that effectively saves supervening third party rights. It leaves open the issue of how one balances the claims.

What I am saying is that one anticipates in British Columbia an orderly process of claims adjustments and settlements in which the claims of everybody can be and will be considered if properly presented by counsel as is counsel's duty. As yet no definitive answer can be given, but it should bring some satisfaction to many of the people who have raised these issues with us to know that the orderly process does allow taking into full account the acquired third party rights.

• (1215)

In a sense the legal problems in British Columbia are sui generis. They are peculiar to British Columbia. To a large extent we get into conflicts between different cultural conceptions of law: the European concept of fixed territorial frontiers and non–European concepts which may emphasize mobility and expression of territorial interests in which land is secondary or subordinate to the notion of ethnicity. It is an interesting example of the clash of legal concepts. It is the sort of thing I expect the commission will consider because it will have to be considered in the process of the settlement of land claims.

The issue of the participation and consent of local communities has been raised. It has been asked if there was full consultation. I cannot speak of the particular cases now being cited in the debate, but on the precedent that the federal government followed in the bill which was before the House in relation to the northern territories, there was a very substantial provision for consultation with local interests. I believe there is nothing in the implementation of the commission process which prevents local interests, local municipal authorities and others from bringing forward their views and making their arguments. It is not excluded by the act. The initiative rests with those concerned.

When an independent commission is set up, it takes on a life of its own. It develops its own precedents. It is very much dependent on intelligent lawyer–manship by those people who want to bring forward their own interests and their claims. The commission is a body which has interesting people appointed to it. They are independent in their outlook. I would suggest to hon. members that they exercise to the full the process of making known to the commission the different and sometimes conflicting interests of the different people involved.

One of the great problems in British Columbia which distinguishes it from the rest of the country is that, simply because of the absence of treaties, there has not been the process of the sorting out of claims which I encountered in my previous professional work in dealing with, for example, the province of Alberta. This accounts for the overlapping and competing claims which sometimes, in the superficial extent, exceed the total amount of land involved in a region. This can be sorted out and sensibly, this is the mandate of the commission.

Problems of this sort complicate the matter in the public perception. In terms of the commission, I believe it is an excellent step forward. I am satisfied with the independence and the quality of the people concerned.

I urge hon. members to indicate to their constituents, particularly to the very thoughtful people at the municipal level that the process is not closed. The door is open for participants to bring their interests forward. The commission itself is not in the position of deciding on a dichotomous basis all here or all there. There is room for the acceptance of third party claims. There is room for apportionment of benefits. Following the international law as it has developed since the Western Sahara case, international law itself is in the making. One would expect equitable settlements in which the largest possible range of participants is involved.

• (1220)

It is a new approach to the pluralizing of our legal system and the participation in it. This is better than doing it through the court system as such. Of course, decisions of commissions are also subject to limitation and control by the courts in respect to ultimate constitutional principles. Everything done is under the Constitution and under the charter of rights. The charter of rights as we know is a house of very many rooms.

I compliment the speakers on both sides of the House on the fervour with which they have entered into this debate. I have taken note of the points they have raised, but I believe they can be achieved within this ambitious process that the bill the minister originally introduced involves.

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, the hon. member talked about a substantial absence of treaties in British Columbia. That is correct. The assumption is often made that because there is a substantial absence of treaties and largely a reserve system in place, there is somehow an overriding legal obligation on the part of governments to enter into treaties.

A legal counsel for the Department of Indian Affairs and Northern Development confirmed to me very recently that the current federal government position is that there is no legal obligation or imperative on the part of the federal government to enter into treaties in British Columbia. That is certainly consistent with what I had thought. It is also consistent with the position of the provincial government.

This means to me that government should only be entering into this process if there is something in it for all parties. This is the quid pro quo or trade–off I mentioned in my speech. My first question for the member would be whether that indeed is his interpretation as well.

There was some discussion about an independent commission. I assume the member is talking about the B.C. Treaty Commission. There was some debate about the B.C. Treaty Commission recently in the House when we debated Bill C–107, which is the enabling federal legislation, albeit quite tardy.

The terms of reference of the B.C. Treaty Commission actually leaves it rather toothless. In most areas of endeavour the commission can suggest but it is not very much of a decision maker. The commission is called the keeper of the process. Some things as basic as readiness guidelines for some of the participants in the negotiations were not foreseen at the time the enabling legislation was put together. For example, regional advisory committees do not have readiness guidelines that fall within the terms of reference of the B.C. Treaty Commission. This has been pointed out by many parties as a shortcoming. Therefore, it has no mandate.

What has happened in some circumstances in B.C. is that negotiations have pushed ahead by either the federal and/or provincial negotiators without the regional advisory committees actually being ready. This is quite a handicap and of course creates consternation at the local level. My second question would relate to that area.

The third and final area I would ask the member about would be the role of municipalities which he mentioned. Municipalities are recognized nowhere in the B.C. Treaty Commission terms of reference. There is a separate provincial memorandum of understanding. They are kind of a sidebar arrangement with the province. The municipalities through the Union of B.C. Municipalities are saying that their actual costs already, early in the process, are at least double that which the provincial government is compensating them.

• (1225)

I would say the door is not open. The door is ajar. It is a very unsatisfactory situation. There must be a much better way to approach this subject. Does the member have some suggestions in that regard?

**Mr. McWhinney:** Mr. Speaker, I thank the member for his very thoughtful series of questions.

On the first point, what we are talking about relates to what I spoke of as the ambiguity in the term ''treaties''. What one is really seeking is a movement from unwritten or customary law to written law. This could be done by a contract, by legislation or it could be done by something else. The ultimate aim of the process is to reduce to written uncontrovertible form what the legal rights are. The complication I referred to of overlapping claims is virtually inevitable and it has been demonstrated in jurisdictions other than our own when we do not have things written down. That was the big advantage of the treaties in whatever legal category we put them to.

On the commissions, my own experience in administrative law and public administration is that it depends a good deal on the imagination and the civil courage of the commission itself and the players in it. The players include the lawyers and others appearing before it. To a very large extent an ambitious commission establishes its own agenda. It redefines its own mandate. I encourage all parties interested in the equitable disposition of B.C. land claims to try to do that.

On municipalities, the hon. member was right in saying that the specific provision is not there. There is nothing excluding it. Since they are major players in relation to the third party claims, supervening claims, subsequent to any original title, such as it may be, municipalities are directly involved and they are important players in the political processes.

In the previous federal legislation relating to the northern territories there was an enormous amount of provision by the federal government for consultation of local interests. I think the encouragement would be to the municipal councils where they have legitimate interests that they feel they want to express to communicate them. The answer can only be no or ''yes, we would love to hear you''. I would think in a facultative sense a good commission tries to do just that.

It is law in the making. A good deal will depend on the good faith, good spirit but also the professional preparation that interested parties do. That would be the main message I would encourage our B.C. voters to adopt in this approach.

I thank the member for his questions. I would add that the debate we are having today constitutes in legal terms travaux préparatoires, which simply means that it may be cited as evidence for the future of what the law in this area should be and is.

**Mr. Duncan:** Mr. Speaker, there is one further area I would like to explore with the member and I will do it very quickly.

There is a lot of concern and a lack of support for the way the negotiations are occurring. There is a lack of confidence in many people because the negotiations are run provincially by an aboriginal affairs department and federally by the department of Indian affairs. People consider it a total conflict of interest which is lopsided.

Could the member comment on that, please.

• (1230)

**Mr. McWhinney:** Mr. Speaker, I cannot comment specifically. My experience in negotiations in this general area was in situations where there were treaties in force, treaties 6, 7, 8 and 9. There the process of the negotiations was happy with all parties. If there is something at fault here it may go down to the handling of particular cases.

I just do not have the direct information. If there is a feeling of dissatisfaction, maybe that is a matter to take up directly with the commission and to be led as such. The commission would want to satisfy itself that negotiations have been properly conducted and evidence properly assessed.

I commend to the hon. member, if he has information, to bring it to the attention of the commission.

**Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.):** Mr. Speaker, I am pleased to rise in my place today to respond specifically to the motion of the hon. member for North Island—Powell River that the House:

> —not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the provincial government mandate—

Inherent in the motion is the issue my hon. friend referred to recently, which is the lame duck issue that seeks to nullify the powers of any government in the last year of its mandate. This is the most cynical statement I have ever heard from any party of any legislature or House.

Does this then suggest that any process—and one in this case that is so clearly in the best interest of the people of British Columbia and of the aboriginal people—must be put on the back burner for political consideration?

Surely Canadians deserve to know that their governments can make policy decisions that are sustainable and not politically biased but people biased in the best interest of Canadians.

Government serves the people. Whatever the stripe of government, good public policy and the integrity of government as a whole must be kept sacrosanct.

Reformers are suggesting then, or are they, that they do not want to be bound by the decisions legally and morally agreed upon in a trilateral, provincial government, aboriginal people and federal government negotiated contract.

Since the 1800s, that is over a century ago, aboriginal people have been trying to negotiate validity of land claims with the British Columbia government. It has constantly rejected this validity based on the fact that it was a federal responsibility, or this is what it said.

The process has taken so long that finally in 1990 the B.C. government, a Social Credit government, took a major step and began a process to right this wrong. The three parties, that is the First Nations, the federal government and the provincial government, have since agreed to the process, and this is what is happening now.

I hope we will not accept this motion which in effect seeks to further delay the process. The people of B.C., the aboriginal people and the people of Canada have been waiting for far too long.

During the second reading stage of the bill that sets up the commission, members of the third party stood repeatedly and complained about how long the process was taking. Now they are seeking to set up another barrier to the process.

In 1989 we witnessed the end of the cold war and the Berlin Wall coming down. One year later it seemed that another longstanding barrier had been removed, a barrier that had stood between aboriginal peoples in British Columbia and the economic and social development to which they aspired.

Good governments must bring down barriers, not raise them as I see the third party in effect attempting to do with this kind of doublespeak. Future generations may well regard 1990 as a singular turning point in the history of British Columbia's aboriginal peoples, the year in which they were offered a glimmer of hope.

Settling land claims is the single most important thing that can be done in British Columbia to help aboriginal communities. Uncertainty over land claims has been a barrier to economic development for all British Columbians for quite a while. Uncertainty has hindered aboriginal participation in land and resource management. All British Columbians know that when we solve these problems it will mean greater self–sufficiency. It will mean jobs. It will mean employment for the people who have long been disempowered to take their rightful equal place in Canadian society.

In addition to the ownership of settlement lands in the area covered by the treaty, the final agreements may include specific measures to stimulate economic development. This may include resource revenue sharing. This may include sharing of royalties derived from resource extraction throughout the area.

● (1235 )

It is not only economic good that we seek in these treaty negotiations. We have seen in the aboriginal sacred summit that began across the river in Hull last week, a summit of aboriginal elders organized by the hon. member for Churchill, that the attachment to nature and to the Creator by aboriginal peoples is a central element of their spirituality. Land claims are more than just economic; they are spiritual to the people of British Columbia's aboriginal communities.

I think the House would agree the decision by the provincial government to come to the negotiating table was of paramount importance. Prior to 1990 aboriginal Canadians in British Columbia were offered no hope and no equality of benefits. I remind the House of some of the developments that led to that turning point because in those developments there is a profound irony.

One key player in convincing the British Columbia government to reverse its historical opposition to negotiating treaties was the minister of native affairs for the province at that time, Mr. Jack Weisgerber. Mr. Weisgerber was a Social Credit cabinet minister when British Columbia decided to negotiate. Today he is the leader of the Reform Party in British Columbia. What irony that the decision was taken by a man who had vision unlike what is being proposed across the House.

In 1989 provincial governments appointed the premiers advisory committee on native affairs. The council travelled through the province and met with bands and tribal councils to suggest a solution to address the social and economic issues facing aboriginal people. They were not seeking to continue to erect barriers. And so the province began the process of coming to the negotiating table.

The advisory council made its recommendations to cabinet in 1990 and shortly thereafter Mr. Weisgerber signed the Nisga'a framework agreement. For the first time in the history of British Columbia a province was negotiating a land claim. Soon the B.C. government was deeply involved in the process of bringing the First Nations to the table.

B.C. participated in the First Nations summit and the province met with the federal government in B.C. By the time Bill 22 that created the legislative authority for the B.C. Treaty Commission came into the legislature, Mr. Weisgerber was no longer a cabinet minister but sat on the opposition benches.

However the new NDP government continued the process begun by the Social Credit government although it was of a different political stripe. By doing so it reaffirmed people's faith in the certainty of public policy free from the vagaries of petty subjective politics.

I quote what Mr. Weisgerber said at the time of the debate in the legislature. He pointed out that the strategy for government in British Columbia for 125 to 130 years had been to deny that a problem with treaties existed, a philosophy it seems the third party still continues to espouse. He said:

> It became increasingly clear to us, as we travelled and met with groups around the province, that if we were going to address the root of the social and economic problems, we had to deal with the land claim question.

This was a bold and visionary conclusion to make. It took great political courage. It overturned the accepted political wisdom of the day. It acknowledged a simple reality. It was a a daring act of great statesmanship by a politician who put the public good before political ideology. I urge members of the third party to take a leaf from that book.

In 1991 a new provincial government, the NDP government, accepted the recommendations of the last government. Also in 1991 a federal government accepted the recommendations of a provincial government that was not of the same political stripe.

Mr. Weisgerber went on to predict to the B.C. legislature that the First Nations would be very able negotiators. He urged the provincial government to negotiate every bit as effectively for the interest of all British Columbians. He said that negotiations had to be tough but fair.

These are the views of a British Columbian who is not only one of the founders of the current treaty process. I have quoted him at length because of the motion by the hon. member for North Island—Powell River. He asked that the federal government not enter into agreements in order to respect the views of British Columbians on the land claims issue as expressed by both major provincial parties. The leader of one of those provincial opposition parties, the Reform Party of British Columbia, is Mr. Jack Weisgerber, the man who in 1990 put justice before politics.

It is clear British Columbians want to get on with the task of resolving land claims and to become a stable environment for economic growth once again. The process is a good one. The aboriginal peoples approve and both levels of government agree. We cannot put the process on hold each time a government nears the end of its mandate. It is unjust, unfair and cruel.

● (1240)

Where would we be today if we had followed the logic of the hon. member's motion? We would actually be a federal Liberal government and an NDP provincial government not taking up a policy that was carried on in good faith because it was in the best interest of the people.

Back in May 1993 the previous federal government had been in power for nearly five years, since the 1988 election. The former Prime Minister had announced his intention to step down and the Progressive Conservative Party was in the middle of a leadership convention. Did the provincial government and the aboriginal summit say at that time: ''Wait a minute. Maybe we shouldn't pass this legislation. After all, the federal government

is nearing the end of its mandate. Let's wait until the next federal election?'' Did they say that? Of course they did not.

Canadians elect their representatives to serve for a full mandate. The people hope that vicarious politics will not stop good public policy. This would leave to massive destabilization in Canada every four years and to a meaningless international trade and provincial controls. We have seen how this type of political grandstanding brought the United States government to a halt recently.

Let us allow the British Columbia government to get on with its business in a way that it deems appropriate. Let us get back to our own responsibilities for taking measures that will improve the economic and social prospects of aboriginal people in Canada.

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, the hon. member talked about the motion somehow being cynical.

Under normal circumstances a government in the last several months of its mandate does not enter into major binding commitments. If it does so, it is at the peril of the arrangements being cancelled. There is a clear precedent for that in the province of British Columbia and there is a clear precedent for that federally. This administration should know that better than anyone. This administration cancelled the EH–101 project. This administration tried to cancel the Pearson deal.

The province of British Columbia should voluntarily back off. However it has indicated that it wants a deal by January. The likelihood is that there will be an election between March and June. This is totally inappropriate for a precedent setting agreement. There are 47 other agreements being negotiated and this would become the precedent. As I mentioned earlier, $10 billion is the early price tag put on this business.

There was discussion about the Nisga'a framework agreement entered into by Mr. Weisgerber in 1991. I talked about it earlier in my speech. I quoted section 7.1.1 which is often used to say there was no openness in the agreement and that Mr. Weisgerber had agreed to it. I do not have to defend Mr. Weisgerber. However I can read what the agreement says. To me it does not say what it has been interpreted to say. I will read it again:

> The parties will together develop and implement a process of public information and consultation and will attend meetings with such selected individuals, organizations or groups as they may agree will assist in the process of public consensus building, and the parties may separately carry out such additional consultation and communication initiatives as they see fit, including initiatives to obtain a broad range of input and consensus.

Those are hardly cloaked in mystery, secret or non–transparent negotiations.

• (1245 )

There is a further interpretation by the member that somehow our motion is suggesting there should not be any negotiations. That is not what we are saying at all. We are saying there should not be no conclusive negotiations, no conclusive agreement during this latter part of this current mandate at the provincial level.

It is a very simple, limited request. The member is misinterpreting it.

**Ms. Fry:** Mr. Speaker, I would be pleased to answer the two points. The first is that is appropriate to create a lame duck government in the last year of any government's term. This is so inappropriate.

This is a process that has spanned two governments. It is a process that began in the last year of a Social Credit government. It was picked up by an NDP government and continues to be carried on. It occurred because it was good public policy. Obviously, good public policy will be seen to be such and it must be a process that can be carried on.

If a provincial government should stop in a tripartite process with another level of government and with a group of people duly set up by their own people to negotiate in good faith, then when the provincial government does that in the last year of its mandate and the federal government does that in the last year of its mandate, once in every three years will we have any negotiation at any signatory. It makes every single level of government ineffective.

It also makes the aboriginal people, who are the third party negotiating with them, wonder whether this is a worthwhile process at all. It makes a mockery of any type of negotiated process.

Second, the hon. member referred to what Mr. Weisgerber said and to the changes in the process of the Nisga'a treaty since Mr. Weisgerber had set it up. He is right.

What Mr. Weisgerber did say, and I listened carefully to the quote, is not that we stop the process but that we continue to refine it as we find flaws in it. That is extremely appropriate.

What this member is asking is that we stop the process that has been on the table. Negotiations are going on. People may come to a conclusion any moment now and we must ignore all of the year's work that has been done to get to that point. This does not make any sense to me. It is an ineffective way for any government, any negotiations to take place.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, Reformers will be splitting their time from this point onward today.

I would like to rebut one thing the hon. member preceding me said. She seemed to imply that somehow Reformers would be creating a lame duck government, as she called it. In actuality, the NDP in British Columbia has done a very good job of creating a lame duck government all by itself. That responsibility rests with it and no one else.

We are now entering the 21st century. As we look at the B.C. treaty process we have an obligation to future generations of Canadians, aboriginal and non–aboriginal. We must enter into negotiations with a clear view of what we are trying to accomplish. I believe a fundamental objective to any negotiations with native Canadians should be equality.

If there are historical grievances they should be resolved. The end result should be equality, not the creation of two classes of citizens and not the creation of more special rights to individuals depending on race. We are all Canadians and government policy should not be based on guilt or some misguided sense of righting past wrongs.

British Columbians have recognized this. The opposition parties also realize the underlying principles of the current treaty negotiations in B.C. are flawed. It is time to look forward, not backward.

• (1250 )

Certainly we must learn from the grim history of past Indian policies in Canada. However, what is the fundamental lesson to be learned? It is simply that policies which have given Indians special rights and status under the guise of protecting them have utterly failed. For many years Indians lost their status and right to live with their families on reserves if they received a university degree or if they defended our country or values in wars overseas. They were not even allowed to vote until the 1960s. Children were taken from their families and sent to foster homes or residential schools. Although Indian communities have known about it for decades, the stories of physical, emotional and sexual abuse suffered by those children are only now coming to light in the mainstream press.

Just this week the church has finally issued an apology for the suffering caused by its members.

That Indians were mistreated, used and abused is well documented. However, it does neither natives nor non–natives any good to dwell on the past. It will not solve today's problems. We must learn from mistakes to make sure we do not repeat them, but it is time to move on.

The treaty process in B.C. is going in the wrong direction. It is designed to perpetuate inequality. In the Constitution Act of 1982 aboriginal and treaty rights were given constitutional protection. That means any treaties we enter hastily into now will be virtually unchangeable, no matter how flawed or unsustainable they may prove to be.

Any legal obligations to Indian communities should be cleared up as soon as possible because until we do, the question of aboriginal title will remain unresolved and the legal uncertainty over the ownership of land and resources will continue.

Settlements must be affordable and settlements must be final. If the federal and provincial governments purport to represent the interests of all Canadians they will only negotiate what the courts have stated the government is legally liable for.

As far as I know, the courts have not said the government has to turn large tracts of land over to native communities. In the Delgamuukw case, as has already been stated, the judges recognized an aboriginal interest in the land but not an outright title. Therefore legally the crown does not have to turn over title to all lands that a band claims as traditional territory, but it does have to recognize certain traditional rights to use those lands.

We must respect these court decisions because they are based on the constitutional protection of aboriginal rights. Therefore any agreements the government signs should fully meet our legal obligations but should not go beyond them. If the government feels it has a moral obligation to offer more, then all such offers should be made outside of the treaty process.

The governments of the day do not have a mandate to incur unsustainable debts beyond their legal obligation in the name of our children. They do not have the right to create citizens–plus by enshrining new treaties which give additional rights based on membership in a particular band or community. This will soon be the 21st century, not the 12th.

I would be very pleased if any member opposite, in fact anybody participating in the B.C. treaty process, could point out where in the Constitution it states we must enter into new treaties. I recognize that existing treaties have constitutional protection but I have not found the section that states we must enter into dozens, perhaps hundreds, more treaties.

Government has a legal and moral obligation to resolve disputes or grievances with all Canadians, whether aboriginal or not. I am not aware of the case law which states we must use a treaty process to do it. In every other segment of our society grievances are settled with some type of finite, quantifiable compensation. Why not Indian claims?

It is long past time that historical differences were dealt with, but the end result should be some sort of cash compensation, not a treaty with constitutionally entrenched special rights or status. Cash settlements would allow individual natives to determine their own futures. They could start their own small business, buy land or put it in the bank for their children if that was their wish.

If land is to be on the table also then it should be transferred to individual recipients on the same fee simple basis as to all other Canadians who own land.

• (1255 )

The tax exempt status of the current reserve system afforded by the Indian Act was based on a paternalistic idea that Indians would sell off the land to the first unscrupulous businessman who happened to walk by. Nobody, aboriginal or non–aboriginal, wants the Indian Act any more. That also means getting rid of the tax exempt status. If natives are to participate in today's economy they must participate on an equal footing with all other Canadians.

Anyone who might suggest this would not be just or fair as a settlement is guilty of paternalistic racism. If government or native leaders suggest land can only be transferred as reserve lands held in common, they are suggesting native Canadians are incapable of making sound business decisions and government must still be responsible for protecting native interests because they cannot do it themselves.

What is the legacy of past treaties? First and foremost, it is the reserve system. This was a deliberate policy by the government to isolate and concentrate natives in easily managed groups. It was a bad policy from start to finish. The poverty, low life expectancies, health problems and social problems found on so many reserves across the country cannot be a fluke. Natives from the east coast, from the north, from the prairies and from fishing communities on the west coast are not from the same cultures or traditions. The problems we see on reserves are not because the people are Indians. The biggest part of the problem is the reserve system itself.

I believe first and foremost that all Canadians should have the right to equal opportunities. No one should have special rights or privileges based on race. This means we all pay taxes and we all have access to the same programs. All third party interests should be taken into consideration. This is not what is happening in B.C. today. The majority of British Columbians have grave concerns about the current B.C. treaty commission process.

We must reach just settlements with B.C. natives as soon as possible so we can all move on. These settlements must be final, affordable and must extinguish all future claims to land, resources or special rights and privileges. Without equality we will never have long term social and economic stability in Canada.

The enormous social problems we see on reserves today cannot be addressed through treaties. Treaties and reserves are, in my view, a big part of the problem.

**Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.):** Mr. Speaker, the hon. member stated there should be direct cash compensation instead of negotiated settlements with aboriginal peoples. Cash does form part of the settlements negotiated with aboriginal peoples. However, cash alone will not provide the kind of certainty and long lasting, enduring settlement necessary in this type of negotiation. This type of negotiation will benefit all of British Columbia in the end because we will be able to put these negotiated settlements to rest once and for all.

Negotiated agreements have been based on a range of benefits. There is a necessity to provide that range to continue to have an enduring and lasting distribution of rights for the native peoples, which have to cover harvesting rights, participation in wildlife and environmental management.

The hon. member said he did not know where there was a legal basis for settlement comprehensive land claims. In 1973 the supreme court ruling in the Calder case acknowledged the existence of aboriginal title in Canadian law. More recently, in the Sparrow case the supreme court recognized a constitutionally protected aboriginal right to fish for food. The courts have emphasized in these cases that the proper way to resolve outstanding claims to aboriginal rights and title to land and resources must be through negotiated agreements.

The hon. member said we should fee simple or its equivalent. That is exactly what we are doing. Perhaps the hon. member might acquaint himself better with what the treaty negotiation process is all about.

**Mr. Hill (Prince George—Peace River):** Mr. Speaker, as usual the hon. member opposite has covered a lot of ground.

• (1300)

She said I said I favoured direct cash compensation and that I did not favour negotiated settlements. That is ridiculous. That is not what I said at all.

I said I was in favour of cash settlements but obviously it will have to be negotiated. How can government come to some agreement on how much cash to turn over to the natives without negotiating it? That is an absolutely ridiculous statement. That is not what I was saying. The only reason she said that was she was hearing, as is so often the case, exactly what she wanted to hear when she was listening to my remarks.

That points to the fundamental problem Reformers have in the House and outside the House. We try to shed light on subjects that are politically sensitive, as so many are, whether outstanding native claims or immigration or gay rights, whatever is deemed politically incorrect to speak on.

When Reformers put forward the policies we want to put forward, we are attacked. If we spend all our time trying to defend ourselves from the statements we heard this morning once again in the House, we will never be able to put forward our own alternatives, which is the function of an opposition party, to put forward alternatives for the Canadian people.

That is the real question here. Will we have an open process? Will we have a process that welcomes input from everyone? Will we continue to see these types of settlements actually being done behind closed doors where there are a very few people included in the process: the native leadership, the native industry comprised of consultants and engineers and lots of lawyers. Will we broaden that to include the people themselves, not only the aboriginal people of British Columbia but the non–aboriginal people in the process and make them aware of what is happening?

Further, the member made a comment about the legal basis of these. What I was referring to is I do not see anywhere where there is a legal basis for entering into treaties. Yes, we have to have settlements. We have to have agreements. I do not see where we have to enter into a treaty which confers on one group special rights, constitutionally entrenched, not conferred on all Canadians.

As long as we have that we will see more divisiveness. We will be driving the wedge between aboriginal and non–aboriginal people deeper and deeper instead of trying to mend the problems of the past that I referred to in my speech and instead of trying to move beyond that eventually.

We cannot achieve equality overnight. The Reform Party is not saying we can wave a magic wand and all of a sudden we are all equal. We recognize that some segments of society, the poorest of the poor, are starting out a lot lower down and we have to give them a hand up. A hand up is not a continual and perpetual handout. The people do not want it and we should not want to give it to them because it is not the answer.

If a handout forever were the answer, certainly spending upwards of $9 billion a year on aboriginal programs within the confines the Department of Indian Affairs and Northern Development and outside would have solved the problem by now.

We are spending in the neighbourhood of $9,000 million on these people. Yes, we all want to see the problem solved, but throwing money will not solve the problem or we would have done it long ago.

It has also been said repeatedly today that a very select few, although a growing industry, are profiting from that, this Indian industry. When I visit reserves in my riding like Fort Ware, a disastrous example of a reserve, I see the assistance that we all so desperately want to ensure gets to the poorest of the poor is not reaching them. It is not doing the job.

No matter how much more we spend every year, it is not doing the job. We have to look beyond that. We have to look for new answers.

• (1305 )

The whole thrust of my speech was that in the end the ultimate goal for all Canadians, aboriginal and non–aboriginal, must be equality, the equal treatment of all our citizens.

**Ms. Margaret Bridgman (Surrey North, Ref.):** Mr. Speaker, I am pleased to participate in this debate today. I will address the actual decision or policy to negotiate treaties.

This government policy is more advanced in British Columbia than elsewhere across the country. A growing amount of concern is arising in British Columbia as this process takes place. The concern is not only in British Columbia but is starting to spread across the country. There is input today from grassroots aboriginals. Their concern is that this negotiation progress may lead to a situation in which there is just a transfer of power to a more local level where they still would not have any say as to what is going to happen in their lives. On the non–aboriginal side there is a growing concern that we do not know what is being negotiated.

When we look at the concerns arising we tend to think an approach was taken to negotiate versus going to the courts. By negotiating it stays within the parliamentary jurisdiction whereas if it were taken into the legal field it would be within the court jurisdiction. It is still here in the House. This negotiation process is seen to be the route to go.

When we get a good idea we have to market it for it to catch on and be accepted. There was not that communication for this policy and this approach to the situation. The concerns are mounting to a point that the concerns are being expressed in the provincial legislature in British Columbia by the opposition sides.

There have been statements that they may not recognize the existing agreements. I believe the Nisga'a band is the one most advanced and used as the example.

I do not wish to debate all the examples occurring within the negotiation process. I would like to address my remarks to the concerns. They are not only communication concerns from both sides of the table and the public. There is also the whole process of negotiation. If we put negotiation into a management–labour context, the membership knows what is on the table and what is being negotiated. The doors may be closed to the negotiation rooms when that is actually taking place but we still know the types of topics on the table.

The municipalities are suggesting they are not represented at the table. Another comeback to that is the municipalities are represented by the provincial representatives we elect. However, the problem is the information from the negotiation is not coming back to the people or is not even put to the people beforehand so that we know what is on the table, what is being

discussed and what the possible parameters are for a subsequent decision. That is one aspect of the negotiation process that is very faulty.

Another problem occurring and giving rise to concern is the various definitions. For example, there are a great number of Canadians who thought this negotiation process would be addressed to existing treaties or the historical treaties. I believe the government approach was to negotiate those treaties and come up with an extinguishment thereof, then satisfy that commitment made in our history and then get on to building life as Canadians in unity. What we are hearing now are things like modern treaties, living treaties, aboriginal rights, extinguishment. We do not really know what these terms mean. This again is causing concern.

• (1310)

When the Hamilton report came out it tried to address the extinguishment and aboriginal rights. One of the things identified in the Hamilton report, or before that, is that when the aboriginals go in to negotiate a treaty they leave all their rights at the door. They go in trying to see what they can get. That is not cricket in negotiations. When a negotiation is entered into, one does have rights somewhere which should be identified. Even between management and labour the previous contract is a starting point.

One of the things that is happening is the concept of rights. What does that mean? The Hamilton report tries to address it with the following point of view. When a treaty is negotiated, the decisions reached by all parties become the rights of all parties and the next time a treaty is negotiated it commences with those rights. The report also suggests we address the extinguishment aspect of this. Once the topic has been addressed and agreed on it is extinguished and no longer comes up. I believe there is an opening clause. If not, there should be an opening clause so that when society changes that can come back to the table.

There is some sort of finality which could address the extinguishment. That tends to give rise to where this modern treaty or the living treaty comes into play. I do not believe this concept was apparent when the original policy was established. Unless we hear more information as to where this kind of thing can lead us, that in itself will provide concern.

To get back to the process and concern aspect of it, there is concern from a parliamentary point of view of actually getting to the point. I do not wish to address the contents of the bill on the B.C. commission at this point. My point is we had a bill come into the House for debate that was actually established by an agreement between three parties that had representatives there. The House was actually debating something that had already been established.

I can understand that the possibility of defeating that bill creates a horrendous amount of work. We would have to backtrack to all that was done before that. However, because these are our representatives, it could possibly have been debated in the House before the parties went into agreement and that there were some parameters set so that we knew what was going to be on that table when the negotiations were undertaken.

Another thing that comes out of this when we are talking about cultural groups again is the process taking place. This concern arises when we hear such things as aboriginals referring to themselves as nations. The obvious conclusion to that would be nations within a nation. The perception of how that would work is unknown. That is a concern to us.

We also must look at the unity point of view. We have on the one hand a negotiation process that could feasibly terminate in this nations within nation concept or be the first step toward that in our future. On the other hand we have a parliamentary kind of process going on with the Quebec situation, which is again a divisiveness kind of thing. I should restrict my remarks to the aboriginal process. But are we creating through this process another possibility to be debating unity somewhere down the line? I have some concerns on that.

• (1315)

What we have to look at in this whole thing—and British Columbia is trying to get the message across to Canadians—is that a lack of information is getting out to the people. We do not know what is being discussed at the table. We are sitting here wondering with what we will be left.

The counter argument to that is we do have representatives there. My point is that they have not come out and discussed things with whoever they are representing and then taken that information back to the table.

To give my comments more clarity, think of management and union negotiations. We know what these people are talking about behind closed doors. We know all the parameters of it, but we know that their discussions will eventually lead to something. We may not get all we want, but we might get part of what we want.

I suggest very strongly to the government that it can no longer negotiate behind closed doors. It has to be up front. B.C. is in a position that it is much further ahead than the rest of the country on this negotiation situation. If we are having problems in British Columbia, then it is going to transfer all across this country as we go along, unless we change some of the things we are doing in the process right now. Municipal governments have to be informed of how their concerns get represented at that table and there has to be a mechanism for that to occur, et cetera.

The other item that has to be put out in general terms is what is this self–government thing we are talking about. Is it a municipal kind of situation? Is it a provincial kind of situation? Will it lead to individual territories within our country, or will it lead to the possibility of future negotiations in relation to unity? These are some of the concerns I have about the whole process.

We should be looking at the British Columbia situation, not only with what is happening today, but where this will lead us in our future, 10, 15, 100 years from now.

Is the Hamilton report strictly based on negotiations and setting the parameters? I would assume it is not far afield from being incorporated into this process as it was commissioned by the minister.

The modern treaty, the living treaty, has to be identified. There has to be some kind of indication to the public, both aboriginal and non–aboriginal, that this negotiation process can be speeded up, that we are not looking at another 20 or 30 years to negotiate individual contracts.

There is concern for the situation in British Columbia and it has reached the ears of the political components in that province. They are also expressing concerns about aspects of this process. I sincerely hope and recommend that the government stop and have a look at what is actually occurring here and coming up with some sort of options, if they choose to follow this policy, in which they can address some of these concerns.

There is one other point I would like to make before I close. A great number of these negotiations are based on the fact that the self–government component of the band will be democratic. Yet for the band to establish that democratic process and hold elections, they really do not have an appeal process to a Canadian election officer, other than an appeal to the minister. This should be addressed as well and bring them into the Canadian process of elections.

**Mr. John English (Parliamentary Secretary to President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.):** Mr. Speaker, the hon. member referred to the Quebec referendum process at one point. I recall the Reform Party talking about the need to continue government as usual. However, in this case we are being asked to hold back a process until there is an election in British Columbia. That election could be in the far distant future. It has not been called and it does not need to be called for some time. This appears to be a contradiction in the policy of the Reform Party.

• (1320)

The second point which I want to make relates to the comment which was made about the negotiations being held in secret. It is very clear that any negotiation requires an element of secrecy. It is required when we buy a car. We do not let the bottom line be known right away. However, in the case of the negotiations about which we speak today, the Government of Canada has issued a statement indicating how it intends to ensure that the treaty making process will be open and accessible and how public records will be maintained. In fact, there will be a sharing of information.

I wonder if the hon. member is aware of the statement and what her comments would be on the analogy with Quebec.

**Ms. Bridgman:** Mr. Speaker, my comment expresses my concern about the situation in relation to unity. There is a unity debate going on between one province and Canada. However, there is the possibility of future unity debates happening with various aboriginal groups if we pursue this course without some clarification of what it means.

Those persons who are well informed on the process and the ultimate resolution may not share the same concerns I do. They may not see the aboriginal negotiation process as possibly leading us to another unity difficulty in the future. If that is not so, please share it with the rest of us in order to allay this concern.

My main message is that in Canada we have two different processes happening which could lead to similar debates in the future.

The second question concerned public information. I agree that there has been an effort made in the last year with respect to providing the public with more information. That stemmed from outspoken people expressing their concerns in the proper circles. However, a lot of the information, if not all of it, is after the fact. We still do not know the conditions we are negotiating. Basically what we are seeing are great claims for land. We do not actually know what is going to happen.

I am suggesting that if we follow our democratic process of electing representatives, we do have those representatives there, but we have absolutely no idea what they are doing until after it has been done. If they looked at the process they certainly could allay a lot of the public's concern by being a little more informative of what their objectives are.

With respect to the delaying of the process, that remark may have been related to political strategy concerning the election. Be that as it may, what I am addressing here is the fact that the delay should be to review what is actually happening because of these concerns. A stitch in time might save nine. The problem will not go away unless we see a concerted effort by those

persons involved and the government to come out with an outline of the objectives they are trying to achieve.

• (1325 )

**Mr. Andrew Telegdi (Waterloo, Lib.):** Mr. Speaker, I was hoping there would be some Reform members in the House to witness—

**The Deputy Speaker:** The hon. member knows how angry he gets when that comment is made from the other side of the House. It is not permitted to make reference to the presence or absence of other members in the House and I would ask the member not to do it again.

**Mr. Telegdi:** My apologies, Mr. Speaker.

I would like to support the comments made by the Minister of Indian Affairs and Northern Development on the importance of treaty negotiations. As members of this House are aware, only a small minority of First Nations in the province of B.C. have ever signed treaties with the crown.

On lower Vancouver Island several First Nations signed treaties with Governor Douglas in the middle of the 19th century. By the end of the century the Peace River district was included in Treaty No. 8 signed by the Government of Canada.

In the past two decades the Nisga'a Tribal Council has been actively negotiating with the federal and provincial governments. When these negotiations are completed and an agreement is signed, it will be the first treaty with B.C.'s First Nations signed in this century.

We are approaching the threshold of the next century. British Columbians want to approach the 21st century secure in the knowledge that the unfinished business of the 19th century has been completed.

The land claims of British Columbia's First Nations must be resolved because resolving these issues creates an environment of certainty. Certainty means economic growth and job creation. Settling land and resource issues creates an environment for investment and increased local economic activity.

Over the past few years we have made a great deal of progress toward resolving this unfinished business. In 1990 the federal and provincial governments and the leaders of the B.C. First Nations agreed to establish a task force that would map out a negotiation process that would accommodate the many First Nations in B.C. that wanted to negotiate settlements.

The task force reported on June 28, 1991 with 19 recommendations. All of them were accepted by the First Nations summit, Canada and British Columbia. One of the key recommendations was to establish the British Columbia Treaty Commission or BCTC as an arm's length keeper of the process. I would remind the House that the current leader of the B.C. Reform Party was one of the key architects of this process. I congratulate him on his vision and wisdom.

The agreement committed the principles to establish the BCTC through the passage of federal and provincial statutes and the resolution of the summit. As my colleagues know, Bill C–107 was passed by the House last week and has now been put before the other place.

The commissioners began their valuable work on December 15, 1993 and have made considerable progress. Forty–seven First Nations groups are involved in the BCTC process to date. They represent over 70 per cent of the First Nations of the province, with more likely to become involved in the near future.

The BCTC consists of five commissioners, two nominated by the First Nations summit, one by the provincial government and one by the Government of Canada. The chief commissioner is duly selected and appointed by all three of the principals.

The First Nations summit includes all First Nations in B.C. that have agreed to participate in the BCTC six–stage treaty negotiation process. The summit provides a forum for First Nations involved in the treaty process to meet and discuss treaty negotiations. It worked closely with the federal and provincial governments in the development of the treaty negotiation process and in the establishment of the BCTC.

As one of the principles of the process it continues to provide direction along with the governments of Canada and British Columbia. The B.C. summit chiefs believe that negotiation rather than confrontation and litigation is the best way to solve outstanding issues. It is unfortunate that the Reform Party does not think the same.

I would like to tell the House a bit about the men and women who have offered to serve Canada, B.C. and the summit as the BCTC commissioners. Carole Corcoran was elected by the First Nations summit as one of the first treaty commissioners. She also sat on the royal commission on Canada's future in 1990–91 and serves on the board of governors at the University of Northern British Columbia. Unfortunately Ms. Corcoran has recently resigned.

On October 4, the First Nations summit chiefs selected Miles Richardson of Haida Gwaii to succeed Ms. Corcoran as the second First Nation treaty commissioner. Mr. Richardson was a member of the B.C. claims task force which reported to the governments of Canada, B.C. and First Nations on how the parties could begin negotiations to build a new partnership. From 1991 to 1993 Mr. Richardson was part of the First Nations summit task group, an executive body reporting to the First Nations in B.C. on treaty negotiations.

• (1330 )

The First Nations summit has also elected as one of its commissioners Wilf Adam of the Lake Babine Indian Band. Mr. Adam is a former chief councillor of the band. He is chairman of the Burns Lake Native Development Corporation and is co–founder of the Burns Lake Law Centre.

British Columbia has appointed Barbara Fisher, formerly general counsel and Vancouver director of the Office of the Ombudsman. She currently practices part time as counsel to the B.C Information and Privacy Commission.

Since last April the Government of Canada's representative to the commission has been Peter Lusztig. Dr. Lusztig has been a professor of finance at the University of British Columbia and also brings considerable breadth of experience from the community. He has sat on the B.C. Royal Commission on Automobile Insurance and the B.C. Commission of Inquiry on the Tree Fruit Industry. In 1991 he also chaired the Asia Pacific Initiative Advisory Committee struck by the federal and provincial governments.

Since last May the chief commissioner has been Mr. Alec Robertson, QC. The legal community is familiar with his past work as president of the B.C. branch of the Canadian Bar Association, chairman of the Law Foundation of B.C. and as a member of the Gender Equality Task Force of the Canadian Bar Association. Mr. Robertson spoke eloquently on Bill C–107 before the standing committee.

The House will recognize that the BCTC consists of five distinguished British Columbians. They are doing excellent work to ensure that the comprehensive claims process moves along in a timely and orderly manner.

The commission oversees the six–stage treaty negotiation process which includes: one, statement of intent; two, preparation for negotiations; three; negotiation of a framework agreement; four, negotiation of an agreement in principle; five, negotiation to finalize a treaty; and six, implementation of the treaty.

The commission assesses the readiness of the parties to negotiate. This involves making sure that the First Nations have the resources they require to make their case. It also includes ensuring that the federal and provincial governments have established regional advisory committees so that the interests of the local residents who are not aboriginal can be heard.

These regional advisory committees are part of an extensive and responsible effort to keep the public and all affected third parties informed of the developments in the negotiations as well as to ensure the advice of all sectors of B.C. society is considered. Other efforts include newsletters, public information meetings, a 1–800 number, numerous speaking engagements, information brochures and other publications, and participation in trade shows. The Sechelt negotiations are televised.

The commission allocates loan funding to enable First Nations to participate in the process. It works with all parties to ensure that they get on with the job in a timely manner. If required and if agreed to by all parties, the commission will assist the parties to obtain dispute resolution services if the negotiations seem to be reaching an impasse.

Finally, the commission helps ensure that the process remains open and accountable. It prepares and maintains a public record on the status of negotiations, and it reports to this House on that status. Its annual reports are tabled in this House. In summary, the B.C. Treaty Commission facilitates treaty negotiations; it is not a party to the negotiations.

I am sure that members on both sides of this House would agree that settlement of land claims in British Columbia is long overdue. British Columbia is home to 17 per cent of Canada's aboriginal population, yet treaties have been signed with only a small minority of First Nations there. The question of land issues surrounding undefined aboriginal rights must be brought to a successful conclusion.

The federal government is committed to settling land claims in a fair and equitable manner for aboriginal people as well as third parties and the general public. I urge the House to vote down this regressive and spiteful motion.

**Ms. Margaret Bridgman (Surrey North, Ref.):** Mr. Speaker, I would like to ask the hon. member two questions.

The member made reference in the beginning of his speech to addressing the historical treaties. I agree. We have been 300 or whatever number of years at that. I also express some apprehension with this concept of the modern, living or new treaties, whatever we wish to call them.

• (1335 )

Does the hon. member think that the creation of more treaties will put us in a similar situation as the existing or the back treaties have? Would it take us *x* amount of time to get these other treaties into some state of agreement between all parties?

The next question is in relation to the B.C. Treaty Commission. We understand that body is preparing parties to negotiate and actually does not participate in the negotiation process itself. In the preparation of that body's mandate, would it ensure that the people who are going to the table have consulted with those whom they represent so that they go into the negotiation process with the blessings of their membership, or are they going in based on their opinions?

**Mr. Telegdi:** Mr. Speaker, the whole treaty process is about making sure we give people a hand up and not a hand out. We want to end the dependence which has taken place over too many years while the treaties have not been solved. The native community has not had the opportunity to make a contribution and be self–sufficient.

There have been many questions regarding the legal basis for settling comprehensive land claims and what their status is. I can say that the 1973 Supreme Court ruling in the Calder case acknowledged existence of aboriginal title in Canadian law. More recently in the Sparrow case the Supreme Court has recognized constitutionality protecting the aboriginal rights to fish for food.

Since 1973, as a result of a number of court rulings the Government of Canada has as a matter of policy negotiated settlements with aboriginal groups that assert aboriginal title and where there is some evidence of continuing title. The Constitution Act, 1982 affirms and recognizes existing aboriginal treaty rights.

We want to end uncertainty associated with unsettled land claims. By addressing it we produce certainty. The production of that certainty would result in jobs and investment and a healthier B.C. economy.

Various studies have indicated that $1 billion in investment are forgone in the resource industries. Thousands of jobs could be made available if the treaty process were to be successfully conclude.

In terms of whether the people are representing their stakeholders, I would say that yes they are. Beyond that I would like to draw attention to the 31 members who are part of the treaty negotiations advisory committee. They virtually cover the whole section of the economic activity in British Columbia: the B.C. Shellfish Growers Association, the B.C. Fishing Resorts Association, sports fishing institutions, the Steelhead Society of B.C., the Union of B.C. Municipalities, the Community Fishing Industry Council, Fisheries Council of B.C., the United Fishermen, northern fishing representatives, the Interior Forest Industry Coalition. There is representation from the unions, the Industrial Woodworkers of America, a fine union I was a member of at one point. There is the B.C. Real Estate Association, the B.C. Federation of Agriculture and the list goes on and on.

It would seem to me that at some point we have to have some trust in the process. We have to end this injustice which has existed, and a costly injustice I might say. All studies have shown that economically British Columbia is suffering from the uncertainty. We want to establish some certainty on this question and give justice to the native people which I believe is long overdue.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, it is interesting to note that three government members have addressed our motion so far today. If memory serves me correctly, all three of them gave accolades to Mr. Jack Weisgerber, the leader of the B.C. Reform Party. I remember the hon. member's words: ''I congratulate him for his vision and foresight''. I would certainly agree that Mr. Weisgerber is a man with vision and foresight.

• (1340)

I would like to read into *Hansard* the following quote: ''The vast majority of British Columbians rejected the backroom deal that was Charlottetown. They rejected the constitutional entrenchment of an undefined inherent right of self–government and so do I. They rejected a third order of government for native Canadians enshrined under the Constitution and so do I. We also reject the government's formal recognition of aboriginal title''. That is from a speech given on October 4, 1995 by Mr. Jack Weisgerber, the leader of the B.C. Reform Party.

I wonder if the hon. member who is so free with accolades for this gentleman, which are richly deserved, would agree with those statements and that he truly is a man of vision and foresight.

**Mr. Telegdi:** Mr. Speaker, I referred to the decisions he made when he was a cabinet minister in the government of the Social Credit Party. Clearly, he is a perfect case in point as to how a reasonable person of the Social Credit Party can be transformed into a Reformer who does not make sense.

**Mr. Bill Graham (Rosedale, Lib.):** Mr. Speaker, I am pleased to rise to speak on the motion put forward by the hon. member for North Island—Powell River. I oppose the motion. I consider it to be ill–conceived. Why do I take that position?

The first reason is that the correct approach to the issue was set out by the government in its red book promises. In the red book the government made it very clear that if we were elected we would be committed to building new partnerships with aboriginal peoples based on trust and mutual respect. We stated in the red book what a Liberal government would do.

We stated that our goal was a Canada where aboriginal people would enjoy a standard of living and quality of life and opportunity equal to those of other Canadians. It would be a Canada where First Nations, Inuit and Metis would live self–reliantly, secure in the knowledge of who they are as unique peoples. All Canadians would be enriched by aboriginal cultures and would be committed to the fair sharing of the potential of our nation. It would be a Canada where aboriginal people would have the positive option to live and work wherever they chose. Perhaps most important, we set out our goal for a Canada where aboriginal children would grow up in secure families and in healthy communities with the opportunity to take their full place in Canada.

As a result, we also said that the resolution of land claims would be a priority. This is our vision and we have been moving step by step to bring it alive. In two years we have already made considerable progress.

On August 10 the Minister of Indian Affairs and Northern Development and the federal interlocutor for Metis and non–status Indians announced the government's approach to the implementation of the inherent right of aboriginal self–government. We have fostered greater economic development opportunities for aboriginal communities through co–management agreements and support for business ventures. We have committed an additional $20 million annually to the Indian and Inuit post–secondary student support program. We have settled some 44

specific claims and we have seen five comprehensive claims come into effect. By any measure we have achieved a great deal in living up to the commitments we made to the people of Canada in the red book during the election.

Perhaps the most complex challenge to the government and to the people of Canada in this area is treaty making in British Columbia. I would like to remind the House that British Columbia is unique in Canada. If I could remind hon. members of the debate which was recently held in the House, it is a distinct society in this respect, in that the process of signing treaties has never been completed. Only a handful of treaties were signed in the pre–Confederation period and they cover parts of Vancouver Island only.

In 1899 Treaty No. 8 was signed with the First Nations in the Peace River area in the northeast of the province. However, in the rest of the province the issues of aboriginal rights remain largely unresolved. First Nations legitimately want to see a resolution to these issues.

• (1345 )

We have repeatedly seen the First Nations of British Columbia press for treaty resolution. Until this decade, however, the provincial government had been unwilling to negotiate. It took the position that there was no need to negotiate because whatever rights to land and resources the aboriginal people may have had in British Columbia had been extinguished by an act of the crown.

The result was decades of legal acrimony. The First Nations first sought settlement through the courts of what they had been unable to achieve through the negotiation process. In 1973 the Supreme Court of Canada was asked whether the aboriginal title to the Nisga'a traditional territory had been extinguished in the Calder case. In that case the six judges were evenly split on the question. It fell on a very narrow technical issue in the way in which the case had been brought.

It was very clear from reading the judgments in the case that there was a recognition by the courts of the country of a legitimate claim to aboriginal rights in British Columbia which had to be addressed equitably if we were ever to resolve this extraordinarily important issue.

The courts for their part have expressed repeatedly and in the strongest terms that the issues brought before them ought to be settled at the negotiating table and not before the bar, settled through negotiations and not litigation. Many cases have determined this issue. I cite Judge Macfarlane in one who wrote:

> Treaty making is the best way to respect Indian rights. The questions of what aboriginal rights exist. . .cannot be decided in this case, and are ripe for negotiation.

He went on to observe:

> During the course of these proceedings, it became apparent that there were two schools of thought.
>
> The first is an all or nothing approach, which says that the Indian Nations were here first, that they have exclusive ownership and control of all the land and resources and may deal with them as they see fit.
>
> The second is a co–existence approach, which says that the Indian interest and other interests can co–exist to a large extent, and that consultation and reconciliation is the process by which the Indian culture can be preserved and by which other Canadians may be assured that their interests, developed over 125 years of nationhood, can also be respected—I favour the second approach.

I must say I agree. When I was in the private practice of law I had the opportunity of being involved in a case that was very interesting and very instructive in this area. It was the Baker Lake case. It took place in the Northwest Territories. The court also resolved and ruled that the applicants in that case had aboriginal rights, but the court failed to set out what those aboriginal rights were. It failed to set out what the specificity of those rights were.

Therefore the aboriginal peoples in the area were left with the unpleasant situation of knowing they had a right but not knowing whether they could exercise it in contradistinction against mining companies that might be in conflict with their claims and exercise it in contradistinction against other claims.

These issues cannot necessarily be settled by courts of law. The courts may lay out a general provision such as saying that there are aboriginal rights that have not been extinguished. That is a legal issue and an issue a court can rule on.

What is the exact content of those rights and how they will be applied in a modern complex society where there are conflicts between urban and rural uses of land mixed with that of the aboriginal peoples? They have to be addressed in the negotiating process. That is being sought in the circumstances. That is why I agree with what the judge said in the case to which I have referred. I am sure members of the House would agree that the co–existence approach, based upon consultation and reconciliation, is the appropriate approach.

I am sorry, I say to my legal fraternity friends, to suggest that court is not the place to be on this issue. There are places where we do not need lawyers and we certainly do not need judges to resolve them. We need the political will to have people sit down and resolve their disputes with a mutual trust and understanding among them.

It pains me to say that in the province of British Columbia today quality of trust is absent. I happen to come from Vancouver originally. I happen to have the privilege of going back to Vancouver regularly. I have seen the tremendous turbulent summer of pain and protest that took place last summer. These confrontations will not resolve the issues. It is only through

negotiation and mutual respect that we will be able to do that. It will not work through an all or nothing approach.

We cannot leave the resolution of the issues for those who have little respect for the law. That is what worries me about the resolution. It astonishes me that a member of the third party would bring forward a resolution suggesting that this issue be pushed over for a couple of years. Basically that is the suggestion.

• (1350)

I have listened to the passionate intensity with which members of the third party speak in the House about the rights of their constituents, about their need to defend their constituents, and about how their rights are not being properly regarded by the government and by the ways in which the laws of the country apply.

What would they advocate to their constituents about the resolution of their essential rights, how their lives will be conducted and how they will be able to earn their living? These rights have been in abeyance in some cases for 30, 40 or 50 frustrating years. Would they go back to their constituents and suggest that they just sit still and put this off? I find that difficult to believe. I do not believe they would do that. What is sauce for the goose is sauce for the gander. We should not be treating the aboriginal peoples of the country or of the province of British Columbia any differently than we treat other citizens in this respect.

We have a B.C. Treaty Commission. It establishes a solid foundation for consultation and reconciliation. At the heart of its operations are the coexistence approach and consultative approach. There are those in the House and those in the community who would maintain that the process concedes too much to First Nations. This too is starting to sow discontent.

I have heard radio shows in British Columbia. I have heard members say that 100 per cent of the province is covered by claims of the aboriginal peoples. However hon. members know better than this. We all know that claims are one thing, but to exaggerate them as a threat to the existence of the process is irresponsible. Claims are one thing. They are put forward but they can be resolved not necessarily in a court of law but in a framework of consultation, mutual respect and a desire to achieve a result that will be beneficial for all parties.

If that approach is taken, rather than an in terrorem approach of having huge claims, of the whole province being swamped and taken away from us, we would move toward a much more satisfactory resolution of the issue.

We know there are overlapping claims. The commission knows that is the case. They can be dealt with. We will not move forward by leaving the issue fester for another two years, until after another provincial government election; pushing it off into the future; and allowing the distrust, mistrust and exaggerations on both sides to prevail.

For those reasons I urge the House not to adopt an all or nothing approach. We should give to the British Columbia Treaty Commission its right to facilitate modern day treaties, to assess the readiness of parties to begin the negotiations, to allocate negotiation funding to aboriginal peoples, to assist parties to obtain dispute resolution services at the request of all parties and to monitor the status of negotiations.

In that way we could move the issue onward and start the process of achieving an equitable, just and lasting resolution of an issue that is extraordinarily important not only to the citizens of British Columbia but all citizens of the country who wish to see a harmonious social climate in which to operate.

**Mr. Jay Hill (Prince George—Peace River, Ref.):** Mr. Speaker, I listened quite attentively to my hon. colleague's comments about the Reform motion that has been put forward today.

We really have to describe the reason behind it. Perhaps we have not been explicit enough in explaining it. We feel very strongly that the British Columbia government at this time lacks credibility and does not have the confidence of the B.C. people to continue to proclaim it has a mandate to bring about some very comprehensive claims agreements and new treaties for British Columbia.

I listened to the member say that trust was absent in British Columbia. Certainly it is, but we have to ask why it is absent. I assert that it is because of the bungling of both provincial and federal governments in the past.

• (1355 )

Given the claims in the territories which in the opinion of a great many Canadians were very generous, is it any wonder there is concern among Canadians about the extent of the claims in British Columbia?

**Mr. Graham:** Mr. Speaker, the hon. member raises a complicated issue. The first part of the issue concerns the governance of the country. He is saying that his sense of the political process in British Columbia or that of observers is that the present government lacks credibility.

I do not disagree the present government in British Columbia is in political difficulty. We live in a process whereby that government was elected for a certain term and has certain obligations to serve the people of British Columbia. This is not a new policy that has been brought forward. The argument would stand better both with the public and with the political process if this were some radical departure the present government was proposing, if it were something in the extreme. That is not what is happening.

The commission has been put in place to take the venom out of the process and to get the negotiations moving along. There is no guarantee they will be completed before the government changes, but the process must be allowed to continue.

To use the present government's unpopularity as a pretext to end what has been a long, extended historical process, which for some people has been going on for 40 years, would be unfair to the aboriginal peoples. It would be disrespectful to the political process of the country.

Sometimes in parliamentary debate we exchange views about one another, but I am sure the hon. member would be very unhappy if I were to stand and say that the polls indicated that the Reform Party has *x* per cent and therefore nothing he says in the House is to have any credibility. The member was elected. He has a right to speak.

That government was elected to do a job. It is doing its job. There is no sense that it will necessarily complete it but we must continue the process. We have a democratically elected process in the country that has established a mechanism by which we are finally seeing some chance for the resolution of these enormously complex, difficult and important social issues.

I for one would like to see the process continue and to see a peaceful resolution achieved. That is why I find it very difficult to accept the basic premise under which the motion has been moved.

[*Translation*]

**The Speaker:** My colleagues, it being 2 p.m., pursuant to Standing Order 30(5), we will now proceed to statements by members.

---

## STATEMENTS BY MEMBERS

[*English*]

### DAIRY INDUSTRY

**Mr. John Finlay (Oxford, Lib.):** Mr. Speaker, two weeks ago I had the pleasure of visiting a dairy farm in Oxford county as the guest of Jim Donaldson of Donaldson International Livestock Ltd., Lubor Dobrovic of the Slovak State Breeding Institute, and George Heyder of the Slovak Holstein Association. Also present was a member of the board of directors of Ridgetown College and the communications adviser of CIDA.

Donaldson International has arranged for training to be provided for key people in the Slovakian dairy industry over the next three years. This $800,000 development project will help to develop a modern sustainable dairy industry in Slovakia.

It is encouraging in the extreme to know that small Canadian businesses, Canadian educational institutions and CIDA can co–operate in such important endeavours.

This three–year project will prove beneficial to the dairy industry in both countries and will build closer ties between Canada and the new Republic of Slovakia.

* * *

[*Translation*]

### EAST TIMOR

**Mr. Nic Leblanc (Longueuil, BQ):** Mr. Speaker, today is a sad day in that it marks the 20th anniversary of the invasion of East Timor by the Indonesian army. As you know, this invasion resulted in one of the worst holocausts since 1945, with the genocide of more than one third of the population.

Unfortunately, East Timorians are still the victims of one of the harshest political repressions known.

Year after year, reputable organizations such as Amnesty International, condemn violations of human rights in that country. On this sad day, which reminds us that too many human beings die in the name of freedom, the Bloc Quebecois wants to condemn the very timid attitude of the Canadian government regarding the promotion of human rights.

* * *

[*English*]

### VIA RAIL

**Mr. Jim Gouk (Kootenay West—Revelstoke, Ref.):** Mr. Speaker, on December 6 the ''Stop the Great Train Robbery'' bus came to Parliament Hill. This bus was covered with thousands of signatures protesting gross over subsidization of VIA Rail at a time when Canadians are facing crippling government debt.

The bus carried supporters of the protest and a petition containing almost 10,000 signatures. The Minister of Transport had been requested to accept the petition from these concerned citizens but did not even bother to respond to the request.

I accepted the petition, but because it is not in a form deemed presentable in the House for the government I cannot present it here. As an alternative I invite the Minister of Transport to accept it from me outside the doors of the House immediately after question period.

I also ask the minister again to take action to stop VIA Rail from reducing already heavily subsidized fares so it can take Canadian taxpayers' money and use it to compete against customers unsubsidized in the private sector.

The minister can choose to send out a message of goodwill to Canadian taxpayers or he can continue to squander their money. Thousands of people who signed this petition are waiting for his response.

## THE ECONOMY

**Mr. Vic Althouse (Mackenzie, NDP):** Mr. Speaker, for more than 20 years successive federal governments have claimed to be fighting inflation and the deficit by cutting corporate taxes, raising interest rates and cutting programs. What have investors done with the interest earned and the taxes saved? They have used their surplus funds to bid up existing stocks to the point at which general stock values in Canada are reported to be up 35 per cent over last year.

To continue generating existing levels of profit, their prices for goods and services provided will have to be pushed up, as will inflation.

If the government is serious about fighting inflation and the deficit, a tax on transactions can both cool inflationary pressures and reduce the deficit. Such a multiple approach to fighting the deficit and inflation might actually work, unlike current policy fixation with high interest rates, low corporate taxes and deep program cuts.

Surely after 20 years of failure to meet even one deficit target it is time to try some things that might actually work.

* * *

## BANKS

**Mr. Andrew Telegdi (Waterloo, Lib.):** Mr. Speaker, the big banks would like to sell insurance directly to their customers.

Many Canadians are worried about concentrating economic power in the hands of a few large banks, putting the safety of the financial system at risk.

In changing the Bank Act, the government should be careful not to reduce competition. Consumers would suffer from reduced choice in the financial industry. Banks selling insurance would have an unfair advantage over insurance companies. Insurance companies are not entitled to have the same government guarantees the banks have, including Canada deposit insurance. Banks will also have an unfair advantage if they are allowed to use confidential client information to help sell insurance.

Any changes to the Bank Act must be fair to the insurance companies and must protect the consumer. Banks should stick to their mandate and start lending money to small businesses, the engine of the country's economy.

Rather than letting the banks expand into insurance, we should tax their record profits and force them to lend more money to small businesses.

*S. O. 31*

## MALVERN REMEDIAL PROJECT

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, this week in my riding of Scarborough—Rouge River we are completing the last of the work on the Malvern Remedial Project.

This is an initiative to restore a residential area where soil had been contaminated by low level radioactive material dumped during the second world war. Although the problem was discovered in 1980, it has taken 15 years for all levels of government and the community to achieve their goal of removing the contaminants and restoring this neighbourhood of family homes.

We want to recognize and thank the Minister of Natural Resources and the leadership of her officials, the province of Ontario for sharing the cost and purchasing the real estate required, AECL for its expertise, the city of Scarborough, the local advisory committee chaired by Mr. John Brickenden, elected representatives at the municipal, regional and provincial assemblies and, last but not least, the Ontario and Canadian taxpayers who underwrote the costs.

The Malvern/McLure neighbourhood says thank you for this successful initiative. We hope the Malvern Remedial Project can be a successful example of community and government working together to correct environmental mistakes of the past.

* * *

## MINISTERS OF FINANCE

**Mrs. Georgette Sheridan (Saskatoon—Humboldt, Lib.):** Mr. Speaker, it may come as a surprise to our beloved finance minister to learn that last Friday in my riding of Saskatoon—Humboldt there were no less than four individuals passing themselves off as the Minister of Finance of Canada.

• (1405 )

The culprits are students from the University of Saskatchewan participating in an annual term project, the brainchild of Professor Marv Painter of the college of commerce, whereby undergraduate commerce and MBA students produce a federal budget.

This year 138 students made up the four teams which presented their government initiatives regarding economic and social policy, taxation, government spending, deficits and debt.

In support of their budget proposals, each group determined the source of revenues, allocation of expenditures and future estimates of GDP growth, interest rates, inflation and so on.

As one of a group of 50 invited to hear the budget speeches, I was very impressed with the effort put into this project and the vigour with which the students attacked this thorny fiscal challenge.

My congratulations to Professor Marv Painter and finance ministers Michelle Cocks, Roger Miller, Curtis McKenzie and Judy Karwacki, and the other students on a job well done.

* * *

[*Translation*]

## QUEBEC CULTURE

**Mr. Gilbert Fillion (Chicoutimi, BQ):** Mr. Speaker, yesterday, Quebecers from all political affiliations were stunned to hear the Prime Minister, a Quebecer himself, say that there is no such thing as a Quebec culture. Rather, there is a French and an English culture which he calls the Canadian culture.

The Prime Minister's simplistic view, which denies the very basis of his motion recognizing Quebec as a distinct society, shows that his roots in the Quebec society and culture do not run very deep. Given the comments made by her leader, it is surprising to see that the current labour minister, a former cultural affairs minister in the Liberal government of Robert Bourassa, has nothing to say on the matter.

Her silence must be a heavy burden on her conscience since, as the proverb says: ''Silence is a form of consent''.

* * *

[*English*]

## QUEBEC

**Mrs. Daphne Jennings (Mission—Coquitlam, Ref.):** Mr. Speaker, I have no problem agreeing that Quebec and Quebecers are or constitute a distinct society. My problem is with entrenching it in the Constitution. That for me and for many Canadians creates a problem. Why should Parliament resurrect an idea that Canadians voted down in the Meech and Charlottetown accords?

I believe in the equality of all Canadians, that each province, each region and the aboriginal peoples are all distinctive in their own way. But the question of what it means to be distinct has no concrete answer at this time.

Some say it does not mean anything but simply recognizes an historical fact. Some say it means the courts when they are looking at Quebec's laws will interpret them in light of the distinctiveness of Quebec. Therefore it is an interpretative part of the Constitution.

This would be something no other province would have. If we believe in equality, then we do not believe in special powers.

Please, let us not go through this again. Let us get on with rebuilding Confederation with new ideas. Let us look at what the Reform Party has to propose for the future of our country.

* * *

## MARITIME UNION

**Mr. Joe McGuire (Egmont, Lib.):** Mr. Speaker, recently we have had some strange echoes from the past in regard to maritime union. Let us hear what the past of maritime union has been.

In his thesis on maritime union, John M. Wilkinson posed the question:

> Was there ever in any one, or all three, of the maritime provinces any general or popular movement in favour of their union, as distinct from those inaugurated by official classes, such as politicians or those actuated by profit?
>
> The answer is that, unless the situation has changed, popular support for maritime union has been virtually non–existent. Even the legislators who in the 1860s agreed to a conference to consider such a union did it without enthusiasm and certainly not in response to the express wishes of their constituents.

Because of its lack of interest in maritime union, Prince Edward Island has been called the reluctant province. History indicates, however, that it has been different only in degree. It has been somewhat more reluctant than reluctant Nova Scotia and reluctant New Brunswick.

Let me assure the House this situation has not changed. A recent poll on Prince Edward Island put opposition to maritime union at 70 per cent—

**The Speaker:** The hon. member for Bramalea—Gore—Malton.

* * *

## SEYMOUR SCHULICH

**Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton, Lib.):** Mr. Speaker, earlier this week a North York investor, Mr. Seymour Schulich, donated $15 million to York University's school of business. His gift will pay for a series of undergraduate and graduate scholarships and up to five endowed chairs to study specific areas of business.

He said he believes every affluent Canadian has an obligation to give something back to the country.

He also suggested the federal government encourage more private donations by providing the same kind of tax breaks offered to American philanthropists, who get tax breaks four times larger than Canadians.

• (1410)

I take this opportunity to commend Mr. Schulich for his generosity and to suggest the government consider his advice very carefully.

Hospitals, schools, libraries and other public institutions can use all the donations they can get.

* * *

[*Translation*]

## NATIONAL UNITY

**Mr. Denis Paradis (Brome—Missisquoi, Lib.):** Mr. Speaker, in every province, Canadians are wondering what they can do to help keep Canada united.

All residents of Brome—Missisquoi, the Carons in Frelighsburg, the Gaudets, the Barabés in Farnham, the Bergerons and the Landrevilles in Magog want to see proposals for change on the table very shortly.

The demand for change is strong in Quebec. And in this connection, Mr. Speaker, allow me to congratulate the hon. member for Fredericton—York—Sunbury who, last Sunday, organized a forum for Canadian unity in Fredericton. This kind of forum which brings together people from all political parties is a way to promote discussion on the changes that are necessary.

I urge all members of this House, whatever their political affiliation, all those who believe in the Canada of the future, to work hard to keep Canada together. As for our differences regarding the administration of this country, we will have plenty of time to express them during the next election campaign. Canada counts.

* * *

## OLD AGE SECURITY

**Mr. Maurice Dumas (Argenteuil—Papineau, BQ):** Mr. Speaker, after doing a hatchet job on the unemployment insurance system and offloading most of the government's spending cuts on the provinces by reducing their transfer payments, the Minister of Finance is now zeroing on his third target: old age security pensions.

Yesterday the minister announced that he would soon be meeting with his provincial counterparts to consider the future of OAS in Canada. These discussions were to be preceded by the tabling of a federal policy paper. The tabling of this document, originally scheduled for 1994, was later postponed until this fall. However, nothing has been tabled so far, and federal cutbacks are to take effect in 1997.

The minister should at least have the courage to be open about his policies and table without delay a document which senior citizens have been waiting for all this time.

* * *

[*English*]

## INTERPARLIAMENTARY UNION

**Mr. John Williams (St. Albert, Ref.):** Mr. Speaker, yesterday my nomination for a place on the executive of the Interparliamentary Union, commonly known as the junketeer travel club, was denied even though it was acknowledged by the Chair as being in order.

At the same meeting prior to the election procedure and in order to deny my nomination, the constitution of the IPU was changed to allow executive positions only for those who ''undertake to promote the aims and objectives of the said interparliamentary organization''. This will be a difficult task given that the IPU has no aims or objectives.

The IPU is funded by the House and yet it has muzzled free speech, ignored its own constitution and trashed democracy.

My rights as a parliamentarian have been compromised. The reputation of the House has been sullied and I request that all parliamentarians condemn the actions of the IPU and direct the procedure and House affairs committee to investigate this abuse of process.

Even the communists played with more finesse than the IPU.

* * *

## PIERRE BOURGAULT

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, I was appalled the other day to read in *Le journal de Montréal* how Pierre Bourgault, a staunch separatist and confidant of Mr. Parizeau, branded a group of Canadians as racists.

It seems after a Canadian victory on October 30 the separatists had to blame somebody. Therefore Mr. Bourgault stated: ''The Jews, Italians and Greeks are racists''. Mr. Bourgault further states: ''We are not asking them to be sovereignists, we are asking them to be Quebecers''. They are proud Quebecers and they are also proud Canadians.

The separatists have now been completely unmasked and their hidden agenda is secret no longer.

He further made reference to the member for Bourassa. When the Bloc member and all other immigrants, myself included, arrived on these friendly shores, who welcomed us? It was Canada. Who gave us citizenship? It was Canada. It was Canada that gave us the opportunity to share in the Canadian dream.

The vote on October 30 was not an ethnic vote. It was a Canadian vote, a vote for unity, a vote for home, a vote for Canada.

* * *

[*Translation*]

## EDMUNSTON DIOCESE

**Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria, Lib.):** Mr. Speaker, Sunday, December 10, will mark the end of a series of events to celebrate the 50th anniversary of the founding of the Diocese of Edmunston.

• (1415)

During the past year, a group of volunteers in the diocese, under the able leadership of Jean Pilot, organized a variety of activities for the young and not so young. Thanks to these activities, this event was celebrated with enthusiasm and style.

The final day of the 50th anniversary celebrations will be marked by a solemn high mass at the Immaculate Conception Cathedral in Edmunston, followed by a Christmas concert.

The motto of the Diocese of Edmunston, ''Son amour s'étend d'âge en âge'', illustrates the optimism and sense of sharing that prevails over any differences that exist in our community.

I want to take this opportunity to wish my constituents a day filled with joy and happiness.

---

# ORAL QUESTION PERIOD

[*Translation*]

## UNEMPLOYMENT INSURANCE FUND

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, my question is for the Minister of Finance.

In his economic update yesterday, before the finance committee, the minister finally admitted that his government is putting the unemployment insurance fund surplus into the consolidated revenue fund, along with the other federal revenues and expenditures, and will continue to do so, rather than in a distinct reserve fund as the Minister of Labour claims. This admission leads to another, that his deficit for the current year is being lowered artificially with the U.I. account surplus.

Under these circumstances, will the Minister of Finance admit that, because he is taking five billion dollars out of the U.I. account this year, the real federal deficit for the current year is therefore not $32.7 billion but $37.7 billion?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, the hon. member ought not to confuse annual surpluses and cumulative surpluses.

To give an example, in 1993 when we became the government, the cumulative deficit of the unemployment insurance fund was $6 billion. In 1994, there was an annual surplus of $2.3 billion, which brought the cumulative deficit to $3.6 billion. In 1995, the annual surplus was approximately five billion dollars. This is the five billion the hon. member is referring to.

It will bring the cumulative surplus to only $1.4 billion. The two things must not be confused. We now have a surplus, not of $5 billion, but of $1.4 billion.

Our goal was not to reduce the deficit but to bolster the U.I. fund, which we have done, being good managers.

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, a good manager knows the contents of his budget.

Although I respect the minister, he is entitled to his shortcomings as much as anyone. He has certainly forgotten that next year he himself has projected taking $5 billion from the U.I. fund during the year. He is entitled to a mistake, so we will give him another chance.

Will this minister, good manager that he is, admit that to bring his deficit, the federal deficit, down to $17 billion in 1997–98, as he has indicated to us, he will need to keep on dipping into the U.I. fund year after year?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, I have great respect for the hon. member for Roberval. I clearly understand where the confusion lies. What he is really recommending is an accounting process which was in place prior to 1986.

I would simply like to state that prior to 1986 the government did follow the procedure recommended by the hon. member and by the Bloc finance critic. But the auditor general came out with the following opinion in 1986. ''In my opinion''—I am quoting the auditor general here—''the unemployment fund operations ought to be consolidated with the government financial statements, with employer and employee contributions added on the reported receipts side, and benefits and administrative costs included with reported expenditures''.

• (1420)

Since this had not been done in 1986, the auditor general expressed reservations on the government's financial statements. That year, the government changed to the accounting process we are currently using. I would therefore suggest to the hon. member, if he does not like the way the government is accounting, and if he thinks he is better at figures than the auditor general—and perhaps he is—that he talk to the auditor general.

**Mr. Michel Gauthier (Roberval, BQ):** Two strikes against him now, Mr. Speaker. The Minister of Finance has neglected to point out that, at the time the auditor general made that recommendation, the federal government was contributing to the unemployment insurance fund. That is no longer the case. Two strikes, no hits.

I will give him a third chance. Given the government's reticence to really streamline the federal machine and review all of its finances, will the Minister of Finance acknowledge that, if he does not divert the sizeable U.I. fund surpluses into his

budget, he will be totally incapable of reaching his budget targets in coming years?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, if the hon. member is capable of convincing the auditor general that we ought to change the accounting method because contributions now come only from employers and employees, we are prepared to examine the situation.

I understand the hon. member's questions but he is constantly quoting the auditor general as if he were quoting the Deity. Sometimes we have to accept that God does things that are not to our liking. Only the Pope is infallible.

Instead of making forecasts, let me point out what we have done to date. The government's operating balance has risen from a $4 billion deficit in 1993–94 to a $17.6 billion surplus this year, a $21.6 billion improvement. Within that amount, there was a $6 billion improvement in the U.I. fund deficit. This means that, looking at the cuts, the reorganization of public finances, less than 30 per cent has come from the unemployment insurance fund, and 70 per cent from government activities, cuts and other steps.

* * *

## OLD AGE PENSIONS

**Mr. Yvan Loubier (Saint–Hyacinthe—Bagot, BQ):** Mr. Speaker, I would first off remind the Minister of Finance that the Canadian Institute of Actuaries and almost all employer organizations, including the Conseil du patronat du Québec, are today calling for a separate account for unemployment insurance, separate from the government's revenue and expenditure budget. He seems to have forgotten it at the moment. He is talking about 1988; he should be looking at 1995.

The Minister of Finance has made the unemployed carry a major portion of his cuts to program expenditures and he is now saying that, to reach his new deficit reduction targets by 1997–98, he has to make additional cuts of several billion dollars.

With the Minister of Finance clearly indicating yesterday his intention to go after old age pensions, are we to understand that, as of next year, the brunt of the additional cuts will fall on current and future recipients of old age pensions?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, first, there is a separate account for unemployment insurance, now employment insurance. So there already is one. However, even with the separate account, the auditor general is insisting it be included with our figures.

• (1425)

Second, unemployment insurance premiums have been reduced by a billion and a quarter dollars, as announced by the Minister of Human Resources. This is a huge reduction, which will contribute to job creation.

Third, as regards the old age pensions, I said the exact opposite to what the member is saying. I said that the statements the Prime Minister has already made regarding old age pensions will certainly be foremost in our minds when we draw up the budget.

**Mr. Yvan Loubier (Saint–Hyacinthe—Bagot, BQ):** Mr. Speaker, we put the question to the Minister of Finance and he says that the unemployment insurance surplus is part of the consolidated fund; the next day he says it is not. We do not know which way is up.

I will put the question to him another way. We are giving him his fourth and fifth chances today. Since his government has just grabbed the surplus in the unemployment insurance fund and drastically limited access to it, will the Minister of Finance acknowledge that he is preparing to do the same thing to the old age pensions, that is, in addition to cutting them, he will make benefits harder to obtain?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, it is possible to have a separate account and still have consolidated funds.

I understand the member's problem. He is an economist, and economists have a hard time understanding accounting. Perhaps the member for Roberval will explain it to him.

Furthermore, we were very clear on the pension funds. Our aim is to leave seniors untouched and to protect the system so it will be there for young people.

* * *

[*English*]

## THE DEFICIT

**Mr. Herb Grubel (Capilano—Howe Sound, Ref.):** Mr. Speaker, innumerable ordinary Canadians, business leaders, think tanks, economists and the IMF insist that setting interim targets for the deficit is not enough. They have urged the Minister of Finance to set targets for the complete elimination of the deficit within this government's mandate. I am baffled that the finance minister blinked and missed the easy opportunity to do so.

Only relatively small additional cuts are needed to satisfy these Canadians. The interim targets he chose increase the uncertainty about the government's resolve and prevent getting into the virtual cycle of more growth, even faster deficit elimination and lower interest rates.

Why has the minister chosen to subject Canadians to essential surgery but not enough to get rid of the malignant tumour?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, perhaps the best way to answer the hon. member's question is to cite an economist of great reputation whom I am sure the hon. member knows, Carl Weinberg from High Frequency Economics.

In referring both to the IMF and to the kind of measures recommended by the hon. member, he says that the hon. member's advice is geared toward a country that cannot meet its bills or obligations, that is facing all kinds of international actions to try to withdraw money from it. He then goes on to say, showing far greater confidence than the members of the Reform Party, that Canada ''is not in that case and therefore should not be subject to those kinds of measures. I think those measures would succeed in bringing the deficit down but with catastrophic economic consequences. I do not think it is warranted to take that kind of extreme action''. That is his opinion, that is our opinion, and it is an intelligent opinion.

**Mr. Herb Grubel (Capilano—Howe Sound, Ref.):** Mr. Speaker, I am sure the many economists and business leaders who testified in front of the finance committee will know they are stupid and do not know what they are talking about.

I am somewhat surprised that the minister did not bring up this strawman comment that to do more would mean slash and burn. I am shocked that on other occasions the minister has attempted to portray all deficit cutting as slash and burn.

We know of the minister's love for hyperbole and the risk it brings, but the minister knows he is knocking a strawman. The IMF, his own advisers and Reform have offered plans that would eliminate the deficit by cutting fat and unaffordable transfer programs. Frank McKenna, Clyde Wells and other Liberal friends of his have shown how to do it.

• (1430)

Why does the minister not follow the consensus advice and examples available to him and make the cuts needed to preserve Canada's social safety net and enable Canadians to get back to work?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, I am sure that Clyde Wells and Frank McKenna would be delighted to be cited by the hon. member. I now look forward to the finance ministers' meeting next week.

The measures that we have taken are going to allow us to protect Canada's social fabric. If one looks at the budget that was brought in by the Reform Party, there is no doubt about how quickly it would get the deficit eliminated.

**Some hon. members:** Hear, hear.

**Mr. Martin (LaSalle—Émard):** The members of the Reform Party applaud, but let us look at what they are applauding. They are applauding the evisceration of the health care system. They are applauding the evisceration of old age pensions. They are applauding the evisceration of the program to help small business into exports.

What the Reform Party members are applauding are the basic programs that are going to enable this country to go into the next century far healthier than any other country in the G–7.

**Mr. Herb Grubel (Capilano—Howe Sound, Ref.):** Mr. Speaker, the people who came to the finance committee complained about the terrible consequences of the $4 billion cuts that took place last year.

What the minister does not want to admit is that because he cut so little all those cuts were for naught. All $4 billion was eaten up by increased interest costs. That is the issue.

Furthermore, the finance minister's logic needs some help. The first premise he presented yesterday: deficit reduction leads to lower interest rates, more jobs, economic growth and tax cuts. Premise two, which is implicit in the free—

**Mr. Young:** No, Mr. Speaker, let him go. That was a good question.

**The Speaker:** I would ask hon. members, both those putting questions and those giving answers, if they could condense them. I would invite the member to please put his question.

**Mr. Grubel:** Yes, Mr. Speaker, but as a lead off questioner I thought I would get just a tiny bit more.

**An hon. member:** Even the same as the Bloc would be helpful.

**Mr. Grubel:** Mr. Speaker, if lower interest rates create jobs and lower deficits create jobs, why does the minister not follow his own logic and go all the way and eliminate the deficit?

**Mr. Hermanson:** Right on.

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, there is no doubt that lower deficits lead to lower interest rates and to more jobs, but it is simply a function of balance. If we go too far, we are going to cause a great deal more long term damage.

I thought it was expressed really quite well yesterday. The leader of the Reform Party, the member will remember, made an analogy to a fiscal drunk running down the highway. That is probably not a bad analogy to the differences between our two parties. What we are going to do is sober that drunk up. What the Reform Party does is run him over.

**Some hon. members:** Hear, hear.

• (1435 )

**The Speaker:** I should tell members we are going to shorten the questions and I am going to help you.

* * *

[*Translation*]

## QUEBEC CULTURE

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, my question is for the Prime Minister.

Yesterday, the Prime Minister explained that there was no Quebec culture, but rather an English–Canadian and a French–Canadian culture. Last week, however, the Prime Minister tabled in this House a motion saying that one of the characteristics of Quebec's distinct society is its unique culture.

How can the Prime Minister reconcile the comments he made yesterday with his distinct society motion, when there is an obvious contradiction?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I never said yesterday that there was no Quebec culture. I said that Quebec culture is not necessarily limited to French, and that French culture also exists outside Quebec.

We believe so strongly in a Quebec culture that not only do we talk about it but we also tabled in the House a motion recognizing it. The hon. member for Rimouski—Témiscouata is voting against our distinct society proposal stating that Quebec is a distinct society by virtue of its French language, unique culture and civil code. This is a motion I tabled in this House to recognize Quebec culture, and Bloc members are voting against it.

I also explained that French culture is celebrated in all of Canada, and I named a number of prominent Canadians of whom francophones in both Quebec and Canada can be proud. I talked about Antonine Maillet, Gabrielle Roy, Roch Voisine, Henri Bergeron, and many others who speak French and have a French culture, even though not all of them are from Quebec. That is what the hon. member does not understand.

If she wants to recognize Quebec's unique culture, all she has to do is to support the motion that will be voted on next Monday in this House.

**Mrs. Suzanne Tremblay (Rimouski—Témiscouata, BQ):** Mr. Speaker, frankly, it sounds like there is a Quebec culture on some days but not on others. I would like to know if Quebec culture exists on odd– or even–numbered days. We are stumbling about in the dark.

Does the obvious contradiction between the Prime Minister's comments and his motion not confirm that his motion is in fact a meaningless, empty shell that will not fool Quebecers?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, the Canadian House of Commons is voting in favour of a motion clearly stating that Quebec is a distinct society by virtue of its French language, culture and civil code. It is the best way of putting it. And yet Bloc members are set to vote against it—because they will rise one by one in this House to vote and be recorded as saying that they do not want to support recognition of Quebec as a distinct society. They should be ashamed of themselves.

* * *

[*English*]

## THE ECONOMY

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, obviously the Minister of Finance does not understand. The whole point of this exercise of eliminating the deficit and the debt is to lead the way toward social programs that we can sustain over the long run and also give people tax relief. That may be hard to understand if you do not pay taxes in this country, but that is what we are aiming for.

Why does the minister insist on prolonging the suffering of Canadians and denying them hope? Why does he do that with this narrow, inch at a time deficit elimination policy? Why does he refuse to completely eliminate the deficit and reduce taxes? Why does he not do his job?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, because I have seen the alternative.

I would ask the members of the Reform Party to take a look at the consequences of their own budget. It is impossible for the Reformers to say that what they want to do is protect old age pensions by reducing the deficit, when their means of getting there are to virtually eliminate the basic foundation for old age pensions.

• (1440 )

It is impossible for the Reform Party to say that it wants to protect health care when it would erase the transfers that go to protect health care. It is impossible for the Reform Party to say that it wants to reduce taxes when it would pursue an industrial policy that would make it impossible for the country to create jobs.

**Mr. Monte Solberg (Medicine Hat, Ref.):** Mr. Speaker, that is absolute rubbish. The fact is interest payments on the debt are undercutting social programs, which is exactly why the government is cutting unemployment insurance and making all kinds of other adjustments.

If the Liberals had dealt with this in the first year of their mandate we would not be in the hole we are in today. The finance minister has got to start accepting some responsibility. He blew it right from the beginning.

When can Canadians expect to get some tax relief? The minister is saying, trust me. It will be sometime in the next millennium, over the hill and beyond the horizon. When exactly are we going to get some tax relief in this country?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, the most important kind of relief that this country should look to is a reduction in interest rates.

The member knows that if we were to proceed to a tax decrease right now that the net result would have an immediate impact on the budget. It would not lead to lower interest rates and might well lead to higher interest rates. In fact that is what is happening. That is what all the commentary is about now in those countries in Europe that are contemplating a tax decrease.

We are dealing in a very measured and deliberate way with a huge debt and a huge deficit which this government inherited. It inherited it from a previous government, the government that most of those people, the crypto–Tories over there, probably voted for 10 years ago.

* * *

[*Translation*]

## CANADIAN HERITAGE COMMITTEE

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, my question is for the Prime Minister. For the past two weeks, the Liberal members of the heritage committee have objected to the fact that two federal cultural agencies, namely the Canada Council and Telefilm Canada, subsidize artists or productions with a bias towards the sovereignist cause.

Since the Prime Minister skirted the issue yesterday, I am putting the question to him again today. Does he endorse the position taken by government members sitting on the heritage committee, who maintain that granting agencies should now fund artists according to their political opinions?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, our policy on the subject is clear. The Canada Council is an independent agency that grants subsidies based on its own set of criteria. The fact of the matter is that the Quebec artistic community has always greatly benefited from the Canada Council, and everyone in the Quebec arts community is very pleased with the objectivity displayed by the Canada Council.

Members may not always be happy with the way a subsidy is granted or used. Freedom of expression is a privilege enjoyed by every Canadian.

It is like when the Canada Council buys paintings for the National Gallery; some like it, others do not. But they are at liberty to do so, and I think that nowhere in the world is the arts community afforded as much independence as in Canada.

**Mrs. Christiane Gagnon (Québec, BQ):** Mr. Speaker, does the Prime Minister not agree that there is cause for concern when the head of the government seeks not only to control the information provided by a government agency but also to provide political guidance on the content of cultural productions subsidized by the Canada Council and by Telefilm Canada?

**Right Hon. Jean Chrétien (Prime Minister, Lib.):** Mr. Speaker, I do not see how the hon. member can say something like that, because the law has not changed. The Canada Council is the same as it has always been, and our members are doing a very professional job.

I maintain that members are free to complain when they are unhappy about something, and they have indeed aired their complaints on many issues. That is what freedom of speech is all about. Members who have objections to raise should raise them. That is what they were elected to do. On the other hand, while it has to take their objections into account, the Canada Council is free to act as it sees fit.

• (1445)

I will not ask the members not to express discontent. Government members and opposition members alike are entitled to their opinions.

* * *

[*English*]

## DEPARTMENT OF NATURAL RESOURCES

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, through access to information I received an audit from April 1994 that revealed the practice of hiring family members at Natural Resources Canada.

In one forestry office alone, the auditors counted 115 people in one year who got their jobs from relatives on the inside of the department. That was last year. This year a new audit says that there is still a major problem that the minister has yet to address.

Will the minister initiate a department–wide audit of contracting in her department to uncover the real extent of the family compact at NRCan, or will she at least get a family member to look into it?

**Hon. Anne McLellan (Minister of Natural Resources, Lib.):** Mr. Speaker, let me first point out to the hon. member that the audit to which he refers is an audit of contracting practices that took place during fiscal year 1992–93, before this government came to power.

Let me indicate further that it was this government that undertook an audit in relation to contracting and management practices in the Department of Natural Resources. We determined that those problems existed. We have taken corrective measures in relation to them.

An audit done in June 1995 indicates that we have corrected the mistakes of the past. We have put in place management practices and courses in relation to conflict of interest. I might say to the hon. member that to the satisfaction of the auditors involved we have been successful in dealing with the practices that were identified as unacceptable.

**Mr. Chuck Strahl (Fraser Valley East, Ref.):** Mr. Speaker, I would like to think that most of the relatives were already hired, but this year's audit also says that bypassing merit to hire family members has become an accepted way of doing business in the department.

It is not acceptable, which is why I asked for the list of contracts the department had investigated so that we could have a look to see how deep this mess was within the department.

Incredibly we find the department did not keep such a list or now it cannot find it. Will the minister undertake to find this list of contracts and table it in the House so we can see whether the problem of nepotism extends to her department?

**Hon. Anne McLellan (Minister of Natural Resources, Lib.):** Mr. Speaker, I can assure the hon. member that corrective action has been taken.

**Mr. Abbott:** Prove it.

**Ms. McLellan:** I am quite happy to prove it to the hon. member. I have a list of measures we have taken in my department to correct the situation. I will be happy to share it with the hon. member.

* * *

[*Translation*]

## CANADIAN BROADCASTING CORPORATION

**Mr. Gilles Duceppe (Laurier—Sainte–Marie, BQ):** Mr. Speaker, the study commissioned by the CBC on the coverage of the referendum campaign reveals that the French network gave essentially the same coverage to the yes and the no sides, whereas the English network gave almost two thirds of its time to the no side. Yet, the study concludes that both the French and English networks were neutral in their coverage.

Does the Minister of Canadian Heritage agree with the conclusion that CBC's English network was neutral in its coverage of the referendum campaign?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, I do not draw conclusions on studies I have not yet seen. The CBC's board of directors asked for some reports. I am told that these reports were submitted to the board. I still have not received them. I will comment after seeing them.

**Mr. Gilles Duceppe (Laurier—Sainte–Marie, BQ):** Mr. Speaker, the minister does not want to make a pronouncement. However, given that today's newspapers mention that the French network gave 52 per cent of its time coverage to the yes side and 48 per cent to the no side, while the English network gave 62 per cent of its time coverage to the no side and 38 per cent to the yes side, could the minister make some enlightening comments on these figures?

• (1450)

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, I know that the CBC's board of directors intends to follow up on the report. Again, I am reluctant to comment on figures taken from a newspaper article. I want to get much more information on the CBC's coverage and on the exact nature of the report.

* * *

[*English*]

## TORONTO

**Mr. Barry Campbell (St. Paul's, Lib.):** Mr. Speaker, the greater Toronto area is home to 4.5 million people. The area has been disproportionately impacted by the recession and continues to lag in the recovery, with negative repercussions for the entire Canadian economy.

The Government of Canada spends millions and millions of dollars in the GTA often in ways people do not see directly. My question is for the minister responsible for the infrastructure program. Will he tell the House how that one program is contributing to economic recovery in the greater Toronto area?

**Hon. Arthur C. Eggleton (President of the Treasury Board and Minister responsible for Infrastructure, Lib.):** Mr. Speaker, in answering the question I am pleased to note in the gallery opposite a holder of an office that I had the pleasure of holding at one time. I am pleased to note and welcome the mayor of Toronto, Her Worship Barbara Hall, to the House.

In the greater Toronto area we have approved over 300 infrastructure projects involving an infusion of some $755 million, which has created in excess of 11,000 jobs in that area. With the co–operation of Mayor Hall and the Toronto City Council many of these projects have been in the downtown Toronto area.

All these projects, just like all projects across the country, have helped to put Canadians back to work, have helped to strengthen the infrastructure in our communities and to bring in additional investment dollars. They have all been done in a co–operative way, which proves that the federal, provincial and local governments can work together for the improvement of the quality of life of Canadians.

## GOVERNMENT APPOINTMENTS

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, the Minister of Canadian Heritage recently made a number of appointments to the board of directors of the Museum of Civilization.

Is he aware that one of the appointments is a senior partner of the lawyer who was responsible for the election campaign of the Minister of Intergovernmental Affairs? Yes or no.

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, appointments are made as a result of a very careful scrutiny of the ability of people to exercise office. This is what was done in that case, as with any other appointments in my portfolio.

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, I may have missed the answer. I was looking for a yes or no. The point is the scrutiny seems to include Liberal credentials because the Liberals continue the old–fashioned discredited practice of feeding their friends lucrative government posts. In so doing they denigrate our public institutions.

Let me remind the minister that the appearance of conflict of interest is against the current code of conduct of public office holders. My question is simple. Did he know this appointment was against the conflict of interest code?

**Hon. Michel Dupuy (Minister of Canadian Heritage, Lib.):** Mr. Speaker, these appointments are scrutinized from that viewpoint as well.

As to the notion that Liberals have no capability to fill any office, the member should remember that the president of the Canadian Broadcasting Corporation is Perrin Beatty who did not sit with the Liberals in the previous Parliament.

* * *

[*Translation*]

## COAST GUARD

**Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ):** Mr. Speaker, my question is for the Minister of Transport.

At a meeting of the Société de développement du Saint–Laurent on November 23, the commissioner of the Coast Guard refused to rule out the possibility that the cost of icebreaking would be charged directly to the users of the St. Lawrence, which would mean that Quebec shipowners would have to bear nearly half of all the new costs charged to shipowners for Coast Guard services.

How does the minister explain his government's contemplating making Quebec shipowners pay the cost of icebreaking on the St. Lawrence, when this service is free in the North?

**Hon. Douglas Young (Minister of Transport, Lib.):** Mr. Speaker, I know that the hon. member follows the activities of the Coast Guard very closely and he is no doubt aware that it now comes under the Minister of Fisheries and Oceans.

• (1455)

However, I wish to assure my hon. colleague that the costs that will be recovered in all transport sectors are not going to be limited to those who own ships in the St. Lawrence. Most of the ships plying the St. Lawrence do not belong to Quebecers, nor to Canadians, for that matter.

That said, we will be ensuring that, in all sectors, costs incurred will be recovered from users.

**Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ):** Mr. Speaker, the minister is forcing me to point out that the Minister of Fisheries and Oceans was not present in the House, and that is why I asked him—

**Some hon. members:** Oh, oh.

**The Speaker:** I would ask the hon. member to put his question.

**Mr. Guimond:** Mr. Speaker, does the minister, being responsible for marine transportation, realize that, by charging shipowners using the St. Lawrence the cost of icebreaking, he is threatening the competitiveness of the St. Lawrence ports, and particularly the port of Montreal?

**Hon. Douglas Young (Minister of Transport, Lib.):** Mr. Speaker, when the hon. member asked his question, he said clearly that the person in question, the one who made the statement, did not want to rule out the possibility that all costs would be recovered for icebreaking operations in the St. Lawrence.

In the coming days, we will announce the future policy and strategy for the entire marine sector. At that point, we will certainly have an opportunity to properly discuss a question of potential concern to everyone. User costs will be discussed and debated.

I would reassure the hon. member and the people directly affected that no final decision has been made on this yet.

[*English*]

## PENITENTIARIES

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, members of the House might be surprised to learn that presently there is no effective way to prevent prisoners from harassing their victims from inside their jail cells.

One Vancouver jailbird has been leaving up to 16 messages a day on his victim's answering machine as well as sending letters from the prison even though the court has told him not to.

I am sure there will be an outpouring of sympathy from the Minister of Justice, but the Canadian people would like to know what he will do to stop this harassment and when he will do it.

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, new policies are being put in place with respect to access to telephones by prisoners in federal institutions. Work is ongoing with respect to mailing privileges as well.

Would the hon. member, since he did not give me notice of the question, confirm that the prisoner in question is in fact in a federal institution?

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, the Minister of Justice did not have the opportunity to express sympathy, but I am pleased to hear at least a partial answer from the solicitor general.

I will repeat my question. Since the solicitor general indicates that something is being done, when will he do it, an exact date, and what exactly will he do?

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, since the hon. member obviously did not listen to my answer, I suggest he read *Hansard* tomorrow and consider whether he wants to ask the question again.

* * *

## CONTRAVENTIONS ACT

**Mr. Andy Mitchell (Parry Sound—Muskoka, Lib.):** Mr. Speaker, my question is for the Minister of Justice. Presently there is no effective enforcement for people who misuse our waterways and endanger the lives of other Canadians. The Contraventions Act, passed in 1992, would fix this situation but has never been proclaimed into law.

Will the minister tell the House how he intends to ensure boating regulations are enforced and Canadian lives are protected on our lakes and rivers?

**Hon. Allan Rock (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, no member of the House has worked harder in the cause of facilitating the enforcement of safety rules on the waterways than the hon. member for Parry Sound—Muskoka. I thank him for his help in that regard.

It was through the work of the hon. member that I met with the executive of the Muskoka Lakes Association which brought home to me the urgency of dealing effectively with this matter. As a result, officials in the federal Department of Justice have worked with provincial counterparts to put the provincial schemes and mechanisms for ticketing of offences at the disposal of the federal government through the federal Contraventions Act.

• (1500 )

I am pleased to say that next week I intend to introduce legislation which will amend the Contraventions Act federally to enable us to use the provincial mechanisms. This not only allows us to keep the waterways safer and have effective enforcement but it also avoids duplication, overlap and needless expense. It serves to that extent the interests of the people of Canada.

* * *

## MOBILITY RIGHTS

**Mr. Nelson Riis (Kamloops, NDP):** Mr. Speaker, my question is for the right hon. Prime Minister.

The Prime Minister will know that British Columbia has become a destination province as of late with up to 92,000 Canadians moving to the province, many of them paid for by their own provincial governments, and consequently falling on welfare.

Recognizing that labour mobility is a national issue, would the Prime Minister give some consideration to examining the possibility of providing labour mobility grants to the province of British Columbia to offset some of the costs of 92,000 Canadians moving into the province each year?

**Mr. Maurizio Bevilacqua (Parliamentary Secretary to Minister of Human Resources Development, Lib.):** Mr. Speaker, I thank the hon. member for his question. It allows me an opportunity to update the House of Commons.

This morning the British Columbia minister of social services, Joy MacPhail, and the federal Minister of Human Resources Development met to discuss the issue relating to residency requirements. As you know, Mr. Speaker, we have no choice in this matter. The British Columbia government is contravening the act, particularly sections 5 and 7 of the Canada assistance plan.

As to the idea raised by the hon. member, he can rest assured that ideas such as the one he cited will be part and parcel of discussions that federal officials will undertake very shortly.

* * *

## EMPLOYMENT

**Mr. Sarkis Assadourian (Don Valley North, Lib.):** Mr. Speaker, my question is for the Minister of Finance.

In the past when profits were made, more jobs were created. In light of record corporate profits in some sectors, the banks especially, can the minister explain why there are also a record number of layoffs? Does the minister have any plan to encourage reinvestment of these profits to create new jobs for Canadians?

**Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development—Quebec, Lib.):** Mr. Speaker, the member raises a question that is really one of the most difficult of the modern economy which is that because of globalization and because of new technologies a lot of companies are seen maintaining or increasing their profits, not as a result of increasing sales but because they are cutting costs. They are letting people go. Of course this sets in motion a vicious train of events where one company lays off and then others have to.

As a result of this, the government has embarked upon a series of fundamental reforms in its job creation activities. The unemployment insurance reform announced last week deals directly with that question as do a number of the measures in terms of the information highway by the Minister of Industry and of course the very important activities of my colleague, the Minister for International Trade.

At the same time the fact is we have to get a rising economy. That is why when we embark upon deficit reduction we do it in a balanced way. We do not slash and burn.

* * *

## PRESENCE IN GALLERY

**The Speaker:** I wish to draw the attention of members to the presence in the gallery of two guests: Gregory Rockman, member of Parliament for the African National Congress and Gerhard Koomhpof, member of Parliament for the National Party of South Africa.

**Some hon. members:** Hear, hear.

* * *

[*Translation*]

## BUSINESS OF THE HOUSE

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, it would be appreciated if the Leader of the Government would indicate the order of business until Christmas.

[*English*]

**Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada, Lib.):** Mr. Speaker, today and tomorrow are opposition days. Votes arising from these days and from other business of supply will be taken at the end of business on Monday, which is when the House will also vote on Motion No. M–26 which completed debate yesterday.

Our first priority next week is to dispose of report stage and third reading stage of Bill C–110, the constitutional amendment bill, that is to say the regional veto bill.

• (1505 )

We would also like to refer Bill C–111, the unemployment insurance bill, to committee before second reading, pursuant to Standing Order 73(1). The House should take this as notice of our intention to do this.

On Monday we will probably start with Bill C–111 in the morning and turn to Bill C–110 in the afternoon, that is to say the bill on the regional veto.

We would also like to complete before Christmas as many bills as possible that are now at report stage or third reading stage. There will be ongoing discussions between the parties in this House for this purpose.

I am told the Standing Committee on Finance will have an interim report on budget consultations presented to the House before the middle of next week. We would like to have the House consider the report of the finance committee on Thursday and Friday next week.

**The Speaker:** I have a point of privilege by the hon. member for Scarborough Centre. I must ask the hon. member, does this point of privilege arise from today's question period?

**Mr. Cannis:** No, Mr. Speaker. It arises from an incident which occurred this past Tuesday.

**The Speaker:** Then I would have to receive written notice unless it occurred today. I would be happy to entertain that as soon as the hon. member puts the information into my hands.

---

# GOVERNMENT ORDERS

[*Translation*]

## SUPPLY

ALLOTTED DAY—BRITISH COLUMBIA LAND CLAIMS

The House resumed consideration of the motion.

**Mr. Claude Bachand (Saint–Jean, BQ):** Mr. Speaker, it should come as no surprise today that the Bloc Quebecois has decided to vote against the motion presented by the Reform Party, a motion that of course aims to prevent and obstruct current negotiations.

It is clear, in our opinion, that a variety of concepts are implicit in this kind of motion. It is clear that trilateral negotiations between the federal and provincial governments and the First Nations must be redefined. The First Nations have consistently said that the status quo is unacceptable. They are not alone in that respect. I think that as far as Quebec is concerned, the results of the last referendum indicated that the status quo was unacceptable and that the only option is sovereignty and greater autonomy. Sovereignty will give us that greater autonomy, and we see the same need for autonomy among the First Nations.

The Reform Party's motion also implies a desire to block negotiations for strictly political reasons which I will be glad to enumerate later on. But how could anyone consider putting a stop to a peaceful and equitable process that will redress the injustice perpetrated 150 years ago? We are about to begin a negotiating process, and out of the blue, for purely political reasons, the Reform Party introduces a motion to block negotiations that are peaceful and will correct past injustice.

This is totally unacceptable to us, and as I said before, it should come as no surprise that the Bloc Quebecois intends to vote against this motion. We should remember that cases involving aboriginal peoples and aboriginal rights are probably the oldest human rights issues in Canada. These issues remain unresolved, and this is a chapter of Canada's history that has been left unfinished. Attempts are being made to remedy this elsewhere. Attempts are being made across Canada, and in British Columbia the circumstances seem to have been ideal for bringing these negotiations to fruition.

Now we have a proposal that would simply terminate these attempts. The debate on aboriginal rights started only twenty or thirty years ago and has been pursued openly and with great zeal in the political and public arenas. Unfortunately, this proposal would simply extinguish those rights, blocking the whole process that led up to the current situation where we have all parties in a position negotiate on the same level. This is a proposal we cannot accept.

• (1510)

I want to read the motion, because we feel that the Reform Party is not the only one to blame here. I think the motion reveals the true colours not only of the Reform Party, but also of the Liberal Party. The motions reads as follows:

> That the House urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the current provincial government mandate in order to respect the views of British Columbians on this issue as expressed by both major provincial opposition parties.

I talked with some of my colleagues from British Columbia and I learned that one of the two major opposition parties in B.C. is the Reform Party. Of course, my colleagues hastened to tell me that the national Reform Party does not recognize any provincial subsidiaries. However, I find it strange that the Reform Party would put forward a motion supported by an opposition party in B.C. which happens to have the same name as it does.

We now see the true colours of the Reform Party. But we also see the true colours of the Liberals. I heard my colleagues talk about their opposition to this motion. When we listen to the members of the Liberal government and when we look at the measures they take, we can see the true nature of these people. We can tell by their attitude towards the native people.

When I look at everything the Liberal Party has proposed for the native people and when I see that the B.C. Liberal Party is behind this motion, the first question I ask myself is why has the Liberal Party here, in Ottawa, not contacted its brother, the B.C. Liberal Party, to try to settle this issue.

I think that the current government here, in this House, is hiding behind the public opinion, which, as we may see later on, might well be unamenable to this initiative. Why is it that the Liberal Party and the indian affairs minister have not called the person in charge of the B.C. Liberal Party, one of the opposition parties in that province? One has to wonder about that. Especially since the policies put forward by this government in its famous red book have not even been implemented yet; we think that the Liberal government is dragging its feet on this issue.

The famous self–government policy that was denounced by all aboriginal representatives in Canada is a case in point. This policy was developed behind closed doors, without consulting aboriginal leaders and representatives. We now have a proposal that will be difficult to put in place because it was not approved by aboriginal representatives.

The same goes for the red book promise to create a land claims commission. The other day, a British Columbia member tabled a motion stressing the importance of creating an independent commission. Once again, the Liberal government is dragging its feet on this issue. Even with their speeches opposing the Reform motion before us, we wonder if they are not in fact a little responsible for what is now happening in British Columbia.

This is a purely political matter. If we look at the motion before us, we know that an election will be held one year from now. What does this mean? I see this as a dangerous precedent. It means that the world stops turning just before an election. The things that have been put forward, that have been working for a while, must stop because opposition parties are opposed to them. This is complete nonsense, in my opinion.

When I say that this is purely political, I mean not only for opposition parties but also for the party in office in that province, the NDP, which is going through a very hard time. I think that only 10 or 12 per cent of people intend to vote for them in the next election. This process was also held up by the Premier of that province a while ago, mainly as a result of public opinion because the public is unfortunately misinformed.

In British Columbia, the issue of negotiations with aboriginal people has simply been held hostage by this type of political resolution. I think that such tactics should be condemned.

• (1515)

These people have suffered injustices for 150 years. They have probably been the most patient in agreeing to peaceful negotiations. Today, we are being asked to stop this process, something we find totally unacceptable.

I also raised a number of points during consideration of the B.C. treaty commission legislation by the committee. I raised them because the B.C. commission legislation provides that we should educate the people of that province to dispel the rampant rumours and misconceptions and to set the record straight. I found out the worst misconception when I arrived here as native affairs critic. It came from my Reform colleagues from B.C. who were trying to show me that 125 per cent of the B.C. territory was the subject of land claims.

So I said: ''Does this 125 per cent mean that the native people would take over all of B.C. and then push the white people into the sea?'' They then explained to me that this figure was mostly due to overlap between land claims, that if we plot these claims on a map of the province, it is clear that their total surface area is bigger than all of B.C.

I think that the people of B.C. must be told that this is an initial bargaining position. Some of my colleagues also expressed their views to the land claims commission last week. They said that some Quebecers sometimes fear that the map of Quebec will be cut up and that native people will own 80 per cent of the territory. But I think that many realize that this is an initial bargaining position. As the negotiations conducted in Canada in the past few years show, a native people's initial position may change by the time negotiations are concluded.

This education work must be done. People also feel that negotiations are conducted in secrecy. What are the current headlines in B.C. newspapers such as the *Vancouver Sun*? Remarks made by Reformers often exacerbate this kind of paranoia toward First Nations. And this kind of motion goes exactly along the same lines. Members from British Columbia say: ''Look, they are going to take 125 per cent of the land and that will cause a great deal of uncertainty. Companies invest less in certain regions of B.C. than others because they are afraid that the land will be taken over by the aboriginals''.

That is not how bargaining works. In fact, a six–step process was instituted by the commission, and we should give it a chance to lead to a conclusion that is to everybody's satisfaction. These are the fundamentals of bargaining. You start at the beginning and you end at the finish line, and everyone has to compromise a little along the way to end up with a satisfactory position.

I think it is important also to mention the contribution of the Nisga'a nation to the kind of discussions we are holding today. While legislation was passed last week respecting the British Columbia Treaty Commission, the Nisga'as were intentionally excluded from such negotiations, because they have been discussing vigorously with the government to settle a land claim and a self–government issue. We must always bear in mind the historical background and realize, with the help of examples such as the one I will give the House today, namely the case of the Nisga'a, that it is refreshing to see that First Nations are able to use peaceful tools known to everyone, and used in the British parliamentary system for ages. I am referring here negotiation.

I myself had the pleasure and the privilege to visit the Nisga'a last summer. They live along the Nass River and they never signed a treaty with the government. In fact, this is a characteristic of British Columbia; very few treaties were signed in B.C. That is why the commission was established: to develop a process to encourage every First Nation in British Columbia to enter into agreements with the crown and the province.

• (1520)

So, they never signed a treaty. Yet, they represent about 6,000 people and they are pioneers as regards aboriginal negotiations in Canada. The case of the Nisga'a is a good example of the quest of Canada's aboriginals for legal recognition of their rights.

Let us review a bit of history here. In 1763, aboriginal titles were recognized by the proclamation of King George III. Governments were the only ones allowed to buy Indian land, and could do so only through treaties. As I said earlier, the first nations of British Columbia signed only 15 agreements, and 14 of them deal with Vancouver Island. The Douglas treaty was signed by James Douglas, of the Hudson's Bay Company.

In 1858, British Columbia became a colony. It joined the Canadian Confederation in 1871. At the time, the majority of the province's population was made up of first nation members. Yet, the first nations agreed to share the land with newcomers. The result of all this is that, today, these people are to be found in close to 200 reserves in B.C., while the rest of the land is occupied by white people who develop its natural resources. The aboriginals have been left to fend for themselves. This is why it is so important to establish the British Columbia Treaty Commission and give it time to reach agreements with the first

nations. However, the Reform Party motion would keep us from doing that.

I will move along in time to get to more contemporary events. In 1910, Prime Minister Laurier promised, in Prince Rupert, that the land issue would be solved. In 1913, the Nisga'a, ever careful when negotiating, sent a first petition to the Privy Council, in London. Some years later, in 1927, in response to that initiative, the federal government prohibited aboriginals from organizing themselves for the purpose of discussing land issues and claims. The government's reaction was: ''Listen, there are problems, but we do not want to discuss them, and we do not want you to discuss them''. The way things were done at the time is somewhat reminiscent of Reform's 1995 proposal: preventing parties from talking to each other.

I think that what was hardly acceptable in 1927 has become totally unacceptable in 1995. My B.C. colleagues may be surprised to learn that the first native member of Parliament in the Commonwealth was a Nisga'a. The first native member of this House, Frank Calder, is behind the Calder decision to which I will come back later.

In 1955, the native lands committee was re–established thanks to the Nisga'a tribal council. In 1968, the Nisga'a went to court to have their aboriginal titles recognized. In 1973, there was the Frank Calder case I referred to earlier.

After over 14 months of deliberations, the Supreme Court of Canada handed down a divided ruling. Of the six judges who concluded that the Nisga'a did hold aboriginal land titles, three ruled that these titles had expired while the other three decided that they were still valid.

This ruling was important because, in 1972, Pierre Trudeau was still leading a minority government. The opposition parties during and after the ruling urged the government to recognize its obligations and settle the land claims in that province. On August 8, 1973, the current Prime Minister announced that the government was committed to settling the claims.

In 1976, land claims negotiations started between the Nisga'a and the federal government. The claims had been filed almost 70 years earlier. And the province entered into negotiations in 1991. As I indicated the last time I spoke on this issue, at third reading of the bill dealing with the British Columbia Treaty Commission, the B.C. Indian affairs department set the whole thing in motion.

Why negotiate treaties? So far, the status quo has proven costly in terms of energy, legal and strategic battles, but also battles in the streets, on highways and on the reserves. Those who advocate violence to resolve their problems must not be proven right. We have here a nation who keeps believing in going the way of peaceful negotiation. I think we should give them a chance to complete their quest for peaceful negotiation.

• (1525)

The Reform Party is probably motivated by financial considerations, although the motion does not say so. Perhaps we could respond to that that current provincial and federal profits on the land in question are very substantial. I have seen with my own eyes forest harvesting in British Columbia. Natural resources are plentiful in B.C., so money is not the issue. It is more a matter of knowing where the money is going.

Right now, some private interests in British Columbia may be on the side of the Reform Party, or have that party on their side, and demand that motions like this one be debated in the House. Maybe this is the case because the Department of Natural Resources is currently racing against the clock—and I know because I saw it—to get, as quickly as possible, natural resources out of lands that will sooner or later belong to aboriginals. The process is simple: all the natural resources are taken out of the land. Once that process is completed, the government will tell aboriginal nations: ''We are now prepared to negotiate to give you the land and its natural resources''. But there will be nothing left.

Is this what the Reform Party wants? Why does the Liberal Party not go further? Why does the federal Indian affairs minister not call the Liberal opposition party in British Columbia and say: ''Look, forget about that. It does not make any sense. We have to reach a settlement with aboriginal people''.

I want to ask the Reform Party—since its members will ask me some questions in a minute—when would be a good time for the federal to sign an agreement with the province and the First Nations. What solutions is the Reform Party contemplating to conclude land claim negotiations in British Columbia? What does it think of aboriginal land titles that have been recognized by the courts?

It seems that, as far as the Reform Party is concerned, there will never be a good time to sign an agreement. As for us, Bloc Quebecois members, we feel that the First Nations should not used as a political pawn. The time has come to put an end to the injustices. Quebecers have realized that and this is why we set up model conventions and agreements on land claims. I ask Reform Party members to do the same, and I also ask Liberal members to put pressure on their B.C. fellow Liberals, so that they do not get involved in a scheme that would prevent peaceful negotiation.

[*English*]

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, I listened to the hon. member's speech with interest, as we both sit on the aboriginal affairs standing committee.

The member and other members in the House are misreading our motion. We are saying there should be no final agreement in the next few months because the next few months is the length of time that we expect the provincial government that is currently in place to be there. That is all we are asking for. We are not asking for everything to be thrown out. We are not building a brick wall.

The member talked about 500–year–old grievances. To me that is very indicative of how little people not from the western part of Canada understand about British Columbia and other parts of western Canada. Five hundred years ago was long before contact with Europeans and certainly long before any grievance.

As for the statements that were made about negotiating positions, I concur with the member. That is what negotiating is all about. All of us in our life enter into all kinds of negotiations.

The B.C. treaty process has been in effect since 1993. It has been given a chance to work. The member talked about giving it a chance to work. It has been found lacking. We are asking for some changes. The public is asking for some changes. This will be complementary to the process.

• (1530 )

I do realize the Nisga'a have been negotiating for 20 years with the federal government. That is one added rationale why the next two or three months should not have all the importance attributed to them. I fail to understand that. To me it reinforces the point we are trying to make that we should not do a last minute rush on an agreement that will set a precedent for the 47 other negotiations going on in British Columbia.

There was a reference in the member's speech to the royal proclamation. Once again British Columbia is different. The jurisprudence is that the royal proclamation has no implications or ramifications for British Columbia because of the time of the royal proclamation and the age of British Columbia, when it came into Confederation and so on. It has no ramifications in British Columbia.

The member talked about British Columbia as a population that consists of natives and white people. That is so far from reality. British Columbia is probably the most multicultural, pluralistic society in North America. I would not be surprised if it was the most multicultural and pluralistic of almost anywhere other than some parts of South America.

There is every hue of colour and every culture on earth represented in British Columbia. That is significant because we are very used to respecting, working with and living with other cultures, which is pluralistic. We are trying to create a pluralistic society, not one divided.

There was more than a suggestion in the member's speech that we are trying to prevent the parties from coming together. What nonsense. There was a total misrepresentation of the Calder decision. I suggest the member read the Calder decision, not somebody's summary that is a misrepresentation of what that decision actually was and what it said.

As someone who spent 20 years in the resource industry, the forest industry in British Columbia, some of the statements made about the condition of the forests and the logging in the province I find quite distressing. I do not believe the depth of knowledge is—

**The Speaker:** My colleague, you have used up half the time for comments and questions. I will give the hon. member for Saint–Jean the opportunity to respond.

[*Translation*]

**Mr. Bachand:** Mr. Speaker, the hon. member has raised several points. I can tell him that, yes, he is right about the multi–ethnic society. I myself have seen the high numbers of aboriginal people in the culturally mixed city of Vancouver.

The aboriginal people are a bit fed up with trying to gain recognition. They have gained cultural recognition, but when it comes to business and finance, to recognition of their right to territorial self–government, to total financial autonomy, the path is a rougher one.

The motion before us is very clear. It asks the government not to enter into any binding trilateral agreement. This means that, in the negotiations with the Nisga'a where we are in the final stages of negotiation right now, if a conclusion is reached they are being told not to sign.

Why not? Because there will be an election in a year, in order to respect the views of British Columbians on this issue as expressed by both major provincial opposition parties. Clearly, totally political motives.

• (1535)

As I was just saying, and I will repeat it here, it is not acceptable for aboriginal negotiations to be held hostage, whether the negotiating process as a whole, or the beginning of the process, or the signature stage. Everything must proceed as set out in the British Columbia Treaty Commission. It absolutely must continue.

This past summer I met with the Chilcotin, the Carrier–Sekani and the Nisga'a, and I have seen the destruction of their forests, both from the air and on the ground. I feel it is urgent for these matters to be settled at the fundamental level, so that agreement may be reached once and for all to remedy this injustice.

It is my feeling that the process currently in place in B.C. is working very well and will lead to a settlement. The motion before us is quite simply aimed at slowing down the entire process, and that is why we are opposed to it.

[*English*]

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I will be splitting my time.

I rise to express my concern and shock at the motion of the hon. member from North Island—Powell River. He asks us to delay the land claims process in British Columbia during the final year of the mandate of the provincial government.

It makes me wonder if he and his colleagues will not be here next year with a similar motion asking us to delay it for the first year of the mandate of the next government while it gets itself organized. It seems to me that in Canada we cannot proceed in that fashion.

The Government of Canada has maintained that providing justice and equity for aboriginal peoples requires two ingredients, self–government and a process for making modern day treaties through comprehensive claims. Canadians have been wrestling with these issues for years. The Reform Party has used the self–government issue to fan the flames of fear and apprehension during the debates over the Charlottetown accord. Now it continues to stir up controversy in British Columbia through its misrepresentations of the treaty process.

I heard hon. members opposite make a great deal of the media reports of the total First Nations claims adding up to 110 percent of the province of British Columbia. The total should not surprise us. Why should the claims not overlap one another? The First Nations have shared the land and its resources for centuries. They have migrated and tapped the resources of different locales at different times.

They have been asked as a part of the treaty making process to describe the geographic area of the First Nation's traditional territory of British Columbia. They provide a map of the traditional areas of their ancestors. This map depicts the territory of a nation as it occupied it historically. These maps are used to provide negotiators with a general idea of what area of land is under question. This is simply part of stage one of the process which is called a statement of intent.

A statement of intent is not a settlement. A claim is not a treaty. A treaty is the result of negotiations, and those negotiations are just beginning. The claims are but the starting bargaining position. No First Nation would expect to receive the entire region described in its statement of intent. The First Nations do not expect a fee simple title to the entire province. When two First Nations have overlapping traditional territories, they will settle the matter as the negotiations proceed. The federal and provincial governments do not participate in negotiating an overlap settlement.

Several members from across the floor, members who ought to know better, have been using the claims to instil fear among British Columbians. They infer that these opening positions will lead to lost property for third parties across the province. They ask British Columbians: ''What will become of your summer cottages? What will happen to jobs in the mining and forestry sectors? What will happen to the fisheries?'' They raised these fears without adding that the treaty process provides for cottage owners and a broad spectrum of the industries of British Columbia to have a voice in the process.

• (1540)

They neglect to tell the people at town hall meetings or on radio talk shows the Government of Canada consults with a treaty negotiations advisory committee representing many of their interests. They do not tell people no negotiations can proceed until a regional advisory committee has been created to provide the views of British Columbians from that part of the province who are not at the negotiating table.

This pattern of misinformation and fear mongering is typical of the tactics some members on the other side of the House have used to score cheap political points. They have often criticized the government for its dedication to the inherent right of self–government as a cornerstone of the Government of Canada's aboriginal policy.

We have said since the beginning, since the red book that provided our election platform, that we believe the inherent right of self–government is an existing right within Canada's Constitution.

Hon. members across the floor have often made the case that no one has defined what self–government means. That argument has been erected as an obstacle to prevent justice from getting through to aboriginal communities across the entire country. That argument speaks to a kind of mean spirited and narrow minded approach that has thwarted efforts to bring justice to aboriginal issues. It speaks for the tyranny of the status quo. It speaks for the preservation of the paternalism of the Indian Act. Is that what Reform members want to uphold? I like to think not. Do they really want to impede progress, impede the righting of past wrongs, impede certainty for the future, impede economic stability, impede job creation?

All Canadians want the claims settled. They want an end to the uncertainty, an end to ancient wrongs. The negotiations are about how, not whether, the settlements should be resolved.

We want to make progress. One way we are doing this is by acknowledging that the inherent right to self–government is an existing right. We are now negotiating with the First Nations on how that right is to be implemented.

I would like to remind the House of the six stages that a claim must go through before a treaty comes into effect. I think hon. members will observe this is a very thorough process.

In the first step a First Nation files a statement of intent with the B.C. Treaty Commission. The commission makes sure the statement is complete and forwards it to the federal and provincial governments. It is at this stage that the First Nation describes the geographic area in British Columbia it considers its traditional territory. Forty–seven statements of intent have been filed. These represent over 70 per cent of the aboriginal people of British Columbia. That is progress.

Second, the commission convenes a meeting to prepare for the negotiations. All three parties exchange information, consider the criteria, discuss the research they will do to prepare for the negotiations and identify issues of concern. Each party appoints a negotiator with a clear mandate. Each party establishes a ratification procedure, and the parties agree on the substantive and procedural matters that will be negotiated.

This is the stage at which Canada and the British Columbia government establish their own mechanisms for consultation with non–aboriginal interests. One requirement the B.C. Treaty Commission imposes on the two governments is the establishment of a regional consultative mechanism to represent thirty party interests.

When the commission determines that all three parties have met the criteria for readiness, it confirms they can proceed to stage three. This is where all three parties negotiate a framework agreement, a negotiated agenda that identifies the issues to be negotiated, the goals of the negotiation process, special procedural arrangements and a timetable for the negotiations.

So far four framework agreements have been signed and another four initialled by the negotiators. Again, this is progress.

• (1545 )

In the fourth stage of the treaty process the parties negotiate an agreement in principle. These are substantive negotiations and the parties examine the framework in detail.

Fifth, the principals negotiate to finalize the treaty. Any remaining technical and legal issues are resolved at this stage. Then, and only then, the sixth stage is the implementation of the treaty. Long term implementation plans need to be tailored to specific agreements.

All commissions agree that significant progress has been made by the treaty process. The B.C. Treaty Commission process is working. It is fair, equitable and open. No one denies that the negotiations ahead will be tough. There are some very complex issues to be brought to the table. However, it is time that we settled these claims so that all British Columbians, aboriginal and non–aboriginal, can get on with the job of building a prosperous society in that province, a society where all groups can enjoy the wealth of resources the province can offer. It will benefit all British Columbians.

It is time to get on with the job. It is not a time for fearmongering. It is a time for fairness and certainty. It is certainly not a time for delaying while we wait for a provincial election which would create a precedent and would be very much uncalled for.

I do not represent aboriginal people who have claims that are hundreds of years old. I represent over 2,000 aboriginal people. Their treaty was signed in 1923, in modern times. Yesterday I attended a funeral in my riding of the first woman Indian chief in Canada. She died at the age of 73. In 1953, when she first became a chief, she was a young woman and a young mother who was concerned about these issues. When she died, only this week, she was still concerned about them. Her mother died two years ago at the age of 103. Throughout her life she was active in trying to resolve the problems of the First Nations in my riding.

The native people would like to negotiate. I think all Canadians would like to negotiate. Every time we have a standoff all Canadians suffer. I am very concerned that the member would bring forward such a motion today.

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, it might be helpful if the member were to spend a little time in British Columbia rather than in Peterborough. Then he might have some comprehension of what is the content of the speech from the Department of Indian Affairs that he just read to us. He clearly has no concept of what is going on in British Columbia.

When the member says this is an open process, the people in British Columbia, who are concerned about this, which is probably the majority of British Columbians, would ask: What open process?

I am consistently asked: ''Who is negotiating for us? Who are they? How were they selected? Where do they meet? When do they meet? I do now know who they are''. More important, I am also asked: ''What is their mandate? Who gave them the mandate? How do we even know what they are negotiating on our behalf?''

I am inclined to agree with the member that if we have a problem, which we clearly do in this situation or in any situation, that it is very helpful to have negotiations with people who are sitting down eyeball to eyeball.

However, what we have in my constituency in British Columbia is 3 per cent of the people that are represented by people who are constantly in touch with them, who clearly understand what the mandate is and, more important, who go back to their people to report regularly. They also know that they are going to be subject to a ratification vote at the end of the day. Therefore, they know that they have to negotiate in good faith on behalf of

the people they represent. The same is absolutely not true of the non–aboriginal side.

I ask the member if he would care to come to British Columbia and maybe we could clue him in a little bit.

• (1550 )

**Mr. Adams:** Mr. Speaker, first I would like to say that I have relatives in British Columbia who live in Kamloops and I visit frequently. I know the riding of Prince George—Bulkley Valley well. I regularly visit the city of Vancouver. I have visited the Peace River country. However, I do not pretend to be a resident of British Columbia. I am a member of the Parliament of Canada and I am concerned about all Canadians.

The hon. member asked who was negotiating. It is the duty of members of Parliament to explain these processes. The B.C. Treaty Commission process is a good one. It is transparent. There has been legislation in the House related to it. It is for the Reform members to explain those matters in detail to the people of their ridings.

I would like to read something and members opposite can guess where it comes from. Perhaps this comes from Ontario too. I am proud to be a resident of Ontario, but I try to represent all the people of Canada. The quotation reads: ''Statements made in the House of Commons that native people who live in inadequate reserve housing without running water or basic sewage should simply move away are naive and racist in nature. Those uninformed comments made by Reform aboriginal affairs critic Mike Scott show the true character of his party. Reform members have become notorious for making offhanded, uninformed accusations concerning First Nations''. That is by David Neale of the Victoria *Times*.

''The Reform Party's campaign to kill comprehensive land claims settlements is characterized by its sheer misinformation, its deliberate confusion of separate processes and its shameless manipulation of media that seem ignorant—''

**Mr. Hill (Prince George—Peace River):** Mr. Speaker, I rise on a point of order. It is my understanding that we are not to refer to members by their names, even when quoting from a document.

**The Speaker:** The hon. member is absolutely correct. I would ask the hon. member to wrap up his comments.

**Mr. Adams:** Mr. Speaker, I apologize to members opposite. They are absolutely right and I apologize for mentioning the Reform member by name.

''The Reform Party's campaign to kill comprehensive land claim settlements is characterized by its sheer misinformation, its deliberate confusion of separate processes and its shameless manipulation of media that seem ignorant of history''.

That quote is not from someone outside the province of British Columbia. It was written by Stephen Hume of the Vancouver *Sun* on April 10, 1995.

**The Speaker:** On debate, the hon. member for Madawaska—Victoria.

**Mr. Duncan:** Mr. Speaker, I rise on a point of order. I have been looking at my watch and I thought we had at least three minutes left in the 10–minute question and comment period for the hon. member for Peterborough.

**The Speaker:** I should tell the hon. member it was ten minutes and five minutes. The other ten minutes are going to go to the hon. member whom I have just recognized.

**Mrs. Pierrette Ringuette–Maltais (Madawaska—Victoria, Lib.):** Mr. Speaker, I rise today to speak on this undemocratic motion moved by the hon. member for the Reform Party.

It would seem that the hon. member does not support economic prosperity for British Columbians, as he is suggesting that we delay creating treaties that would remove an obstacle which has hampered economic growth in B.C. for far too long: the uncertainty over ownership of land and resources. That uncertainty has carried a very high price.

In 1990 a Price Waterhouse study asked forestry and mining interests in B.C. about the effects of the uncertainty created by unresolved land claims.

[*Translation*]

The study's findings are eloquent. In these two sectors alone, the study notes a loss of one billion dollars worth of investments: 300 new jobs in jeopardy, 1,500 permanent jobs on hold, and capital losses totalling $125 million due to uncertainty about the legal status of land and resources.

• (1555)

Since then we continue to pay the price of uncertainty, year after year. It is the price we pay for letting the situation deteriorate and for refusing to sit down with our aboriginal partners and discuss rational solutions to the real problems. That is the price the Reform Party would like us to keep paying.

We now have a chance to do something, to create jobs and to stimulate our economic growth. In September, Marlie Beets of the B.C. Council of Forest Industries had this to say: ''Our members know that we cannot afford to ignore the issue of treaties. The forestry industry fully supports the efforts being made to resolve these problems, even if it is concerned about what these treaties may contain''.

[*English*]

The forestry industry of B.C. understands what is involved. It knows that it cannot function efficiently without clear policies. It knows aboriginal rights must be defined clearly so that everyone knows the rules of the game. It knows that the time has

come to realize the potential of the province and to extend the opportunity for its people. It wants to get on with it.

The proposition is simple. Treaties will provide certainty and create a better climate for investment and economic growth. This is a reality which cannot be denied. A clear signal will be sent: B. C. is open for business.

Treaties will also provide a land base for aboriginal people and with it a foundation on which to build self–sufficient communities. It will allow aboriginal people to become involved in a range of economic activities which in the absence of a land base have been foreclosed to them.

Commercial activities like mining, forestry and tourism become far more possible to be pursued by First Nations. The growth of strong, self–reliant, economically vibrant aboriginal communities strengthen us all because it will bring positive economic spinovers into non–aboriginal communities.

For too long the aboriginal people of B.C. have been denied both their legal rights from the past and their hopes for the future.

[*Translation*]

For too long they have suffered as a result of high rates of unemployment, illiteracy, infant mortality and suicide. For too long we have refused to acknowledge their potential contribution to Canadian society. This is an attitude that cannot be justified, and it must stop.

Once rights and obligations have been clearly defined in treaties, all residents of British Columbia, aboriginal and non–aboriginal, will be able to develop the potential of their province and improve their own circumstances. That is good news for forestry workers and miners.

It means a broader tax base, since injecting settlement funds will stimulate the economy and job creation. It also means a reduction in the social cost of poverty and unemployment in aboriginal communities. It means an end to litigation and costly court proceedings and the beginning of co–operation and negotiation.

These historic problems will not disappear at the wave of a magic wand. As long as they remain unresolved, there will be no investment, and the jobs that could and should be created will remain in limbo.

The vicious circle will continue: uncertainty will lead to a reduction in the number of jobs which in turn will increase social problems.

[*English*]

The cycle of poverty and dependency will continue. These issues simply must be dealt with. We have a choice of how we are going to do it. We can litigate at great expense to the Canadian taxpayer knowing that at the end of this long, drawn out and often bitter process a court is likely to tell us to work out the details ourselves, something very similar to the negotiation process we have now.

• (1600)

Or we could negotiate directly from the outset. Surely it makes good economic sense to avoid costly court battles, which cast each party in the role of antagonist, and approach the issues as partners prepared to give and take in a spirit of trust and mutual respect.

There are real economic benefits in proceeding with treaties in B.C. but at the end of the day the most important benefit will not be felt in terms of dollars and cents. It will be felt in the lives of individuals as they are given the opportunity to contribute further to the greatness of Canada.

The benefits of holding a job cannot always be measured by a point on a graph. Having a job is really about hope. It means having the ability to plan for the future and to realize one's potential as well as to advance one's family. It means having the pride of contributing to the overall health of one's community. Is it better to leave things in a state of confusion or to sit down with our aboriginal colleagues and establish certainty?

Perhaps it is expecting too much to hope the Reform Party's vision of Canada is broad enough to include the first peoples or generous enough to expand the circle of opportunity or far sighted enough to see the wisdom in finally completing this great unfinished business of our history. Surely it is not expecting too much to ask the Reform Party to take a hard headed look at the economics of treaty negotiations and admit that it makes real sense.

Surely even Reformers can see the awful price we are paying for uncertainty. Surely even they can see the benefits of negotiation over litigation. I hope they do see these benefits when it comes time to vote on this motion and that they join us in denouncing this short sighted and meanspirited motion.

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, other than the partisan ending to the member's speech virtually everything said is something we subscribe to. As long as the treaties are done right in terms of content, what the member is saying is absolutely correct. We do need to define aboriginal rights and we do need to solve the problems of uncertainty.

There was an earlier reference to the Charlottetown accord. Of any identifiable ethnic or racial group in Canada, once the voting was over on the Charlottetown referendum the natives on reserves more than any other group resoundingly defeated the Charlottetown accord in the referendum. We need to remember that because I do not believe that is in the public consciousness. There are some important reasons why that happened which I am certainly sensitive to. I am not sure everyone in the House is sensitive to those reasons.

There is a 31–member treaty negotiation advisory committee. One of its members was referred to in the previous member's speech, the member from the council of forest industries. Many of the members of that treaty negotiation advisory committee and also some of the members of the regional advisory committees who were referred to by several speakers are the biggest critics of the status quo process. It is important to recognize those items.

• (1605 )

**Mrs. Ringuette–Maltais:** Mr. Speaker, I did not hear a question per se. I think researchers from the hon. member's office are providing some of the things he wants to put on the record.

With regard to the Charlottetown accord, the population of British Columbia also rejected the Charlottetown accord. The hon. member should keep his records straight. I want to make sure there is no bias in what is put into the record.

I find this motion somewhat petty. I cannot believe that everywhere we go, in every committee of the House, Reform Party members always take on democracy, democratic rights. Yet they are actually saying in this motion that democracy in B.C. is not alive and well because there is a government that should be calling an election in one year which was not elected in a democratic process and cannot assure and assume responsibility for all its citizens. That is what the motion is implying, that it does not have the mandate and the responsibility and that it was not elected in a democracy.

I do not know if they read what they wrote in this motion. It is an absolute bias. As far as I am concerned it destroys their entire argument and excuse which they advocate in the House and in every committee to put forward their petty politics.

The hon. member who put forth this motion states: ''The aim of these changes would be to give aboriginals more responsibility for their well–being, the tools to discharge that responsibility and more accountability for their result''. That is from a press release on Reform policy for aboriginal equality and accountability.

I am sorry, but we are dealing here with a motion coming from a member who says one thing one day and another thing another day, just like his leader.

**Mr. Jim Abbott (Kootenay East, Ref.):** Mr. Speaker, last night was an infamous time in Canadian history. The opposition parties in the Ontario legislature conducted an illegal occupation and sit–in of the Ontario chamber. This was unconscionable and I plead with them to consider the example they have set.

I can understand their frustration because being an opposition member facing a juggernaut of a majority government can be disappointing, frustrating and disillusioning.

The Reform Party faced that shortsighted stupidity and abuse of power exercised by the federal Liberal government when it used a pile–driver to ram through the Yukon Indian land claims and self–government in June 1994.

Believe it or not, we now have government in Canada based on race. The federal government has turned over massive sections of law making in Yukon to aboriginal people. Let me put this in the most transparent terms. Aboriginal persons can make certain laws that directly impact non–aboriginal persons, and non–aboriginal persons have no democratic recourse.

• (1610)

In South Africa this was called apartheid when the majority of blacks were dictated to by the minority of whites. What do we call it in Canada when the majority of non–aboriginals are dictated to by the aboriginals?

This is going on in Yukon. The stupidity of the government's ham fisted legislation is that it has constitutionally removed freedoms from aboriginal people in Yukon as well. In part of Canada's Constitution the federal government has delegated law making to certain Indian nations but in turn those nations do not have to construct those laws through a democratic process. Those nations may delegate law making to an individual in the Indian nation.

Both aboriginal and non–aboriginal residents in Yukon can now become subject to certain laws with absolutely no recourse, no democracy. Dictatorship for Canadians enshrined in the Canadian Constitution by the government? It is unbelievable.

This is why the Reform Party has raised the issue of the B.C. treaty negotiations today. B.C. residents, indeed all Canadian citizens, are about to have an agreement in principle that has been negotiated behind closed doors which will be rammed down their throats. It will be an agreement in principle that will be the starting point for a constitutionalized treaty. If there was ever a time to protest, to obstruct, to go to the extreme, this is it.

Unlike the financially driven issues in Ontario that are very serious, the issue of the B.C. treaty process is that the B.C. treaty and the Nisga'a agreement in principle will explicitly impact Canadians' democratic freedoms. The process and treaty will permanently, constitutionally, enshrine some personal rights based on race.

If we do not respect democratic process and combine our protests within the democratic process, we have destroyed democracy. I have asked the MPPs who occupied the Ontario legislature, what is the difference between the 19 aboriginal protesters who occupied a Toronto Revenue Canada office last year or the occupiers at Ipperwash? What is the difference between them and the occupiers of the Ontario legislature? A lot. If the members of the provincial parliament, the law makers, will not respect the law how can they expect ordinary citizens to respect the law? Without respect we have anarchy.

However, this is not a one–sided issue. If the government at Queen's Park or here in Ottawa is bull headed, provocative, uncaring and insensitive to concerns of citizens, as expressed by members of the opposition, it shares an important part of the responsibility for lawless actions.

The Liberals here have such a responsibility. They have a responsibility to really listen and respond. How can I describe my rage that they used a pile–driver to smash personal rights and freedoms of Canadians in Yukon? The Liberals would not entertain a Reform Party motion that would have subjected the attack on personal rights and freedoms of Yukon residents to the Canadian charter of rights.

Reform Party members used every parliamentary tactic in June 1994 available to them to slow the race based, democracy bashing Yukon acts. It became a choice: break the law ourselves to stop the Liberals' stupidity or work within the system and respect this institution in spite of the Liberals' bullheaded stupidity.

For Yukon it is too late but for B.C. it is not. I plead with the Liberals. Listen, learn and recognize that the Liberal process is not only out of touch with reality but, most important, will lead to permanent civil disobedience and racial gridlock.

In my office in Cranbrook I have been approached by aboriginal people. Members of the Ktunaxa nation tell me their negotiators are out of touch with them. These Indian people resent and reject being left on the outside of the negotiating process.

At least these constituents who represent about 3 per cent of the population in Kootenay East will have a chance to ratify a negotiated agreement. They will get one person, one vote, but what about the other 97 per cent? Approximately 70,000 people who will have to live with the treaty will get two persons, their MP and MLA, with two votes. Their MP with one vote in the House will be pitted against members like the member for Peterborough and members from Quebec, Prince Edward Island, Newfoundland, Ontario: one of 295 votes to represent the interests of my 70,000 people.

Do we have democracy when an aboriginal gets a vote but a non–aboriginal does not? I think not.

● (1615 )

I suggest the aboriginal negotiators who may presently be considered to be out of touch by their aboriginal constituents are negotiating the aboriginal position with popular ratification of the final agreement in mind. They clearly understand their negotiations will be rejected if they do not reflect the wishes of their constituents.

It is not just an issue of fairness. It is more than enforcing the principle of equality of all Canadians. It is about a workable process that will lead to a real solution to a real problem. If we do not get it right, we will end up with civil disobedience, unrest, racial friction and a giant, tangled, constitutionalized mess.

I am asked constantly as to who is negotiating for the non–aboriginal citizen. People come in to my office and want to know literally who is negotiating for them. They want to know who the negotiators are, how they are selected, where they meet, when do they meet and more important, what their mandate is and who gave it to them. A constituent asked me: ''How will they know what I will accept? Why do I not have the same rights as the aboriginal with the ratification vote?'' People tell me: ''If I have not been part of the process, if my interests have not been explicitly taken into account, I have no interest in the agreement''.

Let me clearly explain what this means to the Indian affairs minister and the Liberal backbenchers who are forced to support him. Let me also explain this to the provincial negotiators. If the negotiators knew during the treaty negotiations that their process was going to be subject to popular ratification, they would negotiate in a substantially different way. They would know that their bottom line, that the results of the treaty process negotiations would have to be accepted, in my case by 97 per cent of Kootenay East residents.

Impossible, the Liberals say: ''We would never get an agreement''. Well that is precisely the problem. Contrary to the Liberals' old party assumptions, Canadians will not have government imposed top down solutions. Let me repeat that Canadians clearly have shown in everything from the Charlottetown accord to the cablevision fee increase kerfuffle last year, that they would not accept those increases and they would not accept the Charlottetown accord. They will not have their future dictated by Ottawa politicians. There we have it.

When talking about the B.C. treaty process of the Nisga'a agreement the facts are the same. If Canadians are not part of the solution, they will be part of the problem and with a vengeance.

The difference between the problems today and tomorrow are two. First, non–aboriginal residents of B.C. are scared, anxious and concerned. They are delaying investment decisions by the truckload. Their apprehension is magnified by the unknown. Tomorrow they will be resentful, surly and unco–operative, with their apprehension replaced by lack of co–operation with the government and a bad attitude toward the people who have special position and privilege based on their race. Second, today we have some flexibility. Tomorrow the decisions will be etched in granite because they will be constitutionalized for all time.

Do we get the picture? We permanently remove one serious problem and immediately replace it with a problem 20 times worse.

We will use the finance minister's comment from question period today. We will use his example of an incapacitated driver racing down a hill. The Reform motion we have put forward would slow down the driver, bring him to a stop and hopefully sober him up. The Liberals will leave the driver racing down the hill until he crashes.

Will the Liberals listen? Will the B.C. NDP government which is on its way out take heed? I doubt it. And more the shame because they are putting the same unconscionable pressure on the Reform Party that the Ontario government put on its opposition. The federal Liberals have a responsibility to be reasonable and they are blowing it.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I listened with interest and I am sorry that the member did not have an opportunity to speak very much with regard to the motion. He may have spent a little more time on the partisan aspects of political life.

The member started off in his debate referring to the situation in the Ontario provincial legislature. He chastises the opposition members for taking charge of a situation and in fact exercising their right to let their views be known in that elected body.

• (1620 )

The member then went on to describe a situation which occurred last June in the aboriginal affairs committee. He said that a piece of legislation had been rammed through the committee. The hon. member will well know that the meeting continued all through the night until six o'clock the next morning. I was at the meeting from about midnight until 6 a.m. filling in for some of my colleagues.

Members of the Reform Party were conducting a filibuster. The filibuster was basically to ask nuisance and nonsense questions on virtually every word in the bill. They kept the entire staff associated with that committee and members of Parliament, about 40 people, tied up in a stuffy room while they asked nuisance questions. It is precisely the same situation. The Reform Party was exercising its democratic right. I do not for one moment believe there was anything wrong with what the Reform members did. They were doing it because it is part of the democratic process.

The hon. member also referred to his frustration. I am sorry the member is frustrated with life in a House which has a majority government. However, we must respect the democratic process. The fact that the government has a majority is a reflection of the operation of the democratic process.

The hon. member well knows that when a government is elected it has a platform which reflects the commitments the party has made to the people of Canada. ''If you elect us, these are the things we will do''. When the party platform is put into legislation, it is incumbent on the members elected to the governing party to follow the promises they have made.

Does the hon. member not believe that supporting legislation which reflects the platform of a party during an election is respecting the democratic process?

**Mr. Abbott:** Mr. Speaker, I agree with the hon. member. It is only logical and rational that a party when it forms a majority government would be committed to following through on its election platform. We have no disagreement with that.

However, we have a very fundamental difference of opinion with respect to the fact that the Liberal government has used closure more times than the Brian Mulroney government even thought about. It is ramming through distinct society. It is ramming through veto. It rammed through the Indian land claims. I suggest that a majority government not only has a right to do what it wants to do, but it has a responsibility to opposition members who are expressing the deep, heartfelt concerns of their constituents. Those concerns are falling on deaf ears because of the unslakeable thirst for power of the government.

There is a tremendous amount of fear, anxiety and concern in British Columbia that the cabinet has such a weak representation in British Columbia. There is a tremendous amount of silence on the part of federal Liberals elected in British Columbia. The government is running roughshod with its legislation.

The hon. member referred to the filibuster in committee. He is right; it is legal. I submit to him that the process which the MPPs undertook in the Ontario legislature because they were so desperate goes far beyond the whole process of a filibuster.

What I am saying is that we have reached a point of very acute concern about the heavy handedness of the Liberal Party and in particular, the NDP government in B.C. which is currently on its way out. We are concerned that we are going to have something imposed on the people of British Columbia by people who are fundamentally out of touch with reality.

• (1625 )

**Mrs. Daphne Jennings (Mission—Coquitlam, Ref.):** Mr. Speaker, I will keep an eye on the clock and I hope you will help me out because I am not sure how this will go.

I rise today to speak in opposition to Bill C–107, an act to establish the British Columbia Treaty Commission and to speak in favour of our motion to urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last years of the current provincial government's mandate.

In fact, this bill does not establish the treaty commission, it continues it and legalizes it. It is just what we need, another legally entrenched layer of bureaucracy. It is another group of appointees with their own staff to be paid for by the people of

Canada. I oppose the establishment of this treaty commission in British Columbia because it is simply not necessary.

In British Columbia we have no treaties. We have a reserve system. The legal entrenchment of this commission prejudges the outcome of the land claims negotiations which are presently taking place in British Columbia.

I can tell you that the people of British Columbia are very concerned about this treaty negotiation process. Just a few days ago I hosted in my riding of Mission—Coquitlam an information evening on aboriginal issues which was attended by over 200 people. They are very concerned that fishing rights and lumbering rights will be bargained away as part of the settlement process. They also believe they should be a part of any settlement process.

Mel Smith, the well known, well respected author of *Our Home or Native Land?* attended the meeting. He stated that British Columbia has already done its duty to its native people by setting up more than 1,600 reserves. He argues that by doing this British Columbia has discharged any duty it owed to the aboriginal people. As well, the government could compensate the native people with a one time cash payment for loss of hunting, trapping and gathering rights over the lands.

It is our intention to ensure that Canada's native people become completely self–reliant. We would like to preside over the dismantling of the department of Indian affairs, thus allowing aboriginal people to become self–sufficient. This should be the goal for all of us in this House. Yet what do we hear? A lot of name calling from the other side. To become self–sufficient, the aboriginal people do not need a treaty commission.

It is our belief that we should get rid of the Indian Act, giving aboriginals the same right to property ownership as other citizens. Aboriginals should be subject to the same constitutional, federal and provincial laws as the rest of Canadians. They should be allowed to establish municipal style governments and benefit from the same programs as the rest of Canadians.

There is no need for this bill, but there is a need to address aboriginal issues in a timely fashion. I would like to remind members that we are not suggesting we do away with any type of negotiation. Having said this, I wish to draw the attention of the House to certain shortcomings in the bill.

The interpretation section contains a definition of First Nations. They are described as aboriginal people within their traditional territory in British Columbia. The definition begs the question of entitlement to a land base. It can be argued that by the use of the definition the aboriginal people are shown to have a prima facie case of a land claims settlement.

Again, clause 5 does the same thing. It states that the purpose of the commission is to facilitate in British Columbia the negotiation of treaties. In other words, establish this commission and we are bound to have the traditions negotiated, whether there is an entitlement or not. The process has been established.

Clause 5 obligates the commission to allocate funds to allow First Nations to participate in the process. This will be expensive. But in addition to it being expensive, it is also exclusionary.

Funding is not provided for third parties, only the aboriginal people. What about those who oppose the giveaway of British Columbia lands? I guess they will have to finance these interventions themselves. I hope they are able to. It is my understanding that in the borrowing of funds to negotiate there will be an 80:20 split. In that case, 80 per cent will be repayable; 20 per cent will be contributed by whom, the federal government, the provincial government, what part for each one?

Clause 7 of the bill establishes how the commission is to be appointed. The federal government and the B.C. government each get to appoint commissions. I do not see anyone who will simply represent the people of Canada. Are they not important? Are the members opposite saying they do not count? These appointments, all appointments to the Commission, should be subject to the approval of this House.

Clause 18 allows the commission to make necessary bylaws. We are giving the commission power to establish its own rules of procedure. At the very least, these bylaws should be tabled in this House.

● (1630 )

Clause 22, the clause which perhaps bothers me more than any other, states that the parties can amend the agreement at any time. This is the British Columbia Treaty Commission agreement which underlies this act. It is beyond me how the bill can allow amendments to the agreement without references to Parliament.

In my last householder I asked the following question: ''Do you believe that all Canadians should have equal rights and responsibilities with no special status based on racial or ethnic origin?'' Ninety–one per cent answered yes. However, in addition to answering many wrote comments, some of which I should like to share. I have so many comments that I cannot share them all, but I will share some of them.

I have not done anything to the comments. I have not changed their wording. I have not corrected grammar. I have not done anything to them. These are some of the things the residents of my riding in British Columbia are saying: ''Anyone born in Canada should have the same rights and be governed by the same laws. This is not true now''.

''We all have our own ethnic upbringings but we do not expect to be treated differently from others. I believe that everyone regardless of race should work and pay for their property''.

''Governments should put a stop to all the Indian roadblocks. I do not feel the Indian population should have special rights, especially Indians who are abusing their position and rights''. There might be something there with regard to fishing rights. There has been tremendous abuse of fishing rights in British Columbia.

''We are all Canadians. We should have the same rights and laws. Practices such as giving natives the right to fish any time for their food as well as to sell those fish is making racial problems''. They are. That is a truth. I do not want to sit in the House and be condemned and called names by members opposite for saying the truth. I am getting very tired of it.

''Natives should not get tax free anything. They should work like everyone else. We are suggesting that native people be given a fair chance to stand on their own two feet. Wouldn't you suggest that is the right thing to do?''

Regarding self–government, the Indian Act discriminates against aboriginal people by setting them apart from other Canadians. That is what Reform believes. I do not see how any member in the House could disagree with that. Most native people want the same rights, freedoms, responsibilities and protections of other Canadians. The Indian Act stifles its subjects from having a democratic voice in their own affairs and from having accountability in their own officials.

The inherent right to self–government is an interesting phrase. What does it mean? When Reform MPs rightly ask what is meant by self–government, the previous speaker from Peterborough attacks Reformers for wanting to know the answer. Can we imagine anyone going into negotiations without knowing what all parties mean by the terminology that is being discussed? It is absolutely ridiculous. Instead of the member for Peterborough admitting the common sense of Reform in asking this question, he attacks Reform MPs for asking it.

I have been watching government members in the House for some time now. I wonder what constantly drives them to put down other elected members of Parliament. Is it because they have no answers? They started this terrible debt that is climbing up and up and up. We are trying to deal with it today and they do not have the answers. Are they trying to take the pressure off themselves? Is it because to attack means one does not have to deal with the issues?

The member for Madawaska—Victoria called us meanspirited. She said: ''What about democratic rights? Reformers are always on about democratic rights''. Yes, we are. We are discussing the democratic rights of all British Columbians and of all other Canadians. The treaty process does not involve a few people. It involves all Canadians. It is time we started to be honest.

The department of Indian affairs has not worked. Can anyone say it has worked? This process which has been encouraged by this government and by past Liberal governments has created a group of Canadians who are dependent on the Canadian government.

Past Canadian governments have created an institutionalized welfare state for native people. This is not kindness. This is cruelty. I wonder how many times we have to say that. It is not the Reformers who are being cruel. The Reformers are saying we should stop all this now, help people, deal with the issues, deal with reality and stop calling names because that does not get anybody anywhere. The House is far above that sort of presentation. It really distresses me every time I hear it.

• (1635)

I spent many years teaching students. I always taught them that in debate, if they do not have something to say, if they cannot back it up or say it in a proper manner, they should not bother saying it at all.

I watch repeatedly in the House people tearing at each other. I would rather hear facts. I would rather hear arguments that are presented properly. I really am discouraged by it.

This morning the Minister of Indian Affairs and Northern Development directed most of his remarks to the right of Reform MPs to raise this issue in the House. Have I missed something here? Are we not all elected equally? How dare anybody question the right of Reform MPs to raise this issue in the House? That is absolutely disgusting.

He proceeded to describe Reformers as aboriginal bashers because we were making him uncomfortable; that is all I can suggest. I guess it is the old story: the best defence is an offence. I have often heard the word racist. It disgusts me too. If members take the time to look it up in the dictionary they will see that it means giving special priorities to a certain group. Reformers repeatedly say that we must all be equal. If we are all equal that is not racist. Some members should start telling the truth in the House. The House is far above the petty squabbling I witness day after day.

Native people soundly defeated the Meech Lake and Charlottetown accords. What does that say to members of the House? It was not suitable to them. Distinct society, as presented, was not suitable to them.

**Mrs. Anna Terrana (Vancouver East, Lib.):** Mr. Speaker, I would like to correct a few points.

We passed Bill C–107 regarding the B.C. Treaty Commission. The B.C. Treaty Commission is formed by five people. One is appointed by the governor. One is appointed by the lieutenant governor. Two are appointed by the summit. Then the chairperson is appointed by the three parties I just mentioned.

Truth is always a question of perception. Many times I am very disturbed by the truth the Reform Party raises. I suppose we are not on the same wave length and that is why we are on opposing sides of the House.

I agree to some extent with the member. I am quite distraught most of the time by what is going on in the House and by the lack of kindness we see here.

As for the aboriginal people, it is true we should all be equal. However aboriginal people have been in distress for too long. They are in a situation where they need help. We must start on an equal basis in order to be equal. We have to help them first, put them on an equal basis, and then we can all be equal.

I have two questions for my colleague. She mentioned that in reply to her householder 91 per cent of the people said that they wanted equality. How many people answered her householder? Whenever I ask questions in my householder I always have a very low response.

Does she feel that the comments of her colleague from Kootenay West made on the Liberal caucus of British Columbia were actually kind comments? I take exception to what he said. We have been working very well in spite of the fact that we are so few. We have been able to achieve quite a few things.

**Mrs. Jennings:** Mr. Speaker, I am certainly aware that Bill C–107 was passed. I did not get a chance to speak on it and I very much wanted to. With 52 MPs on the Reform side, many of us do not get to speak on the issues we would like to speak on. Since it impacts directly on this I certainly wanted an opportunity to do so.

No one represents the people. I must insist that all the names the hon. member mentioned were appointed, as she said, but who is representing the people of British Columbia? Nobody is.

• (1640 )

Aboriginal people have been in distress for too long. Those who know their Canadian history will realize that not just the aboriginal people were in distress in the history of the country. They should know about the Acadians who were torn asunder, who lost family members, who lost their lands, who were sent all over the world and had nothing. Nobody paid them anything. No one re–established them. Nobody did anything. They were good, worthwhile people.

We also had the Loyalists who were driven out of the United States to Canada. They had nothing. They had to leave. What did we do when the Loyalists came to Canada? We did not give them anything to set up. They had to do it on their own. Today they are better off having done that. It makes their lives a lot easier. Too bad we did not do that with the native people.

What about Japanese Canadians? We just took and took. With these examples I am trying to say to the hon. member that we have made mistakes. We admit we have made mistakes, but is it not time to start on an equal basis for everyone? I strongly suggest we should.

Regarding my householders, I keep track and I have been running at a 2 per cent to 6 per cent return. I have about 58,000 in my riding. We do not have them all in at this time because it only went out and we are waiting. We have had over 1,500 returned, so it is 91 per cent of the 1,500. That is the best I can tell the member right now.

**The Acting Speaker (Mr. Kilger):** It is my duty, pursuant to Standing order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Okanagan—Similkameen—Merritt—Department of National Defence; the hon. member for Mackenzie—Canadian Wheat Board; the hon. member for The Battlefords—Meadow Lake—Environmental Protection Act—the hon. member for Vancouver Quadra—Vietnam; the hon. member for Saint John—National Defence.

**Mr. John Finlay (Oxford, Lib.):** Mr. Speaker, I am pleased to rise today to respond to the motion by the hon. member for North Island—Powell River.

At the outset I must say I find the motion puzzling. No doubt the hon. member means well, but I do not think he has thought through the consequences of the motion. If adopted, parliamentary democracy in Canada will slow down to a crawl. The hon. member asks us to forgo signing land claim agreements because the people of British Columbia may be going to the polls soon. His motion refers to the last year of the current provincial government mandate.

I wonder how he expects any business to get done in a federal state, let alone one with ten provinces and two territorial governments, and soon to be three. In any given year at least one of these governments may be facing an election. On average two and one–half of them will be facing an election every year.

It would seem the hon. member wants to paralyse the decision making process. The convention is that elections are held every four or five years. How do we know which it will be? Should we begin clamping down on a government's right to sign agreements during the third year or the fourth years of its term?

What about the case of minority governments? The pattern in Canada seems to be that minority governments call an election after two years in office. This is not a constitutional principle. It is not even a convention. It is simply a reality of minority government. If we were apply the hon. member's motion in these situations, we would not sign any agreements with a minority government that had been in office for more than one year.

We can imagine the results. A new minority government is sworn in. The new ministry has a few months to become accustomed to power and to learn something about the ropes. Just as it is hitting stride and beginning to get some things accomplished, other governments in the country say: ''Sorry, we can't sign any agreements with you. We have to respect the views of your electorate who may be going to the polls soon. They may want to change something''.

Yet I hear over and over again from the members of the Reform Party that government must pay attention to the grassroots. The last speaker from Mission—Coquitlam made much of this point. What is their idea of paying attention to the grassroots? The member for Mission—Coquitlam said that we should read the answers to the questions she put in householder and that is it.

• (1645 )

It is sort of like following the opinion polls, setting up hotlines so that people can phone in their views. It is town hall meetings and radio talk shows. I have nothing against any of these practices. I do them myself. I commend any effort to encourage Canadians to express their views. We have to understand one thing: taking an opinion poll or gauging the views of the people who phone in to a hotline or having a show of hands at a town hall meeting is not the same as representing the grassroots. The important word is representing.

This is a representative government. We are all representatives of the people of this country. The way I try to do it, and I suggest most of us do, is to get involved, to learn, to listen. We go to committee meetings, we question witnesses and we study and debate those issues which are of particular concern or about which we have some particular expertise.

When I ran in my riding to represent the people, I told them what I stood for, what the party was going to do and what the issues were with which the government would deal. We were fortunate enough to receive a majority of the votes in this country and represent the majority of the seats. Therefore, the Liberal Party in this House is, I submit, the only truly representative body here. That seems to be self–evident. We come from all across the country. We represent every ethnic group in the country, including the aboriginal people. Therefore, we try to represent what the majority of Canadians think and feel about this country.

The grassroots is largely made up of people who do not phone in to hotline shows. They have little inclination to talk to Raife Mair on the radio. They do not go to town hall meetings. They might not have a strong opinion one way or another on a particular issue because they do not know enough about it, that is until they happen to be asked their opinion by a pollster. If the wrong question is asked, the wrong answer will be given.

Certainly most people believe all Canadians should have the same rights. The member for Mission—Coquitlam said that the Department of Indian Affairs has not worked. By today's standards and what we know now, it was an ill–conceived plan. It was a way of integrating another culture and people into ours. We have learned a lot since those days. I would agree very much with my colleague that we should do all we can over time to get rid of the paternalistic attitude of the Indian affairs department.

That does not mean that we can then say that all of us should have the same rights when we are not starting from the same place. If we do not understand that the Indian idea of property is different from ours, that it is culturally different and spiritually different, then we are never going to solve the problem because they will never agree.

Let us hear no more of the self–righteousness of the members of the Reform Party with their claims that they speak for the people. People elected the hon. member from North Island—Powell River on October 25, 1993 just as they elected me. They elected him to represent them. We both speak for the people in our ridings and people will have an opportunity to judge our performance in the next federal election.

The people of British Columbia elected the government of British Columbia and they will have their chance to render their verdict on that government in the coming months. In the meantime, we will continue with the job of governing the country and we have to carry on with the job of negotiating comprehensive claims with the First Nations of British Columbia. They have waited for 200 years to reach these agreements. Most have never had the opportunity to sign an agreement outlining their rights.

This is an historic anomaly in Canada. First Nations in all other provinces and in the territories have treaties, principally because most of the land unsettled is owned by the Queen in right of Canada in other provinces and territories.

• (1650 )

The only treaties signed exclusively in British Columbia were concluded before the province joined Confederation in 1871. When the province joined Confederation, all the unclaimed land, except where the Indians had been pushed into reserves, was held by the Queen in right of British Columbia, which is not the same situation across the rest of the country.

This is where the grassroots beyond the aboriginal community can have their say. They are not left out of the process. Neither the Government of Canada nor the Government of British Columbia is interested, hopefully, in negotiating treaties that would ignore the interests of non–aboriginal British Columbians, any more than it is going to ignore the justifiable interests of the aboriginal people.

We do want to get on with the process. We want to remove the uncertainty. We cannot let the process become derailed because this government or that one nears the end of its mandate.

The negotiation of a comprehensive claim is a long and painstaking process. That is how it should be. That is how it has been. That is how it will be. These are very important negotiations. They define how people will function over the long term. They set the parameters for how aboriginal people and their institutions will relate to the federal and provincial governments.

The simplistic ideas we have heard so far this afternoon from Reform Party members seem to ignore completely that the Indian people are a people. They are protected, as we all are, under the Constitution. They have inalienable rights to self–government and they have inherent rights in this land. Those are the things we have to define.

After waiting for more than a century, the First Nations of British Columbia know the value of patience in making sure that the negotiations are done right. Perhaps a little of that patience would not hurt the members down the line.

At the same time, we should not set up artificial barriers by tying the hands of legislators that must pass the legislation to bring the treaties into effect. I urge the House to vote against this motion.

**Mr. John Duncan (North Island—Powell River, Ref.):** Mr. Speaker, this motion has been misread. It depends where you are coming from sometimes how you choose to read something. Nowhere in this motion does the Reform Party suggest that governments cannot sign agreements in the last year of their mandate.

We are saying that when there is a significant, a major, a costly and a divisive issue, in the same way that the Mulroney Tories in the dying days of their government, low in the polls, signed the EH–101 and the Pearson deals, this is a divisive issue in British Columbia. It is precedent setting and worth billions of dollars. It is totally inappropriate for the government in the last year of its mandate to sign this treaty. In actuality the election is most likely only months away. It will be in the spring.

I want to make it perfectly clear that this is a basic assumption that was promoted by the last speaker and it is incorrect. Nowhere are we saying that, nor is that our intent.

There was a suggestion by the member that only a Liberal government is qualified to govern and only a Liberal government is qualified to judge the issues. I find that very difficult, particularly in the context of British Columbia. That is a stretch of unimaginable proportions.

The member made some statements about lands and about treaties. The significant thing in British Columbia is that British Columbia spent many years after Confederation contributing lands to the federal government to reserve for native people. That was a commitment made at the time of Confederation under the Act of Union. It was an unfulfilled commitment up until 1924. In 1924 the federal government, by order in council, agreed that the province of British Columbia had fulfilled its obligations.

• (1655)

British Columbia has two–thirds of all the reserves in Canada. About 18 per cent of registered Indian people in Canada live in British Columbia. Those reserves contain, within a provincial context, 14 per cent of all lands reserved for Indians. This is not insignificant. It is the crux of a very large issue. There is no legal imperative to negotiate treaties.

We are not saying that treaties should not be negotiated. We are also interested in removing the uncertainty from the landscape and from this whole issue. This is an appropriate way to do it. However, right now is not the time to conclude a final agreement.

**Mr. Finlay:** Mr. Speaker, I appreciate the comments of the hon. member for North Island—Powell River. I listened to his speech, as I have listened to them all. I suppose one might answer a question with another question.

I suggest, in the scheme of things, that two years is scarcely sufficient time for the B.C. Treaty Commission to prove its worth, as the member knows, as he listened as I did to the current head of that commission. Two years ago the commission started from scratch to set up a service organization to get the board together and write some policies. Since it only began in 1993 and we are in 1995, it has had scarcely two years which was not to negotiate treaties. It was, as my friend knows, to start the business, develop the expertise, set up the office and interest the First Nations of B.C. in coming forward to negotiate. Since a little more than 70 per cent of the natives in B.C. are involved in the process now, it seems to me we should give them a little time.

I appreciate the member filling me in with respect to the order in council in 1924. I am little confused about his numbers because I believe he said that B.C. had 17 per cent of all reserves in Canada and then went on to use the figure of 14 per cent. I want to ask him about that.

I also want to ask the member whether the election in B.C. is a foregone conclusion. I thought he might bring up the helicopters and the Pearson airport deal, but if he casts his mind back he will realize that the Pearson airport deal was signed in the midst of an election which the government was losing very badly. The helicopter deal was a statement in the red book and in the platform of the Liberal Party before it was signed. Again, it was within months of the election. I might remind the member that

this House had not sat effectively for about a year and a half before that election.

**Mrs. Anna Terrana (Vancouver East, Lib.):** Mr. Speaker, today I would like to speak to this shortsighted motion moved by the hon. member from the Reform Party.

This undemocratic motion suggests that the views of British Columbians cannot and are not being respected in the treaty process. I want to correct this ill–informed impression by providing the hon. member and his equally ill–informed colleagues with some facts.

Before doing that, I would like to take exception to something said by my colleague from Mission—Coquitlam. I know Canadian history and I strongly believe that the aboriginals, because of their culture, had much more difficulty becoming part of our society and they still do.

**Mr. Hermanson:** Did you write that?

**Mrs. Terrana:** Yes, I wrote that. They have gone some way but they have to go further to be equal. Perhaps my choice of words is incorrect. My hon. colleagues have received a heap of factual information on the treaty process in British Columbia, but they seem bent on seeing things that are not there.

• (1700)

If they are involved in some science fiction movie, we are not in Hollywood, and let us get back to reality. We cannot stop all negotiations for almost one year. What for? Do we want to fool the First Nations once again? What would we accomplish? The treaty negotiation process is well under way.

Around ten teams are now at the framework step which is the fourth step of the process. We are all anxious to see the conclusion of these negotiations. It is important for all of us because the uncertainty has been too severe for years and has caused real hardship in British Columbia.

In B.C. the governments have set up structures to hear, discuss and solicit the advice of province wide interests. The Reform Party seems to ignore that advice is being sought. It wants to perpetuate the fear and concern which we all know exists. The Reform Party needs to understand that debate and discussion can take place without some of the hyperbole and rhetoric easily associated with treaty negotiations.

Let me talk about the consultations. In mid–1993 the federal and provincial governments formally established an advisory committee to advise ministers and senior officials on province wide treaty issues. The treaty negotiation advisory committee is made up of representatives from 31 organizations in British Columbia.

Among those organizations are four fishing industry representatives, five labour union representatives, the B.C. Wildlife Federation, guides and outfitters, the B.C. Council of Forestry, the B.C. Trappers Association, outdoor recreational interests, the B.C. Cattlemen's Association and others.

More important, the members come from throughout British Columbia. They are not all from Vancouver. They come from Smithers, Terrace, Kamloops, Quesnel, Prince Rupert and Vancouver Island. Each brings his or her organizational perspective but also the sense of how their neighbours and communities are reacting to the treaty negotiation process.

The objective of the treaty negotiation advisory committee, TNAC, is to ensure that the interests of the member organizations are understood and taken into account in the negotiation of modern day treaties and to contribute to treaty agreements with aboriginal people which are workable and lasting and have the understanding and support of British Columbians.

Those are high but necessary objectives. Governments are committed to not just hearing and understanding their advice but taking it into account when negotiating.

The federal government not only wants a means by which negotiations can be effectively conducted but also must seek effective and efficient advice from third parties whose interests might be affected by treaty settlement.

TNAC is structured to enable all members to know as much about the issues that could be negotiated and to notify governments of potential problems or concerns.

My colleague, the Minister of Indian Affairs and Northern Development, has attended three of TNAC's bi–monthly meetings. To ensure he maintains a direct relationship to the committee, I serve as the minister's representative to the committee. We are as a government directly and closely involved in the discussion and advice from the TNAC table.

We are all working together, trying to come to an agreement we can all live with. At times it is difficult but with everybody's goodwill we will get there and solve a far too longstanding discrimination.

Because of TNAC things are changing every time we meet. We are listening. It is not an easy process but we are slowly getting there and learning to understand each other. Now we all recognize that 31 members is a large committee and that some issues require more specific discussion. Hence five sectoral committees were established. These committees meet monthly and are divided into lands and forests, fisheries, wildlife, governance and energy, mines and petroleum resources. Recently the energy mines committee folded its work into the governance committee.

An important step in building our understanding of third party interests was the development of interest papers by each of the

five sectoral committees. I say a step because issues will evolve and be addressed over the course of negotiations.

Knowing the interests of third parties is a gradual approach but it has a clear objective. We want treaties that work and address the interests and needs of all participants in the economy.

● (1705 )

In the year and a half I have been on TNAC I saw great improvement in communication and much better understanding of these complicated issues and better co–operation. In addition, the Government of British Columbia with which we are co–operating very well organizes province wide monthly advisory meetings which are reaching all British Columbians. It is a shame that such intolerance is being promoted by some people in B.C. who do not seem to want to solve the problems.

I will identify a few of the interests common to all parties in the process. Certainty and economic stability were essential. Effective local and regional advisory processes were essential. Access to land base for all economic and non–economic interests was essential. The continuation of government authority in areas of resource management was imperative to successfully concluding practical and affordable land claims settlements.

Both governments have taken these interest papers seriously. As we work through the development of specific negotiating mandates the advice TNAC has provided through these papers will be considered, assessed and integrated wherever possible. Through the consultation process and eventually through Parliament the government will be held accountable for how it has used the advice of third parties.

Now the Reform Party seems obsessed by secrecy even when it no longer exists. In September 1994 I presented to TNAC the minister's position on the openness of the consultation process. The minister accepted the concerns of TNAC members that a confidentiality restriction overly limited their ability to seek advice and direction from their colleagues and organizations. Now the media is invited to all our meetings. That restriction has ended. TNAC members can and do fully discuss information provided by governments to TNAC members.

The B.C. Treaty Commission in its annual reports has talked of the need to consult and for people to know what is going on in the treaty process. Perception can become reality. It only takes a willingness to request some written information because material is available.

The chief commissioner, Alec Robertson, came to the September 1995 TNAC meeting to report to members and hear their concerns about the treaty process. That is another important link in the treaty process. At this time 120 bands representing 79 per cent of First Nations are negotiating.

A couple of weeks ago in Sechelt I met the chief of the Sechelt Band who cheerfully told me how well his framework agreement negotiations are going. He expects conclusion by next August. The Sechelt Band was the fourth to sign a framework agreement, the first step of the negotiating process. I was in Sechelt in August for the signing of the agreement and there was a real celebration.

At the centre is the need to negotiate workable, effective and affordable treaties. Unless those treaties are surrounded and supported by a strong consultation process which provides for a frank and open exchange of information, advice and interest, the objective of publicly supported treaties will be difficult to achieve.

Consultation is important. The government takes the views of Canadians seriously. We want to ensure our policies and their implementation are sensitive to the advice and interests of communities, people and interests which might be affected.

We have to work together, all of us, and through dialogue we can eventually give our aboriginal people the tools necessary to become self–sufficient. For too long they were deprived of their integrity and pride. Their children must be strengthened and the people of the new generation must be able to find a place in society that makes them proud of themselves.

I am pleased to have contributed factual information to the debate today. Consultations are essential to ensuring that negotiations can be successfully completed. I hope the opposition will soon join this consultation exercise. We could all come out as winners.

I conclude with a comment I made in the House on October 19:

> This country can simply not afford to lose another generation of aboriginal people able and willing to make a contribution to this country. The young aboriginal people of today can be our professionals, our trades people, our inventors of tomorrow. They represent our past and our future. If we lose them it will be an incredible waste.

I ask hon. members to vote down this unfair motion brought forward by the third party.

**Mr. Ted White (North Vancouver, Ref.):** Mr. Speaker, I am pleased to have the opportunity to rise today to speak in favour of Reform's motion on the subject of B.C. land claims.

● (1710 )

I have been listening to the preprinted, standard run of the mill, say the right thing style of speeches emanating from members opposite. Frankly, anyone in touch with the feelings of B.C. can see straight through the facade of the Liberal political correctness going on.

The hon. members for Vancouver Centre and Vancouver East spouted exactly the line we would expect from old line politicians completely out of touch with reality. I have no doubt whatsoever that the speeches of any other Liberal B.C. members are equally as irrelevant. They must have some sort of big sausage machine upstairs. They turn the handle and crank out all this meaningless stuff.

Last Tuesday in Vancouver radio talk show host Rafe Mair read out the names of the six Liberal MPs from B.C. three times. He emphasized the voters of B.C. have to remember the six names. He said: ''Remember exactly how out of touch these people are with the voters of B.C.''.

Even the hon. member for Richmond, who had a meeting in his riding last Saturday, supposedly to get the feelings of his constituents on the issues, told his voters he would vote against their wishes and that he put their interests after the Liberal Party of Canada. He insulted his own constituents. This is typical of the attitude we hear on issues such as land claims and unity. If it does not fit into the Liberal Party agenda, Liberal members are not interested in hearing what the people have to say.

We can see the same pattern of debate in the motion before us today. Instead of coming to the House with meaningful speeches about the concerns of British Columbians, government members have read from canned speeches prepared by their political masters who live and work thousands of kilometres away from the problems of the native land claims of B.C.

Some government members whose ridings are also thousands of kilometres away from B.C. have claimed or implied that Reform members are meanspirited or that we have some inappropriate motive for bringing this motion before the House. That is balderdash.

Here is some important news for government members. The Reform member for Beaver River taught and lived on an Indian reservation before she became an MP. The leader of the Reform Party worked for Indian bands as a consultant for a number of years before he was elected. The Reform member for Yorkton—Melville has taught on an Indian reservation. The Indian affairs critic for the Reform Party is married to a status Indian.

Mr. Speaker, anytime you hear someone say we are not in touch with the problems, the injustices or the difficulties with Indian land claims, please tell them they are wrong. We probably have more experience and knowledge about the problems than the entire Liberal caucus, certainly a lot more than the minister.

There are large Indian reservations in my riding. I have lived there since 1979. I have had plenty of opportunity to listen to and understand the concerns of both natives and non–natives in my riding.

A government member earlier today quoted from Mr. Hume, an editorialist with the Vancouver *Sun*. He quoted Mr. Hume as if he were some sort of expert on B.C. opinion. He fell right into a trap. The people of B.C. watching today will laugh. Mr. Hume does not represent the ideas of the people of B.C. Mr. Hume has a special interest of his own and his rantings have no relevance whatsoever to the opinions of B.C. voters. He regularly criticizes Reform, but if his rantings had any relevance we would not have 32 Reform MPs from B.C. He is completely out of touch, just like the government members.

It would be much more productive if government members would abandon their politically correct position, their canned speeches and their closed minds and listened to what we have to say as the true representatives of B.C.

It is not just us; both opposition parties in B.C. have made it clear the whole land claims deal is going off the track as B.C. approaches the next provincial election.

Government members should stop for a moment to say to themselves: ''Maybe these B.C. MPs are trying to tell us something important. Maybe I should stop and listen. Maybe I should trust the majority from B.C. telling me there is something wrong here''. Maybe they would just say that they should support what we are trying to do here, which is to prevent a terrible disaster from happening if things are rushed through on the eve of a provincial election.

What a treat it would be if government members would abandon their party lines just for one day and help us with a major problem in our province. It is a problem which they cannot understand because they do not have the unique set of circumstances in their province that we are experiencing in B.C.

Allow me to repeat the text of the motion before us today so that members can hear again our deep concern for the problems we have to face. We want the federal government to hold off making any treaties in haste on the eve of the provincial election because there is so much uncertainty surrounding the B.C. government. Everybody has heard of the bingo scandal. The government that is there right now might make some very unwise decisions. Our motion really does not call for too much. It just says:

> That the House urge the government to not enter into any binding trilateral aboriginal treaty or land claim agreements in B.C. in the last year of the current provincial government mandate in order to respect the views of British Columbians on this issue as expressed by both major provincial opposition parties.

That is not too much to ask. I urge hon. members to please support us this one time.

**The Acting Speaker (Mr. Kilger):** It being 5.15 p.m., it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the business of supply pursuant to Standing Order 81.

The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Kilger):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Kilger):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Kilger):** In my opinion the nays have it.

*And more than five members having risen:*

**The Acting Speaker (Mr. Kilger):** Pursuant to order made on Wednesday, December 6, 1995, the recorded division stands deferred until Monday, December 11, 1995 at 6.30 p.m.

SUSPENSION OF SITTING

**The Acting Speaker (Mr. Kilger):** I wonder if I might ask for some direction from members as to whether the Chair should see the clock as being 5.30 p.m. and pursue private members' hour, or suspend the sitting until 5.30 p.m.

**Mr. Szabo:** Mr. Speaker, it is my private member's Bill C–337 which is due to come forward at 5.30 p.m., but I see the other speakers who were scheduled to be here for 5.30 p.m. have not yet entered the House. Therefore, I would ask the Chair to please suspend the sitting until 5.30 p.m.

**The Acting Speaker (Mr. Kilger):** Is it agreed?

**Some hon. members:** Agreed.

(The sitting of the House was suspended at 5.20 p.m.)

---

SITTING RESUMED

The House resumed at 5.30 p.m.

**The Acting Speaker (Mr. Kilger):** It being 5.30 p.m., the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

## PRIVATE MEMBERS' BUSINESS

[*English*]

### FOOD AND DRUGS ACT

**Mr. Paul Szabo (Mississauga South, Lib.)** moved that Bill C–337, an act to amend the Food and Drugs Act (warning on alcoholic beverage containers) be read the second time and referred to a committee.

He said: Mr. Speaker, beverage alcohol is the only consumer product in Canada known to cause harm if misused that does not alert the consumer to this fact.

What are the consequences in Canada due to the misuse of alcohol? Based on the most recent data available from Health Canada, the Canadian Centre on Substance Abuse and from the Addiction Research Foundation, the facts are as follows: 38,261 psychiatric and general hospital admissions; 17,080 cases of alcohol dependence syndrome; 966 cases of toxic poisoning; 19,163 deaths directly or indirectly caused by alcohol misuse; 10 per cent of all neoplasms or tumours; 5 per cent of all diseases of the circulatory system; 15 per cent of all diseases of the respiratory system; 5 per cent of all fetal defects; 45 per cent of all motor vehicle accidents; 48 per cent of all drivers killed in accidents are killed as a result of alcohol consumption, which means that 2,000 have been killed and over 10,000 injured in only one year; 40 per cent of all accidental falls; 30 per cent of accidents due to fire; 30 per cent of all suicides; 60 per cent of all homicides; 50 per cent of incidents of family violence and one in six divorces are all caused by alcohol consumption.

It is indeed tragic that one in ten deaths in Canada, or the deaths of about 19,000 Canadians are from alcohol related causes each year. All of this is due to the irresponsible use of alcoholic beverages. It is costing Canada an estimated $15 billion each year in higher health, social, justice and lost productivity costs, not to mention the devastating impact on family, friends and society as a whole.

I know the effect that this can have on a family. My own father abused alcohol most of his adult life, but we are not afraid of him anymore. Years ago following one of his violent rages, he lost touch with reality and is living out the rest of his life in a home. I have not seen my father for more than 10 years because he no longer would recognize who I was. Today he has a new family: three bottles of vodka, one for each meal.

Bill C–337 seeks to require that containers of all alcoholic beverages sold in Canada display the following message: Consumption of alcoholic beverages impairs a person's ability to operate machinery or an automobile and may cause health problems or cause birth defects during pregnancy.

There are many reasons that we should have health warning labels on alcoholic beverages. The costs and other impacts of the irresponsible use of alcohol are far too great to ignore. At a time when all governments are seeking to reduce the costs of health, social, justice and lost productivity, we need to pursue, and I stress preventive, rather than remedial strategies. We need to let the consumers know that health experts recognize the hazards of alcohol use. We need to inform consumers about the risks of alcohol use.

Failure to label alcohol when medical drugs, foods, cleaners, solvents and other dangerous products all carry health warnings falsely assures consumers that alcoholic beverages are safe at all times. All levels of governments and the alcoholic beverage industry itself have a social, moral and societal responsibility to reduce the misuse of alcohol. Labelling is a reaffirmation in the ability of consumers to make responsible decisions. Labelling

will also promote consumer consistency and indeed will lead to changes in drinking behaviour.

• (1735 )

Labels in themselves are an integral part of any comprehensive strategy to promote the responsible use of alcoholic beverages. Any prevention program would be incomplete without these health warnings. In the words of Denny Boyd, columnist for the *Vancouver Sun:* ''The intended purpose of warning labels on alcoholic containers is to act as a consumer lighthouse sending a signal of impending danger''.

Labels represent an efficient way to continually remind consumers of the need to drink responsibly. As one element of our overall preventive strategy, it could be implemented quickly and efficiently with the potential of reaching all consumers and with a repeated effect.

I will take a moment to talk about fetal alcohol syndrome. All Canadians are well familiar with the problems associated with drinking and driving and that is due to the relentless education of consumers. But there is another problem virtually unknown yet far more tragic. It is called fetal alcohol syndrome, otherwise known as FAS.

In 1992 there was a study called ''Fetal Alcohol Syndrome, A Preventable Tragedy'' produced by the House of Commons standing committee on health and welfare. The report states:

> There is no question that maternal alcohol consumption can have devastating impacts on the fetus. The basic fact is that when a pregnant woman drinks, her unborn child drinks also; that is, the alcohol in the mother's bloodstream circulates through the placenta into the bloodstream of the fetus. It is possible the blood alcohol level in the fetus will remain at an elevated level for a longer period than that of the mother because the immature fetal liver metabolizes the alcohol more slowly.

Research shows that 5 per cent of all fetal defects are due to alcohol consumption during pregnancy. According to Health Canada, FAS occurs in about one in 500 live births. Therefore, it is in fact more prevalent than Down's Syndrome which occurs in about one in 600 live births. FAS children can reflect the following: severe neurological disorders, social dysfunction, permanent behavioural problems, reduced lifespan, restricted brain development, learning disorders, hyperactivity, mental retardation, pre and post natal growth retardation, speech and vision impairment and physical deformities.

In addition to retarded growth, FAS children usually display facial distortions, including a small head, small close–set eyes, flattened cheekbones, a very thin upper lip and no groove between the upper lip and nose.

FAS is estimated to cost $1.5 million during the lifetime of an FAS child. FAS is estimated to cost Canadians $2.7 billion each year in terms of increased health, special education and social services costs.

There is another aspect to this. Fetal alcohol effects or FAE is very similar to FAS, with the same range of problems in a less severe form, but without the characteristic facial abnormalities. FAE occurs two to three times more frequently than does FAS.

With regard to the alcohol industry, there is little dispute in the medical profession that alcohol consumption during pregnancy can have harmful effects to the fetus. The message they are trying to get out is that there is no recommended safe level of alcohol consumption during pregnancy and that drinking during pregnancy can cause alcohol related birth defects, including FAS and FAE. Both these diseases are totally preventable. I want to repeat that, both FAS and FAE are totally preventable. In the words of the alcohol beverage industry itself, drinking responsibly could mean not drinking at all.

As part of my research, I took the opportunity to speak with representatives of the Association of Canadian Distillers, the Brewers Association of Canada and the Canadian Wine Institute. I found that their position was very close.

They all support and promote responsible use of their products, to their credit. Industry representatives also note that alcohol has been shown to have health benefits in certain circumstances. I was given examples of programs they already fund and which they felt had better value in terms of the effectiveness of warning labels. They express concern however that warning labels may alarm pregnant women who may have consumed some alcohol and that the resulting fear or stress would result in consequential and negative health problems or even miscarriage.

• (1740)

They all held the same view that they did not think that warning labels would work and that there was no evidence that could prove that they would work.

Finally, they all specifically stated that they would not voluntarily comply with any recommendation to have warning labels on the containers of alcoholic beverages. Indeed they said it would have to be legislated.

The industry's position is clear. It fundamentally rests on the argument that health warning labels will not work. I believe this argument is fundamentally flawed primarily because the proof of effectiveness is indeed in the precedents of Canada, the U.S. and the entire world. Warning or caution labels directly on the packaging of products have been used for years for virtually every potentially harmful product except alcoholic beverages. Research and long term monitoring have proven the effective-

ness time and time again. That is why this element of every preventive strategy continues to be used today. Why? Simply because it works.

This is the common sense and practical reasoning. It appears that the industry insists on empirical evidence which it says does not exist. In fact the evidence does exist.

In 1988 the U.S. government passed legislation requiring health warning labels to be placed on the containers of alcoholic beverages. Implemented in 1989, a series of studies have been conducted to detect the impacts on knowledge, attitude and behavioural changes. Although early studies showed little effects, as the years went by literally dozens of research studies have started to show progressively improving results. Here are some examples:

In December 1993 the *Journal of Public Policy and Marketing* in a report on public attitudes toward alcohol control since the warning labels were mandated in 1988 said: ''It is concluded that the label is serving the goal set out for it, to inform the public of the hazards associated with alcohol consumption''.

In 1993–94 the *International Quarterly of Community Health Education* in a report on the awareness and knowledge of alcohol beverage warning labels among homeless persons stated: ''Age and level of alcohol consumption were each associated with label awareness and content familiarity suggesting that alcohol beverage warning labels may be reaching homeless persons''.

The final example comes from the March 1994 International Conference on the Reduction of Drug Related Harm. In the research paper ''Mandated Container Warnings as an Alcohol Related Harm Reduction Policy'' it finds: ''Within the U.S. results indicate an association between seeing the label and displaying behaviours relevant to limited drunk driving. Limited drinking before driving, 68 per cent, was associated with seeing the label in the last 12 months; limited driving after drinking was even more significantly associated''.

The evidence is mounting and very powerful. That is why the U.S. started to use warning labels in 1989. That is why indeed in Canada, the Yukon and Northwest Territories started to use warning labels in 1991. That is why 77.5 per cent of Canadians surveyed by the Addiction Research Foundation in 1994 said they would support health warning labels on alcohol beverage containers. Why? Because Canadians know that warning labels work.

This initiative of having health warning labels on the containers of alcoholic beverages is not a recent subject in Canada. It was first raised in 1976 by the then minister of health, the Hon. Marc Lalonde. In 1992, as I mentioned earlier the House of Commons standing committee on health and welfare recommended warning labels to the government.

How do current legislators feel? On May 23, 1995 the B.C. Minister of Health wrote the following to the federal Minister of Health: ''I am writing to you in regards to alcohol warning labels. This was a topic of our discussion at the provincial, territorial ministers of health meeting held in Vancouver April 10 and 11, 1995. There was unanimous agreement that warning labels should be pursued by the federal government''.

• (1745)

I repeat, the provincial ministers of health unanimously agreed that warning labels should be pursued by the federal government. In addition, the federal Minister of Health has clearly stated her strong support for health warning labels for the containers of alcoholic beverages.

The alcoholic beverage industry feels the consumer has the burden of proof that health warning labels work. I believe the burden of proof that they do not work must fall on the industry. If it cannot provide that burden of proof, then today I call on the industry to discharge its social, moral and business responsibility and voluntarily comply with this labelling recommendation.

Bill C–337 is the first piece of legislation on warning labels that has ever reached this point in our legislative system. The bill no longer belongs to me. It now belongs to all the members of Parliament.

We cannot afford to miss the opportunity to do the right thing. I humbly ask for members' support to pass Bill C–337 today at second reading so that we may more rigorously pursue the facts through public hearings before the Standing Committee on Health. In this way, members of Parliament who are not in the cabinet can once again demonstrate to Canadians that we can and do make a positive contribution to the well–being of all Canadians.

[*Translation*]

**Mrs. Pauline Picard (Drummond, BQ):** Mr. Speaker, I am pleased to rise to speak in this House to Bill C–337, which amends the Food and Drugs Act. This bill, tabled by my colleague for Mississauga South, is aimed at warning pregnant women and the public at large about the health risks involved in the consumption of alcohol. It also serves to draw attention to the fact that alcohol consumption reduces a person's ability to operate machinery or an automobile.

We agree with the principle behind this bill. It is now recognized, even by the manufacturers of alcoholic beverages, that alcohol abuse can lead to a variety of health problems, impair an individual's faculties and limit their ability to perform certain tasks requiring concentration.

In recent years, society has recognized the danger of impaired driving. This awareness has caused lawmakers to strengthen legislation covering driving while impaired and to provide harsher penalties for offenders. Governments have run public

awareness campaigns with the participation of the manufacturers and distributers of alcoholic beverages.

People are also increasingly aware of the risks inherent in the operation of machinery or equipment following the consumption of alcohol. Excessive alcohol consumption over long periods may also cause health problems.

According to the Addiction Research Foundation, alcohol is involved in 19,000 deaths a year through heart and liver disease, certain forms of cancer, suicide and traffic or other types of accidents.

Excessive alcohol consumption also plays a part in vandalism, acts of violence and family problems. The use of alcohol consumption as an extenuating circumstance in the courts recently led to Parliament's legislating against self–inflicted intoxication as an excuse for illegal behaviour.

This said, we cannot generalize and say that alcohol is responsible for all of society's ills.

Most of the members of this House doubtless take a drink in moderation from time to time and enjoy it. It is not the consumption of alcohol that is dangerous or harmful, it is the abuse of it.

• (1750)

According to recent studies, limited consumption of alcohol may even be beneficial to certain individuals, particularly those who may be candidates for coronary or circulatory problems. I am not trying to say that alcohol consumption is totally beneficial, but I would like to point out that the alcohol problems we often hear about are primarily the result of abuse and overconsumption.

The sole exception applies to pregnant women. Recent studies on fetal alcohol syndrome have shown that even moderate consumption of alcohol may involve risk to the foetus, by altering the breathing of the foetus and reducing the flow of blood to its brain.

Negative effects observed after birth include lower birth weight and delays in the child's physical and mental development.

We have just listed many reasons for warning the public against the various problems that may be caused by or related to alcohol consumption. What form should the warning take? Will the bill before us be a solution or a step in the right direction? Should other ways be developed as well to warn people about the effects of alcohol abuse?

Currently there are a number of advertising campaigns aimed at increasing public awareness. In Quebec, for instance, the campaign against drinking and driving has been successful to some extent in reducing the number of automobile accidents related to alcohol consumption. The Société des alcools du Québec launched a campaign under the now well known slogan ''La modération a bien meilleur goût'', a phrase that has become very popular. During the holiday season, some companies include in their advertising a warning to their customers to drink with moderation.

In addition to the examples I just mentioned, many other ways to increase public awareness have been suggested by various intervenors in the business of selling alcohol. For instance, some licensed establishments now stock non–alcoholic beverages and list these on the menu. Some municipalities may consider posting warnings, in establishments that serve alcohol, against the potentially harmful effects on the foetus of consumption of alcohol during pregnancy.

Recently, there has been a trend towards more emphasis on providing information through health professionals. For instance, urging physicians who treat pregnant women to stress the harmful effects of alcohol during pregnancy. Social workers are also being asked to increase the public's awareness of the potential effects of drinking alcoholic beverages.

Briefly, we must be aware of the important role of prevention, education and other forms of social intervention in making the public aware of problems that may be related to alcohol consumption.

We should also consider the practical aspect. First of all, we would have to estimate the additional cost to producers and distributors and see whether it would adversely affect smaller producers, especially the micro–breweries and brewers of local beers which are a recent development.

It would also be necessary to find out if this measure would make the industry less competitive or violate international free trade agreements signed by Canada.

Of course the money aspect should not cause us to forget our main concern which remains the health of Canadians. However, before implementing a labelling directive like the one provided in the bill, we must be certain this kind of measure would be effective.

Of course, as is often the case, where public health is concerned, it is difficult to argue against the merits of virtue, and that is why we welcome the bill proposed by the hon. member for Mississauga South.

[*English*]

**Mr. Grant Hill (Macleod, Ref.):** Mr. Speaker, in speaking today on Bill C–337, I would like to start by telling a story about Johnny. Johnny was a little fellow who was adopted into a family. This family had enough resources to take on Johnny's responsibilities. They welcomed him with love and care into their home. He had come from a family that had some problems, a broken family.

• (1755)

As Johnny grew he was different from the natural children in this family. His growth was somewhat stunted. He was smaller than the other kids. They thought perhaps it was heredity. When he was old enough to start learning things he seemed to fall behind the other children in the home. He was a very active boy. He had a very strange habit in that he could climb the door frame right to top of the door. He got himself into most peculiar spots in the home. He would climb up on top of the cupboards.

As he got a little older Johnny was hard to control in the sense that he would run away from home and the family would have the police out looking for him. He could be gone for three or four hours and be impossible to find. One day he left home, crawled into a camper down the laneway and found some matches. He built a little bonfire in the camper and lit the camper on fire. This was a neighbour's camper, a most unpopular item.

Johnny loved wildlife. When he was outdoors he was extremely interested in the frogs, the turtles and the insects. He was really happy when he was outdoors.

I am going through his life now. As he got older and became a young teenager it was quite obvious Johnny did not have the mental capabilities of a normal teen. He was stuck somewhere back in preschool in terms of his educational capabilities. He became somewhat aggressive and difficult to handle. He ended up having to become a ward of the government, a ward of the province in which he lived. He had to leave the home that had provided him with love and attention. He had to be looked after by other individuals.

Johnny is now old enough to recognize that he will never hold a productive job. He will always be a responsibility of the government, a responsibility of the province, a responsibility of the individuals who care for him.

It turns out that Johnny's natural mom drank heavily. Johnny was a victim of fetal alcohol syndrome. His mom had so many problems that her life was not complete without alcohol so she drank heavily. Johnny has an incurable problem. His life is completely affected by that early childhood, the time when he was in the womb.

Fetal alcohol syndrome is totally preventable. Early development with alcohol presents birth defects, retardation, hyperactivity, all the things we saw in Johnny. It is totally preventable. All we need to do is make certain that young moms and even older moms when they are pregnant do not drink heavily.

I would like to compare fetal alcohol syndrome to German measles, rubella. How do we treat German measles? We inoculate all women who will become pregnant or could become pregnant. We warn pregnant moms during the first trimester of their pregnancy not to come in contact with German measles. We do rubella tests on them to make certain they have immunity to rubella. We educate and in the instance of rubella we do not have to legislate.

Is legislation necessary in this instance? Bill C–337 calls for putting a warning label on all alcoholic beverages, a warning label that says that consumption of alcoholic beverages can impair a person's ability to operate machinery or an automobile and may cause health problems or birth defects during pregnancies. When should we legislate personal behaviour? When should we legislate what an individual may do in society? We should legislate when there is a third party who has no choice. In this case, with fetal alcohol syndrome, there is a third party with no choice. The infant in the womb has no choice. Legislation in this instance has merit.

• (1800)

I compare this issue to smoking in a public place. In an enclosed place where others are affected by the smoke of a smoker there is a place for legislation.

Reformers generally want to have as small a government and the least intrusive legislation possible. However, in the case of fetal alcohol syndrome legislation may be warranted.

Is this label the way to go? If I were thinking how best to warn women most likely to be affected by fetal alcohol syndrome I would not put a worded label on the bottle, I would put the profile of a pregnant woman on the bottle with a big red X across it. I would direct my efforts toward those women most likely to drink heavily, some of whom are illiterate. In many cases native women are affected by this problem. Some of them would not understand a worded label.

How would I implement such a change? I would first say to the alcoholic beverage companies that legislation would not be necessary if they would comply voluntarily. There is a strong public sentiment for good corporate relationships. I challenge those companies to listen carefully to this debate. Legislation would not be necessary with the proper labelling for fetal alcohol syndrome on bottles. They have shown some willingness to comply by their anti–drinking and driving campaigns. It would be profoundly reasonable to comply on this campaign.

This bill is some evidence that Parliament can co–operate. Reform members are quite keen to see health measures of a preventive nature promoted in Canada. Consequently we will support this bill to the committee stage at this level quite strongly. We are supporting it on my behalf because of my wish for little Johnny to be happy.

**Ms. Hedy Fry (Parliamentary Secretary to Minister of Health, Lib.):** Mr. Speaker, it is my pleasure to have the opportunity to speak to this problem. I am also pleased that all three parties of the House agree on this issue.

For the last 15 years it has been an issue with which I have been involved as a physician, as an advocate for my patients and as a member of the British Columbia Medical Association lobbying to change public policy.

Canadians from all walks of life in every region have been concerned over the years about alcohol consumption and especially about the abuse of alcohol, not only its effects on society but its effects on the health of individuals. Canadians have always looked to governments to reduce the risks associated with this drug.

These concerns have taken various forms at different times. In the 1980s the major concern was drinking and driving. Governments have acted at the provincial level and at the federal level to take into consideration this issue. The companies that make and market alcohol have been fairly responsible with respect to drinking and driving. Together we have managed to see in this decade that the issue of drinking and driving has begun to take root in the minds of the public and in the minds of the young people who are the most affected.

• (1805 )

More recently the major alcohol related concern has shifted to fetal alcohol syndrome and fetal alcohol effect. A parliamentary committee reviewed this topic in great detail and came down with a large number of recommendations, not the least of which was labelling. This was a stakeholder conference. There were three conferences in a row. At the conference were makers and marketers of alcohol who basically had a sense of responsibility toward the issue, although they did not seem interested in going as far as the labelling issue.

FAS is fetal alcohol syndrome, a medical diagnosis that refers to a set of alcohol related disabilities associated with the use of alcohol during pregnancy. It is used to describe a set of physical, mental and behavioural changes in young children who have been born with this syndrome.

Exposure of the fetus to alcohol has a great deal of effect specifically on the fetal brain and brain tissue. It is because of this that we see fetal alcohol syndrome. Different levels of drinking can produce fetal alcohol syndrome. Lower levels of drinking can produce fetal alcohol effect, which is not as full blown a syndrome in that there are not usually physical disabilities associated with it, but the behavioural components are clear.

There are some surveys and information now that are leading us to believe that a lot of people who exhibit anti–social behaviour, who have behavioural problems in school and who fill many of the jails in this country have fetal alcohol effect. We can curb this problem and stop it. It is preventable. One or three in every one thousand children in industrialized countries has fetal alcohol syndrome or fetal alcohol effect. This is a terrible issue that we must deal with.

This is not the only thing I want to talk about because I do not want people to believe that here we are again hitting on any particular social enjoyment we all have. Alcohol is not, unlike tobacco, a dangerous drug if taken according to instructions. We now know there is a level of hazardous drinking that results in the acute effects we see in terms of drinking and driving or using machinery or acts of violence when one is acutely drunk. There is also a certain level of hazardous drinking if done over a period of time. It can lead to hypertension, cirrhosis of the liver and some alcohol induced psychosis in the long term.

We are talking about a drug that has an effect on humans and on the health status of humans. It is time we did something about it, specifically because alcohol is such a socially acceptable drug and specifically because it is a substance we can use appropriately and enjoy in a way that is not dangerous, except of course with the one exception, when one is pregnant. A pregnant woman should not have any alcohol whatsoever.

What we are talking about is a substance we could make safe. How do we make anything safe? When we buy antihistamines across the counter there is a warning not to drink alcohol while taking them; do not operate machinery. On a bottle of Draino there is a warning not to ingest it internally. We know certain things are hazardous when used inappropriately.

Alcohol lends itself specifically to labelling because it is a way we can send a clear message that tells everyone they can use this substance in a safe way or in an unsafe way, and these are the unsafe ways. Warnings on products lead to their safe use. That is what we are talking about.

Health Canada spends a great deal of money on programs for native people and the Inuit people especially, community based programs, to support parents and children who have FAS and FAE.

• (1810)

We also have lots of programs that deal, as any healthy public policy should, with education and awareness because public awareness is the key. We cannot say someone is doing something wrong when they do not have any knowledge it is wrong. Therefore public awareness is the key and this is where labelling comes in.

Labelling clearly says do and do not. It gives a clear, defined parameter within which to work in a safe way to use a substance as in the case of alcohol. While we see that there are a lot of remedial services and support programs, and while we are at the moment increasing awareness and doing education programs in the schools and in communities, working at all levels, federal governments, provincial governments and community based groups are all working hard to stop the abuse of alcohol and the inappropriate use of alcohol.

We have not used one tool sitting in our little box of tools. Many people have said this will be expensive. I do not understand why this will be any more expensive because the alcohol industry, in order to export alcohol to the United States, must put a label that warns of the dangers of alcohol because labelling is mandatory in the United States. Yet we have on one side of a room a whole lot of bottles sitting there with no labels. People are busy sticking labels on them just to send them across the border.

Are the children in the United States any less important than our children? I say no. This is not a major burden we will be putting on the alcohol industry. It is an industry that has shown to be very supportive and very accountable in terms of how it deals with alcohol.

I am pleased the member brought this to the fore because it is an opportunity for us to talk about this issue. Doubters say look at what happened with the tobacco industry. The Supreme Court ruled we should not ban advertising and sponsorship because we have not proven it will make a difference to youth. Whenever members talk to manufacturers and to advertising agencies they always say package labelling confers a great deal of information about the product, and that manufacturers use labels to send us many messages about the image of their product.

If one wants to buy detergent it has to be the kind of detergent that speaks of grandma using it; a nice clean wash with sea breezes blowing through it, one that smells good with lemon and lime and all these things. We always use images to sell our product. Soup labels convey the down home quality. It is always something hearty and the sort of thing we were used to in the old days.

We talk about cigarette manufacturers. They have brought this to a fine art. They are the most expert at turning a product. They talk about youth and vigour. They show how many friends one can make if one smokes. They show how socially acceptable one will be, how great at sport, how wonderful a lifestyle one will gain from smoking.

What is crucial here is the recognition that in many areas no distinction can be drawn between the product as conceived by the maker and the packaging. The product and the packaging are almost the same. That is why manufacturers are often so very resistant to labelling or to putting anything on their product that says the product is not as good as it should be.

I hope everyone here will support the bill. We support it very strongly at Health Canada. We believe if we are ever to prevent the preventable diseases that create a great deal of tragedy in our lives, this is one sure step. We are already half way there. We do it for the United States. Let us do it for Canada.

## MESSAGE FROM THE SENATE

**The Acting Speaker (Mr. Kilger):** I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following bill, to which the concurrence of this House is desired: Bill S–12, an act to amalgamate the Alberta corporation known as the Missionary Church with the Canada corporation known as the Evangelical Missionary Church, Canada, West District.

Pursuant to Standing Order 135, the bill is deemed to have been read the first time and ordered for second reading at the next sitting of the House.

* * *

## FOOD AND DRUGS ACT

The House resumed consideration of the motion that Bill C–337, and act to amend the Food and Drugs Act (warning on alcoholic beverages), be read the second time and referred to a committee.

**The Acting Speaker (Mr. Kilger):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Kilger):** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

● (1815 )

(Motion agreed to, bill read the second time and referred to a committee.)

**Mr. Boudria:** I rise on a point of order, Mr. Speaker. I note that members seem to be ready for the adjournment debate. Perhaps we could call it 6.30 p.m.

**The Acting Speaker (Mr. Kilger):** Is that agreed?

**Some hon. members:** Agreed.

---

# ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

### DEPARTMENT OF NATIONAL DEFENCE

**Mr. Jim Hart (Okanagan—Similkameen—Merritt, Ref.):** Mr. Speaker, on October 6, 1995 I asked the Minister of National Defence a question pertaining to the week of revelations at the Department of National Defence. During the week of revelations it had been discovered that senior officials at NDHQ altered documents. The punishment: the department was instructed to investigate itself.

Further evidence revealed that Lieutenant–Colonel Kenward destroyed evidence and obstructed justice. His punishment: he was promoted.

Yet more evidence showed that Colonel Labbé uttered unlawful commands. His punishment: he was put in charge of the army staff college to teach leadership.

In our parliamentary democracy we have what is called ministerial responsibility. It is the minister's responsibility to know what is going on in his department and to take responsibility for the actions of his subordinates.

I pointed this out to the minister. I said that he must have had these events on file. I asked him why he waited so long to act.

The Parliamentary Secretary to the Minister of National Defence stood on behalf of the minister. He said that he was disappointed that I would dare to ask a question pertaining to ministerial responsibility. Then he told the House something that all Canadians have known for a long time, that the government was so terribly open it was opaque.

According to *The Concise Oxford Dictionary*, seventh edition, opaque means not transmitting light, not transparent, obscure, obtuse and dull witted. I admire the parliamentary secretary's honesty. This is one instance where a member of the government was not obscure. I hope the Liberal whip was easy on him. He has been unforgiving with other Liberal members of Parliament who speak their minds.

Being pleased with the parliamentary secretary's openness, I asked him if the actions revealed that week were considered examples of good leadership. Sadly the parliamentary secretary went back to normal Liberal tactics. His answer was obscure. He said he did not like the tenor of my question and that he personally had called for the Somalia inquiry while in opposition.

This was all fine and good but he failed to answer the question that Canadians demanded to be answered. I then informed the parliamentary secretary that it was the Reform Party that called for an open inquiry. The parliamentary secretary would have been satisfied with a cloudy internal investigation. He did not protest the minister's attempts to make the inquiry opaque.

Canadians are extremely dissatisfied with the mismanagement of the Minister of National Defence. Whether it is the evidence of cover–ups or the procurement of the minister's gold plated pens, Canadians are demanding change. Since our parliamentary system is based on ministerial responsibility, I asked the minister to resign.

At this point the right hon. Prime Minister intervened. He talked about his personal support for our soldiers. This was not just opaque; it was pure balderdash.

The Prime Minister has been in the House for 30 years. Where was he during unification? Where was he in 1969 when the budget reduced the army from 45,000 to 25,000 and the militia from 24,000 to 13,500? Where was he during the civilianization of the armed forces? Where was he when the regimental system was under assault?

He was a senior official in the Trudeau government on the military dismantlement team.

• (1820 )

Regarding Lieutenant–Colonel Kenward and Colonel Labbé, the minister had these reports on file with respect to these events. I ask the parliamentary secretary again why the minister waited so long before he acted. Does the minister consider the actions of these senior officials to be examples of good leadership?

**Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the hon. member is very misguided in his attempts to discredit the minister and the government.

Certainly members on this side of the House know that the platform of the third party has been to use specious and irrelevant petty arguments and half truths for partisan gains which really have nothing to do with the Canadian forces and the issue at hand.

Let us look at the facts. It was a Liberal government that called for an inquiry. It was this government that ensured the inquiry would be public and open. At least the hon. member gave me credit for asking for it two and a half years ago.

It was this government that encouraged people to come forward with the information and to go forward to the inquiry. It was this government that ensured that the Somalia inquiry was provided with complete and accurate information and that relevant documents were made available to the commission.

Not all these actions have been easy. We could have been goaded into precipitous action. I will give one example. Where others may have been attempted to score political points, we stayed the course and waited for the Westray Mine decision so that justice would be done and done properly, without the possibility of it being undone later because of a technicality.

That is one example. These actions point toward good leadership, integrity and willingness to get things done. Now is the time for the commission to do its work and we look forward to its recommendations.

The Canadian forces have a long and proud heritage which we are not prepared to throw away, despite the antics from the other side of the House in the third party. I suggest the third party share the sentiment of all members on this side of the House, especially at a time when we have just embarked on a new program, the first in the history of peacekeeping. I hope they will continue to lend their support for Canadian forces abroad.

*Adjournment Debate*

CANADIAN WHEAT BOARD

**Mr. Vic Althouse (Mackenzie, NDP):** Mr. Speaker, a week ago, on November 30, I rose in the House to question the Minister of Agriculture and Agri–Food on a recommendation he had received from a senior executive officers committee that he had struck several months ago. It was looking at some of the ideas concerning ownership of hopper cars, the future role of the wheat board in allocating cars in the grain handling system in western Canada and other similar matters.

I tried to make the point with the minister that the recommendation coming from that group was that farmers would be asked to pay an extra $1 per tonne to raise money to purchase between 12,000 and 13,000 hopper cars the federal government now owns. They have an assessed value of $400 million, but the proposal is that the railways each take half the cars for a sum of $100 million which they can raise by imposing an extra fee of a dollar per tonne on the farm sector for everything farmers ship. In the end, after having collected the extra money from farmers, the railways would own the cars.

This seems to be the ultimate bad deal for farmers. If they are paying for the cars, why do they not end up owning them? This is something farmers are arguing. They think the senior executive officers have presented a proposal that is self–serving in the ultimate. We must remember that at least two of the people on the senior executive committee represent the two major railroads.

The basic justice of the proposal is something I was arguing. The minister in his response said he had not made up his mind yet, but I should remember the senior executive officers recommended that there be a ceiling placed on freight increases, other than the $1 per tonne, for 10 years.

I have listened to responses from farmers in western Canada to this remark. They are very quick to remember that it was a Liberal government approximately 97 years ago that promised the Crow rate in perpetuity, and that means forever in anybody's language. It lasted for 96 or 97 years.

• (1825)

The question the farmers have is a very good one. They are saying if perpetuity lasts 96 and 97 years, how long will 10 years last? The answer in coffee row is until the next budget.

They will not buy that and I do not see why they should. It is incumbent on me as a member from out west to remind the minister that his credibility and the government's credibility on promises for grain rates and promises into future activities of the government or any future government is zero after what they have done to the Crow rate and other things considered to be part of the constitution, almost, for Canadian farmers. That is not acceptable.

What is acceptable is to put those 13,000 cars under the control of the wheat board, even if farmers have to pay for them. At least it would let them know they own them afterward and that their agency, the board, can control them.

The board does an excellent job of distributing rolling stock. As I have pointed out, the ownership of rolling stock was thrust on them because of the railways' refusal in the 1970s when the current minister was assistant to Otto Lang. The railways simply refused to buy or rent rolling stock. Farmers and provincial and federal governments were forced to buy rolling stock to keep Canadian grain rolling.

As I have said, the board has done an excellent job of using the rolling stock. It has extremely high turnaround times, meaning that a car is loaded, delivers its load and is returned to the country elevator system faster than any other grain cars in the system. I will give an example using comparable grains. Durum wheat makes 17 turnarounds in a year using wheat board cars, compared to oats which are operated by the open market and only make 12 turnarounds. This gives an idea of how much more efficiency there is under the board controlling those cars and of the savings that result both to farmers and to railroads from that activity.

I recommend the government take very seriously turning these cars over to farmers. Yes, we will pay for them if we have to, but they should be left in the control of the wheat board.

**Mr. Lyle Vanclief (Parliamentary Secretary to Minister of Agriculture and Agri–food, Lib.):** Mr. Speaker, a working group of senior executive officers and farmer representatives in the western grains industry has arrived at a basic consensus about what should be done with respect to government owned hopper cars, car allocation procedures and the role of the Canadian Wheat Board in transportation.

The report will be discussed at various farm organization meetings over the winter. Until farmers have had an opportunity to understand and comment on the recommendations, it would be premature to make a full or final decision with respect to the government's response to the report.

The consensus achieved by this group is certainly remarkable in itself. Only a few years ago many people would have thought it would be impossible for such a consensus to be reached by such a divergent group. It is a package involving a balance of tough but creative compromises and it has to be looked at as a whole, as a package.

The government will respond to this report in early 1996 and is proud of its record of consultation with stakeholders. This is the way we operate and this issue will be treated the same as all the others.

ENVIRONMENTAL PROTECTION ACT

**Mr. Len Taylor (The Battlefords—Meadow Lake, NDP):** Mr. Speaker, my NDP colleagues and I have been concerned for some time that the Liberal government would not do the right thing in responding to the fine work of the Standing Committee on Environment on the Canadian Environmental Protection Act.

Since the release of the committee's report last June there have been numerous media reports about how the government would respond. There have also been fears expressed that the Minister of the Environment, who is said to be a supporter of the recommendations of the committee, is being pushed out of the decision making picture by the interests of the Minister of Industry and the Minister of Natural Resources who are said to oppose the same recommendations. In fact, some officials within the industry department said openly that the committee's proposals are a threat to the country's investment climate, costly to implement and grounded on shaky science.

• (1830)

At the same time the Minister of Natural Resources, speaking in the House of Commons on the government's CEPA response in relation to concerns raised by the mining industry said: ''At this point I am willing to go on record that, working together, we will ensure a regulatory regime that supports the mining industry''.

When we take those comments into account and add to the mix the fact that the government has blatantly ignored the committee's request, indeed Parliament's direction, that a response be provided within 150 days, it is easy to see why concerns about the government's ultimate intentions remain in the minds of all those who care about the future of the environmental regulatory process.

Members of Parliament will remember that on November 21 I criticized the government for failing to table its response. The only answer I received was that the response would be coming within two weeks. It is 10 days later and we are still waiting.

It is possible that the Minister of the Environment is having difficulty getting a favourable response through cabinet. This is the government's most important environmental decision to date.

Few would argue that the 365 page committee report entitled ''It's About Our Health'' with its 141 recommendations dealing with virtually every aspect of the federal government's role in the protection of Canada's environment is not significant.

May I remind members and the public that is listening that the committee made recommendations for amendments in the areas of toxic substances assessment and pollution prevention, the assessment and regulation of biotechnology products, ocean dumping and coastal zone management, the role of First Nations in environmental protection, the ecosystem approach to environmental protection, environmental management within the federal government, public participation in federal environmental decision making and federal environmental law enforcement.

In a recent article in the *Globe and Mail* Paul Muldoon of the Canadian Environmental Law Association and Mark Winfield of the Canadian Institute for Environmental Law and Policy said:

> The federal government's response will be a bell–wether indicator as to whether it will take its responsibilities regarding toxic substances and other aspects of environmental protection seriously.
>
> Based on the weight of evidence known to date, the standing committee recommended that strong action is needed regarding the most toxic substances.
>
> The departments opposing CEPA reform demand absolute proof of harm prior to any substantive action.
>
> They are willing to roll the dice with the health of Canadians. The Liberal government must now decide whether it is prepared to do the same.

On October 24, concerned about the comments of the industry officials mentioned earlier, I asked the Minister of Industry if he was going to take the advice of those officials or would he welcome the opportunity to turn Canada into an international leader in green legislation as detailed in the impressive recommendations of the environment committee.

I ask that question again tonight, in the hopes that the government is prepared to confirm its support and indicate to us when its response to the CEPA report can be expected.

**Mr. Clifford Lincoln (Parliamentary Secretary to Deputy Prime Minister and Minister of the Environment, Lib.):** Mr. Speaker, first I would like to thank the hon. member for The Battlefords—Meadow Lake for his close interest in the CEPA review. He worked on the committee during the CEPA review. He has shown a continuing interest in it throughout the committee's deliberations and after the report was issued. It is very commendable that he has brought up this issue so that Canadians will be aware of the status of the government's response.

I am sorry the response is late. The minister is in Vienna at the ozone layer convention, which occasioned a further delay. However, the response will be ready extremely soon.

I can assure my colleague that the response will reflect, very honourably, on the recommendations and the thrust of the report of the standing committee and all the principles which have been

put forward by the committee. The main program of the committee, as suggested in the report, will be reflected in the response.

• (1835)

I can assure the member that the Minister of Industry, whose law promotes sustainable development, is very much on side in co–operating with the Minister of the Environment to ensure that the report reflects what is the preoccupation of Canadians toward sustainable development and the integration of the economy and the environment, including pollution prevention.

VIETNAM

**Mr. Ted McWhinney (Vancouver Quadra, Lib.):** Mr. Speaker, on October 4, 1995 I rose in the House to request the Minister of Foreign Affairs to use his good offices for the Government of Vietnam on behalf of nine religious, academic and cultural leaders under imprisonment in Vietnam and waiting retrial.

I had this matter brought to my attention by members of our Vietnamese Canadian community in Vancouver and also in Ottawa and elsewhere. I had followed up with meetings with the Vietnamese ambassador in Ottawa, with communications with our Canadian ambassador in Hanoi and with written representations through our government and others.

I was happy to be able to inform the House in a statement made on November 22, 1995 that the Vietnamese government had acted to release two of the religious and cultural leaders and that they had already left Vietnam and were now in North America.

Canadian foreign policy in its golden era in the immediate post–war period developed and applied the skills of quiet diplomacy, involving patient but firm negotiations and never resorted to gunboat diplomacy 19th century style, which would have been beyond our military logistical capacities anyway.

In the contemporary post–cold war era, when trade and commerce have replaced political military power as the basis of the world public order system, I would ask the minister how he can best continue to promote the development of democratic constitutionalism and the advancement of basic constitutional rights in our new neighbour countries of the Pacific rim.

**Mr. Jesse Flis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.):** Mr. Speaker, I know the Vietnamese Canadian community across Canada is very appreciative that the hon. member for Vancouver Quadra raised this issue not only in the House of Commons but in other fora.

As the Secretary of State for Asia–Pacific stated during question period, Canada's position and our relationship with Vietnam is one of supporting engagement rather than isolation. This is in concert with the rest of the international community. Having a dialogue on human rights remains an important part of our relationship.

When the Minister of Foreign Affairs was in Hanoi in the middle of November, he raised human rights issues with his Vietnamese counterpart, Minister Nguyen Manh Cam. The secretary of state also raised his concerns about human rights in Vietnam during his visit to that country. Furthermore, he had a lengthy discussion about human rights with the Vietnam deputy prime minister during the latter's visit to Canada last year. We also maintain an ongoing dialogue through our embassy in Hanoi and with the Vietnamese embassy in Canada.

Our policy is to speak honestly and forthrightly in appropriate multilateral fora such as the United Nations' third committee, which deals with questions of human rights.

In his speech on Friday, December 1, Ambassador Bob Fowler mentioned Canadian concerns related to religious and political prisoners. In our judgment, maintaining a position of quiet diplomacy bilaterally while continuing to speak honestly in multilateral fora is more effective than a confrontational approach.

We are pleased to see that two prisoners have already been released. I am certain that the hon. member's interventions at the ambassadorial and other levels went a long way toward this release.

We hope our current policy and the hon. member's skills of quiet diplomacy will continue to have positive results.

NATIONAL DEFENCE

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, I would like to take this opportunity to address a reply to my question from the Parliamentary Secretary to the Minister of National Defence. It is about how the government plans on tendering moving contracts in the future.

Currently, only the four major Canadian van lines can bid on moving projects with DND. The others are given a chance to match the lowest bid. The successful bidder receives a volume bonus. Work is then farmed out to companies across the country.

• (1840)

The government proposed to change this system, so that any company from any country would be allowed to bid and the lowest bidder would get all the work. That meant that DND would move toward a one bidder take all system that would create a monopoly in the moving business. It would destroy an industry of over 800 companies across this nation and put thousands of people out of work.

Now the government, thankfully, has changed its mind and is proposing another plan, where a moving company with the lowest bid will receive 40 per cent of the government's business. The next three lowest bidders will receive proportionately less as long as they match the lowest price.

The government currently works with something called GLAC, the government list of approved carriers. If you are not on that list, you are not eligible for government moving contracts. Under the new proposal, that list would be scrapped.

The hundreds of independently owned and family owned moving companies that make up the moving industry provide quality service. They are on that GLAC list. They own the warehouses and the moving vans. They have invested millions of their own dollars in infrastructure.

Last week, Randy Hoyt, president of the Hoyt's Group of Companies from Atlantic Canada, told the public accounts committee that the volume of government business available to each of the GLAC carriers has varied according to their track record. For poor quality, movers are removed from the list or suspended.

This system is serving Canadian taxpayers well and is good for government employees and independent movers. Because they were assured a share of the volume, movers have invested in facilities and trained staff at locations in Canada where service would otherwise not be available. Atlantic Canada is a case in point. There are many towns where these companies have operations and so the public gets competitive quotes when they move.

The government's new proposal will destroy this system and the benefits that go with it. It will also result in thousands of job losses.

Ontario businessman Pat Baird told the public accounts committee that he wants to bid under the proposed new system. Mr. Baird has no trucks, no warehouses, no infrastructure. He has two to three employees and has no financial investment. He made misleading statements to the committee. He told the committee that if he wins the bid, he wants to use rail lines to move government employees. He forgot that we do not have rail lines in many parts of Atlantic Canada. He said that he has a joint venture with CN Rail and CN will be building 300 to 400 new 53–foot containers made up as moving vans. He also said that CN's investment was going to be $26 million.

I have spoken to CN and according to CN it has a verbal agreement with Mr. Baird. If the bid is successful it is prepared to modify, not build new, some old 48–foot containers, not build new 53–foot ones, as Mr. Baird said, at a cost of $4,000 to $5,000 each. According to CN, its commitment will only be $1.3 million maximum, not $26 million as Mr. Baird has stated.

These inaccuracies in Mr. Baird's testimony should serve as a warning. The proposed new tender process should be put on hold. I appeal to the parliamentary secretary and the minister to review this matter. It is a serious matter. All I ask is to put it on hold and look at it because of these discrepancies and inaccuracies.

**Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs, Lib.):** Mr. Speaker, the interdepartmental committee on household goods removal services, which I will call the IDC for short, recently conducted a review of the household goods removal service process. It had three goals when it did this.

The first was to reduce the cost and increase the efficiency of an admittedly overregulated arrangement with the industry. The second was to encourage the entry of new competitors into the process. Third was to secure greater savings through the application of economies of scale and consolidation of service.

The committee reviewed the feasibility of using a single supplier, as the hon. member said, for its moving business. The committee's evaluation of the concept after meetings with parliamentarians and others in the business concluded that there was a potential for saving, but insufficient grounds exist at this time to introduce a major change in the process. The information was too soft and the risks were too high.

The committee met with current contractors and other interested parties to seek industry feedback and to include their views in order to ensure that the process was open and transparent.

A new approach to acquiring these services has been developed which represents strong potential for savings, addresses the concerns of the Bureau of Competition and moderates the implementation risks involved.

The basic elements of the changes are: a one year competitive tender fully accessible by any interested party; the lowest bidder will receive 40 per cent of total government business, while the remaining compliant bidders, maximum of three more, would receive 25 per cent, 20 per cent and 15 per cent respectively; the lowest bidder's rate would be used; contractors would not have the right to refuse government moves; contractors rather than the government would determine the infrastructure requirements; and exclusivity rules would be rescinded whereby any carrier could align itself with another carrier, van line for government moves. These changes will take effect in April 1996.

Finally, I want to assure the hon. member and this House that this government is committed to fairness in awarding government contracts while at the same time ensuring that the best possible value for the Canadian taxpayer exists. I assure her that her concerns will be taken into consideration.

[*Translation*]

**The Acting Speaker (Mr. Kilger):** Pursuant to Standing Order 38, a motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands ajourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.47 p.m.)

# CONTENTS

**Thursday, December 7, 1995**

**Published under the authority of the Speaker of the House of Commons by the Queen's Printer for Canada.**

**Publié en conformité de l'autorité du Président de la Chambre des communes par l'Imprimeur de la Reine pour le Canada.**

---