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OFFICIAL REPORT
(HANSARD)

Thursday, November 5, 1998

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Thursday, November 5, 1998

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*Translation*]

CONSOLIDATED STATUTES OF CANADA

Ms. Eleni Bakopanos (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I am pleased to table, in both official languages, proposals to correct anomalies, contradictions or errors identified in the Statutes of Canada and to make other minor and non-controversial amendments, as well as to repeal certain legislation that no longer applies.

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[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 16 petitions.

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COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, I have the privilege to present, in both official languages, the fifth report of the Standing Committee on Fisheries and Oceans, the central Canada freshwater fisheries report. In accordance with Standing Order 108(2), last May the committee undertook a study of fisheries issues in central Canada. Pursuant to Standing Order 109, the committee requests a comprehensive response to this report by the minister within 150 days.

This is a very comprehensive and important report. It deals with a number of issues regarding the Great Lakes fisheries that have never been addressed. Some of the recommendations will be acted on. One request is related to the sea lamprey, a non-indigenous species to the Great Lakes. We have been dealing with this species recently. Today I ask my fellow colleagues, all workers in the House and on the hill, to go to Centre Block to see the sea lamprey display in the rotunda. I ask that all here today make time to see that display today.

PROCEDURE AND HOUSE AFFAIRS

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, I have the 43rd report of the Standing Committee on Procedure and House Affairs regarding the membership and the associate membership of some standing committees of the House. If the House gives its consent, I intend to move concurrence in the 43rd report later this day.

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RAILWAY SAFETY ACT

Hon. David M. Collenette (Minister of Transport, Lib.) moved for leave to introduce Bill C-58, an act to amend the Railway Safety Act and to make a consequential amendment to another act.

(Motions deemed adopted, bill read the first time and printed)

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FOOD AND DRUGS ACT

Mr. Tom Wappel (Scarborough Southwest, Lib.) moved for leave to introduce Bill C-455, an act to amend the Food and Drugs Act (nutrition information on foods).

He said: Mr. Speaker, in every session of every parliament since October 4, 1989, I have introduced a bill to amend the Consumer Packaging and Labelling Act to ensure the nutritional value of food is clearly stated on packaged foods.

• (1010)

It is my wish that consumers have the information they need in order to make informed decisions on the foods they wish to purchase.

This bill is my effort for the 36th parliament. It is much more sophisticated than my previous bills. It proposes to amend the Food and Drugs Act to provide that packaged foods, bulk foods and fruit

and vegetables sold at retail have specific nutritional information for consumers.

This bill is supported by a coalition of health and consumer groups representing almost two million consumers. I hope the House will support the bill.

(Motions deemed adopted, bill read the first time and printed)

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COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, if the House gives its consent, I move that the 43rd report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to)

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PETITIONS

DIVORCE ACT

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, I have a petition signed by many constituents in Ontario. They are requesting that parliament amend the Divorce Act to include the provision supported in Bill C-340 regarding the right of spouses and grandparents regarding access to or custody of their children.

GUN CONTROL

Mr. John Williams (St. Albert, Ref.): Mr. Speaker, I am glad to present a petition signed by many of my constituents who are upset regarding the money being wasted on gun control.

They point out that the commissioner of the RCMP in July 1997 send a letter to the Department of Justice stating that of the 88,162 violent crimes investigated in 1993, only 73 or .08% involved the use of firearms.

Therefore they petition parliament to have the hundreds of millions of dollars spent on gun control redirected to a better use.

ALCOHOL CONSUMPTION

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two small petitions today. In the first the petitioners draw to the attention of the House that the consumption of alcoholic beverages may cause health problems. In particular, fetal alcohol syndrome and alcohol related birth defects are 100% preventable by avoiding alcohol consumption during pregnancy.

The petitioners therefore ask parliament to require health warning labels to be placed on the containers of all alcoholic beverages.

HUMAN RIGHTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition concerns human rights in this year marking the 50th anniversary of the universal declaration of human rights.

Whereas Canada is internationally recognized as a leader in promoting human rights around the world, the petitioners call on parliament to appeal to leaders around the world where human rights are not being protected and for Canada to seek to bring to justice those responsible for the violation of internationally recognized human rights.

JUSTICE

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, it is my honour to present today as a representative of my riding of Calgary—Nose Hill a petition signed by nearly 1,000 of my constituents calling for measures that will lead to greater deterrence of youth crime.

MARRIAGE

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, pursuant to Standing Order 36, I have the honour to present on behalf of my constituents of Bruce—Grey two petitions.

The first petition, signed by constituents from Hanover, Walkerton and Chesley, concerns the legal definition of marriage. The petitioners ask that parliament define marriage in Canadian statute as the union between an unmarried male and an unmarried female.

CRTC

Mr. Ovid L. Jackson (Bruce—Grey, Lib.): Mr. Speaker, the second petition from the residents of Durham and Elmwood request that parliament review the mandate of the CRTC to encourage the licensing of religious broadcasters.

• (1015)

MARRIAGE

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, I have two petitions to present today. One is from my constituents in Athabasca and the other is from constituents in the national capital region.

Both petitions ask parliament to pass legislation to protect the definition of marriage and that the definition should remain the voluntary union of a single male and a single female.

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, I am pleased to present to the House another petition on an issue about which my constituents feel very gravely.

They want to preserve the understanding of the concept of marriage as a voluntary union of a single male and a single female. I am proud to present the petition on their behalf.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, I am very pleased to present a petition on behalf of my constituents also dealing with marriage.

The petitioners are concerned about the broadening of the definition of marriage. They are showing support for private member's Bill C-225, an act to amend the Marriage Act and the Interpretation Act, to define clearly that marriage is to be entered into between a single male and a single female.

Mr. Cliff Breitkreuz (Yellowhead, Ref.): Mr. Speaker, I am pleased to rise to present two petitions on behalf of the constituents of Yellowhead.

The petitioners call on parliament to enact Bill C-225, an act to amend the Marriage Act, to define in statute that a marriage can only be entered into between a single male and a single female.

RIGHTS OF PARENTS

Mr. Cliff Breitkreuz (Yellowhead, Ref.): Mr. Speaker, I have another petition which calls for the traditional upbringing of children by parents without undue interference by the government, the state and the police.

ABORTIONS

Mr. Cliff Breitkreuz (Yellowhead, Ref.): Mr. Speaker, the third petition calls for the government to hold a binding national referendum at the next election to ask voters to decide on the funding for medically unnecessary abortions.

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QUESTIONS ON THE ORDER PAPER

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE

The House resumed from November 4 consideration of the motion that Bill C-51, an act to amend the Criminal Code, the Controlled Drugs and Substances Act and the Corrections and Conditional Release Act, be read the third time and passed.

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Ref.): Mr. Speaker, I am pleased to rise today to speak to Bill C-51 that has some merit.

It is interesting that there are sections in the bill which the government has addressed that should have been addressed many years ago. I do not raise this point simply to bring out the fact that the changes the government finally got around to doing are overdue. There is another point.

A number of amendments were raised at committee. Some of them were presented by the Reform Party of Canada. They were clearly thought out. We had discussed them not only among our own colleagues and law enforcement people but among other members of parliament from other parties. These amendments were not controversial and should have found very wide support.

Let me discuss a couple of the amendments we wanted to bring forth. The legislation dealt with such things as people who live off the avails of prostitution, specifically of minors or children. It includes maximum penalties. It is an approach that says we need to get a little tougher on certain types of offenders in society.

We in the Reform Party support that kind of approach. We thought perhaps the government had overlooked that it was all well and good to have a maximum sentence and say that under circumstances the judge can sentence the person up to a certain amount of time, but what about a minimum sentence?

We see far too often in our courts and in society people walking away scot-free from offences that offend the sensibilities of Canadian citizens. It is a shame that this happens.

● (1020)

This was our opportunity to do something about it. The government in its wisdom saw fit to include maximum sentences. We go along with that. We support them. There should be some capping based on the severity of this crime.

We should also put in more parameters for judges. Many people in my riding, and I suspect in the ridings of Liberals, Conservatives, NDP, Bloc and my colleagues, complain that judges seem to have far too much leeway in what they do.

The range of sentencing is astronomical. In many cases this causes defence lawyers to go shopping for judges. They know that certain judges are soft on certain types of crime and if they could get their client before a certain judge, even if the client is found guilty, the penalty would not be very severe and in many cases they would walk away. We have heard some horrendous cases of people walking away completely scot-free from very serious crime.

We wanted to bring in a minimum sentence for people who live off prostitution of a minor. We have sentences for dealing with

those living off the avails of prostitution but this is a special section. It is much more serious. For adults who chose to enter a life of prostitution we can pass all kinds of judgments or we can ignore those judgments. However, it is pretty serious when someone lives off the avails of prostitution of a child.

It is all well and good to have a maximum sentence but we have no minimum. We wanted to bring in an amendment that would provide the minimum of a one year sentence for someone living off the avails of child prostitution.

We have talked to many people including Liberals across the way and people involved in the legislation. They agreed that it made a great deal of sense. However, what happened when we brought the amendment before the committee and said we thought it was something that would make the bill better?

We would like to support government legislation. We are not here to oppose for the sake of opposing. We are here to point out any shortcomings, where perhaps the government has erred and not done as complete a job as it should have done.

The general response from the Liberal members of the committee just before they defeated the amendment was that it was under study. There are provisions in the bill that have been outdated decades ago. The Liberals have had more than ample opportunity to fix these things and have not done so. Why are they taking something as straightforward and basic and saying they have to study it more and cannot possibly pass it at this time, even though they have already spent all this time on it?

The message the Liberal government is sending out to people in society who live off the income from prostitution of a child is that they still have no minimum sentence. They can walk away scot-free if they find a lenient judge, and we know they are out there.

We had another amendment to bring in. Another clause of the bill deals with drugs, various crimes and sentencing provisions for people living off income from selling illicit drugs on the streets. We know the kind of problems that creates.

The conditional release program allows prisoners to get out after serving only a small part of their sentence, one-sixth. A tremendous number of Canadians watch parliament, look at the laws we create and bring into the House. They wonder what on earth we have in mind when we say that a certain criminal act results in so many years in jail but if the prisoner is good he will be let out after serving only one-sixth of the sentence.

● (1025)

When someone is sentenced to six years, the victims of the particular crime might say that is okay or that he or she should have had a longer sentence. We have to be careful now that we include women. They like equality, so we want to make sure that when we talk of crime that we include everyone.

It is fine for six years, but now we are saying that they could be out in 12 months. There is a caveat that says that certain people will not be eligible. People who commit violent offences will not be eligible and will have to serve a whopping third of their sentence before they are considered for release.

We think that in itself needs to be addressed. Personally I do not think that anyone who commits a violent offence against someone else should be allowed out early at all. They are sentenced for a number of years and they should serve those years. That debate will go on at another time when we talk of serious offences like murder because Liberal legislation or the lack thereof allows convicted murderers and rapists, the Clifford Olsons and the Paul Bernardos of the country, after being sentenced to life in prison to put their victims through the trauma of a hearing after 15 years. We went through that before and because the government failed to act we will have to go through it again.

There is another type of crime that by definition does not come under the violent offender category which we believe should be considered in this legislation. I am referring to the people involved in the trafficking of drugs and the importation of illicit drugs into the country and the pain, suffering and expense to our justice system and our health care system. People involved in importation and/or trafficking of illicit drugs should be included in the exclusion from the early release program after serving one-sixth of their sentence.

This is strongly supported by people who work in the criminal justice system and by the police officers who are the ones on the frontline dealing with these people and all the problems they create. It is absolutely shocking that anyone would consider someone who is trafficking in narcotics and is causing problems in society should be released after serving only one-sixth of their sentence.

What was the response of government members in this regard? They said there was some merit in what we were saying but that they had to study it. That is how we got into the mess in terms of half the things that are already in the bill. They said they had to study, to wait, to consider every ramification and to consider whether they would get any political brownie points. If they bring it in at all, if they bring it in now or if they bring it in later, will it cause them any problems with voters or some special interest group?

I would like to know what special interest group government members are afraid of in bringing in a sentence that cracks down on the traffickers and importers of illicit drugs, or even for that matter those who live off the avails of child prostitution. I would like to know what they are afraid, what they feel is the downside of bringing in something like that.

In many areas the government claims it is doing the right thing, but when they are held up to the cold light of day they just do not make a lot of sense.

In various parts of the country, and in particular in my province of British Columbia, there is a criminal justice crisis right now. The government states that it wants to make homes and streets safer. I would like to know, especially arising out of the problems with the bill, why the government has cut back on funding for the RCMP.

My province has a huge coastline. The RCMP has tied up all its coastal patrol boats at the dock. The bill talks about drugs, trafficking and the importing of drugs, yet the RCMP has had to tie up all its patrol boats.

British Columbia is a big province as is the province of Ontario. British Columbia is a very big, rugged province. It is necessary for the RCMP to spend a lot of time patrolling, travelling and conducting surveillance from the air, but it has grounded its airplanes, except of course for the commissioner who can fly out for a party. That is the exception that is allowed. Of course he is not really, in my opinion, part of the RCMP. He is part of the government. He is no longer the top cop of this country, he is the top bureaucrat associated with the RCMP.

● (1030)

In my riding the government has made major cutbacks in funding for patrols for these various small communities. In one small community there was a break-in at one of their public buildings, which was then vandalized. It occurred and they reported it on Monday. The RCMP got to it on Thursday. That is not acceptable.

We have another small town which has a breathalyser so they can apprehend people who would put other people in danger by drinking and driving. The breathalyser is not functioning properly and there is no funding in the budget to fix it.

This is the result of $8.5 million worth of cutbacks to the RCMP in my province of British Columbia. This same government has brought in, is enforcing and is now trying to implement Bill C-68, which is the legislation to force law-abiding citizens to register their hunting rifles and their sporting shotguns used for trapping and skeeting and maybe some bird hunting. The government said when it brought the legislation in that it was going to cost $89 million to implement. It is up now to approximately $200 million by the time it will be fully implemented and that is assuming it does not have to do what the Canadian Police Association says it will have to do, which is to upgrade the national computer system at a cost of anything up to another $200 million.

The justice department has said it is going to cost $50 million or $60 million a year to maintain it once they get it running, if in fact they do. It will cost $60 million a year so that I and other people who are shooting enthusiasts can trap and skeet. Does that make a lot of sense, particularly in the light of the problem we have in British Columbia where $8.5 million would truly bring justice and prevent crimes in our province, as well as in other parts of the country?

The government says that it needs time to study whether or not there should be a minimum sentence for someone who lives off a child prostitute. When I hear this and look at all the other things this government has done, I have a hard time believing that the government is serious with respect to getting tough on crime.

What is getting tough on crime? Is it forcing the law-abiding citizens of this country to registry a shotgun or a hunting rifle? Or is it taking a small portion of that money and funding the RCMP so it can properly patrol the communities of this country and catch the traffickers and the importers of drugs that are referred to in this bill? These are the same importers and traffickers for which this government, for some reason, is reluctant to take away the right of early release after serving only one-sixth of their sentence.

I am not suggesting or implying anything, but I think there are going to be people in the country who are wondering why a Liberal government would be so reluctant to bring in a condition that says traffickers and importers of drugs cannot be a part of this early release program after serving only one-sixth of their sentence. They are looking at this and saying that this is the same government which, in spite of the fact it is spending hundreds of millions of dollars on a useless firearms registration program, is cutting back $8.5 million in the RCMP in British Columbia. The impact will be that they will be stopped from patrolling their coastline where a lot of the drugs come in. They will be stopped from flying their aircraft over our province to find people hiding out in different areas, and to do certain types of surveillance including border surveillance. We have a long common border with the United States. Drugs certainly come in from that area as well. They are also smuggled into our country through other ways and then channelled into the United States.

When this government says that it is tough on crime, I would like to know what kind of crime it is. It is not prostitution. It certainly is not people who would live off the avails of child prostitution. The government had an opportunity to make a small change that would have sent that message a lot better in this legislation, but it did not do it.

● (1035)

It is not drug traffickers and importers of drugs because not only has the government refused to add them into that section of people exempted from this early release after serving one-sixth of their sentence, it has cut back on the RCMP where one of the biggest impacts will be on the fight against organized crime and, in particular, people who smuggle things into our country, the number one concern being illicit drugs.

I am a member of this parliament. It is very awkward sometimes when people ask me who I am, what I do and where I am from. What can I say? I am a member of parliament. What is a member of

parliament? Do I belong to the government? No, I am not a member of the government. They are the government. I do not want to be tied that way. I am a member of Her Majesty's Loyal Opposition, which is sometimes a little difficult to explain. Am I a government representative? No, I am not. I am not even a Reform Party representative. I am a representative of the constituents of my riding. The Reform Party is the vehicle I use.

Those constituents need representation in this House is because this government does things that are purely against their interests. It does it in terms of its cutbacks to the RCMP. This asinine firearms registration that the government says is getting tough on crime has nothing to do with crime.

My constituents need representation because there are changes that should have been made in Bill C-51 which have not been made.

I would like to mention a witness who was brought before the committee immediately preceding the clause by clause examination of the bill to bring it back to this House. The witness was a representative of the Canadian Police Association, the organization that represents the frontline police officers of this country who certainly have a strong interest in this bill.

This association brought in a couple of recommendations for changes to this bill which were ignored out of hand. They were ignored for what seems on the surface a plausible reason, because there was not sufficient time to study and consider the recommendations. I thought they were very appropriate recommendations.

What is interesting is the scheduling. If that is how the government is going to react to recommendations from the Canadian Police Association, then why did that committee, controlled by the government, choose to have those people appear in the 30 minutes immediately preceding the time it was moving to consideration of this bill and amendments thereto?

I do not think I can take this Liberal government seriously when it says it is getting tough on crime. I do not think Canadians can take this government seriously.

I hope that all Canadians will take note of what could have been in this bill versus what is in it and make sure that when they talk to their member of parliament, be it Liberal or otherwise, they make it clear that they want this government to get tough on crime in a serious way, not in a phony or a two-faced sort of way.

Mr. John Duncan (Vancouver Island North, Ref.): Mr. Speaker, I would like to talk for a minute about some of the things the member talked about with regard to cutbacks to the RCMP on the west coast. This is a major ongoing concern and it is not going to go away.

We are now going into the winter months and these so-called temporary measures that have been enacted to try to make up for what the government is calling overspending are going to take us to at least April. We are now in a circumstance, well described by my colleague, where the airplanes and helicopters are in the hangar and the boats are docked.

In the past, for example, we had members who would work a shift and then would be on call for eight hours for which they would receive one hour of overtime. That was precious little compensation for being basically on tap for an additional eight hours. That one hour of overtime is now gone and the members of the RCMP in our area are expected to carry on as if this is fine. In actual fact, none of this was created by them.

● (1040)

This was all created by Ottawa and by not forwarding moneys through E division. The reason we ended up with an $8 million so-called shortfall has everything to do with court costs and with extra things that happened. For example, there was a multiple murder in my riding. One case like that can put the taxman's budget well over. We cannot plan for contingencies like that. These are major investigations.

The public is becoming more and more uncomfortable. Basic policing is something that government should be providing. That is a prime responsibility. I am glad to see that the solicitor general is in the House to hear what I am saying, because this cannot carry on. It is affecting overtime monitoring, our helicopters, our boats and our airplanes. It is affecting capital spending. It is affecting the future of the RCMP. The training centre in Regina is now shut down. It is affecting morale on an ongoing basis. This is just not acceptable. Anyone who has small communities in their riding knows that what used to be slim coverage is now skimpy or non-existent.

We have huge areas on the coast where the Criminal Code, drug interdiction and other things are not being enforced. They cannot be enforced because there is nobody there. That is my comment.

My question for my colleague relates to the fact that this is obviously an omnibus bill. It takes in everything from gambling to homicide, child prostitution, conditional sentencing, organized crime, telemarketing fraud and so on. This makes it very difficult. One can support nine measures out of 10 and get oneself into a bit of knot on a piece of legislation like this.

I guess the prime area of concern would be with conditional sentencing, at least from my perspective. We still have in conditional sentencing a huge loophole. It is being applied to violent offenders despite previous justice ministers telling us that would never happen. We also have a much smaller loophole being closed by this legislation.

I would like to ask my colleague to comment on the omnibus nature of this bill and also to elaborate on the RCMP funding situation.

Mr. Jim Gouk: Mr. Speaker, I thank my colleague for raising these points. Certainly there is a great deal that should be said about many of these things and I welcome the opportunity to expand a bit on what I previously said.

The overtime situation, or lack thereof, for the RCMP is very important and very critical for two reasons. First, it is what the RCMP relies on to get coverage. As he pointed out, they receive one hour of overtime pay, but they in essence are on call for an eight hour period. Even now that this has been taken away from them many members of the RCMP, out of a sense of duty and obligation to the people in their area whose safety they are responsible for, still put in a tremendous amount of extra time for which they are not paid.

I think it is absolutely shameful. The government wastes phenomenal amounts of money. Members of the RCMP are not very highly paid, in part because of freezes not only in their pay, but even in the increments they get in terms of rewarding them for their growing experience, expertise and commitment to the job, and they have demonstrated that commitment. The government has said ''No, you cannot be compensated for that''. Now it is saying ''In order to do your job, if you have a sense of obligation, you are still going to have to go out on your own time''. But the government will not pay them to stand by.

• (1045)

Further to that, this country right now according to Statistics Canada, has the lowest per capita law enforcement officer population that it has had in 26 years. Never since 1972 have we had such a low number of law enforcement officers per capita.

How does this Liberal government respond to this shortage, a shortage which necessitates these officers covering an eight hour availability shift for one hour's pay? And now that one hour's pay is being taken away from them and they are covering for nothing. How does the government respond to that? It closes down the training centre in Regina.

We have the lowest per capita coverage of law enforcement officers in 26 years, and this Liberal government responds to it by closing down the training centre and getting rid of the trainees. No new people are coming on. The government says it is a temporary measure. It is not a temporary measure and anybody who says it is a temporary measure is either a hypocrite or they think that everybody else in Canada are fools. The time has come to put the training expertise back together, to redevelop and update the course curriculum, to recruit, to qualify these people and to schedule.

I went through this in the air traffic control system. The government was running it at the time. In its wisdom the government decided to cut back on air traffic controllers because it thought there were too many. The government arbitrarily, without doing proper studies, shut down the training system. It got rid of the instructors and shelved the training so that there would be no more updates. What happened? The government said ''Gosh, we made a mistake. We need more controllers, not fewer''. There was an incredible lag, a 10-year lag, in trying to get back up the steam to bring people in, to train them, to give them the qualifications.

And now this government is making the same asinine mistake that was made by the government of the day when it cut back on the air traffic control system.

We have a problem in this country. When the government says it is temporary, if we were to use semantics, there is a measure of truth to it. The trouble that we have today is temporary. It is not going to stay like it is. It is going to get worse because this government has no plan for real crime prevention. It has no plan for making our homes and streets safer.

This government is bringing in a bill forcing law-abiding citizens to meet new expensive regulations at a cost of hundreds of millions of dollars. It is cutting back on the RCMP in my province by an amount of $8.5 million, a pittance against the amount it is wasting on the useless firearm's registration.

We have to wonder. I do not think for a moment that the government has any dark and sinister reasons for doing this. I cannot help but wonder why it brings in legislation that allows the criminals to walk through loopholes while it cuts back on the police, the people who catch those same criminals. The government should be ashamed.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am very pleased to take part in today's debate on Bill C-51.

As has been previously stated, this is an omnibus bill which will amend the Criminal Code of Canada, the Controlled Drugs and Substances Act, as well as the Corrections and Conditional Release Act. Among the highlights of this bill, we will see changes to the legislation with respect to homicide, criminal negligence, child prostitution, conditional sentences, telemarketing fraud, currency gaming and non-communication orders.

I must say at the outset that there are some positive aspects to this bill. Some of these measures indeed have been long in coming. It is refreshing to see that these changes will be enacted.

It is also interesting to note on a priority level the way this bill was described by one of the justice department's own witnesses who appeared before the justice committee with respect to the enactment of this legislation. It was described as housekeeping legislation. As far as priority goes, I would have to agree with that description.

If we were looking at this in terms of baseball analogies which have been prevalent in this chamber over the last number of weeks,

I would describe Bill C-51 as an infield single. It is the bare minimum the government needed to do with respect to the criminal justice system. It could have delivered much more and there was an opportunity to deliver much more. Without getting into the specifics of that, I want to address some of the improvements that should and could be made to this legislation.

● (1050)

I will review some of the content of the bill in that vein. The federal government, the provinces and the territories share jurisdiction over a number of criminal justice issues. This bill takes into consideration many of the consultations that did take place between the various levels of government.

It is extremely disappointing that 17 months after the solicitor general and the Minister of Justice were appointed, they are producing only housekeeping legislation. When the government decided to table legislation with new innovative crime prevention technology, as it did with Bill C-3, it delivered a modest and potentially ineffective system. That is to say, it did not go far enough. To use the Prime Minister's favourite sports analogy, the government is dribbling weak grounders back to the mound when it could be delivering real serious hits.

Last week we saw the opposite of the minister's relations with respect to the provincial and territorial governments. It is sad that the Minister of Justice does not heed the will of most of the Canadian provinces with respect to bringing in a new youth justice system. Last December she delivered a speech in Montreal in which she promised the provincial and territorial ministers that she would be presenting a draft bill.

On May 13 the minister told the House that she would be introducing legislation with respect to the youth justice system this fall. No bill has been seen as yet and there appears to be no bill forthcoming. The minister broke her commitment to Canadians who are concerned with respect to flaws in the government's approach to youth justice. She went back on her word to her counterparts, the provincial and territorial ministers. We have no bill as yet to replace the Young Offenders Act.

Broken promises are not new to this government, in particular to the Minister of Justice and the solicitor general. Their credibility is at such a low ebb with the law enforcement community that the former head of the Canadian Police Association said several months ago ''Frankly we don't care what this government has to say any more''. That is a shocking statement from someone in that position. The gist of this is that there is not any real and meaningful legislation as is required to meet with the criminal reality Canadians are facing in the streets and in their communities.

We do have Bill C-51, which is the subject of this debate and I admit it is a good housekeeping initiative. However, the reality is that the government has missed an opportunity to bring in real legislation that would address some of the outstanding problems. Instead it is putting housekeeping ahead of those major priorities.

Colleagues on this side of the House have mentioned that Bill C-51 will amend the Criminal Code in regard to some of the situations that need fixing, in particular homicide, child prostitution and conditional sentencing. It also amends the Controlled Drugs and Substances Act in terms of dealing with sentencing and criminal liability for on duty law enforcement officers. This bill will also amend the Corrections and Conditional Release Act to exclude those convicted of organized crime offences for eligibility for accelerated parole review.

What was missed was the opportunity to enact in the Criminal Code stiffer penalties for those involved in organized crime activity. It failed to include mandatory minimum sentences for those motivated by gang activity to embark upon a life of crime, crime that inevitably puts people's lives at risk through drug peddling, prostitution and the type of gang warfare we have seen in the streets of Montreal and which is spreading to other cities in Canada.

This bill will remove a provision that in light of advances in forensic science and health care will also focus in on some of the technological advances that have been made.

The current Criminal Code disallows the prosecution of individuals convicted of murder, manslaughter or other offences after a year and a day has passed. That enactment has been made. I would embrace it as a positive measure.

Obviously there are situations that unfortunately could occur. A person whose life has been threatened due to injuries related to crime and is on a life support system or in critical condition may through their own will hold on until after a year and a day has passed. The perpetrator is then not held criminally accountable under the old system.

● (1055)

This piece of legislation brings about an amendment to the Criminal Code that would allow for prosecution after a year and a day for crimes related to murder and manslaughter. This is a positive change.

Another amendment to the Criminal Code with respect to Bill C-51 would be to simplify the prosecution of individuals who attempt to procure sexual services from a prostitute who they know is under the age of 18. It would also allow police officers greater access to electronic surveillance and technology to investigate prostitution related issues.

To touch on some of the comments I have heard from the opposite side of the House, there is an opportunity here to perhaps put in place mandatory minimum sentences to act as a deterrent for those willing to embark on this type of a criminal career. It is obvious to say that those who find themselves sadly involved in prostitution are often runaways. Often they are young women from small communities who are brought into big cities often through very extreme kidnapping type situations. Often there is a great deal of coercion, violence, drug addiction and blackmail used to get these children involved in this type of illicit trade.

It is also fair to say that Canadians are repulsed and revile this type of activity. Therefore we should have an opportunity in our Criminal Code to reflect that view which is held by an outstanding number of Canadians.

One of my colleagues on the opposition benches also brought forward amendments that have been referred to, specifically to clause 8 which would address this particular situation of those who embark upon living off the avails of child prostitution. There was a suggestion that there would be a minimum sentence of one year and a maximum punishment of 14 years. This certainly does give a broad range of sentencing. I might suggest that a hybrid type of sentencing option might be more appropriate.

I do agree that the initiative taken by my colleague is a good one. It would at the very least reflect the ability of a sentencing judge to hand down such a sentence that would send a severe message of deterrence, not losing sight of rehabilitation which is something that has to be kept in mind. At least it would broaden the sentencing options for the judge.

Sadly with respect to this initiative as we have seen numerous times at the justice committee, the justice committee with the Liberal dominated majority simply voted it down without any great deal of discussion or consideration of this useful amendment. It was dismissed out of hand. Other amendments were proposed as well. As we saw at the justice committee, numerous times without any great deal of discussion they were voted out of hand.

We need to break from the partisan discipline that we often see in this place and in the committees when it comes to issues such as this one which are so fundamental, issues that have such a broad ranging effect. Criminal justice issues should not be a forum for politicians or anyone else to delve into partisan activity. It is too important, too fundamental to the protection of Canadians, too important to help rebuild some of the communities that are under siege by organized crime and those who perhaps because of the economic system are willing to delve into criminal activity.

With that being said, we all have to take note of many of the initiatives in Bill C-51. The government's decision to delve into the area of conditional sentencing came up very short. This bill would permit the issuance of arrest warrants until a court hearing would be held with respect to breaches of conditional sentencing.

Another component of Bill C-51 is that it would change the breach hearing limit of 30 days to permit the court to deal with offenders who cannot be found or brought to justice within the parameters of the current legislation. Another is stopping the clock on conditional sentences. That is to say, if an individual serving time in their community under conditional sentencing provisions is subsequently arrested and sentenced to do time on a subsequent criminal act, the conditional sentence would not run concurrently. It would begin on the offender's release. I commend this as a positive change to the Criminal Code.

● (1100)

However, the reality is there could be and should be changes to the conditional sentencing provisions currently in place in the Criminal Code.

I think the expression has been clear on this side of the House that conditional sentencing provisions have been abused by Canadian judges. They have been used to sentence criminals who are involved in activities for which the drafters of this legislation did not intend, specifically crimes of violence and crimes that have an element of sex or violence in them.

Conditional sentences were never intended for those purposes and they surely do not reflect the need to protect society from those willing to embark on that type of activity.

A conditional sentence can be viewed in no other way but one which is extremely light and in most circumstances meant to be used only in very special factual scenarios. As well, conditional sentencing puts greater emphasis on those outside the traditional criminal justice system, mainly those involved either in policing services or in the administration of justice or prisons.

In many cases emphasis is put on parole officers or social workers to have the discretion to view conditional sentences or see that conditions are being complied with. These individuals are often faced with the discretion of do they breach the offender when they run amok of the sentencing conditions in place.

I suggest that for serious crime involving violence or sexual assault where the emphasis is on rehabilitation and protecting the victims, conditional sentences are inappropriate and not intended for that type of crime. Sadly the government has missed an opportunity in this omnibus bill to make those corrections.

We have heard that there are currently sentences pending before the courts where this discussion will take place. The judges may, in their wisdom, decide that these type of sentences are not appropri-

ate. But as long as that discretion exists, and we have seen this happen so often, lawyers will make the argument.

Lawyers will always try to push the limits and beyond when it comes to these types of sentencing provisions. If it is there, the lawyers will ask for it. That is the way the system works. It is something that should not come as any surprise to us. Why not simply remove that type of discretion for certain codified offences?

We need to send a stronger message when it comes to violence. We need to simply say they are not eligible for that type of sentencing provision.

One of the more interesting aspects of Bill C-51 is that it makes amendments to the Corrections and Conditional Release Act. These amendments would ensure that offenders with ties to criminal organizations or gangs no longer receive accelerated parole review.

To echo my remarks with respect to conditional sentencing for violent crime, I suggest we have again missed an opportunity. When it comes to gang activity we could codify in the act in sentencing provisions that a crime motivated by gang activity or perpetrated by a person involved in a gang would receive an additional sentence or the sentence received would be served concurrently.

That is to say we would view this as an aggravating circumstance and we would codify that so it was a deterrent not only for the offender but for those who might decide to model themselves after people who are involved in the gang.

These gangs, as we have seen in the papers and consistently in the media, are expanding their width and breadth across the country. We know they have firmly ensconced themselves in a number of big cities such as Toronto, Montreal and Calgary. We are seeing these gangs become more and more prevalent and more involved in very serious and illicit crimes in smaller communities as well. If the Liberal government was willing to amend the Corrections and Conditional Release Act before the statutory review process why was it not willing to make some significant changes? There is in fact a review taking place. We have been told time and time again that things will be coming in a timely fashion, that we will have to wait.

• (1105)

This government in its new agenda of 17 months had not tabled a single piece of significant legislation to address some of the more serious crimes taking place in the country.

Hopefully the non-partisan view that I spoke of earlier will prevail when the Corrections and Conditional Release Act review does take place at the justice committee level.

I repeat my challenge to the government, though, with respect to its true commitment to crime fighting. As I mentioned earlier, the solicitor general specifically could be doing a lot more when it comes to violent crime and when it comes to organized crime. Nothing has undermined the solicitor general's performance record more than his inaction on this organized crime front which is supposedly one of the government's three strategic priorities.

The solicitor general has said quite often in the House and to the media that organized crime is big business and it is bad business. Recognizing this and doing something about it are two different things. Recognizing it, acknowledging it and saying publicly that he wants to do something about it, that is fine but the clock is running. When it comes to these types of issues, when the clock is running people are getting hurt, killed and things are happening that the government has an opportunity and I suggest a responsibility to do something about.

The solicitor general has an opportunity to do just that through legislative initiatives and through resources. Resources of course are a problem that the government is wrestling with, its priorities. Where does it spend the money? Where does it cut the money? Once more to echo comments from the opposition benches, the priorities and where the cuts seem to be taking place are extremely disturbing and questionable. All Canadians I believe are embarked on that process of questioning why the government is making cuts in the areas where there appears to be the most need.

One of the areas I would describe as being the most in need is that of frontline policing and the need of police officers to have the resources to do the job they have been tasked with.

That is not just partisan bluster on my part. That is the conclusion reached by the U.S. State Department when it was viewing areas in the world where organized crime was beginning to become a growth industry. There was an international report tabled, ''The International Narcotics Control Strategy''. In that report the State Department singled out Canada as an easy target for drug related and other types of money laundering. The same report also listed Canada in the same category as Colombia, Brazil and the Cayman Islands as an attractive location to hide illegal cash. That same report also criticized Canada's lack of legislation to control cross-border money flow.

This is a very serious problem, so much so that York police Chief Julien Santino, head of the organized crime committee of the Canadian Association of Chiefs of Police, said: ''Money laundering is an easy feat here in Canada. According to these reports the RCMP has estimated that the value of laundered money in Canada is between $3 billion and $10 billion''.

I express guarded support for Bill C-51 on behalf of the Conservative Party. We would have liked to have seen further

amendments as are appropriate under an omnibus bill. There is a common sense need for more stringent controls and more stringent areas for the government to look at in terms of sentencing.

We will be supporting this legislation and hoping for greater initiatives on the part of the solicitor general and the Minister of Justice.

Mr. Chuck Cadman (Surrey North, Ref.): Mr. Speaker, I thank the member for his comments.

He spoke about the parasites among us who live off the avails of child prostitution. I think we can all agree that it is a very serious problem in our communities.

There is a large movement afoot in my province of British Columbia to have the age of sexual consent between a young person and an adult raised from 14 to 16 as one possible method of dealing with these issues, not only dealing with the people who live off the avails, the pimps, but also with the johns.

I am wondering if the hon. member has any comments on that proposal.

• (1110)

Mr. Peter MacKay: Mr. Speaker, I know the hon. member has a real strong and personal commitment to issues of justice and I commend him for his efforts in that regard.

To answer his question, I suggest that yes, that is a possible initiative that could be undertaken. As he would know, there was a time in the Criminal Code when the age of consent was much higher.

With respect to child prostitution, his apt description of parasites are those who would embark on making a living by enslaving young women and in some cases young men to trade sex for money, something the country has to be very concerned about. It is something our law enforcement community has certainly expressed its opinion on.

Surely we can do more. Having it enacted in the Criminal Code that the age of consent be raised to 16 would take away the ability of some of the pimps who target children before that age. Some of these children are as young as 11 and 12 years old.

It is redundant to say we cannot do more to help these children. If putting tougher measures in the Criminal Code and broadening the description of who is classified as child would lead to greater prosecutions, a greater number of arrests and giving police the ability to charge someone who had sex with a child of 15, it is certainly something I would be supportive of.

Making these types of legislative initiatives, making these changes, arms the police with the ability to do their jobs, make a greater number of arrests and to have greater discretion in the field which they are forced to exercise. This is something we should be more supportive of not only in the House but in all parts of Canada.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am pleased to speak on issues of justice. I do not think anything strikes a more resonant chord with Canadians than a justice system that works, that protects those who need protection and that correctly identifies and punishes those who need to have punishment.

I suppose a lot of people do not realize the different parts of this bill but I am going to talk about one that, as far as I know, no one has mentioned yet in the House. It was drawn to my attention by a letter I received yesterday. Because I am not a justice critic I was not aware of this. I am much more interested in the justice of financial things these days since I am one of the finance critics for our party.

However, the topic I want to discuss is the transfer of money. As an aside, it is perhaps illustrative to know that included in this bill are provisions that it is not legal to copy Canadian money unless the size of the reproduction is either 50% larger than the original or at least 50% smaller or thereabouts.

Being in the finance portfolio now, Canadians would probably best represent Canada's dollar by reducing it rather than expanding it because of its value on the international market.

It is against the law to reproduce Canadian money or to make facsimiles thereof or to transmit it by computer or whatever.

I want to talk about another area proposed here, gambling. There are some amendments proposed that are hidden in with all the other amendments, many of which are very important and which my colleagues have already addressed in this reading, the previous reading of the bill and in committee.

I draw attention to the fact that we are, by the amendments that are being put into this bill, big time drawn in to the wave of public ideas of gambling being an acceptable way of transferring money from one person to another.

• (1115)

Of course we have this argument that surely people should have the choice. If I choose to put a dollar on the table and let someone else take it, I should have that choice. Indeed, I support that view. If I see someone on the street who has not eaten yet today, I want to have the choice to say to that person ''You come with me to the restaurant and we will eat together''. I should have the freedom to spend my hard earned money in whatever way I wish.

The fact of the matter is that as a society we are buying, in much too large a way, into the whole idea of lotteries. This bill, among other things, expands legal gambling to include games of dice, which have not been included before. We need to be aware of this

as members of the House, and we need to be aware of this as members of Canadian society.

I simply contend that having our population spend hours huddled over gambling tables is a tremendous waste of human energy, effort and time. We should start putting regulations into place to make that more difficult, not easier.

The bill says that lotteries will no longer be illegal if they are conducted on international cruise ships within our boundaries. That is incredible.

I will give a little history. Probably about 30 years ago I met a friend. He was not the kind of friend that I hang around with on Wednesday nights, but he was friend. He met me in the hall of a building and he looked both ways. He looked to the left, he looked to the right and then he reached into his pocket and said ''Do you want to buy a lottery ticket?'' What he had was an Irish sweepstake ticket, which at that time was illegal. Had he sold it to me and had I purchased it, then we could have both been sent to jail. I am sure it is incredible for you to contemplate, Mr. Speaker, that I should have even considered doing something that would have sent me to jail. As a matter of fact, I did not consider it. I said ''No, thank you. I am not interested''.

We could talk about the mathematical aspect of gambling. When I was teaching math or statistics I used as an example one of Canada's favourite lottery games, Lotto 649. I had the students compute the probabilities. If a person spends $5 on every draw of Lotto 649, 104 times a year, twice a week, their mathematical expectation of winning the big prize would be once in about 26,000 years.

Statistics show that it is often poor people who engage in gambling because it is their only hope. They are in despair because of all of the taxes the Minister of Finance loads on them or the tremendous burden of being unemployed, particularly young people who are unemployed. A lot of people buy a lottery ticket, as one person said to me, because it is their one little glimmer of hope. Their dollar is gone, but maybe it will give them the big break. They might wait for 26,000 years, on average, if they spend $5 each time.

● (1120)

I guess I would simply say that if that is not dishonest I do not really know how to describe it. All of these schemes indicate that there is a reasonable expectation of winning. Otherwise people would not put their money down.

Of course, what we are talking about in this bill is gambling and lotteries on cruise ships. There probably will not be too many poor people on them.

I guess the reason I am bringing this up is because it is part of the justice system. There are an awful lot of people who are living in despair who consider gambling as their chance, their hope, but what it does is clean them out entirely. No matter what the gambling scheme is, it is designed to return less money than is put in. It is just indefensible in our society.

There is an amendment in Bill C-51 which says that if a person is on a cruise ship they can participate in a lottery scheme. Then there are these absurd conditions. First of all, all of the people participating in this lottery must be on the ship. In other words, they cannot participate in the lottery by phone from shore, by cellphone or whatever. They must be on the ship. The scheme cannot be linked in any way to a scheme that is not on the ship. As well, the ship must be at least five nautical miles from a port.

We have been cutting RCMP in the west. We do not have money for it. Now what are we going to do? People are going to be hired, presumably by the federal government, to ensure, I suppose with a GPS, that these guys do not come within five nautical miles of a port.

Furthermore, they cannot board this ship at a Canadian port and go back to a Canadian port without having stopped, at least once, at a non-Canadian port. If they do not meet that condition, then they cannot have this lottery on board. They have to leave the country for a while. I suppose that here again we are talking about the Minister of Finance who thinks it is great to take some money out of the country and not keep it all in Canada.

This law says that a cruise ship which both leaves a Canadian port and comes back to a Canadian port cannot have a lottery unless it also goes to a foreign port. That is the height of absurdity in my humble and unbiased opinion.

The ship must be registered in Canada and its entire voyage is to be scheduled outside Canada. I shake my head and wonder how the Dickens we are going to enforce this.

I suppose we will have to buy a cruise ticket on every one of these ships for one of our trusty RCMP people. I am sure the solicitor general will be eager to do this with his resources. He will say that from now on all of those RCMP who should be fighting crime, robberies, rapes, murders, drug smuggling and all of these things will be put on a cruise ship so they can monitor this to make sure the law is being enforced.

I shake my head in wonderment at the government sometimes. This bill is designed to improve the justice system in Canada and it has utter absurdities in it which are fundamentally wrong in terms of what we are trying to do for people. Why should we be encouraging and permitting lotteries? It is wrong. This proposal is utterly and totally unenforceable, unless a whole bunch of money is put into it.

There is no doubt in my mind that if we were to ask 100 Canadians, 100 of them would say that is not where they want their

money to be spent. The system is supposed to be designed to protect them in terms of their justice system.

I could speak on other things, but this was the one item that I wanted to get on the record and I appreciate the opportunity.

● (1125)

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I wonder whether the hon. member has had an opportunity to speak with some of the members of his caucus from British Columbia, whether he has read the bill or whether he has taken any advice on it. The issue with respect to cruise ships is simply that cruise ships which are operating outside the country and which have gambling on board are simply asking for some assistance in order to carry on with that business.

The interesting thing about this is that it is the ports in the provinces of British Columbia and Quebec and the ports on the east coast that want this to happen. They want those ships to continue to stop at their ports, rather than staying in international waters, avoiding them. Effectively, he is attacking communities along the coast of British Columbia. I find that intriguing for a member of the Reform Party.

Does the member, with his great wish to prevent people, who have a free will, from gambling, ever think about communities elsewhere? Does he ever think, for instance, about the city of Windsor? What is his problem with the city of Windsor introducing dice to their casino? That will create between 400 and 600 good, new, unionized jobs. They will be organized by the Canadian Auto Workers. The average income will be around $50,000 a year. Those jobs will feed families. They will keep our community going. Our community wants that.

What is his problem? Is the Reform Party writing Windsor off too?

Mr. Ken Epp: Mr. Speaker, I have indeed read the bill. I have a copy of it in my hand. I scanned it this morning. I admitted at the beginning of my speech that I am not a justice critic. I admitted at the beginning of my speech that I am not an expert in these areas.

I am merely here to communicate what a constituent has asked me to communicate, that is, why are we wasting our time on this when we should be addressing the real issues of justice? Why are we trying to promote and legalize more lottery spending, setting up a situation which will have the added costs of enforcement?

The hon. member mentioned the jobs that will be created. I am not sure that a lottery job improves our standard of living one iota. What does it produce in tangible terms?

The member should look at real economic value. Nothing is produced by exchanging money from one person to another without the transfer of a good or service. There is no value attached to that.

The only weak argument they could make is that it brings money in from the Americans. That is what I am sure is happening. If they want to give Americans something tangible for spending their money in Canada, I would say that would be 100,000 times more valuable than saying ''Come over here and simply throw your money on the table. We will keep 85% of it''. That is immoral. I really do not think the government should promote that kind of lifestyle and justify it by saying ''It is good for our economy''.

If the member wants to defend lotteries, gambling and putting people at risk that way, she is welcome to do so. I also agree with freedom of choice. If people choose to do this, fine. But I do not think it should be promoted and sponsored by government.

Mr. Mac Harb (Ottawa Centre, Lib.): Mr. Speaker, without going into too much detail, I heard the member say that we should not be introducing laws which would require using our resources for their enforcement. Is he suggesting that we should cancel all the laws that we have in place now governing, for example, hunting or driving licences? All of that requires enforcement.

I would suggest that we should not be trivializing the matter to the point where if something needs enforcement then we should not do it. Rather we should say there is a need in the community to take action on behalf of the community. We should do what is right rather than what may or may not require more resources. What are my colleague thoughts in this regard?

● (1130)

Mr. Ken Epp: Mr. Speaker, the government is the epitome of wanting to regulate everything. When I was a kid, and that was a long time ago, we did not need drivers' licences. I was very young at that time. It was around the time when the automobile was invented; that is an exaggeration. It used to be that we did not need drivers' licences. We did not need to license our vehicles.

However the government found out that was a way of getting revenue. Now we have to buy drivers' licences and automobile licences every year. We have come to accept that. It is part of the money that is required to provide roads and to provide safety on the roads. The enforcement of those rules and regulations is useful and helps us in terms of our personal safety.

What good is it to have rules that say they must be within five nautical miles of the port. I bet most people do not even know what a nautical mile is. Otherwise, if they comes to within 4.8 nautical miles they must shut down their lottery schemes. It is absurd.

I am just talking about the absurdity of it and the fact that we will be wasting enforcement resources on it when there are people literally getting away with murder because we do not have the

RCMP and the physical forces to to find those people and bring them to justice. Those are the real issues of justice that we should be concentrating on.

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, not too long ago in the House we debated a bill which would restrict tobacco advertising. The purpose of the bill was to discourage people from becoming involved in that habit.

Would my hon. colleague from Elk Island agree that there is a lot of false advertising in terms of gambling? We only see pictures of someone winning a million dollars. We only see what can be purchased, such as a dream home and so on. The fact is that we do not see in the advertisements the results in the community of massive gambling. They do not show poverty. They do not show marriage break-ups. They do not show what happens once a person becomes addicted.

Are we not illegally advertising the gambling industry by only showing the small percentage of people who win and not showing the despair that it brings to a community?

Mr. Ken Epp: Mr. Speaker, that is my point exactly. We are holding out a hope to many people who are desperate because of high taxation and the real difficulty of getting jobs. Statistics show that a large proportion of people who engage in gambling activities—not the ones on cruise ships who are clearly in a different financial class—are the average people across the country who buy lottery tickets and play video lottery terminals. We are telling those people that if they put in some money they will get more back. That is the expectation and and it is false. It is an outright lie.

We should be telling those people that there is an extremely high probability of losing every quarter they put into the machine and a very low probability of getting even their investment back. It is just not there. Yes, it is false advertising.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: The hon. chief government whip on a point of order before we call in the members.

● (1135)

Mr. Bob Kilger: Mr. Speaker, there have been discussion among the parties and I believe you would find consent to defer the recorded division requested on the motion for third reading of Bill C-51 to the expiry of Government Orders on Tuesday, November 17, 1998.

The Deputy Speaker: The House has heard the proposal of the chief government whip. Is there unanimous consent?

Some hon. members: Agreed.

* * *

BUSINESS OF THE HOUSE

Mr. Bob Kilger (Stormont—Dundas, Lib.): Mr. Speaker, relative to the matter of Private Members' Business later this day, discussions have also taken place with all parties and the member for Vancouver East concerning the taking of the division on Motion No. M-132 scheduled for later this day at the conclusion of Private Members' Business. I believe you would find consent for the following motion:

> That at the conclusion of today's debate on Motion No. M-132, the question shall be deemed put, a recorded division deemed requested and deferred until the expiry of the time provided for Government Orders on Tuesday, November 17, 1998.

The Deputy Speaker: The hon. member for Vancouver East is here and consents. The House has heard the proposal of the chief government whip. Is there unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion.

Some hon. members: Agreed.

(Motion agreed to)

* * *

[*Translation*]

FIRST NATIONS LAND MANAGEMENT ACT

Hon. Diane Marleau (for the Minister of Indian and Northern Affairs) moved that Bill C-49, an act providing for the

ratification and the bringing into effect of the Framework Agreement on First Nation Land Management, be read the second time and referred to a committee.

[*English*]

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I rise today to discuss Bill C-49, an act to bring into effect a framework agreement on first nations land management. This is a significant piece of legislation because, as its title suggests, it has the laudable goal of giving certain Indian bands across the country the right to manage their own reserve lands.

It has been a long term goal of the Reform Party to ensure that Indians obtain authority to manage their own affairs. However, the bill carries within it many profound implications for both aboriginal and non-aboriginal Canadians and is a Trojan horse.

As the debate progresses it will be seen that Bill C-49 in its present form will only serve to further widen the gap between aboriginal and non-aboriginal Canadians by extending special rights to a specific segment of Canada's population, solely on the basis of race. It will also serve to continue the marginalization of Canadian women of aboriginal descent who live on reserves.

It is my intention to focus on many of the details within Bill C-49. However I feel compelled to address first some broader issues and questions which the legislation raises. Many of them may explain the perceived necessity of the bill and some of its shortcomings.

My remarks are in the context of one Canada, equality for and among all persons, a phrase taken from the blue book outlining the principles and policies of the Reform Party of Canada. I am proud to represent a party which holds the view that no one should be discriminated against on the basis of race as Canada's aboriginals have been for far too long.

We were recently honoured to have in our midst a great modern day hero, Mr. Nelson Mandela, President of the Republic South Africa. What a tremendous privilege it was to hear him speak of his struggle toward freedom and equality for everyone in his country. It strengthened my belief in the power of hope, truth and grace for our country at this time in its history.

● (1140)

To be in the presence of a man who has endured so much hardship and suffered such loss, to know that he remained triumphant and resolute against the desire to give in to hate, anger, fear and bitterness throughout his struggle, has become for me an indelible memory. I am sure I speak for all of us here today when I say this.

At the same time I was struck by the apparent contradictions in the Prime Minister's introduction of President Mandela and his own sorry record in the matter of Canada's native population. I can only regard them as either blind ignorance or outright hypocrisy.

The Prime Minister lauded President Mandela's fight against apartheid and Canada's efforts in joining this fight. He praised the ideals of a constitution which recognizes no race and grants rights and freedoms to all citizens regardless of race, religion or language. These comments were made against the backdrop of a government whose current and past policies in respect to aboriginal Canadians betray such words.

The government's policy with respect to aboriginal Canadians has actually reinforced a system within the country which has contributed to inequity of opportunity and unequal protection under the law. The practice of treating Indians unequally and apart from the mainstream of Canadian society has created the worst imaginable social and economic conditions for those who live on Canada's reserves. This separation has been just as real and just as injurious to aboriginal Canadians as it was to South African blacks.

I call upon the government today to reconsider seriously its course of policy with respect to aboriginal Canadians and the implications it has for all Canadians. As I will show, legislation such as that which we see in Bill C-49, as well as the current convoluted environment in which land claim and treaty making processes are taking place, is misguided and is contributing to inequality and segregation on the basis of race.

The past band-aid approaches of the government and those before it have failed to establish a legislative fiduciary responsibility by any level of government to aboriginal Canadians. Instead, what we have seen in recent decades are governments attempting to make amends for the wrongs of past actions by creating legislation which changes the outward appearance of things but does not address the fundamental issues.

Our country desperately needs today a brand new relationship between aboriginal Canadians and the Government of Canada which recognizes treaty rights but stresses a commitment to equality, not inequality.

As I turn now to address the details of Bill C-49 I want to point out some of the weaknesses of the bill and what needs to change. One of the primary assertions made by Canadian aboriginal peoples today concerns what they say is a special relationship to the land. Given this claim, it follows that land management could be considered a critical first step toward achieving self-government and economic security. This is a fundamental connection to bear in mind when considering the merits and weaknesses of the bill.

This much granted, while Bill C-49 in title sets out to give certain bands the right to manage their reserve lands, in function it

amounts to a substantial power of self-government for each of the individual bands that have signed the framework agreement on land management.

I am sure the government envisions this being accomplished in two primary ways: first, by making those sections of the Indian Act which relate to land management of no effect for those bands that are signatories to the agreement. Of course this would end the delegated authority of the minister of Indian affairs over those sections of the Indian Act. Second, in the vacuum created by making those sections of the Indian Act of no effect, the framework agreement would allow the band councils to create and enforce their own laws with respect to their lands.

I want to state clearly that the Reform Party fully supports expressions of aboriginal self-government which ensure that all members of their communities remain full and equal participants in Canadian society and which uphold the rule of Canadian law and the supremacy of the Constitution of Canada.

However, Reform is opposed to the creation of any act or first nations laws that create a level of governance not envisioned within the Constitution. Yet this is precisely what Bill C-49 does and is the Trojan horse I mentioned earlier. It will extend powers of governance to the bands which are signatory to the framework agreement without any constitutional provisions for such powers having been put in place. We all know that changing the Constitution is a process far more complex and time consuming than simply passing legislation because its effects are so wide ranging.

The legislation in its present form clearly states that in the event of a conflict between band laws and federal or provincial laws band law would prevail. In this sense the rule of Canadian law will not be upheld, which leads to special sovereign rights being granted to certain Indian bands. There is no constitutional basis for this at this time.

● (1145)

There is a process for dealing with this problem. Amend the Constitution. This is difficult to do, and rightly so. The entire purpose of the Constitution is to limit the arbitrary use and abuse of power by governments. That this proposed legislation could lead to abuses of power is the subject of the next part of my speech and a major concern of the British Columbia Native Women's Society.

The British Columbia Native Women's Society has been raging a protracted battle with government to address inequalities and the break-up of families for the previous 15 years without success. Now the government wants to turn over land management to bands without first putting an end to the unequal status of reserve women. The problem will never end for these people. When bands can make laws governing themselves that do not recognize the rights of specific members of their bands which are accorded to them under the Constitution, government is abdicating its responsibilities. Shame on a government like that, shame on this government.

When we say that certain laws that apply to non-aboriginal Canadians no longer apply to aboriginal Canadians we are creating two classes of citizens, those who enjoy general rights together with special rights and privileges and those who enjoy only general rights with no special rights and privileges. This raises an important point about the concept of self-government.

A number of my colleagues have over the years lived in and worked closely with aboriginal communities. As members of this House, many have been meeting extensively with grassroots aboriginal Canadians to address their concerns about the deplorable state of many of Canada's reserves. It is tragic that many aboriginal Canadians, especially those on reserve, have been the victims of the current regime of inequality, prejudice and injustice that characterizes this government.

It is true this government is not overtly promoting inequality or injustice but it has never declared a policy to reinforce equality and justice. We only ever hear the exact opposite. We hear how the government is concerned about the well-being of aboriginal Canadians. It informs us that it has a wide range of effective programs and services in place, that it is increasing funding to ensure the long term economic development and equality of life for individuals and communities. But these are only superficial and empty words. Something is terribly wrong with he government's silence on the problems facing rank and file Indians, its refusal to act and its utter refusal to admit the facts.

The facts are that living conditions for the majority of aboriginals on reserves in Canada have for decades actually been at third world levels. While this government boasts about Canada's standing among the G-7 countries and about our consistent top quality of life ranking by the United Nations, it refuses to address the harsh realities of life on reserve. The reality is that by using the same criteria used to show Canada is number one in quality in life, Canada's Indian reserves would rank 63rd on the same UN list.

What is wrong with this government? Does it only see what it wants to see? Does it only hear what it wants to hear? Will this government stubbornly go on accepting a lie and refusing to admit these realities or will it move to change its present course of action?

Grassroots aboriginals are beginning to speak out strongly concerning the desperate need for change in the quality of life on reserves. Many aboriginals on reserve have no way of life that they are proud of or happy about. This should not be. These people have made it clear to us that on issues such as self-government they are simply not ready.

Listen to what some of them have said. ''Most of us living on reserves today are living under dictatorships'', one middle aged woman said recently. A man from another reserve asked ''What is

the government trying to do with its agenda of self-government, wipe out the Indian people? In a different way it seems as though it is setting us up to wipe us out through self-government''.

Regarding the healing fund another aboriginal on reserve asked, ''How can the minister of Indian affairs ever apologize for the abusers? What has happened to us has been passed down through the generations. Do you think money is going to heal us? No way. Only the Creator can do that. The government talks about healing yet not one of us will see a penny of the $350 million for the healing. It is going to go to drive the Indian industry. The chiefs, the government and their lawyers are the only ones who will benefit. We must make sure that our rights and freedoms are protected. I am determined to fight for the future of my children and my grandchildren. We must stop this cycle of desperation''.

● (1150)

There are legal concerns surrounding the elimination of major sections of the Indian Act. These concerns relate especially to the breakdown of marriage, the status of women and children and the potential for unfair treatment of certain groups of natives and non-natives with respect to the possession, occupation, ownership, enjoyment and use of land.

To be obvious, successful land management is perhaps the first most critical step toward self-determination and self-government. Reform supports this insofar as such movement creates a climate for first nations to achieve greater economic self-sufficiency and ultimately self-government as full and equal participants under Canadian law and the Constitution.

The supremacy of the Constitution and the rule of law are at issue here. The bill makes it very clear that in the event of a conflict between band laws and either federal or provincial laws, band law will prevail.

What safeguards this is legislation put in place to protect individuals' fundamental rights and freedoms and to ensure they are above encroachment by band laws. Essentially there are none and this is wrong. It is shameful.

The Liberals are washing their hands of responsibility to protect the weakest, most powerless members of the aboriginal communities by introducing this legislation.

It appears to be in direct conflict with section 15(1) of the charter of rights and freedoms:

> Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Do members not find it incredible, as I do, that the government is proceeding with this legislation? The government's complete abdication of responsibility by failing to uphold this section and indeed to defend the entire Constitution is unconscionable.

Surely the primary role of government is to uphold the Constitution, but the legislation being contemplated here states in clause 37 the following:

> In the event of any inconsistency or conflict between this Act and any other federal law, this Act prevails to the extent of the inconsistency or conflict.

What guarantee is there that individual rights or freedoms would be protected in Indian band laws? Surely this House must act to ensure the supremacy of the Constitution and rule of federal and provincial laws are strongly affirmed as sufficient. This legislation is found to be flawed on these grounds alone.

I want to briefly address the fact that this legislation will make certain sections of the Indian Act non-applicable. While this is not the first time the government has done this perhaps it is time for the government to undertake a serious review of the need for the Indian Act or at least as to whether comprehensive amendments to it should be introduced.

For many aboriginal Canadians the act has become an anachronistic burden and a vestige of colonial policies. Many sections of the act have directly prevented many on reserve aboriginals from attaining personal wealth, property and financial independence.

It is not insignificant that many of these sections are the same ones that would be made non-applicable by this legislation. It speaks to the many inadequacies of the Indian Act and the barriers which prevent individuals from attaining personal wealth.

This is a very important issue which is the subject of another full speech for another day. However, I wanted this issue to go on the record today.

What I have been attempting to emphasize here is that this government's piecemeal approach to the elimination of the Indian Act is misguided. If the government's intention is, and it appears as though it is, to remove the burden of the act in order to give all aboriginals the right to acquire personal wealth and property which all other Canadians enjoy, then why does it not declare its intentions and just do away with the Indian Act altogether? That would certainly be a positive first step toward true equality of opportunity.

However, if the government's agenda is to slowly erode the Indian Act in order to give the Indian leadership more power at the expense of the powerless, even the right to sovereign self-government but without accountability, then the government should declare those intentions.

The legislation before the House is nothing more than a thinly disguised agenda to bring about self-government. But again, self-government is not the real problem. The problem is what is not

being addressed, the government's unwillingness to correct the core problems inherent in the system.

The balance of power must change to favour the majority of aboriginals on reserve, not just the privileged few at the top. The problem is that all we hear is the minister repeating the mantra of commitment to partnering with aboriginals to bring about change. It sounds good. But I wonder if the minister really knows what that means. Is she really confronted every day as she recently claimed with the problems that face the majority of aboriginals on most reserves? Does she experience every day the third world levels of health and housing or the fact that many reserves experience virtually total unemployment? Does she daily experience the effects of substance abuse and gambling addition? I doubt it.

● (1155)

Further I wonder if she is really aware of how all these things are linked to the tragically high rates of fetal alcohol syndrome and family breakdown on a daily basis. If the minister were aware of these things we would see a drastic change in her condescending attitude toward questions on these subjects. We would see a different kind of action and not just words. When will the partnerships that the minister is so fond of mentioning include all aboriginals and not just those fortunate enough to be in leadership? Is it not true that this partnership the minister talks about extends only to the privileged few? Clearly this is the way things appear to be.

This is what I would call extreme, extreme injustice. This is what I call extreme inequity. This is callous indifference to the needs and will of many grassroots aboriginals. Many see individual land codes as necessary given the regional differences and needs of each band. However, it should be noted that this fact actually strengthens the argument in favour upholding Canada's Constitution and law in the event of conflict between Indian band laws and federal and provincial laws which are designed to protect individual rights.

An additional complication is seen in the creation and enactment of a band land code. Since each of these will be individually created and entered into by the bands and since the rule of Canadian law would not always apply, there is no guarantee that a national standard of rights will be met. Furthermore, it will be difficult if not impossible to track cases of inequity and litigation across reserves since each reserve could have vastly different land codes and laws within those codes.

It would be instructive for the House and particularly for members of the government to revisit their recent past. I am referring to their 1969 white paper which was introduced by none other than the Right Hon. Prime Minister who was at that time minister of Indian affairs. Listen to some of the ideas and words uttered at that time by the Liberal government. As members listen I ask them to reflect on this government's near abandonment of those lofty ideals and also to where its departure from those ideals has led it in the last 30 years. I urge members to reflect on whether its policy path has really led to greater equality, a stronger identity and strengthened unity between aboriginal and non-aboriginal Canadians.

The white paper initiative was designed to ''Lead to the full, free and non-discriminatory participation of Indian people in Canadian society''. The white paper outlined several policy initiatives which I summarize to achieve that goal.

First, the legislative and constitutional bases which set Indians apart from other Canadians must be removed. Second, all Canadians must recognize the unique contribution of Indian culture to Canadian life. On this point it is safe to say that the majority of Canadians would affirm this today.

Third, government services to aboriginals should come through the same channels and from the same government agencies for all Canadians. The white paper actually recommended dismantling the department of Indian affairs within five years. This was to have been a key factor in establishing equality for aboriginals among all Canadians.

Fourth, lawful obligations must be recognized. Fifth, those who are furthest behind must be helped the most.

The white paper went on to state:

> The separate legal status of Indians—have kept the Indian people apart from and behind other Canadians. The Indian people have not been full citizens of the communities and provinces in which they live and have not enjoyed the equality and benefits that such participation offers. The treatment resulting from their different status has been often worse, sometimes equal and occasionally better than that accorded to their fellow citizens.

What has changed since then? I submit that very little has changed. I ask members to consider the input this government has given over the intervening years and what it has achieved in terms of equality of outcomes. There has not been equality of opportunity because much of the money spent has not reached the majority, and as a result there has not been equality of outcomes.

It is instructive and profitable to read even more of what the Liberal government of the day was saying at that time. A review of this part of the Liberal's history is relevant to the debate today because this successor government has lost sight of a worthy vision that was short lived. Although the Liberals did a complete about face in implementing this policy some four years after introducing the white paper, it is important to remind them of where they stood.

● (1200)

This government must recognize that in its departure from the white paper policy, the path it chose to go down has actually done less to serve and protect the equality rights of aboriginal Canadians. In a very real sense the government's policy decisions over

the last 30 years were set on a very slippery slope and today more than ever this is abundantly clear.

It is tragic that the government refuses to recognize that its policies rest on assumptions that have not delivered freedom from want and entry into the mainstream of Canada's economy by aboriginal Canadians.

The white paper even had the full support of then Prime Minister Pierre Trudeau. At the time he said:

> We have set the Indians apart as a race. We have set them apart in our laws. We have set them apart in the ways our governments deal with them. They are not citizens of the province as the rest of us are. They are wards of the federal government—they have been set apart in the relations with the government and they have been set apart socially too—.We can go on treating the Indians as having special status. We can go on adding bricks of discrimination around the ghetto in which they live and at the same time perhaps helping them to preserve certain cultural traits and certain ancestral rights—or we can say you are at a crossroads—the time is now to decide whether Indians will be a race set apart in Canada or whether they will be Canadians of full status.

I remind the House that those words were spoken in 1969. Today on the threshold of the 21st century, sadly aboriginal and non-aboriginal Canadians are still at the same crossroads. Now almost 30 years and billions of dollars later we should not be in this place. Significant progress could have been made and real changes should have been made.

We know that the majority of Canadians desire to see past wrongs made right for a sense of closure to be achieved. There is a desire to move ahead with building a strong and united country. The Reform Party believes in the common sense and goodwill of the majority of Canadians to move forward and accomplish change. But we know that while the majority of aboriginal and non-aboriginal Canadians desire this change, they also realize that it is not more money and programs that will achieve this.

There is not currently equality of opportunity, nor is there equality of outcome despite a history of spending. A person spending just one day hearing testimony in the Standing Committee on Indian Affairs and Northern Development proves that. Studying the human development index report on Canada's reserves will serve to reinforce this knowledge.

True equality can only be achieved when Canadians are united together in willing a change. It must be all Canadians, non-aboriginal and aboriginal together willing equality. One people, one vision and one goal: one Canada, equality for and among all persons.

Clearly governments do have a significant role to play in allowing for the will of the people to bring about this change. Making things right is never easy. It can only occur when there is humility and generosity of spirit on both sides.

With this legislation the government is at another crossroads. It has another opportunity to choose the way of establishing true equality and justice. I urge the government to rethink its current course of policy and the approaches needed to make Canada's aboriginal people truly equal with all other Canadians. This would be the right thing for the government to do. But I wonder, does it have the moral fortitude to choose the right way?

The Department of Indian Affairs and Northern Development needs to be significantly restructured. Decades of DIAND's consistent mismanagement of aboriginal communities must end. It is time for a fresh and revitalized relationship between governments and first nations that will allow them to regain confidence, self-reliance and greater economic independence.

I have highlighted how DIAND's piecemeal approach to addressing problems among first nations has consistently failed. First, by creating programs with no long term plan, it has created a convoluted landscape of programs and rights that benefit a few but which fail to reach and benefit the majority of grassroots aboriginals.

Until such time that the mandate of DIAND is clearly defined in a modern context and its goals realigned with the priority of ensuring that aboriginal Canadians are fully equal under the law and with equal opportunity, Canada's Indian population will continue to suffer.

DIAND is like a canoe heading down a fast moving river but without a paddle. That river can be likened to the Niagara, and we all know how a trip down that river would end up.

There is a great struggle for more than land right now and the stakes are high. The current general direction of modern day treaty negotiations as evidenced in the recent Nisga'a treaty are inconsistent with the Reform Party's principles and policies and are unacceptable to the Canadian public at large.

• (1205)

These treaties have not been negotiated in an open, public manner. Third party interests and the public in general are being ignored throughout the process and then are expected to approve the package after the deals have been made and signed. Current self-government agreements negotiated under the treaty process go beyond any concept of a form of delegated self-government.

What is most incredible is that if anyone dares to question either the contents of the treaty or the process used to arrive at a final agreement, he is instantly labelled a racist and troublemaker by those driving the agenda. There needs to be an openness and acceptance to public scrutiny of both process and analysis of substantive issues.

I want to conclude by saying that the Reform Party strongly desires to bring about closure to outstanding grievances so that aboriginals and non-aboriginals, Canadians all, can move forward as true equals and partners. It is our desire that Canadians move forward into the next millennium, not backward to the attitudes and prejudices of the past. In order to do this, government needs to re-examine many fundamental assumptions it has been operating on for decades.

The way to righting wrongs and having a fresh start is not through unfocused spending and the creation of special rights and privileges which serve only to degrade the rights of others. We cannot purchase equality nor buy an end to injustice. If it were only that easy. These things can only come about by a change of heart and spirit and this nation desperately needs renewal of spirit.

Inequality breeds injustice, suspicion and prejudice. If this government continues on its present course, there will not be greater equality. It will be diminished as will hope for the justice which so many aboriginals are crying out for today.

Aboriginal Canadians continue to experience an ever greater sense of dislocation and isolation from the rest of Canada and the sense of being fully Canadian. I know this is clearly not what the majority of Canadians want.

In closing, I want to point out to this House that Mr. Mandela referred to Canadians as a people. Why can Canadians not refer to themselves as a people? Why can they not do the same? I believe that this Prime Minister and his government have at certain times had a vision of Canadians as a people united and equal. On June 6, 1994 in his address to commemorate the 50th anniversary of the D-Day invasion on Juno Beach in Normandy, France, the Prime Minister spoke these ringing phrases:

> On the beach behind us,
> Canadians gave their lives
> So the world would be a better place.
> In death they were neither anglophones nor francophones,
> not from the West or the East,
> not Christians or Jews,
> not aboriginal peoples or immigrants.
> They were Canadians.

Let us not simply consecrate a foreign battlefield on which Canadians died with words like these. If we who share this land can die together as Canadians, why can we not also live together as Canadians?

This government must regain sight of this vision of Canada. It must regain it with respect to this piece of legislation, to land claim and treaty negotiations, as well as with respect to its overall fiduciary responsibilities to aboriginal Canadians.

It is impossible to move ahead while dwelling on the past. A weak and halting apology has been extended. Forgiveness, however grudgingly accepted, was given. It is time now time for all Canadians to move on into the next century as one people, united in the principle of equality and strengthened by freedom and truth.

Mr. Speaker, I would like to move:

> That the motion be amended by deleting all the words after the word ''That'' and substituting the following therefor:
>
> Bill C-49, an act providing for the ratification and the bringing into effect of the Framework Agreement on First Nation Land Management, be not now read a second time, but that it be read a second time this day six months hence.

● (1210)

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am proud to continue the debate on second reading of Bill C-49, the first nations land management act.

This bill gives us the opportunity to deliver on a vision that the government articulated in January when we responded to the Royal Commission on Aboriginal Peoples. This is a bill that puts into action the vision outlined in ''Gathering Strength: Canada's Aboriginal Action Plan''. We said that gathering strength was about addressing the needs of communities. We said it was about building a real partnership with aboriginal people. We said it was about working closely together with aboriginal peoples to define that relationship and shape a common vision of that relationship between us.

The bill before us delivers on that vision. It seeks to ratify the framework agreement of first nations land management signed by the first nations who have been working patiently, persistently and with tremendous commitment over the past seven years to establish this new land management regime.

The framework agreement was negotiated government to government by the department and these first nations. Provincial governments directly impacted by the framework agreement were consulted closely throughout the process. The agreement will end the control imposed by the Indian Act on how these first nations manage their lands. It is about putting the daily management of their own affairs into their own hands. In other words, it is about empowerment.

The Indian Act is a complex piece of legislation and first nations feel very strongly about it. The Royal Commission on Aboriginal Peoples recognizes that complexity in its own report. The Indian Act is paternalistic. At the same time, it confers recognition that first nations have, contrary to what the hon. member was suggesting here earlier, a unique legal position in Canada which includes a special relationship with the federal government.

There are always ways to get away from some of the more intrusive provisions of the Indian Act without changing that special relationship and that is part of the purpose of the bill before us. It ratifies a framework agreement on first nations land management in which 14 first nations move out from those sections of the Indian Act dealing with land management. The regime represented in this legislation would provide first nations with control over their land and indeed natural resources.

As outlined in this bill, first nations will develop a land code that will set the basic mechanisms for governance, laws that govern land, accountability and interest in lands and resources. Each first nation will enter into an individual agreement with Canada to determine a level of operational funding for land management and to set out the specifics of transition to the new regime. Once this bill is passed and once the land code is in effect and the agreement in place, the land management provisions of the Indian Act will no longer apply to these communities.

First nations authority will apply on first nations land. First nations will control the issues of leases, licences and other interests in their lands. They will also have the commensurate and compatible authority to enforce their laws by creating offences punishable on summary conviction and a range of remedies. They will be able to establish enforcement procedures including the appointment of justices of the peace to deal with offences against first nations land laws. First nations will retain and manage revenue money from the land transactions for which they will be accountable to their members.

The bill withdraws the expropriation provisions in section 35 of the Indian Act. It ensures there will be no loss of first nations lands through sale or expropriation.

● (1215)

In negotiating the framework agreement, first nations have provided for a series of democratic accountability that will ensure that communities will have a vote before the land codes are implemented.

For the first time the agreement will also provide for the implementation of environmental regulations on their land. These regulations will be harmonized with those in effect in the province in which the community is located.

For these first nations the framework agreement ends a system where officials in my department have considerable involvement and authority in day to day land management issues. It ends a system where ministerial approval must be sought even for routine transactions such as the issuance of licences and permits.

The Indian Act contains provisions regarding the purposes for which lands may be used. It controls the rights of individual first nations peoples in possession of reserve lands and the surrender and designation of reserve lands. It controls the management of reserves, surrendered and designated lands and other matters. It gives the minister wide ranging discretion regarding the use of reserve lands and resources. It gives the governor in council the right to grant a first nation powers to control and manage land in the reserve. However, at the same time it may withdraw that right at any time.

The land management provisions of the Indian Act have caused delays for first nations that want to proceed with economic development projects in their communities. Some have wanted, for example, to develop forest companies. We are told that even today possibly up to 50 memorandums of understanding exist between first nations and mining companies to exploit these opportunities in their communities.

Others have wanted to develop shopping centres but because of the red tape imposed by the Indian Act, first nations, the federal government and third parties, in other words business interests and private interests, have often been frustrated by these interminable delays. Transactions that off reserve might take a matter of weeks can go on for months when they involve first nations land.

As a result, many opportunities are lost and communities are denied the chance to realize their hopes for economic prosperity and freedom within the boundaries of their own communities.

There is no reason why the minister needs to be involved in these day to day operations and in the management of these reserve lands. Those decisions ought to be made at the local level.

The framework agreement in this legislation gives the community the option of taking control over the reserve lands and resources. These first nations want to get on with creating jobs and economic growth in their communities without having to turn to the minister or my department for approval.

This regime places first nations in the position of managing their lands and resources to strengthen and sustain their communities. This is what the framework agreement gives them the authority to do.

With respect to the Indian Act, I realize there is a legislative gap concerning matrimonial property issues. Therefore to address this very important matter, on June 9 the minister announced the establishment of an independent fact finding process to investigate the issue of matrimonial property as it relates to reserve lands. Letters of invitation have been sent to our partners to participate in the meeting where in partnership we could define the terms of reference and the time lines for the process. We look forward to making a further announcement on this initiative in the near future.

I remind the House that although the framework agreement applies to first nations that have signed it, other first nations are watching closely to see how effective the new regime will be in getting those communities out from under the paternalism of the

Indian Act and creating positive opportunities in their communities.

The provisions in this agreement and the legislation before us could well become a model for other agreements in the near future.

As a result of the interest expressed by other first nations to participate in the new land management regime, a provision has been included to permit other first nations to be added to this bill through order in council.

● (1220)

However, before the regime is open to other first nations we will review the language of the bill.

As this House is aware, federal laws must apply equally in both common law and civil code in both official languages. None of the 14 first nations are in the province of Quebec and therefore the civil code does not apply to them.

My department has agreed that the formal review will be undertaken during the 12 months and the revision to the legislation resulting from this review will be included in the harmonization act which my colleague the Minister of Justice will introduce.

However, this will not take place until the provinces have been thoroughly and properly consulted and we have reviewed this regime within 12 months of its operation.

In the meantime, it is important that first nations get on with the job of developing and ratifying their land codes and individual agreements with the government. It is important that first nations get on with the job of building their economies on the strength of the new land management regime.

The benefits of this legislation will be far reaching. It will affect not only first nations communities but will also benefit the people, businesses and government that have sought to build a stronger relationship, a stronger partnership, with these first nation communities.

Most of all, this legislation will benefit the first nations themselves. It will give them greater autonomy and control over land and revenue monies. It will create new opportunities for economic development and strengthen the capacity and expertise in first nations communities across the country. It will help create a foundation of self-government and in this way it delivers on the commitments made in our aboriginal action plan ''Gathering Strength''.

I want to say a few words in appreciation for the first nations leaders, some of them in Ottawa this week, who have negotiated the framework agreement and seen it through. They have my deepest respect and admiration for their tenacity and determination. The first nations leaders had a goal and they did not waver in pursuing it. The leaders led this process. This is a first nations initiative driven by leadership, vision and commitment to their own people.

I urge the House, particularly the Reform Party, to support this legislation which ratifies the framework agreement that makes the first nations vision a reality.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I am delighted to speak today to Bill C-49. I am delighted because it is one we were no longer expecting. We had been talking about this bill for a long time but nothing was happening. I was even told yesterday or the day before that there was only about a 50% chance that this bill would be debated on Friday.

So, imagine my surprise this morning at learning, with great delight, that Bill C-49 was on the Order Paper. Naturally, my speech was ready. Native peoples also told me there was some urgency in having this bill introduced.

I would like to thank the parliamentary leaders who arranged to have this bill come up as early as today. This week, I met with native people, who made representations to me. I even invited them here in the lobby. We are very happy to have the bill now before us.

I thank the leaders who understood the urgency of the situation and who presented the bill finally, today.

This bill follows directly from the framework agreement signed in February 1996. What is original about it is that it applies to 14 native communities scattered across the country. It is a fairly unique bill. Bills usually apply to one nation or sometimes to a number of communities, but this one concerns 14 communities across the country. I have here a list of the communities, which are scattered through British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and New Brunswick.

● (1225)

In British Columbia, we have the first nations of Westbank, Musqueam, Squamish, Lheidli T'enneh and N'Quatqua.

In Alberta, we only have the Siksika nation, but this is a great nation to which I will get back later on, because I had the privilege of meeting its members when I traveled to that region. I will elaborate a little more on the Siksika who is, in my opinion, one of Canada's great nations.

In Saskatchewan, we have the first nations of Muskoday and Cowessess. In Manitoba, we have the Opaskwayak Cree. In Ontario, we have the Nipissing, the Mississaugas of Scugog Island, the Chippewas of Georgina Island and the Chippewas of Mnjikaning. In New Brunswick, we have the first nation of Saint Mary's.

Bill C-49 is an act on first nation land management which will allow first nations to establish their own land and natural resources management system.

There is a part in the Indian Act that deals with land management. What is unusual about this bill is precisely the fact that the Indian Act will no longer apply to these lands, which will now come under the legislation before us.

There were some absurd things in the Indian Act, particularly the part dealing with land management. People had to obtain the federal government's approval to sell grain or to raise and sell cattle. As we know, the Indian Act is a century-old act and it is obsolete. Of course, it would be very difficult to scrap this act.

Eliminating the act leaves nothing in the way of a legal guarantee. Aboriginal people are therefore stuck with an outmoded piece of legislation which affords them a minimum of protection. But it is heart-warming to see bills like the one before us today come along, because whole sections of the Indian Act will no longer apply to these 14 nations in particular. This means one more step toward aboriginal self-government.

The Indian Act will, however, continue to apply in all other areas. As I said, the minister will no longer have the discretionary power to say ''No, you cannot sell wheat. No, you cannot sell cattle.'' Of course, the ministers have been far more attuned to what was going on in the communities in recent years. I do not think any minister would have been so heavy-handed as to forbid them to sell grain or cattle.

At the present time, however, that is the way the act is worded. The principle we are considering will enable aboriginal people to get out from under this outmoded part of the act.

When we have a bill that gives more autonomy than the Indian Act, which means that certain specific chapters of that act no longer apply, consultation with the communities generally takes place. According to the details we have at present, there was such consultation. These nations are fully in favour of Bill C-49.

As I said at the beginning, not only are they in agreement with the bill, but they are also urging us to see that it goes through quickly.

I find the reaction of the Reform Party rather disappointing. This summer, I believe the chief of First Nations met with the leader of the Reform Party in an attempt to explain to him the need for a different attitude toward the aboriginal people. For example, the Reform Party refers to the white paper from the time when the present Prime Minister was Minister of Indian Affairs, saying ''what was wanted at that time was a Canada that was uniform from coast to coast''. That is not our philosophy. We in the Bloc Quebecois believe in the principle of founding peoples, the Quebec people and the peoples in the rest of Canada. The aboriginal people are being forgotten, when statements are made like ''In such and such a year the Liberals introduced a white paper—this much is true—which made the aboriginal people full-fledged citizens''. They tried to do this, however, by bringing them into Canadian society and destroying their culture, their language and their way of life. By that very fact, there was no recognition that these nations were founding peoples, exactly the same, in my view, as the Quebec people and the people in the rest of Canada.

● (1230)

This kind of approach is unfortunate and we are naturally taking the opportunity to state our opposition to it.

There are certain problems with the bill, including the issue of what happens in cases of marriage breakdown. Aboriginals will have to address the issue of division of property in cases of marriage breakdown. Unfortunately, there is a sort of legal vacuum right now when a couple decides to separate. Provincial laws do not apply on reserves and there is nothing in the Indian Act covering these cases.

We therefore have certain questions about the provisions of the bill to which I will come back a bit later.

The Bloc Quebecois is going to support the underlying principles of Bill C-49 because we see them as another step towards the economic development and in particular the autonomy of aboriginals. We point out regularly in our speeches that aboriginals are in a situation of dependence, which has created all sorts of problems on the reserves and among the people.

Aboriginals are not found only on reserves. There are just as many of them off reserves as on. There are major housing problems, for instance, which drive people away from reserves. According to the statistics, almost 40% of status Indians no longer live on reserves.

A bill that stresses greater autonomy and self-government will have the support of the Bloc Quebecois. Autonomy can take several forms. Self-government is often mentioned. Self-government is important but, unless it is accompanied by economic development, it leads nowhere.

This is why bills introduced in the House will often address both issues: self-government as well as land claims.

We saw it in the case of the Yukon a few years ago, when people came to study the bill before the House, which dealt not only with self-government but also with land claims allowing them to achieve financial independence so they could finally break away from the federal government.

This is the gist of the bill. That is, it moves away from the Indian Act and introduces other notions on the management of their own lands.

White people and native people see things differently. When native people speak of lands, their idea is that the land belongs to everyone and exists to be shared. This is in fact what guided initial relations between native peoples and the new arrivals, the Europeans who arrived here in Canada. The native peoples had no

objection to letting the whites take certain lands, cultivate them and raise livestock.

Even now, on the reserves, land is held collectively, whereas we see things a bit differently. The way we see it is that the land belongs to us. When we buy land, we quickly have it surveyed and registered and have the deed signed. A whole lot of planning goes into making it known that this tract of land is ours. Sometimes we go so far as to fence it in. Native people see it all very differently. They see it more collectively, with the land belonging to everyone.

I think I have explained enough why this bill should be passed quickly, and the Bloc Quebecois will of course help to get it passed.

I was saying earlier that, in democratic terms, I see no problem. The 14 communities were consulted on this bill, and they agree on the need to act quickly.

● (1235)

I also told you I would get back to the issue of marriage breakdown. This is an important issue for aboriginal women. There is a history to this bill and to the issues concerning women.

Bill C-75, introduced in 1997, did not include any provision on marriage breakdown. I will tell you later the story of some women and women's groups who went to court to challenge the fact that the bill did not include provisions to help settle the issue in case of marriage breakdown.

Unfortunately, Bill C-75 died on the *Order Paper* when the previous Parliament came to an end. However, the Bloc Quebecois decided, with the support of some parties in the House, to quickly bring back that legislation during this Parliament and to ensure its swift passage because, as I indicated earlier, of the urgent nature of the situation.

Given the court challenge and the quick reintroduction of the bill before the House, government officials and aboriginal representatives looked at provisions that could be included in the bill to achieve the objective of protecting aboriginal women in case of marriage breakdown.

Let me read clause 17 of the bill, which is aimed at correcting this flaw in the initial bill.

> 17. (1) A first nation shall, in accordance with the Framework Agreement and following the community consultation process provided for in its land code, establish general rules and procedures, in cases of breakdown of marriage, respecting the use, occupation and possession of first nation land and the division of interests in first nation land.

Bill C-75, which has now become Bill C-49, was amended to provide for a community consultation process to establish the land code that will include a mechanism in case of marriage breakdown.

Of course, that procedure may not be comprehensive and it may not be the same everywhere, because the 14 first nations will ultimately have to prepare their own land code. I could add that there will be up to 12 months for incorporating rules concerning breakdown of marriage in the land code.

I wanted to touch on the women's objections, to which I have already referred. One of the ways women's groups reacted to the first reading of the bill last June was by writing to the *Globe and Mail*. These groups included the British Columbia Native Women's Society and the Native Women's Association of Canada, headed by my good friend Marilyn Buffalo. Their reaction was ''While we realize you have made an effort with clause 17 to include procedures in the event of marriage breakdown, what is there does not suit us in the least''. They decided to file an injunction to get the courts to block the bill.

The case has not yet been heard. The bill is currently under consideration. Although there has been no court decision, it seems to me that it would be hard for the women to block the proceedings of the House of Commons with a court order. That is not part of our tradition, but we do need to realize that they have objections and that clause 17, which I have just read, needs to be tightened up considerably.

I raised this human rights matter with the chair of the Canadian Human Rights Commission, Mrs. Falardeau-Ramsay, whom I had the pleasure of meeting—last year, I think it was—in a delegation to Geneva. She indicated to me that she was a bit uncomfortable with the fact that aboriginal women were in a kind of legal vacuum at the moment. In the event of marriage breakdown, they are forced to leave the reserve and to leave all their family heritage behind.

Quebec has family heritage legislation, called in fact la Loi du patrimoine familial, with provisions for marriage breakdown. As I was saying, this does not apply on the reserve, however. These women are, therefore, left in a legal vacuum and an effort absolutely must be made to correct this.

● (1240)

However, as I told women's groups, we cannot, as a matter of principle, in the case of a bill providing greater autonomy to first nations, oppose the legislation on the grounds that the provision dealing with them may not be supportive enough of their cause.

We must not block Bill C-49 on the grounds that its provisions are not specific enough.

The minister did react to the legal challenge. She decided to set up some commission to take a more comprehensive look at the issue and to avoid having women's groups block each of the bills on native issues when they are introduced in the House. The

minister struck a committee to look at what happens when a marriage breaks down on a native reserve.

In so doing, the minister acknowledged the existence of a legal vacuum. Therefore, I ask her to act quickly regarding this issue. When we inquired about the progress made regarding that commission, we were told that the investigator had not even been appointed yet. I remember reading a press release—in July or August—in which the minister announced that this commission would be established. Now, several months later, that commission has not even begun its work.

I therefore urge the minister to speed up the process in this regard. Whenever a bill dealing with native issues is introduced in the House, there is a risk that it could be systematically opposed, because the basic issue was not settled.

The Bloc Quebecois will, in parliamentary committee, take a close look at clause 17, which I read earlier and which deals with the breakdown of marriages. The approach is innovative, and concerns land management. The provisions of the Indian Act are being replaced because they are very restrictive. The government is now proposing a bill and a land code that will allow first nations not only to manage the resources on their lands, but also to decide how they wish to dispose of such lands.

This week, for example, I met representatives from one reserve who will have to renew their leases next March. So members can just imagine, if the bill is not passed, what a hard time they will have renewing, because they will have to come before the House of Commons, the minister and cabinet to obtain permission to continue the leases. The idea with this land code is that it will no longer be necessary to seek the minister's permission.

Another provision of the bill concerns expropriation. This was and remains a hateful provision. The law is antiquated. It has existed for some 100 years. Right now, a municipality, a province or the federal government can say ''We want to expropriate part of the reserve''.

Before a major tribunal known as the specific native claims tribunal, which reports to the House of Commons and where most cases were heard, a municipality would decide at one point ''We have finished cutting down the forest at this point, we would now like to encroach on the reserve. We request permission to expropriate the reserve or part of it so we can continue our work''. This sort of request was almost always automatically granted, resulting in great injustice and the fact that we had to go to court or before commissions in order to untangle these things and return to the native peoples the land that belonged to them.

So this bill puts paid to injustice. The minister of Indian affairs is now the only one who can and, if she does so, she will have to provide land or financial compensation with the approval of the reserve.

The government is trying, clearly. We can no longer allow municipalities or provinces for different, often valid, reasons to expropriate part of a reserve. That period is over.

The bill also contains provisions for environmental assessment plans.

• (1245)

I think it is important to mention that, if ever a group was respectful of the environment, it is certainly aboriginals. However, when giving them responsibility for land management, care must be taken to harmonize environmental legislation. Naturally, we cannot allow standards on a reserve to be well below those in a neighbouring village subject to provincial laws. The land code will resolve this.

There will also be a procedure for harmonizing environmental legislation, so that standards on the reserves and in the province will be largely the same. There is even provision for the provinces affected, because many are affected by the bill, to be involved in the planning of any subsidiary environmental agreements.

As for the structure of the land management agreement, it was first proposed by chiefs in 1987. There were several negotiations. I would even go so far as to say that we are surprised that any agreement at all has been reached after eleven years. It seems like a relatively long time. Other bills introduced in the House have also been a long time coming; the Yukon bill, for instance, has taken 21 years.

Negotiations with aboriginals are still taking place today and have been for 30 years. It has been an on-again, off-again process. Ten years is quite a long time. That is why it is important that today we give aboriginals what they need.

I also wish to point out the agreement is not a treaty and that it will not be protected under section 35. This is a bill that leaves participation optional. Right now, this means that 14 first nations are covered in the bill and listed in the schedule, but other first nations will always be able to say that, having examined Bill C-49, they too would like to manage their lands.

There are several ways this could come about. As I have said, it could be through self-government and land claims. They could also say that they have lands and that they wish to take part in the process and manage their lands without relying on the provisions of the Indian Act.

I have spoken with first nations' representatives and they are not always aware of what is going on elsewhere, so they find this a highly practical approach, and to their liking. Some first nations are in fact involved in exploring the possibility of adopting the same type of land management arrangement.

I think it is important to speak of the 14 first nations involved, at this point. I listed them quickly already, but I would now like to give a brief historical overview of each. They are the groundbreakers, the ones that decided to move ahead toward self-government. I feel it is important to give the House a brief rundown on each of them.

First, there are the Siksika, of Alberta. They are a very sizeable community in Alberta, with 2,795 members living on the reserve and another 1,635 living off the reserve. As I have already said, close to 40% of aboriginal people have left the reserve for one reason or another. The reserves are getting over-crowded. Aboriginal demographics are such that the population is growing twice as fast as the Canadian population as a whole, and so people are being systematically forced off the reserve. This is what has happened with the Siksika.

Their language is part of the Algonquian family of languages. Present-day Edmonton and Calgary are on their land. They administer a number of programs. Theirs is a beautiful area. I had the pleasure of visiting this great people, and they took me to see a sacred mountain that is currently the object of a land claim, Castle Mountain, in Banff National Park.

This situation continues to be of concern to them. Incidentally, I would like the Siksikas listening today to know that their file is still with me, and we are still trying to settle the dispute. What they would like is for the part of Banff Park where the sacred mountain is located to be aboriginal territory. I feel this would be in the best interests of both aboriginal people and whites. This is a beautiful area, and having a sacred mountain on aboriginal land within it might be of great interest to the white population.

• (1250)

We speak of ''aboriginal lands'' but they do not have the same concept of property as we do. It is not a question of fencing in a surveyed lot, or something else that has been registered with a land office. For them, there is the concept of sharing. They want to share Banff National Park, which has moreover always been part of their land claim, and they want this mountain to be theirs. I mention this in passing, because I felt it was important to raise this issue and wanted them to know it is not a dead issue.

The Muskoday First Nation reserve is located 19 kilometres southeast of Prince Albert, Saskatchewan. It covers 23,832 acres. Here again, 411 members live on the reserve and 623 live off the reserve, which confirms the trend that 40% of aboriginal people live off the reserve.

Their economy is mainly agriculture-based, hence the importance of passing this bill so that they may lease or develop their lands and to make use of them without being constrained by the Indian Act.

The other first nation in Saskatchewan, the Cowessess, also makes its living from agriculture and tourism. Its population totals 2,544, 411 on the reserve and 1,133 off the reserve.

The Chippewas of Georgina Island are located in the county of York—Simcoe, north of Toronto. Historically, these are the descendants of a larger band, the Chippewas of Lake Huron and Lake Simcoe. In 1818, the Chippewas gave up a large parcel of their land south of Georgian Bay. In 1830, Sir John Colborne settled them on lands between Coldwater and Lake Couchiching.

They subsequently divided into three separate bands. One group went to Georgina Island around 1838, another went to Beausoleil Island in 1842 and the chief of the Yellowhead and his band went to Rama in 1838. The reserve was confirmed with the Williams treaty of 1923.

Although 81% of the population speaks English, most form part of the Algonquian family of languages, but few have kept their language.

The Mississaugas of Scugog Island, like the Chippewa of Georgina Island, have been displaced a number of times. This big reserve measures some 1,951,000 acres. On two occasions they gave up part of their lands. Their reserve, like the others, was confirmed by the Williams treaty in 1923.

The Ojibways may be found in Ontario, in the great lakes region. I will shortly be speaking in a few aboriginal languages. I have asked for the translation of a passage I particularly wanted to read. A number of communities have sent remarks, which I will read, along with their translation. I hope I will be forgiven if I have difficulty getting my tongue around some words, as some things are quite hard to pronounce. However, I think that they will enjoy having an MP wishing them good luck in the House in their own language.

I would also like to mention the Westbank first nation, because the chief, Robert Louie, is directing the operations concerning the bill before us. I raised the problem of marriage breakup. It was about his first nation that the supreme court—in 1981, I think—gave its first decision in Derrickson. Mrs. Derrickson is Robert Louie's mother-in-law. The supreme court was forced to acknowledge a legal void, that, in the case of a marriage breakup, provincial law did not apply and the Indian Act contained no provision to settle the problem.

I think it important to talk to you about the Westbank first nation, because Mrs. Derrickson, who behind the Derrickson decision of 1981, comes from there. This first nation is situated in the Okanagan valley.

• (1255)

This summer, I travelled to British Columbia. Unfortunately, Mrs. Derrickson was ill and I was unable to visit Robert Louie, but there will be another time and I look forward to going back.

I realize that time is running out and that, since there are 14 nations, it would take a while to give the history of each one, and I do not wish to go over my allotted time.

I wanted to say, in various native languages, what our wishes for aboriginals are. Since I have eight minutes left, I think I can manage.

I have four translations to read. Please bear with me as I try to get my tongue around them, because Ojibway, Cree, Salishan and another passage in Ojibway are involved. My pronunciation may not be completely perfect, but I did want to say a few words in these languages to wish aboriginals well.

What I am about to say in these native languages can be summarized as follows.

The Bloc Quebecois is always supportive of aboriginals in their quest for greater autonomy. This bill furthers that quest and we wish the 14 communities involved the best of luck.

I sometimes make life difficult for the interpreters when I speak a native language. I will now try to speak Cree.

[*Editor's Note: Member spoke in Cree*]

[*Translation*]

I will be attempting to say the same in Salishan, which is used by the Squamish nation on the west coast; it was they who sent me the translation of my text.

[*Editor's Note: Member spoke in Salishan*]

[*Translation*]

It took only a few seconds to read the passage aloud in French but, when we were sent the translations, we were told that there are many more figuratives in aboriginal languages. That is why each translation takes a little longer to read.

Next comes Ojibway. This covers the whole Great Lakes area in Ontario. The Objibways sent me a translation of the same message. Theirs reads as follows:

[*Editor's Note: Member spoke in Ojibway*]

[*Translation*]

''Mnaabmewziding'' means ''good luck''.

I have one last message in Ojibway, but it is in a different dialect spoken by the Chippewas of Georgina Island. It was sent to me by Chief William McCue, to whom I send my best wishes.

[*Editor's Note: Member spoke in Ojibway*]

[*Translation*]

Members will understand not only that the Bloc Quebecois supports the bill, but that it will try to ensure its quick passage, so that these people can be released as quickly as possible from the provisions of the Indian Act, and can achieve financial autonomy and self-government, and also deal with land claims. They will thus be able to live a life that will be far removed from the current dependency on the government.

• (1300)

Finally, I wish them good luck in their new venture.

The Acting Speaker (Mr. McClelland): Before resuming debate, I wish to congratulate the hon. member for Saint-Jean. It is very difficult to speak other languages.

[*English*]

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, on behalf of my party I am pleased to have the opportunity to address this act to implement the framework agreement on first nations land management.

This bill is a long overdue step forward in the process of returning to first nations control of the land that is rightfully theirs. It is also a major advancement to the eventual goal of first nations self-government.

The New Democratic Party has long supported first nations inherent right to self-government. We have supported the First Nations through this century while successive Liberal and Conservative governments have pursued shameful and reprehensible policies of assimilation.

The official policy of assimilation may be a thing of the past but it cannot be denied that aboriginal people are still an oppressed minority.

If we look at any social indicator, whether it be income, life span, disease rates or suicide rates, aboriginal people make up the bottom rung in virtually every category. These social problems are wounds that still have not been healed.

It is a testament to the strength of the first nations cultures that they have survived and persevered through all these generations of oppression.

I support this bill because it is a ground breaking step in giving first nations the rights they deserve and have so long been denied. Turning control of their lands over to first nations governments will go to a long way toward restoring self-sufficiency.

I would particularly like to extend my thanks and congratulations to the Opaskwayak Cree Nation, signatories to this framework agreement, and to Chief William Lathlin as well as former chief and now Grand Chief of MKO Francis Flett.

Both these first nations leaders have been tireless in their efforts to improve the lives of their people both in the Opaskwayak Cree Nation and the whole of the MKO region of northern Manitoba. Their leadership in bringing the Opaskwayak Cree Nation into this agreement was important to its progression to this stage.

I am sure members of this House will join me in congratulating Chief Lathlin as well as Grand Chief Flett and in wishing Grand Chief Flett all the best in his recovery from recent heart surgery.

The contributions of Chief Lathlin and Grand Chief Flett are particularly noteworthy in light of the efforts of the Reform Party and others with a right wing imperialistic agenda who have been trying to undermine the legitimacy of first nations government.

Like wolves in sheep's clothing, Reform cloaks its anti-first nations rhetoric in populist language. But Reform's true intention toward the first nations is clear. Reform's real intention is the assimilation of the first nations. That is why Reform constantly tries to undermine first nations governments.

The Reform Party and their right wing allies try to take extreme examples and try to paint all first nations governments with the same brush.

Chief Lathlin and Grand Chief Flett are two of the many excellent first nations leaders who proved the Reform Party's generalizations about first nations governments to be dead wrong.

This bill is a rare moment of fairness to the first nations by a government that has otherwise chosen to ignore them. I want to make it clear that I support the bill for the contributions it makes toward the eventual goal of self-government.

However, there is an important outstanding issue that the bill before us today does not address. The Dene people of northern Manitoba have a longstanding concern regarding their land entitlements in Nunavut. Long before Europeans set foot on this continent, the Dene hunted caribou on lands that will soon become part of Nunavut.

As members know, caribou herds migrate vast distances throughout the year. Traditionally the Dene were a nomadic people and followed the caribou herds.

One of the Canadian government's most abhorrent crimes against any first nation was when it forced the Dene into reserves back in the 1950s.

● (1305)

Forcing a nomadic people into a settled, sedentary way of living is social engineering of the worst kind and represented one of the lowest points of Canada's shameful policy of assimilation toward first nations.

The social problems caused were staggering and, as I have said in this House before, still require compensation from the federal government.

Besides these tragic social consequences, another outcome was that the Dene people were divided. Two bands, the Sayisi Dene First Nation and the Northlands First Nation ended up in Manitoba south of the 60th parallel.

I should not have to remind the House that caribou do not recognize provincial and territorial borders. Even though these two Dene bands reside in Manitoba, their traditional hunting ground extends north to the 60th parallel into the territory soon to be known as Nunavut.

This bill establishes a framework to transfer land management power to bands but what needs to be clarified and guaranteed is the Dene people's right to apply this framework in their traditional lands north of 60 as well as south. I am looking forward to addressing this shortcoming when the bill goes to committee.

The government should not take my accolade and support for this bill to mean that I think its duty toward first nations people will be met with this one piece of legislation. This is far from the case.

The social problems facing many first nations continue to exceed anything experienced in the rest of Canada and each problem requires the government's immediate attention. Housing conditions are third world standard in many communities, with no running water and inadequate sanitation. Disease levels are significantly higher than in the rest of Canada, with HIV, diabetes and kidney disease particularly serious problems. There is also a chronic shortage of qualified health care professionals.

Unemployment levels in many first nation communities are astronomical, exceeding 90% in some areas. These issues need to be properly addressed.

A report was recently released by MKO, the Manitoba ministry of family services and Indian and Northern Affairs Canada that looked into food and nutritional problems in isolated first nations communities. This report paints a distressing picture. It states that the high cost of perishable food and the inadequacy of social assistance food allowance to cover the cost means that the availability of fresh nutritious food in remote communities is very poor.

The impact on health in these first nations is massive. The report states that to cover the cost of nutritious food for a family of four will require a 35% increase in monthly social assistance food allowance. Adequate nutrition is a basic necessity that the government must ensure is provided for every first nation person. There is no reason why the conditions in first nations communities I have listed should exist in Canada. They are of third world standard and are totally unacceptable in a country of the relative wealth of Canada.

I recently sent a letter to the minister of Indian affairs requesting her to implement the recommendations of the MKO report. Today I have not received a response and I cannot help but question, despite the advances in this bill, whether the Liberal government has any serious intention of meeting its responsibilities to the first nations.

I take this opportunity to respond to some of the comments I heard from previous speakers, certainly from the member of the Reform Party.

With his comments about everyone in Canada being one people, I cannot help but wonder how veterans felt when they came back from the war and had to give up their treaty rights and their right to be part of their own first nations. The speeches by the governing authority given in residential schools in Regina commented on the fact that when these men came back from war they would want to be treated as equals and we just could not do that. No wonder we have the feelings we have in first nations today.

The concerns raised by the native women's group are valid and should be addressed to their satisfaction. I also believe that had there not been interference by previous governments in Canada in the past the equality they are fighting for would have happened already.

Reform's comments that the majority of aboriginal people do not want this process are just not valid.

• (1310)

Opposition parties have questioned this government on its patronage appointments, its wasted dollars, its misplaced priorities and even the credibility and integrity of its solicitor general. Would I suggest we throw away the right of Canadians to democracy and to elect their own representatives? Never. I will put my faith in Canadians to see this government for what it is, a government shirking its responsibilities to Canada and Canadians.

I trust the members of first nations are taking an active part in electing their leaders. Turning land management powers over to first nations is an important step toward self-government. I offer my support for this bill, but let us be clear that this is no substitute for tangible action to alleviate the horrific social conditions to which many first nations people are subject. There are still many wounds to be healed.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, I listened closely to the member's speech and I heard the passion in her voice. I believe she believes that what she is saying is correct. It is important that what we say in debate be recorded in a factual manner and that we not mislead the people watching this debate or other members of parliament. Certain statements were made to Reform, its right wing agenda and its friends. I am not sure who she was talking about. She talked about there being a century of NDP support for the social agenda and for the first nations in Canada. She may have her terms of reference a bit out of whack. Maybe she went back a little further than the party does.

I will give an example of the real issue. There was an emergency meeting last night with aboriginal affairs committee members of the Senate and the House concerning the tragic situation that has developed in British Columbia. I am not here to stick up for the government or for the Reform Party. I attended that meeting last night as a member of the Progressive Conservative Party. A Liberal member, a Bloc member and a Reform member were there but there were no NDP members.

If the member is going to tell the House that she supports first nations then let us see her at the committee meetings, at the drudgery and the work that there is no fun in, where there are no cameras and no glorious speeches.

Ms. Bev Desjarlais: Mr. Speaker, I have no problem addressing the fact that one member may not have been at one meeting. What is more important is an honest and true commitment to changing the position of the government toward aboriginal people. I will stand behind my party's position and my own position. I do not have to worry that the aboriginal people from my area and throughout Canada will question that. We have seen the proof come out of New Democratic Party members as well as governments. That does not happen.

If the member takes the right wing, imperialistic note to mean the Conservative Party, by all means he should go forth and take it. Successive Conservative and Liberal governments have had opportunities over the years to change the situation but they never did. It is time the government does that. It has been a long time coming. It has been happening because we have more New Democrats here to ensure that happens.

Mr. John Duncan (Vancouver Island North, Ref.): Mr. Speaker, some of the rhetoric I have heard from the member for Churchill is not worthy of an intelligent conversation. Prior to the last parliament in this House there was not a single piece of aboriginal legislation that did not get all-party consent in this place. Nobody ever challenged the status quo. There are do gooders and people who do good. I place myself in the latter category. I challenge the status quo which has led us to the reserves having the worst statistics in the nation.

The member for Churchill has blinders on in terms of thinking we cannot challenge the status quo and fix what is wrong with many of the aboriginal communities in Canada.

• (1315)

If it is wrong to challenge the fact that we do not have accountability in many areas, if it is wrong to challenge that we do not have a democracy in full flower in many of those communities, if it is wrong to say that equality is not something to strive for, if it is wrong to be opposed to sexual and other abuse which is rampant

in some of these communities, if it is wrong to think that we can fix fetal alcohol syndrome, I would apologize to the member.

Those are all worthy goals. Members of my caucus and I are pursuing these things with vigour. We are getting better results than the all party cloak of silence that resided in this place prior to our arriving in the last parliament.

We are challenging what is wrong and we are starting to see major fixes. That is not to say that the signatories, the bands that are signatories to the legislation, fall into that category. In many respects I am quite sure they do not. Some of them may not at all. I do not want to be appearing to tarnish all as the same because they are not. One of the reasons the legislation exists is that these are some of the more progressive, wealthier bands that have a lot of private property concepts and other things going for them.

In many respects there are objectives in the legislation which I find admirable. I have some problems with the legislation and I will talk about them later. If the member wishes to comment on my comments, she is welcome.

Ms. Bev Desjarlais: Mr. Speaker, nobody is opposed to all the things the member mentioned. There is not a first nation leader in the country who is not striving for the same things. The difference between the Reform Party and the New Democratic Party is that I will not tell first nations people what they have to do. That has been the problem for too long.

If ever there is to be change within a community or a country, it needs to come from within. That is the truest strong change. That has been how democratic governments have progressed.

We sit here and complain. I tried to indicate that when I commented on patronage. We in Canada have had the good government we talk about for 131 years and we are still worrying about patronage and different things happening. Does that mean that aboriginal people, first nations people, should not have the right to go through a process of their own self-government because one party suggests that it knows best, that it knows the way? First nations people can make that decision and do it a heck of a lot better than we have done in the past.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I agree that 131 years have not brought anything close to equality of opportunity or equality of outcomes. It is partly because governments did not listen to the people. The B.C. Native Women's Society contacted us and said that we have to defeat this legislation. That is not failing to listen to the little person like we were accused of doing. That is taking very seriously the concerns of the person who will be affected by the legislation. The Reform Party is committed to that.

I resent any implication that we are not acting in the best interest of the people to be affected by the legislation. I challenge members from all other parties to attend the grassroots aboriginal meetings being held throughout Canada to find out what the grassroots aboriginals are saying.

Ms. Bev Desjarlais: Mr. Speaker, I assure the member from the Reform Party that I have spoken to a number of grassroots first nations people. I have some 26 first nations in my riding. I have family members, aunts, uncles and cousins, who are part of two of the first nations in Saskatchewan. I have been there and I have spoken to people there. I know these first nations have worked hard to improve their communities. I know that all other first nations will do the same. I believe that with my heart and soul. I know that is the right way to go for aboriginal people.

• (1320)

There will be problems here and there along the way the same as any democratic government has problems as it progresses over time. The first nations people have the right to make that decision. This is the best move for them. They have discussed it in numerous communities. They have talked about it with their people and want these changes so that they can continue on and become more self-sufficient. That is what is needed for all first nations. That is the true way to make change for first nations people. They should be given the right to control their own interests.

It is not right to suggest in any way, shape or form that the land to which first nations people are entitled under treaty rights is not really theirs or that it is not equality if they have treaty rights.

The hon. member mentioned women's rights. Nobody argues that. I absolutely support the right of first nations women to pursue the changes they want. They have that support and they will continue to have that support. As I indicated, I am sure they will make the changes that are needed because anybody who knows first nations women that have been involved over the years knows they are strong people who have worked hard to improve conditions in their communities.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, I rise today to speak to Bill C-49, an act providing for the ratification and the bringing into effect of the framework agreement on first nations land management.

This piece of legislation has been almost 10 years in the making beginning in 1989 as the lands revenue and trust review. That agreement encompassed a number of areas, land management being one of them. While that agreement fell through, a number of first nations persevered with negotiations for land management.

The bill was formerly introduced as Bill C-75 on December 10, 1996, but died on the order paper. Bill C-49, while similar to the original bill, has some important amendments to address the

concerns of native women. I will discuss them in greater detail later.

I congratulate the 14 first nations that are signatories to the framework agreement. They are Westbank, Musqueam, Lheidli T'enneh, N'Quatqua and Squamish, all from British Columbia; Siksika in Alberta; Muskoday and Cowessess in Saskatchewan; the Opaskwayak Cree from Manitoba; the Nipissing and the Mississaugas of Scugog Island, the Chippewas of Mnjikaning and the Chippewas from Georgina Island, all from Ontario; and the Saint Mary's in New Brunswick. These first nations have worked hard to have this legislation reach this stage of the process and are anxious to see it become law.

Bill C-49 allows the 13 first nations who signed the framework on February 12, 1996 and the Saint Mary's from New Brunswick who joined in May 1998 to assume control of land management and move out from under the provisions of the Indian Act. This does not affect other first nations that are not signatories to the agreement. Nor does it diminish the authority of the Indian Act for areas other than land management.

The legislation is an incremental step toward self-government and should be a positive move for the affected bands as they have greater influence over economic development on their reserves. The framework agreement will allow the first nations the opportunity to manage their land and resources through the establishment of land codes.

The framework agreement may become a model for other such agreements on land management once the legislation passes and the first nations are given the opportunity to implement it. Thirty or forty first nations have already expressed an interest in the framework agreement. I expect many more to do so as they are able to see the benefits of the legislation.

We are all aware of the faults of the Indian Act. As I mentioned, the legislation will allow first nations to move out from under the restrictions of the Indian Act and provide opportunities for first nations to manage their own land and resources. This will be done through land codes that they will develop to meet their own requirements.

The first step for each of the first nations will be to develop that land code. It will outline the rules necessary for land management, covering such things as what land is affected by the land code, rules for use and occupation of the land, revenue collection, amendments and a dispute resolution process among other things.

● (1325)

Not only does this transfer authority from the federal government to the first nations, but through the land code it also encourages stronger community participation. Land codes must be ratified by the communities and voted on by first nation people living both on and off reserve. This is an onerous job but one that the first nations felt was very important and warranted the extra work.

It is worth mentioning that the land codes must be ratified by the community but not by the federal government. Following ratification each reserve must enter into an individual transfer agreement with Canada. The transfer agreement will include the development and operational funding to be paid by Canada to the first nation and the details on the transfer of administration. The community must ratify both the land code and the transfer agreement. First nations will manage their land and resources under Bill C-49 including the associated revenues, except for oil and gas revenues which remain a federal responsibility.

Only 14 first nations have signed the agreement, a very small percentage of the 633 first nations in Canada. One of the reasons for this small number relates to land management under the Indian Act. While it is possible under the Indian Act to request delegated authority from the federal government to manage lands, only 9 of the 633 first nations have done so. Dissatisfaction with the limitations of the delegated authority was the impetus behind the framework agreement and the legislation we are discussing today.

Another reason for the relatively small number of signatories to the agreement is concern by a number of first nations that these agreements would be similar to the proposed amendments to the Indian Act that have met with resistance. This agreement however is reserve specific, affecting only the bands listed in the agreement. Furthermore the agreement is not a treaty and does not affect treaty or constitutional rights of aboriginal people. The reserves remain a federal responsibility under section 91(24) of the Constitution Act, 1867, and the lands continue to be protected from surrender of sale.

At the same time these 14 first nations will have the opportunity to manage their own land and the legal status to govern their own land and resources. The only difference from other land owners will be the inability to sell that property.

As I mentioned earlier, the legislation is long overdue and eagerly awaited by the first nations that are anxious to begin implementation. There are however some concerns regarding the legislation as outlined by the British Columbia Native Women's Society.

Although I have had some difficulty contacting the British Columbia Native Women's Society, it is my understanding of its position that it feels the legislation transfers responsibility for equality on reserve, particularly for native women upon the breakdown of marriage, from the federal government to first nations. It sees this as an abdication of federal power that demonstrates the government's lack of commitment to equality.

In addition, there is no minimum standard provided in the legislation for the division of property such as exists in provincial law upon the breakdown of marriage, which increases the possibility that inequality will not be dealt with in an acceptable manner perhaps by the first nations involved.

These are legitimate concerns that stem from the flaws of the Indian Act that established and perpetuated an inferior position for women in the legislation. The first nations that are signatories to this agreement listened to the concerns of the British Columbia Native Women's Society and drafted amendments to the framework agreement to address its reservations.

The amendments require the first nations to establish community process in their land codes regulating use, occupancy and possession of reserve land should a marriage breakdown occur. At the same time it places the onus on the first nations and their respective members to adequately provide regulations for division of matrimonial property. This ensures that the process meets the requirements of the first nations members and avoids the age old problem of having the federal government dictate to the first nations.

While I feel it would have been useful and informative to have met with the British Columbia Native Women's Society to discuss its concerns, my request for meetings were not answered. I look forward to hearing the society outline its position as we discuss the legislation in detail at committee.

While there are concerns with the piece of legislation, the objective or the impetus of Bill C-49 to allow first nations to move closer to economic independence is long overdue. As the Nisga'a treaty in British Columbia demonstrates, first nations want the opportunity to govern their lands and people and are prepared to accept the challenges of doing so.

● (1330)

The positive effects of such legislation will be evident as more first nations take steps toward self-reliance and independence.

The chiefs of the first nations with whom I have spoken have all expressed their support for this legislation and the opportunities it offers them and their respective first nations. As I have mentioned they are prepared to begin implementation of this bill once it completes the legislative process. Currently three first nations have land codes prepared and five more are in development.

I look forward to examining this legislation in committee. I welcome the opportunity to hear my colleagues' comments on this legislation, Bill C-49.

In summing up I would like to add a few points. The hon. member from the Bloc mentioned a concept which many of us take for granted, that of fee simple land ownership. I would dare to say that there are many people who sit within the halls of this parliament itself who do not understand the Indian Act. Certainly I am not pretending in any way, shape or form to be an expert on the Indian Act but I have read it and it is a terrible piece of legislation.

The whole concept of fee simple ownership that we take for granted is that one can actually own a piece of property. For instance the first nations reserves in Nova Scotia may have a piece of woodland of a couple of hundred acres that they may want to cut timber on but they do not have the ability to that. First they have to apply, they have to go on bended knee to the federal government to get permission to carry on work on property that they own but which is somehow being held in trust for them by the federal government.

This bill is about the whole concept of land ownership. It is about not having to apply to someone else if they want to have a gravel pit on their property, if they want to build a road to access timber resources, if they want to utilize those timber resources for the economic benefit of the reserve, if they want to look at the mining potential for the property. These are all things that private ownership takes for granted. It does not even think about because it is a foreign concept to think about it any other way, but first nations do not have that ability.

There are some problems with the bill and issues it does not address. However, it does address a very important point for economic renewal, the ability for first nations to have economic activity and bring themselves out from under the Indian Act and actually have some activity in Canada and take their place as equal citizens on the property which the rest of us take for granted.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I have a couple of comments and a question.

The British Columbia Native Women's Society is looking for the same type of rights to protect them in the event of a marriage breakdown as is currently offered by the provinces. They do not believe that protection is in place which is a serious concern.

The issue of comparing land management to fee simple ownership would be a little closer to reality if the land was not closer to fee common which means that it is not held individually. Therefore for individuals to make these quick and easy decisions that the hon. member talks about, of course it is not possible to make those kinds of decisions.

Municipalities must obtain permits to do just about anything or they must go to the people who live in the community. They are governed by regulations established by senior levels of government. To make their own regulations without submitting them anywhere else to see if they meet a basic standard for rights is not the way municipalities work.

Does the member support fee simple ownership since he seems to think it is the best way to handle these types of situations?

Mr. Gerald Keddy: Mr. Speaker, I appreciate the hon. member's question. It is a legitimate question. I heard a couple of questions in there so I would like to answer everything the member spoke about.

First of all the British Columbia Native Women's Society and the entrenchment of matrimonial rights under the legislation or under Indian affairs versus what is offered for protection under provincial legislation is a very important point. It is one that is going to require a great deal more study. However, the division of property on the breakdown of a marriage can be met within the land codes which are all voted on in a democratic process and come before both on reserve and off reserve members of each individual first nation.

● (1335)

I did not say that this legislation was perfect but it is a step in the right direction. Far too often in the history of this country we have looked at legislation, and all legislation is inherently flawed to some degree, but instead of moving forward and allowing 99% of the legislation to be good, we get hung up on 1% of it. This is the case.

The first nations are responsible themselves in their land codes to decide the division of property on the breakdown of a marriage. I expect they will do that in a democratic process, although there may be some room for abuse of that process.

The other issue is fee common ownership. That is a very good analogy. I used fee simple because fee simple is what most of us understand. The member is absolutely right about fee common.

Again a democratically elected chief and tribal council will decide what activity is going to be carried on. The whole idea of common ownership for the greater good is not one that all of us are familiar with. I am a private landowner and a sixth generation farmer. The whole idea of ownership of property is something that is inherent to my culture and the way I was brought up.

However, the idea of a common ownership of land is not completely foreign to us. There is no reason why they still cannot have democratic representation through common land ownership with the chief and the tribal councils being democratically elected.

Mr. John Duncan (Vancouver Island North, Ref.): Mr. Speaker, I would like to talk about fee simple ownership. It is a rather critical sticking point with a lot of discussion in terms of how things should be structured to make them better.

In Campbell River on Vancouver Island, the community I live in, the Campbell River Band has a unique circumstance. When the agreement was signed by the band to put the four lane bypass through the reserve, a land transfer was effected. The bottom line is the reserve now has reserve land and a big section of fee simple land. The band had a business proposal that included all of the land. After several years it is now one of the major developments. It is a major shopping area in the community and serves the whole community. It is highly successful.

The difference to the band is that it has a much easier time administratively dealing with the fee simple land. It does not have to go through the minister, through the Indian Act and all of the red tape and bureaucracy. That is the upside. The downside is that there are taxation ramifications. In actual fact what I have heard from some who are in that business is they can spend so much avoiding taxes that they end up not running a very good business.

With the test of time we may see demonstrated that despite the rap it has received from what is essentially a collectivist static encumbrance placed upon land ownership by the Indian Act, fee simple ownership may turn out to be the way to go in the long run. Philosophically I agree with that.

I wonder if the member would like to comment on what he thinks about what I just said.

● (1340)

Mr. Gerald Keddy: Mr. Speaker, again I think it is a pertinent point, the whole principle of fee simple ownership. However, it is not the case within this piece of legislation and it is protected within the legislation from reverting to fee simple ownership.

I will not speak for first nations as they will speak for themselves, but first nations may find that is the direction in which they want to head. They can incorporate that. Once there is some economic activity and the chance for advancement, jobs and everything that comes with economic activity on reserves, that whole idea of land ownership may be a principle or idea that will be more fully embraced by first nations. It may not. I am not trying to speak for them.

They have a system of government which has worked for a great deal of time. Many of us have a great culture the same as the first nations do and a lot of history that has evolved over a period of time. I would hesitate to say all Canadians will be governed in 100 years by the same governments and the same types of policies we have now because things change. Things may change in the future.

We are not dealing with the future but with the present and the possibility that something that is closer to fee simple ownership or fee common ownership will enable first nations to utilize their land without having to go to the federal government every time they want to carry out any type of economic activity. That is the situation now. Anything that takes us away from that situation is a good thing.

Mr. John Finlay (Oxford, Lib.): Mr. Speaker, I am happy to be speaking to Bill C-49, the first nations land management act.

The agreement that served as the impetus for this legislation allows the signatory first nations to opt out of the land management sections of the Indian Act and establish their own regime to manage their lands and resources. This is a form of self-government developed in full partnership with the first nations to promote self-management that will result in among other things improved economic development on reserves which the last speaker spent some time suggesting.

The government and its partners have worked to further improve this agreement to include another first nation, bringing the total to 14. It has also been improved by now including the application of the Atomic Energy Act and the use, occupation, possession and division of interests in first nation land in the case of a marriage or marriage breakdown.

This agreement is the result of a process that started in 1987 when the Mulroney government was in power. A previous version of the bill was introduced in the last parliament and passed second reading before the dissolution of parliament in April 1997.

I will be the first to admit that past federal governments operated in a less than admirable fashion when it came to our First Nations. However, as a member of the Standing Committee on Aboriginal Affairs and Northern Development, I have seen two ministers of Indian affairs who have been willing to work with the native communities to initiate policy at the behest of the first nations. These ministers have ensured that Canada will no longer work in an aloof paternalistic fashion to push policy that is not wanted and that does not address the needs of our native communities.

I cite the report of the Royal Commission on Aboriginal Peoples and the response of our Minister of Indian Affairs and Northern Development to that report.

Bill C-49 is the result of native initiative. Two governments over 11 years have worked in partnership with the first nations, the provinces and other interested third parties to provide change. I congratulate all those involved for developing legislation that shows the value of partnership between our native communities and the federal Minister of Indian Affairs and Northern Development.

Bill C-49 provides a positive model for the future transfer of land management to other first nations.

• (1345)

As a result of other first nations showing an interest in entering this agreement, a provision has been included to permit others to be added to this bill through an order in council. However, this will not take place until a review of this regime is completed within four years of operation.

The language of the bill has been reviewed in accordance with the government's bijuralism policy and the provinces have been consulted.

Provisions have also been included to address the concerns raised by native women.

As background, in March 1997 the British Columbia Native Women's Society and two individual plaintiffs mentioned the framework agreement in a suit launched against the government in the federal court.

The plaintiffs claim that the federal government has failed to fulfill its fiduciary obligations to married Indian women with respect to the division of the matrimonial home upon the breakdown of a marriage. While the suit is in regards to the Indian Act, the plaintiffs also claim that a process should be included in the framework agreement to address this issue.

The bill does address this matter by requiring a mandatory community consultation process for the development of rules and procedures applicable on the breakdown of a marriage in relation to the use, occupancy and possession of first nation land and the division of interests in that land.

The positive benefits of this legislation are that it provides opportunities for the first nations to build experience and expertise, which will give them some empowerment. It fosters the development of environmental protection regimes which will be harmonized with federal and provincial regimes and will be negotiated and approved by the Department of Indian Affairs and Northern Development, the Canadian Environmental Assessment Act and the first nations.

The legislation allows first nations to generate revenue through economic development. It ensures community decision making by requiring local approval of the land code which enhances accountability of chief and council to the membership. It protects third party interests by continuing contracts, terms and conditions that are currently in place and provides a dispute resolution forum for any disputes.

I would like to share with members comments made by the minister when Bill C-49 received first reading this past June. The minister said ''This initiative is a key sectoral component, developed in full partnership with these first nations. These communities are leading the way in changes to land management by implementing a new land management regime and opting out of the Indian Act. This legislation will provide control at the local level and eliminate the involvement of my department in the day to day land management decisions and activities of these first nations''.

Once again we hear the word partnership from the minister. It is a word that is very welcome in the lexicon utilized in relations between Canada and its first nations.

Having worked with the minister on a number of issues in Ottawa and in the riding, I know that she takes this partnership very seriously and this legislation is a fine example of it.

The First Nations involved—the Westbank, Musqueam, Lheidle T'enneh, N'Quatqua, Squamish, Siksika, Muskoday, Cowessess, Opaskwayak Cree, Nippising, Mississaugas of Scugog Island, Chippewas of Georgina Island, Chippewas of Mnjikaning and Saint Mary's—realize that this partnership does exist and will work.

I might indicate that it is a far cry from the reaction to the suggestion some years ago from Prime Minister Trudeau that we scrap the Indian Act. Some of us will remember that the chiefs reacted negatively. The chiefs probably reacted negatively because they did not trust us and because they felt that by doing that they would lose their fiduciary right and any rights they had to inherent self-government.

I think we have come a long way from those days. I know the previous minister of Indian affairs tried by simple omission to allow first nations to make some decisions on their own despite the Indian Act.

● (1350)

According to the Indian Act, a farmer on a reserve cannot sell a cow without the permission of the Department of Indian Affairs and Northern Development.

The then minister, Mr. Irwin, simply refused to make any decision on those matters and left it up to the first nations.

It is good to see, however, that this recognition, this respect and this provision of ownership and stewardship to the first nations finds a way around the fiduciary stranglehold of the Indian Act.

I look forward to Bill C-49 coming before the Standing Committee on Aboriginal Affairs and Northern Development in the near future. At that time I will enjoy discussing this bill with each of the first nations involved and with other interested parties to ensure that this sense of partnership is evident at every stage of this important piece of legislation.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am very interested in some of the comments and remarks which the hon. member made. Certainly toward the end of his speech he mentioned the inherent right to self-government as being one of the key goals and objectives that we are seeking, to ensure it is recognized.

As we know, some of us think it was a missed opportunity when the Charlottetown deal fell through because that would have promoted or guaranteed that inherent right. I would like the member to comment on that.

There is another issue I would like the hon. member to comment on. In recent months we have been hearing speaker after speaker from the Reform Party challenging, denouncing and condemning native leaders and communities, implying that there is widespread, rampant corruption, almost an irresponsibility in terms of handling financial matters, as if they are not capable or not ready to take control of their own destiny with true self-government.

Upon hearing these things over the last few months, one cannot help but think of similar charges which were made about the leadership of the civil rights movement in the southern United States. As those people started to get very close to the prospect of true social justice, critics in the southern United States, from groups like the Reform Party, felt that the easiest way to challenge this kind of evolution in terms of human rights and civil rights was to denounce the leadership, to take potshots at the leadership, to criticise them and to try to convince people that that group of people was not ready to take their first struggling steps toward true participation.

I would like to hear the member's comments on both of those things: first, the failure of the Charlottetown deal, which might have taken some steps toward self-government for aboriginal people and, second, the obvious connection between other civil rights movements and the extreme right wing in those areas taking shots at the leadership of those movements to try to discredit them.

Mr. John Finlay: Mr. Speaker, I welcome the hon. member's comments. I served on the yes committee in my riding for the Charlottetown accord. I agree that probably for the first time Indian rights, self-government and so on were included in a constitutional type of document.

I think there was an error made in that document, despite my support of it, and in my riding it passed by a narrow margin. I think it said far too much and was very unclear. Many people did not understand what it was getting at.

I remember having some trouble explaining it and having trouble in my own mind. One had to say that it really did not mean what it sounded like, so it had to mean this. Yet we were not able to find out what in fact it did mean. I share the member's concern.

With respect to some of the Reform Party's agenda, its members have hammered unnecessarily and unfairly, saying that there has been a lack of accountability with respect to the moneys used on first nations reserves.

• (1355)

The first nations are going to make the same mistakes and have the same problems running their governments with respect to taxes and money as many of our communities.

We sometimes forget that in every province there is an office which sends administrators and accountants to municipalities if they get into difficulty. They take over the administration of affairs until matters are straightened out. These things do not happen very often because we have been developing our system for a long time, but our native people have not had much time to develop their system.

We have to remember that on April 1, 1999, five months from now, we will have a new territory in which the language is going to be Inuktitut and where 50% or more of all of the employees for government services, including health services, social services and community services are going to be Inuit. They are working very hard with our help now to train the people who are going to be needed for those public administration posts.

We have not heretofore done enough of that with our aboriginal people, but we are doing more. I think with practice, with responsibility, with recognition and a little less emphasis on some of the negatives we will see before too long some real results.

The Acting Speaker (Mr. McClelland): We have three minutes before Statements by Members. Perhaps the hon. member for Vancouver Island North could keep his comments very brief.

Mr. John Duncan (Vancouver Island North, Ref.): Mr. Speaker, it is tough to be brief when there has been so much said that reflects on this side of the House. The NDP-Liberal love-in on this file seems to continue.

The member talked about the chiefs not trusting the government. I have news for the member. In *The First Perspective*, a first nations magazine, a survey was done and in that survey 83% of the band members who responded said they did not trust their own chief and council.

Mr. John Finlay: Mr. Speaker, I would be interested in any factual information the member has on that issue. I am aware that there are problems because individual members of native bands have come before the committee and told us about them.

On investigation, however, some of them proved to be not very well founded. They also proved to be a matter of opinion, just as we have in many of our municipalities regarding whether the mayor did the right thing.

The Speaker: Colleagues, as it is almost 2 o'clock, we will proceed to Statements by Members and we will take up this very interesting debate after the question period.

STATEMENTS BY MEMBERS

[*English*]

NATIONAL CRIME PREVENTION WEEK

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I rise today to help celebrate National Crime Prevention Week and encourage crime prevention at the community level.

My community of the Waterloo region has been a pioneer in this area. In 1993 we founded the Waterloo Regional Community Safety and Crime Prevention Council which served as a base for the National Crime Prevention Council, established by the Liberal government in 1994. In April 1998 we celebrated our 20th justice dinner in the Waterloo region.

Crime hurts people and makes them feel unsafe. It decreases quality of life and changes the face of our communities.

The evidence is conclusive. The most effective way to prevent crime is to ensure healthier children, stronger families, better schools and more cohesive communities.

The results are less violence, safer communities and significant cost savings in the justice system and elsewhere.

I congratulate this government and the Waterloo region for their initiatives in recognizing that crime prevention at the community level is the way to go.

* * *

BREAK AND ENTER CRIMES

Mr. Deepak Obhrai (Calgary East, Ref.): Mr. Speaker, last week the justice ministers of Manitoba and of my home province of Alberta took a leading role in addressing the issue of break and enter crimes.

Proposed changes include a minimum two year sentence for repeat offenders and toughening up parole eligibility.

• (1400)

In my riding of Calgary East 80% of break and enter crimes are committed by the same 4% to 5% of professional criminals. The police know exactly who these criminals are yet are unable to stop them because the justice system slaps them on the wrist and sends these offenders back on to the streets.

Break and enter crimes have emerged as a major concern for the people in my riding and it is clear that a new approach is needed. I urge the justice minister today to work with the provinces on this issue and allow Canadians to reclaim the safety of their own homes.

SIKHISM

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton—Springdale, Lib.): Mr. Speaker, the Sikh community around the world is celebrating the 529th birthday of Guru Nanak Dev Ji, the first guru of the Sikh religion.

The basic ethical beliefs that Sikhism holds are democracy, non-violence, peace, religious identity, hard work, human equality and justice.

The basic lesson of Guru Nanak's teaching are truthful living, with emphasis on selfless service, tolerance, compassion, love, contentment, equality, humbleness and well-being for all.

The goal of a Sikh is not only a spiritual uplift of the individual but the advancement of all human beings, regardless of creed, colour or race.

* * *

NATIONAL SENIORS SAFETY WEEK

Ms. Elinor Caplan (Thornhill, Lib.): Mr. Speaker, I am pleased to inform the House that November 8 to 14 is National Seniors Safety Week.

In Canada injury is a major cause of death and hospitalization among seniors. They account for almost one third of all cases of hospitalization. Injuries experienced by seniors lead to a loss of independence, self-imposed inactivity due to fear and anxiety, admission to an institution and yes, death; not to mention the psychological and social consequences of these injuries to individuals. They are immeasurable.

Seniors want to live in safe and supportive environments that reduce accidental injuries and help seniors maintain their independence.

I urge everyone to join the Canada Safety Council in promoting National Seniors Safety Week and its theme for this year, pedestrian safety, to make living environments safer for all.

[*Translation*]

I invite you to join me in congratulating the Canada Safety Council—

The Speaker: The hon. member for Parkdale—High Park has the floor.

* * *

[*English*]

POLISH COMMUNITY

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to pay tribute to Polish Canadians, Poles worldwide and in particular to the Polish community in my riding who will celebrate the 80th anniversary of the rebirth of Poland's independence on November 11.

This day will be celebrated in Poland and throughout Canada by approximately 600,000 Polish immigrants and their descendants.

After the second world war November 11 was commemorated to reflect on Poland's proud heritage and dream of being independent once again. This dream was realized in 1989 with the advent of the solidarity led government. Since then Poland has made great progress toward strengthening its democratic institutions and rebuilding its economy.

Polish immigrants have made significant contributions to our society, especially during the world wars.

Today veterans organizations form the backbone of the Canadian Polish Congress which has its seat in High Park and represents numerous organizations throughout Canada. I am proud to offer my best wishes.

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CENTRAL AMERICA

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, since hurricane Mitch ripped through Central American tens of thousands of people have been killed, hundreds of thousands left homeless, infrastructure has been destroyed and crops decimated. One hundred thousand are homeless in Guatemala alone and diseases such as malaria, typhoid and dysentery will ravage thousands of people weakened by starvation.

We must act now to ameliorate this disaster and I challenge Canada, Mexico, the United States, the OAS and the United Nations to provide urgent essentials such as iodine tablets, non-perishable foodstuffs, emergency medical equipment and in particular antibiotics and rehydration supplies.

Helicopters and heavy equipment must be barged down. All must be acted on now. I also implore hospitals and other private sector companies and pharmaceutical companies to donate what they can now.

Act now and we can save lives. Procrastinate and people will die.

* * *

● (1405)

VETERANS

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, as a Canadian, as a father of three young children and as a duly elected member of parliament I want to say thank you to all veterans of the Great War, World War II and the Korean War, to those who paid the ultimate price and to those who came back from these wars and built out great country.

The very fact that we are able to stand in this House, democratically debate and decide the policy and direction of this great country is wholly a credit to the sacrifice of our veterans paid in order to defend our way of life.

My children have grown up in a society that did not have to experience war. Ours and future generations have the privilege of living in a free and democratic country. Over 68,000 lives were lost in defence of these principles. For all these facts and many more I say thank you, thank you to the veterans of Simcoe—Grey and thank you to the veterans of Canada.

Veterans, I pledge to you this. The results of your sacrifice will not be forgotten.

* * *

[*Translation*]

MARIO TREMBLAY

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, since 1962, the title of professional portrait photographer of the year is awarded to the artist whose work receives the highest marks in the competition organized by the professional photographers of Canada.

A few weeks ago, this prestigious award was given to Laval photographer, Mario Tremblay. From among over 1,000 subjects, an international jury selected four works by Mr. Tremblay, who accordingly won two prizes—in the female portrait and group portrait categories.

This is the sixth time a Quebec photographer has won this honour and it is thanks to artists of their calibre that Quebec photography is famous. Mr. Tremblay's work bears fine witness to the fact that excellence in this area, as in so many others, combines with originality, skill and innovation.

On behalf of the people of Laval Centre, I am proud, Mr. Tremblay, to recognize your talent.

* * *

[*English*]

VETERANS

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, on behalf of all Canadian war veterans I am honoured to underline this year's Veterans Week and Remembrance Day ceremonies. As members know, this is the fourth year the Prime Minister has declared the week leading up to Remembrance Day Veterans Week in Canada. I am proud to participate in Veterans Week. I look forward to honouring on Remembrance Day the men and women who so valiantly served our country during the wars throughout this century.

I draw comfort that all Canadians, including those who reside in Simcoe North, will on the 11th hour of the 11th day of the 11th month pledge to honour and remember the selfless sacrifices of our heroes. Today on behalf of all residents of Simcoe North I sincerely say thanks and we will remember them.

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JULIANA THIESSEN

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am honoured to welcome a very special visitor to Ottawa and to our gallery. Juliana Thiessen was born in Regina, Saskatchewan. To be born in the Queen City was an appropriate start for her. This April Juliana was crowned Miss Canadian Universe and went on to represent our country at the Miss Universe pageant in Hawaii.

Juliana's beauty is much deeper than her appearance. She is using her newfound publicity to promote worthy charitable causes. Here is just one. Juliana is travelling to storm ravaged Nicaragua next month as part of a charitable relief mission with Samaritan's Purse, an organization our own son Brent worked with for several years. Along with many other Canadian volunteers, Juliana will distribute Christmas gift boxes to children who need all the help and hope they can get. It is no wonder Juliana was named as one of Calgary's young women of distinction.

I invite all MPs to join me in welcoming and thanking this remarkable young woman.

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[*Translation*]

QUEBEC ELECTION CAMPAIGN

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, clearly Mr. Bouchard is caught in his referendum.

Before students, he shouts loud and long that Quebec must separate from the rest of Canada. Before another audience, he back pedals away from his referendum on Quebec independence.

The PQ is maintaining a level of confusion, which is costing Quebec dearly. This confusion is breeding uncertainty unhealthy for economic growth and is causing decisions vital to Quebec's development to be put off.

On November 30, Quebeckers will finally be able to decide once and for all by voting Liberal, by voting for economic growth and by voting for an end to the referendum on Quebec separation.

* * *

[*English*]

MUSEUMS

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, yesterday it was announced that the Halifax Regional Museum in Dartmouth will be closing due to lack of operating funding. Recent announcements from the heritage minister do nothing to address the crisis of a lack of operating money facing the 2,000 regional and local museums in Canada. To keep their doors open our museums are

now selling valuable artifacts, auctioning off their art, cutting staff and reducing hours. Too many are closing.

● (1410)

These museums play a critical role in maintaining our heritage. Last year there were over 57 million visits to Canadian museums, more visits than to the movies and professional sports. These visitors see an all Canadian product for no or low cost.

I call on the Minister of Canadian Heritage to allocate emergency operating funding now for local and regional museums so that treasures such as the Halifax Regional Museum may remain open.

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[*Translation*]

EMPLOYMENT INSURANCE

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, some of the parties to the pre-budgetary consultations organized by the Bloc Quebecois in the Quebec City region minced no words in calling the present government's use of the employment insurance fund surplus immoral, robbery and the injustice of the century.

While one organization in my region has been forced to hire a full-time employee to help people with problems related to employment insurance, the Liberal government is using the contributions of workers to camouflage the fact that it is trying to manoeuvre through a fog with nobody at the helm.

I accuse the Minister of Human Resources Development of being an accomplice of the Minister of Finance in robbing and overtaxing workers. I accuse him of having diverted funds from the employment insurance fund for purposes for which they were not intended. If the minister has a crumb of dignity left, let him make improvements to this poverty insurance employment insurance has become.

* * *

ELECTION CAMPAIGN IN QUEBEC

Mr. Nick Discepola (Vaudreuil—Soulanges, Lib.): Mr. Speaker, Quebeckers have a right to know the true intentions of the Parti Quebecois as far as the referendum on the separation of Quebec from the rest of Canada is concerned.

Quebec must demand transparency of the Parti Quebecois, must demand that Lucien Bouchard admit for once and for all that a vote for the PQ is a vote for a referendum, as the leader of the Bloc Quebecois has admitted to us.

Quebeckers can also count on the Quebec Liberal Party, whose option is clear. A vote for the Liberals means no separation of Quebec from the rest of Canada. A vote for the Liberals means no referendum on separation. A vote for the Liberals means Quebec will be assured of the economic growth it needs. A vote for the Liberals means a government that will work in the true interests of Quebeckers.

My vote will be for the Liberals, and I invite all Quebec MPs to follow my example.

* * *

[*English*]

DOWN'S SYNDROME

Mr. Jim Jones (Markham, PC): Mr. Speaker, communities across Canada officially recognized this week, November 1 to 7, as National Down's Syndrome Awareness Week.

Down's syndrome is a common chromosomal abnormality that causes delay in physical and intellectual development and affects 1 out of every 700 children born in Canada. Given this fact, every community, including my riding of Markham, has been affected.

The Canadian Down's Syndrome Society is working to raise public awareness of the unique abilities, strengths and contributions of Canadians with Down's syndrome. Its mandate is to enhance their overall quality of life. The society and its 45 affiliate organizations will be holding a variety events this week to honour the many individuals who have Down's syndrome.

These Canadians should be duly recognized for their valuable contribution to Canadian society. Many harmful myths exist about those who are affected by Down's syndrome. It is time to realize that these myths are wrong and destructive. The fact is many individuals with Down's syndrome are productive, happy members of society.

I am honoured to—

The Speaker: The hon. member for Sarnia—Lambton.

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ENVIRONMENTAL SCIENCE AND TECHNOLOGY ALLIANCE CANADA

Mr. Roger Gallaway (Sarnia—Lambton, Lib.): Mr. Speaker, on Monday, November 9 Environmental Science and Technology Alliance Canada will hold its annual technology day at the Toronto airport Holiday Inn.

This non-profit, industry led alliance funds research at Canadian universities. This research is commercially relevant, highly innovative and consistent with federal government priorities.

Technology day will showcase current research and allow technology transfer between university professors, their students and industry personnel.

We in this place must continue to support this investment partnership between Canadian industry, Canadian universities and the federal government.

* * *

ORGANIZED CRIME

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, last week federal, provincial and territorial ministers responsible for justice met in Regina.

Recognizing that organized crime is a serious and growing problem in Canada, the ministers unanimously endorsed a joint statement on organized crime. The statement underscores the ministers' commitment to work together in partnership to combat this problem.

Under the leadership of the federal government the statement builds on work already done to develop an effective strategy. The statement brings Canada one step closer to having a Canada-wide plan against organized crime.

But ministers recognize that no single group can win this battle alone. To win the fight we must work together, pool our resources and co-ordinate our efforts to become more organized than those who prey on our communities.

• (1415)

That is why the principles endorsed last week represent such a milestone for Canada. They represent the resolve of governments, officials and law enforcement agencies to put their differences aside, to work together to make Canadians—

The Speaker: Oral questions, the hon. member for Medicine Hat.

ORAL QUESTION PERIOD

[*English*]

EMPLOYMENT INSURANCE

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, yesterday the Prime Minister actually told parliament that he pays employment insurance taxes. We are willing to give the Prime Minister the benefit of the doubt. We do not think he was trying to mislead the House. In fact, we just think he happens to be living in a fantasy world. He has imaginary homeless friends. He thinks he is Mark McGwire and now he is pretending to pay taxes that he does not actually pay.

In the real world, Canadian workers are paying $350 too much for employment insurance and it hurts. When will the Prime Minister come back to earth and let Canadians keep that $350?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the Prime Minister is the leader of a government which since it has taken office has reduce EI premiums each and every single year. The member opposite belongs to a party that recommended throughout that period that there be no reductions in premiums, except that it would go to the deficit. Then when they did admit to a reduction in premiums, they wanted them to go only to employers and not to employees.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, just like George Bush's amazement at a grocery store scanner, the Prime Minister was amazed to discover that he does not pay EI taxes. Well we have news for him. Twelve million Canadians do pay EI taxes and they are getting pretty sick of it.

When will the Prime Minister wake up and give Canadians a $350 tax reduction? It is their money. They deserve it. When is he going to let them keep it?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, speaking of waking up and smelling the roses, the hon. member ought to take a look at what happened last year. There was a $1.5 billion reduction in EI premiums. Each and every year since we have taken office we stopped them from going to $3.30. We froze them at $3.07. Each and every year we brought them down against the opposition of the Reform.

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the finance minister is trying to ignore what we are saying here. Three hundred and fifty dollars might buy a couple of rounds of golf for the Prime Minister, but it will buy a lot of groceries for a lot of Canadians. Now he might not feel it, but Canadians feel it right in their pocketbooks.

The Prime Minister is so out of touch with Canadians that he does not understand that $350 is a lot of money. Is that the position of the finance minister and the Prime Minister? Do they not understand that $350 is a lot of money to a lot of Canadians?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, let us take a look at this record of the Prime Minister and of this government. A $42 billion deficit eliminated. The child tax benefit brought in and increased by $1.8 billion. More money put into research and development. More money put in to help poor and moderate income Canadians.

What the Prime Minister has done over the course of the last five years is to effect a social and economic revolution that makes this country much the stronger for it.

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, the fact of the matter is that this finance minister still collects $350 too much from every worker and $500 too much from every employer.

In fact yesterday when talking about the EI premiums, the Prime Minister stated ''If I am not covered, that does not bother me''. He had to be told by the HRD minister that he does not pay into the EI fund.

Millions of Canadians pay into this fund and in fact overpay into this fund. Why will the Prime Minister and the finance minister not do the right thing and simply give the money back to hard working Canadians?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, members of the opposition can repeat the same question time and time again. It is not going to detract from the fundamental fact that this government has reduced those premiums each and every year and the Reform Party opposed it, that the government has reduced them for both employees and employers and the Reform Party would leave the employees out in the cold.

● (1420)

Mr. Grant McNally (Dewdney—Alouette, Ref.): Mr. Speaker, the finance minister continues to misrepresent Reform's position on this matter.

The Speaker: I would ask the hon. member to withdraw the word misrepresent.

Mr. Grant McNally: I withdraw that comment, Mr. Speaker.

We continue to ask this question of the finance minister because we are not getting an answer. In fact the Prime Minister, who probably has not checked his pay stub for over 30 years, might not think that $350 is a lot of money, but that will buy a lot of groceries for hard working Canadian families.

Why does the Prime Minister and the finance minister not simply do the right thing and give hard working Canadians their hard earned money back? Why not?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, is a direct quote from fresh start not in fact representative of the Reform Party's position, or are Canadians not entitled to rely on what the Reform Party says? I guess we know the answer to that one.

The Reform Party's 1995 taxpayers budget is still on its web site. The Reform Party recommends the establishment of a permanent reserve fund; until the budget is balanced, funds would be applied against the deficit. It is still on the web site, or do Reformers never read their own web site?

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister surprised us again yesterday.

He did not even know he was not paying EI premiums. He is not the only one either. Several of his ministers were unaware of the fact as well. The Minister of Fisheries and Oceans and the Minister of Revenue told me so in person yesterday.

Now that he has the facts, will the Minister of Finance finally understand why we have been telling him from the beginning that it is unfair and profoundly immoral to use the EI fund to give everyone a tax break when not everyone is contributing?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I have just said that, every year since the government took office, we have lowered EI premiums. It is certainly our intention to lower them in future.

If I understood correctly, the Leader of the Bloc Quebecois is saying that it is immoral to lower Canadians' taxes. I am sorry, but that is what we want to do.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is profoundly immoral to dip into the pockets of unemployed workers and those with jobs in order to give a tax break to members here and to ministers—

An hon. member: Right.

Mr. Gilles Duceppe: It is profoundly immoral to protect one's ships rather than unemployed workers.

An hon. member: Right.

Mr. Gilles Duceppe: The government has been telling us for weeks and months that it is studying the matter, but what sort of study is it doing when ministers and the Prime Minister do not even know who is contributing to the plan and who is not? What kind of study is this gang of incompetents doing?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, if we were able to lower taxes in the last budget, $7 billion over a period of three years, if we were able to remove 400,000 Canadians from Canada's tax roll—

Some hon. members: Oh, oh.

The Speaker: The Minister of Finance has the floor.

Hon. Paul Martin: If we were able to lower taxes as we did in the last budget, and if we are going to be able to lower them in the next budget, it is because economic activity in our country is on the upswing; it is because there are more Canadians working; it is because there are more businesses growing; it is because the country is in good shape. And all this is because of the good management of this government.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, yesterday, the Prime Minister finally learned he does not contribute to EI.

He told us that, since he did not contribute, he was not covered and that it did not bother him. Perhaps the Prime Minister is indeed not bothered by the fact that he does not contribute and is not covered.

● (1425)

But does the Minister of Finance know that there are thousands of workers who are bothered about paying premiums and not being

entitled to the benefits of the plan, especially when they know that he is preparing to lower our taxes with their contributions?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I would point out to the opposition here that the Prime Minister is not the only one not to pay EI premiums. No elected official in Canada, no mayor, no city councillors, no Bloc Quebecois members, pay premiums, and I would point out to the opposition—

Some hon. members: Oh, oh.

The Speaker: The Minister of Human Resources Development.

Hon. Pierre S. Pettigrew: Mr. Speaker, I would also point out to the member for Roberval that 78% of workers are covered by the employment insurance system, contrary to what he is trying to insinuate once again in this House in order to upset the workers who are still covered by the system.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I know there are things that cannot be said here, but I would simply give the minister a warning. For the last time, I ask him to stop repeating what he has just said.

It is clearly stated on page 47 of the study you commissioned—

The Speaker: I wish to remind the hon. member that remarks must always be addressed to the Chair.

Mr. Michel Gauthier: Mr. Speaker, would you kindly advise the minister once and for all to read his own studies. The figures provided on page 47 are wrong.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, 78% of workers who have lost their job or left it for a valid reason are covered by the Canada employment insurance system.

The point the Bloc keeps trying to make is that people who have never contributed to the employment insurance system, young people who are newly arrived in the labour market and those who have left their jobs without a valid reason are not covered by the system. These are the people they are talking about. Seventy-eight per cent of workers are covered; that is the real figure.

* * *

[*English*]

HEALTH CARE

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the Minister of Health claims that he opposes the American style two tier health care system. Yet we have details of a federal-provincial agreement that this government has entered into with Alberta to expand opportunities for private sector involvement in medicare.

Which is it? Does the government support increasing privatization of health care or does it not?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the Liberal Party of Canada introduced medicare in this country. The Liberal Party of Canada is responsible for medicare. This is a government that is committed to its principles, committed to the best and most responsive public health care system in the world. That is our philosophy. That is our commitment. That is exactly what we intend to do.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, we are talking about what is actually happening to health care in this country. The minister claims that he views privatization as a threat. Yet this government entered into a deadly pact that will kill our public health care system, a pact that is a virtual road map to privatization.

To protect the integrity of medicare, will the health minister agree today to renegotiate that deadly pact?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member does not know what she is talking about. I am the Minister of Health who wrote to the College of Physicians and Surgeons in Alberta to express our opposition to the privatization of hospitals in Alberta.

There are two ways to kill medicare. You can do what the Reform Party wants to do and repeal the Canada Health Act, or you can do what the NDP wants to do and bankrupt the country by refusing to make the tough decisions to prioritize and invest where investment is needed.

This government knows how to do it. We will reinvest in health care. We will ensure the future of medicare in this country.

* * *

● (1430)

APEC INQUIRY

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, lawyers representing the RCMP at the complaints commission will ask the federal court to quash the commission's hearings. This further compromises the credibility of the commission which never had the mandate to investigate political interference in the first place.

I have a question for the solicitor general. Who are the government lawyers taking their instructions from? What is the purpose of continuing this charade? When are we to have a judicial independent inquiry that gets at the truth, the whole truth and nothing but the truth?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, I refer to a news release issued yesterday by the British Columbia Civil Liberties Association which reads:

We continue to believe that the Commission can bring to light all the evidence about the RCMP's conduct during the APEC conference at UBC last year, and the federal government's role in that conduct. We want our complaints heard.

* * *

TRANSPORT

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, my question is for the Minister of Transport. In an absurd move the Nova Scotia government made a deal to force its public-private partnership through on the Trans-Canada Highway under which the Nova Scotia government signed over control of the speed limit, the weight restrictions and the policing on the Trans-Canada Highway to a company whose major shareholder is Hercules Holdings in the Cayman Islands.

This company has more control over the Trans-Canada Highway in Nova Scotia than the minister of transportation for the province of Nova Scotia.

Will the minister make his announcement yesterday retroactive to the highways of Nova Scotia and New Brunswick regarding restrictions on toll proposals for the Trans-Canada Highway?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I am surprised the hon. member is asking this question today. We had two hours in committee yesterday. I told him that what the New Brunswick and Nova Scotia governments had done with respect to the tolls on sections of the highways in those provinces was perfectly legitimate and within the powers of the provinces to put into effect. They did not violate any federal-provincial agreements.

I also said that we would look at all future federal-provincial cost sharing to take into account private-public partnerships as to whether or not federal funds should be allotted to such highways where tolls are levied.

* * *

EMPLOYMENT INSURANCE

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, now that the Prime Minister has been introduced to his paystub even he might notice that the CPP payroll taxes will take still another hike on January 1. That will destroy thousands more jobs, jobs Canadians desperately need.

Will the finance minister save those jobs by returning the EI overpayment that he has been scheming to keep?

The Speaker: I ask hon. members to be very judicious in their choice of words. I will let the hon. minister answer the question.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the underlying basis of the hon. member's question is that she is advocating Reform's traditional position that the Canada pension plan be destroyed. That will not happen.

The fact of the matter is that the federal government, together with the provincial government, put in place a plan that will make sure the Canada pension plan is there for young Canadians as it was for their parents.

We will continue to do that because it is upon the confidence of the Canada pension plan that Canadian entrepreneurs will start business and that Canadians will have confidence in their future.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, the minister is clearly blinded by his own prejudices about our position which he continually misrepresents. I said nothing about Canada pension plan premiums. I am talking about the overpayment that workers are making into EI and that the minister is trying to get his hands on and keep.

Will the minister offset the job destruction of the CPP payroll tax by returning the moneys that are clearly being overpaid into the EI fund?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, as far as the EI premiums are concerned, I have already answered that question some five times. Obviously what the member is driving at, because she repeated it again in the preamble to her supplementary, has to do with the CPP premiums.

The fundamental fact is that economist after economist across the country has said that it is the confidence in the Canada pension plan that will create jobs because Canadians will know that it will be there for them. The Reform Party simply refuses to understand the true reality of the Canadian economy.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, an owner of six restaurant franchises in my riding, Claude Rioux, wrote me as follows: ''I am completely against using the money in the EI fund to pay for anything but employment insurance. The government must lower premiums, or it will continue to hurt job creation''.

• (1435)

If the Minister of Human Resources Development does not like a few home truths from the Bloc Quebecois, what does he have to say to this employer in my riding who is dead set against his policies?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I certainly thank Mr. Rioux for sharing his point of view with us. I can assure him that what he thinks is important in the present debate and that we will bear it in mind.

Obviously, no decision has yet been taken. There are decisions ahead of us; that is the role of government. I know that opposition members do not have to worry about running the country. It is an

extremely difficult thing to do, and there are difficult choices to be made.

We could be irresponsible and do any old thing. There are difficult decisions ahead of us and we will make them in the best interests of Canadians.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, yesterday, the President of Treasury Board smilingly told journalists that they were getting to the heart of the matter when they said that the EI plan was becoming a tax on jobs.

Is the Minister of Human Resources Development aware that his portfolio is being taken over by all his colleagues, people who do not even know how the system operates?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): That is absolutely not the case, Mr. Speaker.

Another thing one knows as a member of government is that one must be a team player. We know what a team is. We are a team and that is the advantage of working as a team. Bloc Quebecois members would perhaps like to know how to work as a team. We could show them.

This side of the House will be governing in the best interest of workers. We are going to continue to introduce measures to help young people enter the job market.

Getting Canadians into the job market remains a priority of this government.

* * *

[*English*]

CANADIAN FORCES

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, in 1993 two Canadian soldiers were killed while on duty in Bosnia. According to access to information documents their commanding officer, General MacInnis, allowed their bodies to lie in a basement unattended for three days before being prepared to come back to Canada.

Given General MacInnis' disrespect for his soldiers, can the minister explain why this general is now teaching ethics and leadership to the next generation of senior officers at the Canadian forces college in Toronto?

Some hon. members: Cheap.

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I think cheap is correct. I think we saw a demonstration of it yesterday by that party and by that member in a shameful exploitation of people who served in the Canadian forces.

As to this specific matter I do not rely upon any information that he would give and I will certainly check into the matter.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, 40 other officers and soldiers witnessed this horrible sight.

Instead of disciplining the general the government gave him a lucrative contract to teach his brand of twisted ethics to other officers. Why?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, if the hon. member were really interested in an answer he would have submitted this information previously.

What he is doing is casting aspersions on a senior officer of the Canadian forces. I think that is shameful. Any of these accusations will be looked into.

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[*Translation*]

MILLENNIUM SCHOLARSHIPS

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, today the Fédération des étudiants universitaires du Québec has come to Ottawa to support the Bloc Quebecois's initiative of introducing a bill on opting out of the millennium scholarship plan with full compensation.

Does the Minister of Human Resources Development intend to support this initiative and thus comply with the wishes of the Quebec students, who do not want anything to do with the millennium scholarship program?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, students will be very glad to have assistance from the Canadian government for their studies.

At any rate, the National Assembly voted unanimously on an arrangement that has been approved by the Canadian government and does not contain any right to opt out with financial compensation.

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, what the Quebec students want is scholarships based on need, not scholarships based on merit. That is what they want.

• (1440)

Even certain members of cabinet are not doing a very good job at disguising their desire to respect the wishes of the Quebec coalition and to allow Quebec to withdraw from the millennium scholarship program, receive its financial share, and use it according to its priorities.

Why is the Minister of Human Resources Development still obstinately rejecting the Quebec consensus on this matter?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, I do not presume to speak for all students, as the hon. member has.

Let us look at the figures. Since education is what we are talking about, from 1994 to 1998, the PQ government made cuts in education of around 8%, while other provinces were putting 10.8% more into education.

Political choices were made, and the political uncertainty has cost Quebec and Quebec students dearly.

* * *

[*English*]

CANADIAN FORCES

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, Reform's defence critic was not casting aspersions on the soldiers. He was casting aspersions on the minister and the government.

Yesterday the minister said he cared about military personnel. He has now had 24 hours to look into Matt Stopford's case so he must be aware that his officials removed the doctor's report which indicated Matt Stopford had been exposed to radioactive waste while serving in Bosnia.

Has the minister instructed officials to return the doctor's report so Matt Stopford can get the medical attention he deserves?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the matter of pensions is a matter of privacy. It is a matter that is before the Department of Veterans Affairs.

As to the other allegations, those are matters that are being looked into. I do not rely on what members of the Reform Party say. Most of the time they get it quite wrong.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, Matt Stopford has a copy of the doctor's report that was put in his file originally. When he had this file returned under access to information the report was missing. The minister ought to know that. He has had 24 hours to look into this matter.

There are 3,200 other soldiers at least who were exposed to this radioactive waste. Will the minister ensure that the doctor's reports are returned to their files so they get the medical pensions they deserve?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, again those are allegations. I believe they are creating unnecessary harm. They are fear-mongering and creating harm for our armed forces personnel. Without the evidence they are just shameful allegations.

Any case that is brought to our attention will be properly examined and an appropriate response will be given.

* * *

[*Translation*]

THE ENVIRONMENT

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, we had to wait until the Minister of the Environment was actually at the Kyoto conference on greenhouse gases before we learned what Canada's position was.

Now the minister is leaving for Buenos Aires and this is her last day in the House before her departure.

Would the minister be good enough to tell the House what she will be saying, on behalf of Canada, at the meeting in Buenos Aires?

[*English*]

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, the meeting that will be taking place next week, which is now in place in Buenos Aires, is very important for Canada and the world.

Canada will be taking a leading role in helping international communities to develop timetables and targets for the reduction of greenhouse gases through defining flexibility mechanisms.

We will also be encouraging developing nations to take a role and to help them to understand how this issue is a win, win, win situation. It is a win for the environment, a win for sustainable development in development countries, and a win for our economy and our goal to achieve greenhouse gas reductions.

* * *

[*Translation*]

TECHNOLOGICAL DEVELOPMENT

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, my question is for the secretary of state responsible for the economic development of Quebec.

We are all aware that technological innovation is essential to this country's economy. Among the sectors of technological development that are located in the Montreal region, the Biotechnology Research Institute and the Space Agency play an important role.

What then is the government doing, not just to assist technological development in this region, but also to continue to enhance it?

• (1445)

Hon. Martin Cauchon (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, I thank my colleague for his important question,

which demonstrates the importance this government attaches to the greater Montreal region.

Since February 1996, we have developed a five-point response strategy which has enabled us to take action in one of the fundamental areas, science and technology. In this connection, I take pride in saying that this government has invested in excess of $650 million in the greater Montreal region, for a total of over $2 billion in investments. As a result, we have been able to create or maintain 9,500 jobs at Behaviour Communications, the Biotechnology Research Institute, and Bombardier, to name but a few.

* * *

[*English*]

APEC INQUIRY

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, the APEC commission has turned into an expensive joke.

Yesterday lawyers for the RCMP announced that they are going to ask a judge to remove the commission's chairman because he is biased.

The RCMP believes the commission is biased. The students believe it is biased. The public believes it is biased. The Prime Minister and his government are the only people happy with the commission because it is covering the Prime Minister's tracks.

Why will the Prime Minister not appoint an independent judicial inquiry to look into his involvement at APEC?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, to interfere with this process once it has commenced by virtue of a complaint issued by a complainant would be political interference of the worst kind. We will not do it.

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, first the Prime Minister directed police involvement at APEC. Then he refused to answer any questions about it. He set up a toothless commission without real court powers to look into it. The solicitor general allegedly prejudges the commission and the Prime Minister refuses to release any key evidence. He refuses to pay the students' lawyers. Finally, the commission chair may have jeopardized the outcome of the inquiry.

When are we going to get an independent judicial inquiry from this government?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, I think the real question is: When will we allow the commission to get to the truth and past all of this political rhetoric?

CANADIAN FARMERS

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the Minister of Finance. This morning in Regina his colleague, the minister of agriculture, speaking to a UGG convention, said that the net farm income of Saskatchewan farmers has dropped 70% in 1998 and will probably get worse in 1999.

This is a real crisis that demands immediate action. I do not believe farmers can wait until the February budget.

Instead of waiting for the February budget, can the minister tell us when we can expect an announcement from the government of a national disaster relief program for prairie farmers?

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, yesterday afternoon the minister of agriculture convened a meeting with his counterparts in the provinces and with farm leaders to discuss the very serious question of the downturn in farm incomes.

Today the deputy ministers are meeting. The next steps will be taken. We are addressing the problem of farm incomes.

* * *

ABORIGINAL AFFAIRS

Ms. Bev Desjarlais (Churchill, NDP): Mr. Speaker, my question is for the Prime Minister. Poverty and homelessness in the Shamattawa First Nation have led to a suicide and solvent abuse crisis. There have been over 100 suicide attempts since 1992. Eighty per cent of the community's youths, children as young as four, are addicted to solvents.

On September 10 Chief Paddy Massen urgently appealed to Indian affairs for treatment beds and a healing centre to address these urgent health needs. It has been two months and he has heard nothing.

Why has this government ignored this first nation's appeal? When will it take direct measures to address these problems in Shamattawa and in other first nations?

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I thank the hon. member for the question.

The Government of Canada is concerned about the level of poverty, in particular in the community of Shamattawa. We are very aware of the problems in this first nation. They have been going on for many years. We are working closely with the first nation's community to resolve these issues, as we are in a number of other communities.

I share the member's concern about the children and the gas sniffing. I can assure all members of this House that we are working diligently on these problems and we will address them.

* * *

SOCIAL INSURANCE NUMBERS

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, in September the auditor general reported that our social insurance number system was in total disarray.

● (1450)

According to the auditor general there are approximately 311,000 valid social insurance numbers for persons over 100 years of age, even though most of these individuals are deceased.

Related fraud cases are costing Canadian taxpayers millions of dollars. Not one department is willing to take responsibility for SIN reform. Not one department has given the taxpayers a timetable for the completion of this project.

Will the Minister of Human Resources Development step forward, take responsibility and act now?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I thought I was very clear yesterday when I said that my department was the lead ministry on this file.

We have already begun to address the situation by setting up five working groups. One will be involved in cleaning up the registries. It involves working with the provinces, as they are responsible for births and deaths. They keep those registries. We need that information.

We are already working very hard at improving the security features of the card.

I also hope the standing committee of the House will help us.

We are making major improvements in this area. To do a better job we need the assistance of our colleagues in the House.

[*Translation*]

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, the government says it has no money for the victims of hepatitis C, it has no money for the unemployed, it has no money for farmers, it has no money for health care.

Could the Minister of Human Resources Development explain why his government can afford to pay out millions of dollars to people making fraudulent use of social insurance numbers?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I think I made it quite clear that we have begun to work very hard to eliminate this fraud. We have considerably stepped up our efforts in this regard.

I would however like to return to the premise of the question asked by the opposition member: that we have no money for workers and for the unemployed. We have considerably increased funding for active measures to help them return to the labour market—up to $2 billion annually.

In the next two years, we will increase the tax credit by $1.7 billion in order to improve the situation of children living in poor families. We have invested $300 million in the transitional jobs fund. These are achievements—

The Speaker: The hon. member for Bourassa.

* * *

IMMIGRATION

Mr. Denis Coderre (Bourassa, Lib.): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

All Canadians share the pain of the people of Honduras and Nicaragua. We are pleased, moreover, that the Canadian government has contributed $1 million in aid.

But I would like to know what the minister's intentions are with respect to future permanent residence or visitor visa applications by people from these countries.

Hon. Lucienne Robillard (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I will begin by saying how distressed the people of Canada are by the dreadful consequences of the hurricane on the lives of thousands of people in Central America. That is why Canada is monitoring the situation closely and providing the aid we can afford.

As for immigrant applications for family reunification, visitor visas or student visas, I can assure the members of this House that steps will be taken to ensure that all necessary humanitarian consideration is given in such situations.

In addition, people from these countries who are currently visiting Canada have the possibility of extending their visitor visas at this time.

* * *

[*English*]

HEALTH

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, at a meeting I attended yesterday, the members for Davenport and Lac-Saint-Louis accused Health Canada of incompetence, negligence and using Canadians as guinea pigs regarding the use of the manganese gasoline additive MMT.

During the MMT debate in the House, Health Canada categorically stated that MMT did not pose a threat to the health of Canadians.

I ask the health minister: Who is telling the truth, Health Canada or these two members?

The Speaker: I will let that question stand, but we are getting close.

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, he may be getting close, but he is not getting close to the truth.

The truth is that Health Canada—

The Speaker: I wish we were playing horseshoes. The hon. minister is now even.

● (1455)

Hon. Allan Rock: Mr. Speaker, Health Canada oversaw the work done on research into MMT and the health effects. We made the results of that research available to other departments. Indeed, work continues to examine the health effects on humans, in particular children, with respect to MMT. As that science is done, using research not only here in Canada but around the world, we will continue to make the results available to those who are making policy.

* * *

[*Translation*]

CANADIAN PASSPORT

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the new incident involving passports shows there is a problem controlling the circulation of Canadian passports, but not necessarily a problem of passport security per se. The minister says this is the most secure passport in the world.

If the passport is so safe, why is the Minister of Foreign Affairs preparing to take away the contract of the Spexel company in Beauharnois to supply security paper in favour of foreign countries?

[*English*]

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, we review the technology of passports on a five year basis. No other country does that, but we think it is appropriate in order to keep up in the most modern way possible.

What we are now working on is a new photo digital imaging system which would make it virtually impossible to forge any kind of passport. That will require a very different technology. Of course, all that technology will be available for bid by Canadian companies and I hope that we will be in a position to start distributing it to Canadians next year.

HEALTH

Mr. Rick Laliberte (Churchill River, NDP): Mr. Speaker, my question is for the health minister.

Now that the government has addressed the legal challenge surrounding MMT by paying Ethyl Corporation $20 million, when will the minister table the report that endorsed MMT? When will the study begin, a comprehensive study with money, to determine the health risks to Canadian children?

Hon. Allan Rock (Etobicoke Centre, Lib.): Mr. Speaker, as I have already said, work continues on research and the effects of MMT, which is a subject of inquiry not only in Canada but around the world.

As more is known about the health effects of MMT, government policy will reflect those research results.

* * *

CANADIAN FARMERS

Mr. Mark Muise (West Nova, PC): Mr. Speaker, last week I asked the Minister of Agriculture and Agri-Food for a firm commitment on aid for Canada's farmers, in particular those drought stricken farmers in my riding of West Nova. His reply was to wait until he met with his provincial counterparts on November 4.

Today the parliamentary secretary said that the deputy ministers are meeting to discuss the issue.

How much longer will our farmers have to wait before the government steps in with some kind of emergency relief?

Mr. Joe McGuire (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I indicated, the three partners in agriculture, the federal government, the provincial governments and the producers, did meet yesterday. They recognize the extent of the downturn and the impact it is having on Canadian farmers. That was only the first step. It was a major step.

The hon. member's problem is being addressed through that process. In due time I think he will be very pleased with the results.

* * *

THE ENVIRONMENT

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, the Government of Canada has signed a United Nations accord on heavy metals, committing Canada to reduce emissions of mercury, cadmium and lead by 50% over eight years.

I would like to congratulate the Minister of the Environment and ask her when targets and timetables for the reduction and elimination of these metals in Canada are likely to be announced.

Hon. Christine Stewart (Minister of the Environment, Lib.): Mr. Speaker, this is a very important issue for the health of Canadians. The protocol that we signed in Norway in June will be ratified by us before the end of this year.

The impact of this will be that it will prevent a lot of heavy metals coming into Canada from abroad. But Canada will continue to take its own actions. We have reduced levels of mercury to 64% below 1980 levels already, well beyond the protocol requirements.

We will continue to reduce levels of mercury. We are working through the harmonization agreement with ministers of the environment of the provinces and we will be making our announcement—

The Speaker: The hon. member for Vancouver East.

* * *

THE HOMELESS

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, my question is for the Prime Minister.

Homelessness has reached crisis proportions across Canada. In response, apparently a cabinet committee will study the issue. I will save it the time.

Two hundred thousand Canadians are homeless. The lucky ones find temporary beds in shelters. Thousands of others sleep on park benches and huddle in doorways for warmth. We know what keeps them there. No federal funding and no support for social housing.

• (1500)

Will the Prime Minister scrap the hypocritical doublespeak and commit real dollars to the homelessness emergency in Canada?

The Speaker: I would ask the hon. member to withdraw the word hypocritical, please.

Ms. Libby Davies: Yes, I will.

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, this government is concerned with the problems of poverty in this country, including homelessness. Federal ministers are looking at the matter. They are working on it with provincial counterparts. The important thing is to recognize what we have already begun doing through the child tax benefit, for example. That is producing now and in future years an additional one and a half billion dollars to help poor families and children. That shows our concern, that shows our commitment.

It goes beyond the words of the hon. member. I cannot say they are hypocritical because the Speaker—

The Speaker: I ask the hon. minister to withdraw the word hypocritical.

Hon. Herb Gray: I certainly do, Mr. Speaker.

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PRESENCE IN GALLERY

The Speaker: This has been a rather good week for us in parliament in the sense of the visitors we have welcomed.

I draw to the attention of the House the presence in the gallery of a group of Canadian performing artists of extraordinary talent and accomplishment. They have devoted their lives to enriching our cultural lives in Canada.

[*Translation*]

They received the Governor General's Performing Arts Awards for 1998, the highest tribute Canada can pay to performers.

[*English*]

I will call out your names, my dear recipients, and I would like you to stand and be recognized by the House: Paul Buissonneau, Bruce Cockburn, Rock Demers, Arnold Spohr, Jon Vickers, Joseph Shoctor, and a group we will all recognize, the cast of the Royal Canadian Air Farce with Roger Abbott, Don Ferguson, Luba Goy and John Morgan.

Some hon. members: Hear, hear.

The Speaker: There will be a reception for this group in Room 216. I invite all of you to meet the recipients.

* * *

• (1505)

BUSINESS OF THE HOUSE

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, as deputy opposition House leader I rise on behalf of Her Majesty's Loyal Opposition to ask the government House leader the agenda for the next sitting week and the remainder of this week.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this is no doubt the best question asked today. Today we will continue with the second reading of Bill C-49, the first nation lands bill. In the event that this is completed we will then resume Bill C-48, the marine parks bill.

Friday we will take up the Senate amendments to Bill C-37, the Judges Act. If any time is left we will then return to measures on which debate has begun today but has not yet been completed, including Bill C-49, should that not be completed, Bill C-48 and Bill C-56, the Manitoba claims bill.

Next week is a recess week for Remembrance Day. On Monday after the recess we will continue with Bill C-37, should that debate

not have been completed. We will then consider report stage and third reading of Bill C-53, the small business bill if this available, in other words if it has returned from parliamentary committee on time. Otherwise, we will take up the report stage and third reading of Bill C-42, the Tobacco Act amendments.

On Tuesday we will consider report stage and third reading of Bill C-53 if this has not already been completed. With any time left we will continue with measures on which the debate has begun but not yet completed in the following order of priority: Bill C-42 and then Bill C-48, Bill C-49 and Bill C-56. On Wednesday we would continue with whatever is left of the agenda I have just described.

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POINTS OF ORDER

STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, I rise on a point of order regarding a motion that was passed yesterday evening. The motion adopted the 13th report of the Standing Committee on Procedure and House Affairs.

The report had all-party agreement at the committee level and yesterday was adopted unanimously in the House. The report recommended standing order changes regarding Private Members' Business.

Mr. Speaker plays a very important role in this matter. You are the protector of the private member and the keeper of our rules.

In my point of order I will argue that some of the recommendations in the report could clearly be implemented now and some may require the assistance of your clerks to draft standing order changes.

I argue that recommendations Nos. 3, 5, 7 and 8 should be implemented immediately. These changes are very briefly as follows.

When a division is taken on a private member's item, the calling of the vote will begin with the sponsor and will then proceed beginning with the back row on the sponsor side of the House and then the back row on the other side of the House. This recommendation is intended to protect private members from being intimidated by the front benches.

There is now a process in place whereby a law clerk and a parliamentary counsel of the House of Commons will be appointed to be responsible for the provision of legislative drafting services for members. That person or persons will be provided with sufficient staff.

• (1510)

Priority will now be given to the drafting of private members' bills and motions for members who have not previously had a bill drafted during that session of parliament.

Recommendations Nos. 1, 2, 4 and 6 would require standing order changes. I will comment briefly on these changes.

An item outside the order of precedence that has been jointly seconded by 100 members will be placed at the bottom of the order of precedence. If a bill or motion has merit, it will now move forward instead of being subjected to the lottery draw which is often frustrating and humiliating for the sponsor.

There is protection from the threat of prorogation. A private member can now reintroduce a bill at this stage.

The Speaker: We are sort of getting into the debate and the explanation. I would hope the hon. member would stay focused on the point we are discussing now rather than getting into the merits or whatever it is. If the hon. member wants to point out something to the Chair I am more than willing to listen, but his point should be quite succinct. I would ask him to direct himself to that and maybe take another minute to wrap up.

Mr. Gurmant Grewal: Mr. Speaker, I will be brief. Since the one I described is not a government initiative but a report drafted and adopted independently by members of the Standing Committee on Procedure and House Affairs and subsequently adopted independently by the House, the onus to implement these rules changes is on Mr. Speaker.

Last June the House asked the Clerk to draft new rules regarding changes to the supply process. When the House returned in September these rules were in place. There was no need for a second step since the request was clear and the House order was in place.

The circumstances today are identical. We are coming up to a break week. I would like to know if the rules recommended in the 13th report that require standing order drafting could be in place by the time the House resumes on November 16.

I would also like Mr. Speaker to confirm my observations as to which rules are now in place and do not need a standing order change.

I suggest that when these rules are drafted, you solicit the support from private members and avoid the usual solicitation from the party leadership, particularly the cabinet. The cabinet has absolutely no say in this matter of Private Members' Business.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I will try to be brief and address the point. If I understood correctly, what the hon. member is trying to get at is that he has now recognized that the passage by rather surreptitious means yesterday afternoon of a report does not change the standing orders the way he initially thought it did and now he is asking the Speaker to change them unilaterally. That is what I understand his point to be.

I read the eight clauses of the committee and my reading tells me that six of them require an actual drafting of rule changes. The drafting presumably would have to be approved by the House afterwards because draft rule changes are not in six of the eight items that refer to particular changes. The other ones I recognize are matters which are under the purview of the Speaker or the administration of the House, but six of them have particularly to do with the rule changes.

If the hon. member across sees fit to raise this issue with the Speaker, it is because he has recognized that this artificial way of getting this motion through yesterday did not change the rules the way he initially thought it did, otherwise he would not have to bring it up right now. Now he has asked if the Speaker or others will arrange to have actual words put in place in time for the House to come back.

• (1515)

Mr. Speaker, if Your Honour, the clerk or anyone else around here wants to prepare draft rule changes, that is certainly their prerogative. My submission to the Chair respectfully is that once those draft rule changes have been prepared by the Chair, assuming that the Chair would be so inclined, it would be up to the House to decide whether or not it likes those draft rule changes. If it does, subsequently it would adopt those draft rule changes if and when it sees fit to do so.

The mere fact that the member has raised this today in the House does not change the rules of the House. Heaven forbid if we ever get into a situation where one member of the Reform Party decides himself to change the rules for the rest of us around here, democracy would take a beating that day.

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Mr. Speaker, I would like to say a few words on this point of order in support of the Reform member's recommendation.

First of all, this is a report that we as the House of Commons moved concurrence in last night, which we have the authority to do. Second, it is a report that was tabled from the procedure and House affairs committee of which I am a member and on which the Liberals have a majority membership. It was approved by that particular committee and tabled in this very House.

I am puzzled as to why the hon. government House leader would make reference to ''artificial means'' or ''surreptitious means'' when it came to making this particular report something that is going to be substantive and that will convert into actual rule changes. His definition of surreptitious means is that a motion was moved in the House last evening and the motion was given unanimous consent. Every single member of parliament who was in the House last night gave unanimous consent to have this particular report embraced and adopted. If the government House leader calls that surreptitious, we have a huge problem in this country because it was a democratic decision. It was nowhere near surreptitious.

What is surreptitious is when the government House leader stands in this House and attacks democracy like that from behind the cover of his cabinet post.

My view is that the report was tabled by a committee dominated by Liberal MPs. It was embraced by all MPs in that committee, of which the chief government whip is a member. We are now asking to have all of these recommendations of the report made into standard operating procedures of the House of Commons effective as soon as possible.

I would support the Reform Party's move on the basis of those particular points.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I would certainly like to concur with what the member just said in the sense that what we are talking about here is some pretty basic democracy.

This is a decision that has been made by this House. It is definitely in the interest of private members and private members who are largely marginalized in this House by the rules. Those rules were suggested to be changed by the committee.

I take great umbrage at the House leader making the implication that somehow what we are doing is wrong. What the government is doing is wrong. When a motion has been presented in the House, when concurrence has been moved, and then the government does not act at all on it is what is in violation of democracy.

I concur very, very heartily with what my NDP colleague has said and I certainly concur with the point of order.

• (1520)

The Speaker: As we all know the sequence of events, this matter occurred late yesterday afternoon.

I had reviewed the situation before coming in, but now that I have heard further information from you, my colleagues, I wonder if you would give me a few hours. I will come back to the House today. I will make a decision on this particular matter before adjournment today. With your concurrence of course I will take time.

ORAL QUESTION PERIOD

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, my point of order concerns a couple of rulings today and I am looking for some consistency. Before I am finished I will bring up a point from an earlier edition of debates.

The word ''misrepresent'' was used twice today. My colleague, the member for Dewdney—Alouette was required to withdraw the

word ''misrepresent'' when it was used in his second question. In a later question the hon. member for Calgary—Nose Hill was allowed to continue speaking when the word ''misrepresent'' was used in her second question.

I would like to point out that in the *Debates* of October 10, 1980, page 3591 the then Minister of National Health used the words ''that she is misleading the House''. The member for Yukon at the time raised the question and the Speaker ruled that this expression was allowed provided it was not qualified by the words ''intentionally'' or ''deliberately''.

I think it would be consistent if we applied that rule to the word ''misrepresent'' so that members of this House might know if that word is acceptable. It is possible to misrepresent someone not even intentionally and I do not think it is necessarily unparliamentary to say so.

The Speaker: I thank the hon. member for bringing that up.

A few weeks ago we had the question of some words being used in a certain context. As you know, many times here in the Chair when these words come up, sometimes they cause a disorder in the House and sometimes they do not.

As a general rule there is no word which in and of itself is unparliamentary. I should not have but I gave the explanation the last time how to use the word ''liar'' and then lo and behold it was brought in virtually the next day.

All this to say that it has to do not only with the word but it has to do with the tone and with the context and if there is any disorder caused in the House.

As you pointed out and rightly so my colleague, there are certain times when the word ''misrepresent'' can be unintentional and perhaps that is conveyed in the tone with which it is delivered. At another time ''misrepresent'' could be taken that it is a very serious accusation. That has always been left to the Speaker to decide.

I cannot give you any greater direction other than to say that when a word is used, if I feel that it is unparliamentary in the sense that it is causing a disorder in the House and disruption, then usually I will interrupt. Sometimes I will ask for a withdrawal. Witness the word ''hypocritical'' today. I should not even use those words in the sense that I know I am going to be faced with them probably next week. I would prefer that these words not be used.

On the other hand what are you to do? You have to use words to express yourself, so I am left with deciding at that time in that usage is it unparliamentary or not. I guess that is the best I can do to give you direction on that. Good luck the next time that you use it.

A final point of order, the hon. member for Pictou—Antigonish—Guysborough.

• (1525)

BUSINESS OF THE HOUSE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, my point of order arises out of the hon. government House leader's recitation of the business. On Tuesday the government House leader indicated that Bill S-13 would be a matter for discussion at the House leader's meeting. That did in fact take place.

I am asking now if the government House leader will confirm that it is not the government's intention to assume responsibility for the carriage of Bill S-13. As well, is the government stating that it will not provide time for debate on this particular bill in this House?

The Speaker: I take that as a question of clarification and I am going to permit it. I am going to permit it because it had to do with a statement which was made by the government House leader.

I think in these circumstances because there was a referral to Tuesday's business, if the hon. government House leader wishes to address himself to it, and I do not want to get into a debate and I do not want another question and answer, I am going to permit the government House leader to answer this question if he so wishes.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, first of all Bill S-13 is not a government bill so the government does not call it. Precedence for private members' bills either from this House or the other place is derived by way of the subcommittee of the Standing Committee on Procedure and House Affairs charged with private members' business.

We are hardly in a position to debate this bill on the floor of the House. It has not been introduced.

The Speaker: I hope that this is some clarification.

GOVERNMENT ORDERS

[*English*]

FIRST NATIONS LAND MANAGEMENT ACT

The House resumed consideration of the motion that Bill C-49, an act providing for the ratification and the bringing into effect of the framework agreement on first nation land management, be read the second time and referred to a committee; and of the amendment.

Mr. John Duncan (Vancouver Island North, Ref.): Mr. Speaker, there are some legitimate concerns about Bill C-49. It goes to the heart of some of the things that were being said prior to question period.

The British Columbia Native Women's Society has complained quite bitterly about this legislation. I want to quote a few of the things they have said in their letter. They are very important.

To put this in context, B.C. native women have already been through an experiment promoted by the federal government in 1992 and 1993. A native justice pilot program was started on southern Vancouver Island. It came to a rapid, screeching halt after a lot of politically correct thought went into trying to create a system that would be sensitive to the native communities.

What ended up happening in that grandiose experiment was that people who committed grievous offences in aboriginal communities in that area, largely men, were found right back in the same community the day after their sentencing. The old rules were thrown out, the justice system was thrown out, and a new system more sensitive to the needs of that community was put in place run by the very cronies of the people that were perpetrating the offences.

Guess who were the loudest complainants and the ones that got this travesty stopped? It was the native women. When we look at who is organizing, who tends to be out front in trying to correct the wrongs that are happening in great abundance on some of our reserves, who do we find at the forefront? We find native women. They may not belong to a formal organization or they may be fighting to establish a formal organization. Whatever the case may be, we had better listen because they have something to say and they have everything stacked against them.

• (1530)

The Canadian Human Rights Act is a basic and fundamental piece of legislation which we would assume covers all Canadians. It does not. It excludes any discrimination flowing from the Indian Act. That is a big problem. It does not protect native women from many of the things they are complaining about. They cannot win if they have everything stacked against them. I will quote from the letter:

> —women living on reserves lack the protections available to all other Canadian women when their marriages break down. They cannot get an order for occupation or division of the matrimonial home—. The Indian Act provisions governing their situation were struck down by the courts in the early 80s and the federal government has done nothing to correct the inequality—

Whenever we find inequality under the terms of the Indian Act we find that the Indian Act is dependent upon defining who is a status Indian. In order to do that it goes through great gyrations. When governments certify ethnic or racial status it can become very complicated. It does not matter how hard government tries. There will be inequality in the definition of status Indian. I does not matter who designs the system. It could never be designed not to lead to some form of inequality. It tends to be stacked against Indian women. It is also stacked against others.

This has many permutations in how other legislation that affects aboriginals because the definition of status Indian is a basic building block. It is an inappropriate way to do things.

Every piece of legislation over time has taken away sections of the Indian Act, including the most comprehensive and contemporary treaty in Canada, the Nisga'a agreement in northwestern British Columbia. Only one part of the Indian Act is kept under that agreement. We do not have to guess what part of the Indian Act it is. They kept the part that defines who is an Indian because the whole thing will unravel if they do not have some form of definition. It is an artificial definition. The longer things go on and the more human nature exhibits itself, the more dysfunctional the whole arrangement will become.

Many things have been said today by members of other parties. There is always an attempt to pigeon hole and stereotype. It very discouraging that people like to do that when talking to an issue that is potentially charged with racial overtones because we are talking about status Indians and the Indian Act. They love to stereotype and try to pigeon hole where one is coming from. This is why I was greatly concerned about what the member for Churchill was saying earlier concerning what motivates members of the Reform Party in terms of some of this legislation.

• (1535)

There is an unholy alliance which I describe as a love-in between the Liberals and the NDP on some aboriginal legislation. I remind members of the House that we are now in the second parliament of this administration and we have yet to see a piece of aboriginal legislation that originated with the government.

All the legislation we saw in the last parliament and what we are seeing in this parliament is legislation initiated in the days when Brian Mulroney and the Tories were in government. All their initiatives are still being milked. All their excesses are still coming out from the legislative boiler room, wherever it might be. There are no original ideas. There is no new direction. It is apparent that is what is needed.

Further, the bill we are dealing with right now dates back a number of years. I cannot locate all the details, but this legislation under different formats has been worked on for a number of years. A lot of money flowed to participants who were developing a proposal that was turned into legislation. It is a very expensive initiative. It probably cost several millions of dollars. It could be over $10 million. It seems like that is always the case. Very little is accomplished for an awful lot of money, and I have concerns about that.

We all know that there is very enlightened band governance in Canada. We could all name examples. We recognize that the current policy framework of the department of Indian affairs is

ineffective in allowing people to get rid of unenlightened governance.

When we cannot get rid of the bad apples the barrel tends to get tainted. That is what we are trying to change. We want all accountability mechanisms to be put in place because that is what people deserve. In actual fact we are finding out that is what people want. It is only the established powers that tend to resist because the status quo serves them quite well.

Bill C-49 purports to provide for the establishment of an alternative land management regime that gives first nations community control over the lands and resources within their reserves. In other words, Bill C-49 was drafted to give aboriginal people more control over the lands they occupy.

I have some very major concerns about the bill. The framework agreement on first nations land management will be ratified by Bill C-49. It extends to band governance broader powers than those extended to municipal governments under the various provincial-municipal acts. This is very troubling, especially from a local perspective. After all, it is at the local level that lives are lived. That is where things get done. That is where co-operation is developed. That is where families grow. That is where everything happens.

● (1540)

The bill has the potential to significantly impact relations between bands and local governments in a number of areas such as land use planning, environmental regulation and protection of third party interests. Again the federal government is imposing its will in terms of creating legislation that will destruct local and provincial relationships without saying what it is doing.

This kind of legislation is always wrapped up in a pretty package and the contents are allowed to seep out over time. There is no attempt to quantify what the consequences of the legislation may be even though the implications are vast and potentially far reaching.

Last year the union of B.C. municipalities and the lower mainland treaty advisory committee both expressed major concerns about the predecessor piece of legislation, Bill C-75, which was introduced in the dying days of the last parliament. It died and has now been resurrected a year later. To summarize their concerns, there was little or no consultation with the British Columbia government, local government and the public in general.

This was my critic area in the last parliament. The minister of Indian affairs, Indian lobbyists, backbench Liberal MPs and the minister's staff hounded the opposition House leader, the Reform House leader and me in the dying days of the last parliament prior to the election call. Everyone knew the election call was coming on the last weekend of April 1997. Everyone knew the June 2, 1997 election would be called in April. There was incredible pressure brought to bear on us to allow Bill C-75 to go through all three readings and obtain royal assent before parliament recessed due to the election call.

We refused to be stampeded because of our concerns, as I have just explained, about the lack of consultation with anybody involved other than the aboriginal band leaderships set out in the agreement. Despite this major and serious concern no substantive change has been made to Bill C-49 which evolved from Bill C-75 to ensure a smooth and harmonious relationship between local and band governments, which I also consider to be local governments.

The department of Indian affairs works in mysterious ways. I must admit that I have lost my grapevine having moved on to another portfolio. What has happened with this legislation is typical of many other pieces of Liberal legislation. The government gets stampeded by internal lobby groups. The minister commits himself or herself to action. Pressure flows from the minister's desk to staff and caucus. They all try to infect the opposition with a sense of undue haste and urgency. Then, if the legislation does not go through either in the dying days of a parliament before an election or prior to a recess, when we come back to the House, lo and behold the haste and urgency have dissipated.

● (1545)

It has been more than a year since the election and we are just seeing this piece of legislation slowly winding its way through this House.

I do not like this piece of legislation because it fragments the statutory framework whereby we have about 630 bands across Canada administered under the Indian Act.

We are trying to take 14 bands out from under some of the provisions of the Indian Act. However, far too much of the Indian Act will still apply to those 14 bands. It is piecemeal, partial, non-satisfactory legislation.

Another concern I have is about the leaseholders on reserve lands. The leaseholders have had, in some cases, multiple decades of holding their leases under agreements supervised by the department of Indian affairs. Perhaps there has been an eroding federal presence, but certainly this is a tremendously significant departure from previous lease arrangements for homeowners, cottage owners, long term land leases and other situations.

These people are going to be faced with a whole new set of rules with attendant uncertainties. Should they be unhappy with the new arrangements, should they consider that they have a legitimate beef, their concerns are not really addressed in this bill.

There is no protection against one sided land quotes which may totally devalue the investments they have made in improvements. That could really be considered a form of expropriation.

I think we can argue that natural justice would say that compensation should occur if land quotes impact negatively on people, but there is no mechanism for this to happen in the bill.

This bill is coming back to us again a year and a half later and not a thing has changed in terms of band, local or provincial protocol on environmental or land use issues.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I will just make the comment that aboriginals also helped to defeat the Charlottetown accord.

We talk about the community consultation review process and the impacts of that. B.C. native women are concerned about what happened to the results of the process.

Who in this country would be satisfied with the community review process if their rights were at stake or if their land and property were at risk and a ruling was made that had no prior government oversight? What if they were at the mercy of a local band and council and did not have a higher law to set limits on government? What if there were no limits to the powers they could exercise in relationship to their property, to the place they bring up their children?

Mr. John Duncan: Mr. Speaker, every system needs checks and balances in order to operate in the long term in an enlightened fashion. We have seen the pendulum swing a long way toward there really being no effective checks and balances under the Indian Act.

The department of Indian affairs became compromised by the fact that it was sitting on many things that were wrong. It really did not want anyone to discover what all of those things were.

The department started a cover-up operation a long time ago. It is a bureaucratic response to a problem. It would happen in every organization where there are no checks and balances.

● (1550)

There is no other department with a mandate for activities on the reserve. This has become a very large problem.

We are now developing some ad hoc mechanisms. The First Nations Coalition for Accountability, for example, has now developed enough of a membership and enough credibility as a grassroots organization, through its networking and contacts with provincial government cabinets, the media and so on, that there are now times when they can identify a problem on a reserve. They can then phone and tell them to fix the problem or heat will be brought to bear, and the problem gets fixed.

This is all brand new and it took five years of tough fighting. An awful lot of people put themselves in a very susceptible position.

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I just want to help the hon. member a bit. He is quite wrong to suggest that no consultations were held with respect to this bill, particularly in his home province.

Indeed, there have been 12 meetings involving the B.C. municipalities, I think on four occasions. There was an advisory group on three separate occasions. Two to three letters were written to the province of British Columbia. In fact there have been a number of letters exchanged with relevant stakeholder groups in British Columbia, as well as the 12 meetings with the union of B.C. municipalities.

Is the hon. member not aware of these consultations even in his home province?

Mr. John Duncan: Mr. Speaker, I am aware of how the government pays lip service to consultation. I am also aware of correspondence from a member of the treaty negotiation advisory committee and from the union of B.C. municipalities about the real level of consultation that actually occurred, and the absence of what they termed consultation.

We have discovered over the past five years that the Liberal definition of consultation and the stakeholder definition of consultation are often diametrically opposed.

The proof is in the pudding because there has now been an additional year to carry on lots of further consultation, because of the great unhappiness and because it was admitted that there was a problem, and not one thing has changed in the legislation to address any of that.

[*Translation*]

Mr. Ghislain Fournier (Manicouagan, BQ): Mr. Speaker, as an associate member of the Standing Committee on Aboriginal Affairs for the Bloc Quebecois, I am pleased to rise today to speak to Bill C-49 and to share my comments.

The aim of this bill is to ratify and implement a framework agreement signed on February 12, 1996 by a group of first nations and the federal government. This agreement concerns the management of first nations' lands and is intended to enable them to establish their own land code to manage the lands and resources.

This agreement is necessary to permit the first nations that are party to the agreement to withdraw from the application of the sections of the Indian Act governing the management of lands.

• (1555)

First nations and governments all agree that the Indian Act gives the Minister of Indian Affairs and Northern Development discretionary power. It also gives public servants too much leeway, thus preventing aboriginals from exercising direct control over the management of the lands within their reserves. It is in order to rectify this situation that a bill to ratify the framework agreement was introduced.

We tried to introduce legislation addressing this issue in the previous Parliament. Bill C-75, as it was then called, was passed at second reading, but the process came to an abrupt end when Parliament was dissolved. Last year, my party pushed to have this bill put back on the agenda. It was introduced in its new form as Bill C-49. I am pleased that we are prepared to go ahead with second reading today.

It is vital that the signatories to the agreement be given the tools they need for their cultural and economic development. This bill recognizes the fundamental right of 14 first nations to manage their lands and their resources and constitutes another important element in their self-government.

The first nations are also glad to have the opportunity to exercise greater control over the lands and resources within their respective reserves and say that these changes will enable them to react more rapidly to opportunities for stimulating their economy. Control of the decision-making process will therefore enable them to improve management of reserves. In other words, we feel that Bill C-49 is essential and very consistent with the recommendations for self-government made by the royal commission on aboriginal peoples and self-government.

Furthermore, several native leaders have supported the bill and indicated that they are in favour of its speedy passage through the House. Being of the same opinion and wanting to see first nations exempted from the sections of the Indian Act concerning land management, the Bloc Quebecois and myself therefore support Bill C-49 in principle.

Second reading of this bill nonetheless provides me with an opportunity to address certain aspects that we feel pose problems. We are worried about one aspect in particular, and it concerns protection of aboriginal women.

Naturally we support the principle of giving back to first nations control over the management of lands that until now have been under federal jurisdiction and governed by sections of the Indian Act. It is essential that first nations be able to manage the lands and natural resources within their reserves themselves. The requirement for a community process to establish land codes is also an important and promising one.

The bill provides that rules on use, possession and occupation of lands will be arrived at through a community consultation process. In theory, all the members of a first nation living on or off reserve will be able to take part in the decision-making process through this community mechanism. However, certain groups of aboriginal women are opposed to Bill C-49, saying that it would be disastrous for them. Their fears have to do with the bill's wording with respect to the division of interests in cases of breakdown of marriage.

• (1600)

They say that the clauses on this issue do not protect them at all, that the framework agreement contains no provision on the division of property in the case of separation, apart from the community consultation process mentioned in clauses 6 and 17.

The British Columbia Native Women's Society is lobbying vigorously to show the weaknesses of the bill in the area of the division of marriage property. They criticize the government for not having done its homework in this matter, despite the gross injustices criticized more than 12 years ago.

They add that no effort has been made to resolve the problem even after the establishment of the charter of rights and freedoms to ensure equality for all. This is why last year they asked the federal court to issue an injunction against this framework agreement on land management.

Even though the bill comes from their own department, the minister of indian affairs and her officials also seem to think there may be an injustice. In June, the minister appointed an investigator to examine the impact of marriage breakdown on property rights. An independent inquiry is therefore set to study the matter.

In other words, the government recognizes the existence of a legal void in the matter and the negative consequences it may have on the protection of women.

However, the government says it has changed the former C-75 so that the new C-49 requires a community process to manage the division following the breakdown of a marriage, which, in their view, resolves the problem. According to clause 6, a community process is one of the requirements associated with the adoption of the land code, which is to be defined collectively by each of the 14 first nations.

However, a closer examination of the matter reveals that, despite this clause, native women have no protection whatsoever.

The Speaker: Order, please. I am sorry to interrupt the hon. member.

You have some 11 minutes left, but I had promised the House I would give my ruling on the point of order as soon as possible. With your permission, I will give my ruling now and you can continue afterward.

[*English*]

POINTS OF ORDER

STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS—SPEAKER'S RULING

The Speaker: After question period this afternoon the hon. member for Surrey Central raised a point of order concerning the events of yesterday evening when, by unanimous consent, a motion for concurrence in the 13th report of the Standing Committee on Procedure and House Affairs was presented and adopted in the House.

[*Translation*]

As hon. members know, the report comprises eight recommendations on the way the House handles Private Members' Business.

[*English*]

I thank the hon. member for Surrey Central, the hon. government House leader, the hon. whip of the New Democratic Party and the member for Elk Island for their contributions. I am now prepared to explain how the Chair will proceed on this matter.

Recommendation No. 5 concerning how recorded divisions on Private Members' Business are taken will be implemented immediately since it is a matter of practice.

[*Translation*]

Recommendation 8 on the priority for drafting private members' bills will be implemented immediately, because this is an administrative matter.

• (1605)

[*English*]

Recommendation No. 7 lies within the purview of the Board of Internal Economy. That will be taken up there.

With regard to the other recommendations, Nos. 1, 2, 3, 4 and 6, these in the opinion of the Chair call for substantive amendments to the standing orders and require various technical interpretations. I have therefore asked the Clerk to draft proposed amendments to the standing orders which would implement recommendations Nos. 1, 2, 3, 4 and 6 and to submit that draft to the House leaders.

As soon as the House has pronounced itself on the specific text of new standing orders to give effect to the recommendations it adopted last night, the Chair will be governed accordingly. In the meantime, however, because the Chair has no mandate to unilaterally change the text of the standing orders, the Chair will continue to be guided by the existent standing orders.

[*Translation*]

FIRST NATIONS LAND MANAGEMENT ACT

The House resumed consideration of the motion that Bill C-49, an act providing for the ratification and bringing into effect of the Framework Agreement on First Nation Land Management, be read the second time and referred to a committee, and of the amendment.

Mr. Ghislain Fournier (Manicouagan, BQ): Mr. Speaker, I had reached the point of discussing the rights of aboriginal women. I was saying that these were treated as secondary.

The main problem, of course, is not with the bill per se, but with the 1986 Indian Act.

Canadian courts have decided that provincial legislation would have no precedence where property on reserves was concerned, and that the Indian Act would govern everything. Unfortunately, that legislation has nothing to say about matrimonial property when a marriage breaks down. There is a serious problem, therefore, a legal vacuum, which places women's status in a precarious position.

Family legislation in the various provinces does not apply on reserves. In other words, aboriginal women find themselves in a precarious situation, one which does not allow them to aspire to the same protection as all other women in Canada, because provincial legislation governing property division does not apply on reserves, as the Indian Act takes precedence. This is a source of considerable concern, in my opinion.

While there is a will to look at the issue and to try to find ways to fill the legal vacuum, nothing has been done yet.

We should look at the possibility of including a clause providing minimal protection to women under this agreement on first nation land management.

It is clearly indicated that the standards and penalties relating to the environment that will be set or amended by the 14 first nations must be at least as effective and as tough as those of the province in which the first nation lives.

We should consider providing similar minimal protection to women, in case of marriage breakdown. Issues relating to marriage and marriage breakdown are always sensitive, since they directly relate to the cultural values and the structure of the societies concerned.

It is the same for basic environmental issues. The environment and natural resources are integral parts of native culture. Still, this should not prevent us from legislating to make sure that minimum standards are recognized, with the approval of all the parties concerned.

● (1610)

We must find a way to ensure that the protection afforded native women in case of marriage breakdown is at least equivalent to that enjoyed by other Canadian women.

I am not in favour of interfering and I believe that the community consultation process will give very positive results. However, should major disagreements occur, we must make sure that native women enjoy a minimum of protection, like other Canadian women. Along with the first nations, it would certainly be possible to find a way to legislate and provide some form of legal recourse for these women in case of injustice.

In fact, knowing how long it often takes to amend legislation such as the Indian Act, I am concerned about passing a bill that regulates land management without a more direct reference to the problem.

I think it is important that we look at whether the legislation provides us with means of legally protecting aboriginal women, as required by the Canadian Charter of Rights and Freedoms. And if it does not, a remedy should be introduced now, while we are at this stage of the proceedings.

A minimal guarantee of protection is required, in my view, so that aboriginal women, like all other Canadian women, can enjoy certain fundamental rights ensuring their well-being and the well-being of their children.

It is important that the position of first nations on this issue be examined in committee and that possible ways of ensuring a minimum guarantee be studied further. It is not a question of interfering in first nations' efforts to achieve self-government. On the contrary, we are merely trying to raise the issue of the legal vacuum when it comes to the division of property and to give thought to the best way of protecting all citizens.

If aboriginal women, represented by credible organizations like the British Columbia native women's association, are of the opinion that such an agreement is a threat to their well-being, we must at least take this into account and give the matter serious consideration.

Of course, the different provisions in each province complicate the already very complex issue of division of property in cases of marriage breakdown, but precautions can nonetheless be taken.

The community process within the first nations that signed the agreement will certainly suffice, like their various decisions on the whole of the land code. However, once again, in order to ensure minimum protection, solutions must be provided.

In closing, I say once again that the Bloc Quebecois will support Bill C-49. I would however point out that we have questions on the possibility of making amendments to respond more directly to the problem of the division of marriage property, with priority given to the community process and to the decisions of the first nations.

There are avenues to be explored and we will explore them, my colleagues and I, in order to prepare for the meetings of the Standing Committee on Aboriginal Affairs and Northern Development.

[*English*]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I thank the member for York North for letting me speak for five minutes on this important bill.

The bill goes to the heart of a very important issue that I know members from across party lines are very interested in, the fate of aboriginal people in the country today.

● (1615)

What is happening today is a travesty. It is a tragedy beyond proportions that most Canadians understand. This past summer I was at a medical clinic in northern British Columbia. I saw once again in the flesh, in the trenches, what is taking place. There are children with infectious diseases that I have not seen since I worked in Africa. People are suffering from enormously. There are high rates of substance abuse and suicide attempts. There are communities with rates of tuberculosis and diabetes three times higher than the non-aboriginal population. The soles of communities are being torn out. Why is this so? Why has this not changed despite billions of dollars being put in by successive governments?

The answer is that we non-aboriginal people have to engage in a paradigm shift in the way we treat aboriginal people. The Indian Act has created an institutionalized welfare state. We have segregated aboriginal people, have made them separate from the mainstream.

The result has been a marred system. In some areas the money is not getting to the people. Grassroots aboriginal people are dislocated from their political masters. Is is between the political and intellectual elites and between aboriginals and non-aboriginals on how we deal with aboriginal people. We leave out the grassroots aboriginal people. They are suffering in horrendous ways that can only be compared to third world conditions.

I implore the government, and my colleagues will agree, to stop the segregation. Stop the separate development. The rights of aboriginal people to engage in their traditional activities is enshrined in the constitution, thankfully. Let us invest in aboriginal people to help them help themselves. Only if they have the tools to help themselves, to gain employment, provide for themselves, their families and their communities will they get back that sense of self, that sense of pride they so desperately need.

It does not entail separate development. It does not entail a lands claim process. The essence of bill says ''You are aboriginal people.

You are different from non-aboriginal people. Therefore you are going to be treated differently''. Grassroots aboriginal people do not want political emancipation that is different from anybody else. They merely want equality. They merely want to be treated as equals and have the opportunities, benefits and responsibilities of non-aboriginals.

This bill is flawed. The history of dealing with aboriginal people is flawed. It is flawed in saying that aboriginal people are somehow different. They are removed and segregated away from mainstream Canada. They have sustained and suffered under the yoke of non-aboriginal people putting their feet on them and segregating them.

I thank the hon. member for allowing me to speak now because I have to catch a plane.

Again, I implore the government not to treat aboriginal people differently. Give them the tools so they can help themselves. Aboriginal and non-aboriginal people can work together to develop a united forward looking country. We can mutually respect each other and develop together for a more positive and beneficial future for all.

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I appreciate the hon. member's intervention and I appreciate his role as a medical doctor and his good work in aboriginal communities. Having worked in these communities, both he and I know of the tragic and difficult circumstances.

The hon. member wants to do a paradigm shift, if not to take it off the map. Under this proposal in bringing all aboriginal people from their communities in the north and moving them to Vancouver, to Edmonton, to Winnipeg, to Toronto, surely to goodness the hon. member knows and would consult with other medical practitioners that there are many aboriginal people living off reserve in these cities. They are still in poverty. Stripping away their constitutional and land rights I would suggest respectfully would be disastrous. It has been disastrous for 100 years. This is bad public policy, it is a bad idea and it is a bad paradigm shift.

• (1620)

Mr. Keith Martin: Mr. Speaker, if the hon. parliamentary secretary were interested in giving back land rights, he would enable aboriginal people to have the same land rights as non-aboriginal people have, which he knows full well they do not. Rights are given to a collective in aboriginal groups. They are not given to individuals. That is part of the problem. The individual aboriginal person does not have the same rights as a non-aboriginal person.

I know the hon. member is interested in this issue very deeply as we all are. I know he has experienced this himself. If he really wants to do a favour to aboriginal people, he will take a message to the minister. He will say to her that we must not segregate and separate aboriginal people. We must give aboriginal people the same rights and responsibilities as non-aboriginal people, which includes land rights and land ownership.

Aboriginal people off reserve are sustaining horrendous circumstances. They do not have the tools and abilities to fend for themselves. Part of that lies in the lack of accountability which occurs as to where moneys are going in the Department of Indian Affairs and Northern Development.

If the parliamentary secretary wants to do another important job, he can take another message to the minister. Do forensic audits in those reserves where aboriginal people are looking for answers. Billions of dollars are put into those reserves. The money is not getting to where it is supposed to go. It is being siphoned off somewhere, be it in the department or in the aboriginal leadership. I suggest that he find out where that money is going. If he does that, he will be providing an enormous service so those people can get the resources to be fully functional and to stand on their own two feet.

Mr. David Iftody: Mr. Speaker, is the hon. member suggesting that by definition all band finances have to be the question of a forensic audit? Is the hon. member suggesting to the House and to the first nation people in Canada that because of the circumstances they suffer, for example that today raised in the House, the Shamattawa children sniffing gasoline and glue, that somehow this is traced back to a forensic audit? Is bringing in SWAT teams of police the answer to this? Basically we bring in the RCMP, investigate them, move them off reserve, strip away their rights under section 35 of the constitution, is this what the hon. Reform Party member is suggesting?

Mr. John Duncan: Mr. Speaker, I rise on a point of order.

Just so I understand the protocol here, I understood the first question in question and comments was from the member who is now asking the second question. There were others who stood.

The Acting Speaker (Mr. McClelland): No, that is not the order. The decision on debate in question and comments is the prerogative of the Chair. As long as there are members standing who do not represent the same political party as the person in debate, across the aisle will be given precedence, whether it is from one side or the other side.

Mr. John Duncan: Mr. Speaker, I understand what you just said. However, if it is the same individual, does it still apply in that case?

The Acting Speaker (Mr. McClelland): The answer is yes it does. There is always preference, at least when I am in the chair, to go across the aisle in questions and comments so that we get real debate.

In response, the hon. member for Esquimalt—Juan de Fuca.

Mr. Keith Martin: Mr. Speaker, the hon. member brings up an important question. I am glad he asked it.

There are aboriginal reserves that are run wonderfully and there are those which are not. The reserves we are talking about today are the reserves that are not run well, reserves I might add where aboriginal people have asked for over 10 years as to where the money is going.

There are millions of dollars put into some reserves that have very few people on them. While the band leaders are living in opulence down in Vancouver, those people are living in squalor. Representatives of those people have asked the minister repeatedly, in fact they have begged the minister, for a hearing. They have begged her for answers. What have they got? All they have got is the cold shoulder.

While that is happening, those people are living in third world conditions. People are committing suicide. They are getting diseases at rates far higher than anybody else. They are suffering from unemployment at levels that are unparalleled in this country. Those are the reserves the member and the minister should be looking at, not for our benefit nor the leadership and the aboriginal group's benefit but for the aboriginal people who are suffering from diabetes, tuberculosis, high rates of suicide and unemployment. They have been suffering for so long.

• (1625)

The resources are there. The member knows full well that those resources are not getting to where they should be going. Find out where those resources are going and do these people a service.

Mr. David Iftody: Mr. Speaker, this is quite an interesting debate.

The hon. member as a medical physician raises the very real concern about the rate of diabetes in aboriginal communities because they do not have the proper food. Would the hon. member support the Minister of Health bringing forth measures through the Department of Health to help these people, to help these women and children, the families in these aboriginal communities deal with questions of diabetes? When these things come forward in the February budget, will he live up to his own words? If he truly believes what he is saying today in this House, will he stand at budget time and support these measures, support Nisga'a and support Nunavut?

Mr. Keith Martin: Mr. Speaker, I remind my hon. friend and colleague from across the way that it was the Reform Party that put forth a private member's motion in May of this year which received unanimous support. It concerned a national headstart program that we now see the government, to its credit, starting to adopt in aboriginal communities. It is expanding that to aboriginal communities outside reserves.

We support those initiatives. We support investing in these people in order for them to stand on their own two feet. But we do not support the government merely tossing money at aboriginal groups without any accountability. That does a huge disservice to the aboriginal people who ask why it is that the chief and council live in beautiful houses, have cars and skidoos while they do not have enough money to feed their children. That is partly why they are living on Coca-Cola and macaroni. That is what is happening.

I beseech the minister and the parliamentary secretary, do not go on a fancy trip to meet with the aboriginal leadership. Go to the people on the ground. Get rid of the entourage. Meet with those people. Go by yourself. Do not go on an official visit. Find out what is going on. Listen to what those people are saying because they will tell you that all is not well.

The solutions are not difficult. Some of these solutions require that paradigm shift. Give aboriginal people the tools to provide for themselves and they will do well. Do it under the guise of equality for all so that aboriginals and non-aboriginals can work together as brothers and sisters to build a stronger country for everybody.

Aboriginal people, ensuring that their traditional rights and responsibilities are enshrined in the constitution, which they are, can teach us a lot about their culture. We will certainly benefit from that.

Mrs. Karen Kraft Sloan (York North, Lib.): Mr. Speaker, I want to point out to the hon. member opposite that perhaps he has not actually read this legislation.

I have been honoured to have a very good association with a native community in my riding, the Chippewas of Georgina Island. They have been involved right from the beginning on this legislation, in spearheading this effort. The thing that convinced me this was good legislation was that Chief Bill McCue, who has shown tremendous leadership in this area, told me that he and the members of his community want to be treated exactly like every other Canadian. They wanted to have control over their own economic destiny. Perhaps the hon. member should read the legislation because that is what the legislation allows them to do.

• (1630)

Today I rise in the House to speak to and support the second reading of Bill C-49, the first nations land management act. As the minister of Indian affairs has indicated, the bill will enable the 14 first nations which are signatories to the framework agreement on first nation land management to opt out of the land administration sections of the Indian Act and assume direct control over their reserve lands and resources.

As the member of Parliament for York North, I am honoured to represent the Chippewas of Georgina Island First Nation who are members of my constituency and one of the signatories of this agreement.

In March 1997 the Georgina Island First Nation voted overwhelmingly, 150 to 21, to adopt its own land code and implement its own land management system. I congratulate Chief William McCue, the council and the members for their vision and for their determination.

Two other communities, Chief Rennie Goose and the Mississaugas of Scugog Island First Nation in Ontario, and Chief Austin Bear and the Muskoday First Nation in Saskatchewan, have also voted overwhelmingly to assume control over their reserve lands and resources. I congratulate them for their vision and determination.

The 14 first nations that developed a framework agreement have the goal of assuming community control over their reserve lands and resources. They signed a government to government agreement with Canada in February 1996 at a ceremony hosted by the Georgina Island First Nation. I was deeply moved by the experience of attending this historic event in my constituency and witnessing the signature of the previous minister.

The responsibility of the 14 first nations under this framework agreement is to develop their own land management process and conduct their community votes to ratify the agreement. Bill C-49, now before the House for second reading, represents Canada's responsibilities to ratify the agreement.

The framework agreement and Bill C-49 are founded on the principle that first nations should develop their own laws in relation to their reserve lands and resources. This is consistent with the principles proposed by the royal commission on aboriginal peoples with respect to self-reliance.

I am honoured to bring to this House the words of a concerned citizen and a respected elder of the Chippewas of Georgina Island. Charles Warren wrote to me about the effects this legislation will have on his community:

> Land management includes development of business, farming and recreational entertainment.
>
> The saying ''strike while the iron is hot'' cannot apply to us. When opportunity knocks, it takes so long for others to make decisions for us that the iron is no longer hot.
>
> We need business here to provide jobs for our people. We need to be free to hire persons and companies who will act quickly and to our benefit. Now we are told who to hire and have to wait for okays from Indian affairs constantly. Those wheels turn slowly.
>
> Registration of leases takes six months to several years. Sometimes they are lost and have to be redone. The money from such leases are tied up without gaining any interest.
>
> We need control of pollution, of our water and a recycling system. We have a natural swamp area with rare species of birds, animals and plant life. We need some of our people trained to safeguard this area. We have many fruit trees which need to be cared for to be productive.
>
> There is an excellent gravel pit which could provide for the needs of ourselves, plus earn income from outside our community. There is land that can provide golf courses, fish farms and clean factories.
>
> The native people of Georgina Island have all that is needed for their great future if they could have a free hand to develop it.

Charles Warren and his community need swift and speedy passage of this legislation.

The framework agreement and Bill C-49 establish principles for the exercise of self-government in the area of land management.

These principles include full, democratic participation in fundamental decision making by all adult members of the community, both off reserve and on reserve; financial and political accountability to the membership; community dispute resolution mechanisms; equality of all members, both on and off reserve; and equality of female and male members.

The framework agreement and Bill C-49 are consistent with the approach to self-government advocated by a number of aboriginal groups appearing before the royal commission.

• (1635)

The agreement and the bill provide the model proposed by these groups, that is community control over reserve lands and resources. This approach is in accordance with traditional first nation practices and customs and reflects the communities' desire for economic self-sufficiency.

I quote Chief Bill McCue on the importance of parliament's passing this bill promptly to facilitate transition from federal government control over reserve lands to first nations decision making:

> Once the framework agreement is implemented by this legislation, our community will be able to make timely responses to future economic opportunities, beginning as early as April 1, 1999, which will generate employment and revenues for our people.

These 14 first nations have faith and confidence in their ability to take the first step to controlling their own destiny. They have demonstrated this ability during the last decade as leaders in the area of land management.

I urge all parties to pass Bill C-49 as promptly as possible so that these 14 first nations can implement their own decision making processes for their reserve lands and resources. Other first nations undoubtedly will wish to pursue this same goal, control over their reserve lands and resources.

I have had the privilege of representing the Chippewas of Georgina Island for the past five years. I have many friends there. I

have great confidence in their ability to undertake activities that will ensure the future for their children.

I would also like to say to members of this House that those who believe in social justice, who believe that people should have control over their own destinies, who believe that people should speak their voices and allow their voices to be heard will support this legislation.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, we know Liberals love to attend grand openings and announcements where there are well dressed people and people with lots of money and influence in this country.

When there were grassroots aboriginals meeting in the basement of an airport hotel in Winnipeg last weekend, where were the Liberal members? Where was the parliamentary secretary for the poor, the downtrodden, those people who have no voice in this House?

The aboriginal head start program is a good idea. It made good television. We had all the chiefs fly in to make their presentation and to be seen on television. They had lovely children, children who did not need a head start program. Where are the children who need this program? They are still sleeping on filthy mattresses in filthy basements of of houses that have been burned. Where were the Liberals when those people were telling their stories?

Mrs. Karen Kraft Sloan: Mr. Speaker, I would be delighted to tell the hon. member where I have been. I have been in the community of the Chippewas of Georgina Island. When I talk about community I talk about people who live, work, get educated and play in that community. These are the people who voted in their own referendum, something the Reform Party pushes at every opportunity it can. These people voted in their own referendum overwhelmingly to support this.

Is the hon. member denying the Chippewas of Georgina Island the right to have a say in their own economic future? Is he denying the right of these people to enter into a referendum to state very clearly what their position is? That is not what I have heard the Reform Party purports to believe in.

I have listened time and time again to comments from the opposite side, the way they demean first nations of this country, the way they demean the aboriginal people of this country.

● (1640)

I point out an occasion when a member opposite made some incredibly demeaning comments about my chief, Chief Bill McCue, who has shown tremendous leadership and vision working with his community on this issue. He phoned me with great disgust and hurt that a member of this House could make those demeaning comments. He also wrote me letter, which I read with great pleasure in the House, to overturn their objections to the first nations of this country.

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Ref.): Mr. Speaker, as the hon. member is well aware, we have the Nisga'a treaty going on in my province of British Columbia right now. The provincial government is sending out its version of the facts and has been going into a lot of the schools. I have been doing the same thing, except my version of the facts seems to be different for some strange reason.

When I go into the schools I like to draw analogies so that students have something specific to relate to. Students study history and one of the things they study is the old feudal system where the lord and a group of lords own the land, the resources and the revenue that comes in. They allow the serfs to build on the lands, to occupy the lands and to harvest the lands, but they control the revenue produced as a result of this.

Our concern is that each aboriginal individual should have the right to determine their own destiny. Instead, they are being locked into an old-fashioned feudal system we grew out of centuries ago. They are being locked into it by the style of negotiations taking place. There is no other explanation for what is happening. That is the situation in these settlements as they take place. Individuals do not have property rights. They do not get their share of the financial resources transferred to them when these agreements are made.

Does the hon. member think this is a good system or does she think that it would be more appropriate for individual aboriginal people to be allowed their land and their financial settlements so they can determine their own destinies?

Mrs. Karen Kraft Sloan: Mr. Speaker, from part of what the member is saying it sounds as if he would be in agreement with this legislation. This legislation puts control and decision making in the hands of aboriginal people.

The Chippewas of Georgina Island get a lot of their money from cottage leases. That money goes to Indian affairs. They then have to ask for their own money back. This is an insane situation. I hope the hon. member understands that.

On his ridiculous claim about a feudal system, if the hon. member understood anything about history he would understand that native people have a system of resource allocation and use of the land which predates feudalism by thousands of years. It is a very sane system because the land is held in common with a common respect for the land and a common respect for the next seven generations that follow.

The hon. member continues these false myths about first nations people and about Inuit people. It is a shame that they are allowed to use these words in an honourable place like this.

Mr. Rick Laliberte (Churchill River, NDP): Mr. Speaker, I want to enlighten the House on a bit of history.

The member mentioned the Chippewas. The Chippewas of Sarnia have a different story to tell. It might be a lesson for hon. members.

● (1645)

The Chippewa of Sarnia by way of warfare in defending the Canadian interests over American interests had a treaty and an alliance with the British government. Under the War Measures Act they were allocated lands around the Sarnia region. Because it was under the War Measures Act, the council of the day held the land in trust to a financial institution. The financial institution in turn called on the collateral. The collateral of the land was then owned by the bank and not by the first nation of Sarnia, the Chippewa.

If we go to Sarnia we see the Chippewa of Sarnia have their reserve and right beside it there are petrochemical companies polluting their lands and their livelihood. The land those petrochemical companies own was the land recalled by the financial institution.

Mrs. Karen Kraft Sloan: Mr. Speaker, I am not sure where the hon. member was going with his statement, but it is important that the House understand the very unique nature of the culture of first nations and other aboriginal groups.

Members must understand we have commitments with these people that go back decades, that go back hundreds of years. It is time the government lives up to those commitments. The legislation is the first step in a long number of steps that have started and will continue to be made to live up to our commitments to aboriginal people.

Mr. Rick Laliberte (Churchill River, NDP): Mr. Speaker, it is a great honour for me to speak to the topic of land management for first nations.

I will use my first language for some of the terms because a lot of the issues are hard to interpret. To continue with where I was leading with the Chippewa of Sarnia, it was the area of land rights. Once a chief and council or an individual on first nations land has the right to own the land, that land is transferable and diminishes.

In Cree we call it aski-kahna which means all the land was once first nations land. All the land was aboriginal land. Aski-kahna means what is left of the treaty obligation. It is like a corral. Aboriginal people and their livelihoods have been corralled in these reserves. That is why we see the sick society that exists in the cycle of no future among our communities. The traditional lands beyond the reserves have to be considered. I think the bill does not address that. It only addresses the administration of lands.

When the Chippewa of Sarnia lost their land to the petrochemical companies, they lost it forever. It is no longer Chippewa land because it was covered under the War Measures Act. It is still under the Indian Act. Until the first nations of the country come to terms with the existing treaties with the nation and the Indian Act which governs and administers the process, that process evolves and will come to light in a very short time.

In the meantime, of the 14 nations we have the Cree nations of Muskoday, Cowessess and Opaskwayak Cree from Manitoba. I will use Cree to explain to them what my thoughts are.

[*Editor's Note: Member spoke in Cree*]

[*English*]

I understand that as aboriginal people we have allowed people from all over the world to seek refuge, raise their children and have a joyful and fruitful future on this land.

[*Editor's Note: Member spoke in Cree*]

● (1650)

[*English*]

I understand that allowing other people to create the nation we call Canada also recognized the first nation sovereignty of aboriginal nationhood as in Cree nationhood, as in Dene nationhood, as in the Chippewa nationhood and the Inuit.

A very crucial definition of the Metis comes into play. The hon. member mentioned that aboriginal people were defined under the Constitution, but it does not go any further than that. There is a huge dilemma with that definition. The term first nations does not cover every obligation with all people. There are treaty, non-treaty, off reserve, on reserve treaty, status and non-status Indians. There are Metis and Inuit. All these different definitions used in English terminology do not mean anything to an aboriginal person. It is all for administrative purposes.

[*Editor's Note: Member spoke in Cree*]

[*English*]

I understand the makings of the law.

[*Editor's Note: Member spoke in Cree*]

[*English*]

In Cree we have a name for the Constitution.

[*Editor's Note: Member spoke in Cree*]

[*English*]

It is the legal rights of the land written on a piece of paper. This is the highest order of the country's definition of the law. The Constitution gives powers to the House of Commons and all the symbols of government in the province right down to the municipalities. However there is a dilemma. We have certain parties that would like first nations to be municipal governments. That is a very major shift in our obligations between the treaties and the Indian Act in recognizing first nations as they really are. Are they the third level of governance?

If we wanted to respect the rightful ways of entering this land, maybe the first nations and aboriginal people should be occupying the Senate and having the final assenting powers on all laws since they were the first occupiers of the land. Then they would have a higher structure as we see with the Iroquois confederacy, a united nations. There is no united nations among all aboriginal people that unites from coast to coast to coast. There is no higher level of accountability at their levels. Nothing has been designed.

In the stories of creation on Turtle Island there was a wish and a prophecy that the first nations would have eventually united as united nations. Columbus came ashore and brought a whole different set of rules, governance and religions to this country as a colony and disrupted that process. That shift in the country will have to evolve and create a reality between the aboriginal world view and our world view. Those two will have to come into play.

[*Editor's Note: Member spoke in Cree*]

[*English*]

It is the understanding, the wish and the prayer to see the future of our children grow. When decisions are made here, they should not be made for the decisions of the day. They should be made for our children's, children's, children's children, for the seventh generation. Until then it is taken over for another purpose.

Land opportunities have been mentioned. Specific statements have been made. I am honoured to say that our party supports the act because land ownership stays with the first nations. They are not allowed to sell the land. If they start selling land people are dispossessed.

In my neighbourhood there are communities that were never urbanized. For example, the community of Losh is the largest Dene community in the country with 4,000 Dene people living there. It was never that large before but they are amassed between the first nations boundaries and the municipal boundaries.

They have no decision making on the traditional lands, the water, trees and mineral rights that exist beyond. That is the economic cycle which needs to drive our purpose for the future. We have had land allocated to settlers who came from Europe and from all over the world and railroads were built to accommodate that. We have never accommodated the needs of aboriginals in terms of land, resources and livelihood.

• (1655)

Allowing a sample of 14 nations to make administrative decisions concerning the management of their lands is a first step. In a broader perspective there is a major challenge for the country to deal with all aboriginal people. The act is supported by our party but it is a very small step since it applies only to 14 first nations. There is a bigger aboriginal population out there that wants to see a fruitful future for their children. They would allow all people of the world to find refuge in the land they call home, but they have to be a part of the system. The system of governance will have to evolve. The system of administration is evolving.

Some talk about first nation chiefs and say that the chief and council have a fruitful way of life. They travels, take jets to Ottawa and negotiate. We should not knock them down. They have adopted a first opportunity to administer Indian affairs regional departments. Let us look at tribal councils. We are finally seeing aboriginal people making decisions. We should not knock them down. We should give them a chance.

A few generations ago all we saw were Indian agents making these decisions. Just because an aboriginal person is wearing a business suit and has a three figure salary because he is working in a corporate or a government institution, that person should not be knocked for striving to stand up for a piece of land and future endeavours and to be a role model for others.

We live on a huge piece of land but we have problems with housing. Many northern communities have housing problems. Why do they have housing problems when they live in the middle of the timber resource? They do not have houses. It is the economic cycle.

When Rupert's Land was created the Hudson's Bay Company claimed the land. Hudson's Bay is still an economic, capitalistic process. It does not share its capital with its people. Trappers still do not reap any benefits of the many furs they have provided to create the wealth of Britain.

The Hudson's Bay Company should be pulled out of those communities and co-operative systems of trade and housing should be created. There should be shared ownership based on a process like Habitat for Humanity where people build their own houses. They would be given a chance to roll up their sleeves and help their neighbours to build houses using the trees around them. They do not need to use plywood from B.C. for houses in northern Manitoba. They can build housing with the timber that exists in northern Manitoba and northern Saskatchewan. That would meet the housing needs of the immediate region. We do not have to trade across the country for local building needs.

Social, economic and governance needs are major issues that require a major debate. In the meantime we have a land management bill that gives some opportunity for first nations people to decide on zoning, regional environmental protection, and the

economic and leasing needs of the land. It is an opportunity to address these issues.

In further debates we might discuss the issue of allowing people who lease first nations' lands to have a mechanism to appeal some zoning decisions that impact them. If agricultural land is to be used for industrial or recreational use, at least the person who is leasing the land might have a mechanism to appeal such a decision. That will be designed later. That concern has been raised by a number of people.

[*Editor's Note: Member spoke in Cree*]

[*English*]

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, I question whether aboriginals can be classified by their interests just because of their race. I happen to have had a great grandmother who was born on the Fisher River Reserve in Manitoba so I have some interest in the affair.

● (1700)

I do not think I, or any of my colleagues, ever said that high education or high salaries for aboriginals are bad. Please, let us have that as a primary goal in everything that we do. I just want to commend him on mentioning seventh generation thinking. We should be far-sighted.

We should be establishing laws that make a difference. That is the subject of my concern with the actual legislation that is under discussion today, because women and children under this legislation will find themselves being subjected to the whims of the current possessors of power. I am concerned that this legislation needs serious amendment or it needs to be defeated to protect the women and children who have come to us and said ''You must defeat this legislation for these purposes''.

Mr. Rick Laliberte: Mr. Speaker, the history of the leadership and democratic rights of women in this country developed long after the male population had achieved those things.

When the first women were elected to the House of Commons it was decades after the House was created.

The true reality of the Indian Act and the relationship that we have with aboriginal people throughout the country has brought the archaic structure of the Indian Act to light. I think this bill brings forth the fact that aboriginal women and children must have their rights thoroughly respected. It is time.

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, I am pleased to join with my colleagues in voicing my concerns about Bill C-49.

After listening to the debate all afternoon, certainly I do not think there is a great deal of difference in what we all want to achieve for aboriginal people. The great differences are probably in ideology and how we might achieve those things. We, myself and my party, do not think that this particular bill is the way to achieve what we all hope to achieve for aboriginal people.

The aboriginal people in my riding, who are many, often come into my office expressing concerns with the direction that this government seems to be taking Indian affairs.

For example, I can remember back in 1993, after I was first elected to the House of Commons, meeting with an aboriginal woman, a lawyer, who represented a band that had expressed great concerns about this bill. As a matter of fact, she expressed the idea then that this bill was nothing new, that in fact it was a leftover from the Mulroney government. She had huge concerns about the amount of money the government was pouring into the process and what this bill was going to achieve.

The impression that the government has been trying to leave all day, that this is part of the process of creating some kind of a new partnership with Indian people, is quite fraudulent and shameful.

This bill is well intended to bring into force a framework agreement on first nations land management to give first nations control over their land and the resources upon and under their land. That goal is long overdue.

The idea that any income from aboriginal lands has to flow to Ottawa and then Indian people have to come to Ottawa begging for their money should be corrected. Sometimes they find out many years later that their money has not in fact been held in trust, but has been squandered, spent and misused.

● (1705)

If we can correct that it will be an achievement. However, I do not think this particular bill is the way to do it for several reasons.

With respect to the issues of land management, this bill calls for the creation of what would essentially be a third level of government. In order to create a third level of government, most Canadians would agree that it would require a Constitutional amendment and all that goes with that. We cannot create another level of government and change the structure of government in Canada simply by bypassing the required process, as the government is trying to do here as well as in the Nisga'a land claim process.

This partial and yet substantial form of self-government would apply to all first nations that have signed on to the framework agreement. The framework agreement gives first nations the power to pass laws for the development, conservation, protection, management, use and possession of first nations land. The agreement also gives first nations control over licenses, leases, property and other interests. These self-governing powers are properly placed with aboriginal people, but the powers have been dangerously

placed in the hands of a select few first nations leaders with no provision for accountability to the people they represent.

I am particularly concerned with clause 37. I have heard a lot of others say they are concerned with the same clause. This clause states that the framework agreement act will prevail in the event of any conflict between this act and any other federal law. There is no constitutional basis for the creation of this third level of government, nor is there a basis for granting even partial powers such as these.

In fact, Bill C-49 undermines the Constitution by giving first nations the power to create laws that would supersede federal laws.

I would point out that I am not opposed to native self-government. I am simply opposed to giving sovereign jurisdiction over certain issues to such a level of government.

My colleagues and I recognize the need for effective self-government. However, we believe that aboriginal self-government should be a delegated level of government, not one in which one segment of the Canadian population is given special rights or privileges. When we say that certain laws apply to all non-aboriginal Canadians but no longer apply to aboriginal Canadians we are creating two classes of citizens. This division is unacceptable.

It is over two weeks since Nelson Mandela visited and spoke in the House. Already some members of the House are forgetting the important struggle which this remarkable man represents. President Mandela dedicated his life to breaking down barriers between different cultural groups in South Africa. He pursued equality for all South Africans regardless of race or colour.

Creating these first nations reserves, nations within the nations of Canada, is no different in my mind than the creation of the homelands of South Africa. The same kind of squalor, poverty, disease and abuse is taking place on the reserves in Canada that the black people of South Africa suffered for so many years until Nelson Mandela was able to break that system.

Does this government not realize that by affording special privileges to one cultural group it is creating rather than eliminating such divisions? Not only is it creating divisions, it is promoting an ''us against them'' mentality. For years this mentality existed on the part of aboriginal people, and rightly so. Poor treatment by our ancestors gave rise to animosity between aboriginal Canadians and non-aboriginal Canadians.

For 131 years successive Liberal and Conservative governments instituted well-meaning programs, but programs that were disastrous for aboriginal people. They have not given aboriginal people the same rights as the rest of Canadians enjoy, such as the right to own a home, to raise a family in reasonable conditions, to travel the country and to have a reasonable income.

• (1710)

Those things are denied. As my colleague from the NDP said, aboriginal people are being corralled in reserves where conditions are making it very difficult for them to leave and participate in mainstream society.

We are now at a point in history where we have the opportunity to promote and ensure equality among all Canadians. Instead, this government would rather perpetuate the animosity by affording special privileges to those first nations which are signatories to the framework agreement.

This legislation is frustrating to non-aboriginal Canadians and also to most grassroots aboriginal Canadians who see a particular segment of Canadian society getting special privileges and constitutional rights beyond those afforded to the average citizen.

The creation of such an unconstitutional inequity is only one of my concerns. I am also troubled by the fact that through this legislation major sections of the Indian Act will no longer apply. My colleagues and I certainly support repealing the Indian Act, but not by this cherry picking method of taking the good and leaving the rest.

Stanley Cuthland, an elder at the Saskatchewan Indian Federated College, says that the traditional customs regarding divorce laws are vague. Therefore, by giving first nations' leaders control over property division and possession in the case of marriage breakdown, we are putting the well-being of native women and children in jeopardy. That is certainly an issue that I heard raised by almost every member who spoke on this side of the House. I also heard some feeble justification for it from the other side of the House that really would not provide much comfort to any Indian woman looking at this bill.

There is no guarantee that the divorce laws, which the member opposite talked about the first nations creating, would respect the individual rights of the individuals they affect. That is only one example of the problem that may arise from enacting this legislation. There are all kinds of problems. I guess the devil is in the detail and the development of the regulations that will be enacted on the reserves.

I would also like to point out that one of the biggest factors contributing to the cycles of dependency on reserves is the fact that reserve land and property is held in common.

We heard a lot of discussion about the traditional Indian way of holding property in common, but the Indian people who come into my office to talk to me about problems on the reserves do not see their aspirations any differently than I do. They have a great desire

to own their own home, or their own piece of property, or to make improvements to their home, when they can afford to, because it is theirs and they can pass it on to their children. They want exactly the same things the rest of us want.

This idea that all Indian people still want to have this tribal custom of holding everything in common for the tribe is, in my opinion, an excuse for the aboriginal leadership to maintain control and the wealth of the reserve.

Giving a select few native leaders control over those common properties provides an opportunity for those in power to take advantage of the others in the community. I see it all the time. I cannot understand how members on the opposite side of the House can continue to turn a blind eye to the poverty and despair on so many reserves.

The member opposite even spoke about how we should not be so critical of these incidents that we continue to bring up of abuse of power and mismanagement of money because these people somehow have to learn to manage their own affairs and they will be better for it. That is idiocy. As long as we allow a system of tyranny to continue on the reserves, with the grassroots people having no tools at their disposal to correct those things and make their leadership more democratic, more responsive and more transparent, that system will be perpetuated forever. It will never change. The reserve natives will continue to live in substandard conditions while many of their chiefs and councils live in big houses and drive new cars and trucks.

• (1715)

Anyone who has been on a reserve knows about these things and what takes place on the reserve after a band election when the chief and the entire administrative structure of the band change. People are evicted from their houses. Relatives of the new chief move into the houses. These things happen every day. People talk to me about it.

I had a lady visit my office who had a wonderful well paying job in social welfare on the reserve. She enjoyed her job. She was well educated and she was good at her job. She witnessed the abuse and corruption on her own reserve. Money was being taken out of services for children and people on the reserve and being put into places where it should not have been. When she complained her life was threatened. She was evicted from her house on the reserve and had to move off the reserve into town to preserve her life.

The stories go on. I had a young man come into my office with a lot of documentation regarding mismanagement and corruption on his reserve. I looked at the papers and realized he had a solid case. I went with him to the RCMP and had it look at the evidence. The RCMP said there was solid evidence that something was wrong. The RCMP said it would begin a criminal investigation. The investigation went on for months until the RCMP phoned me and told me this young man turned up dead on the reserve and there was no sense in continuing any further with the investigation. I can go on and on. There are endless stories such as these.

The leadership on these reserves seemingly enjoys the funds originating from the federal government but they are unevenly distributed among other people. Indian people refer to this system as the Indian industry and how hideous it is.

It is an outrage to think this legislation would benefit most native people when it is only a select few native leaders controlling the show.

The problem on reserves needs to be fixed before native leaders are afforded any more power. That is the message being sent to me all the time. Otherwise we are only contributing to an already enormous economic and social problem.

It is time this government asked the grassroots natives, not just native leadership, what they want rather than giving full authority to the aboriginal leadership to impose whatever system it likes.

Many native constituents have walked through my office door to express their concerns over the secrecy and corruption on reserve. I can assure members that not one of them has ever suggested affording their native leaders greater control over their lives. Most natives feel the leaders already have too much power and the basic rights of the individual are being trampled.

I am frustrated by the government's automatic dismissal of anything offered by Reform members with regard to aboriginal issues. While I recognize that our philosophies may not always agree with the government's, I am here to represent my constituents. That is what I am attempting to do.

When I say a constituent has approached me with a concern, the frequent response from the members opposite is that was just one person, the majority support them. Under most conditions they would quote one poll or another to support their position.

The truth is there are no polls reflecting the views of grassroots aboriginal people. When it comes to native issues there is a secrecy and sensitivity that makes it difficult for grassroots natives to speak out about what they want or need. They feel threatened by the chief and councillors who already wield much control over their lives. If that control is increased, as it will be by this legislation, it will be even more difficult for those natives to speak out.

I cannot accept any legislation that supersedes federal laws of general application. Amendments must be made to ensure that in the event of a conflict with constitutional and federal laws, constitutional and federal laws will reign supreme.

• (1720)

In the event of a conflict, individual rights and freedoms must be protected under the charter which, I might add, is a cornerstone of liberal society. This is an absolute necessity, a necessity that was at one time acknowledged and expounded by the Liberal government.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, previously a member talked about having had the band's approval for entering into this framework agreement. Does everybody understand the law?

The B.C. Native Women's Society certainly does. It understands the implications of this law and opposes it. The society speaks for women and children, not just in B.C. but right across Canada.

The status quo creates desperation as people look for anything that might help them out of the situation they are in. When this bill was presented, as it has been consistently by the Liberal government as the best answer to the problems besetting natives, who spoke for the opposition to this bill?

Would the member comment on what has happened in the area of Canada he represents? Do people hear both sides of the debate?

Mr. David Chatters: Mr. Speaker, certainly I agree with my colleague that generally grassroots on reserve Indian people probably know very little about the bill and what the government is proposing to do.

The aboriginal leadership on reserve generally maintains a pretty solid control over the agenda that is taking place and any information that would be coming in about the proposed legislation by the federal government is, I am told, not explained in an unbiased or reasonable way.

There has not been one aboriginal person out of probably hundreds who have spoken to me over the last five years who has asked me to support legislation that gave their leadership more control over their lives. They want control over their own lives.

When the member opposite speaks about giving aboriginal people control over their lives, that is a commendable objective but she is not talking about giving aboriginal people control over their lives, she is talking about giving aboriginal leadership control over reserve families' lives.

That is not what aboriginal people want. They want control over their lives just like we have.

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, I am very pleased to enter this debate for a number of reasons.

My province of Saskatchewan has the largest percentage of Indian people of any province. I am very familiar with that, besides the fact that in my constituency I have four or five or maybe more reserves.

Wednesday is November 11. When I look at this date, I really feel sorry for the misdeeds and the wrongs that have been done to those people of native ancestry who joined the Canadian forces.

I take this opportunity to say that I fully extend my sympathy with them. They volunteered. They were not recruited. They fought. Some of them gave their lives but they were never given full recognition for their services.

To this day, as far as I know, the Department of Veterans Affairs has never issued an apology for the way those fine young men were treated. I have some of those veterans of the Indian ancestry within my constituency.

Throughout history we, meaning caucasians, committed many wrongs against the natives of this country. But one is so outstanding as we approach November 11. It really hurts me. Some of them were even denied the right that they were really people within the army. They were denied such things as Veterans Lands Act rights. The Department of Veteran Affairs denied them the same rights for continuing education. I have talked to many of them. I hope someday I will be able to correct that wrong whether through a motion or a private member's bill.

• (1725)

In my constituency we have Moose Mountain, part of the name of the constituency. I want to tell members about another terrible wrong we did to those people just before the turn of the century. We allowed white people, caucasians, to come in. Yes, they gave a dollar for the land, but within a few years these same speculators sold the same land for $2.50 an acre. They really destroyed a whole potential reserve at that time.

Since that time we have tried to correct, through the Indian lands entitlement act, a wrong that was done. As a result of that, we have created two new Indian reserves out of what was forced into one reserve.

I want to say this to correct a wrong. Every member in this party believes fundamentally, without question, that we want to see the treaties honoured. It is a fallacy for the members opposite to say we do not want to see the treaties honoured. We do. But what we do not want to see is a continuation of these piecemeal events as they relate to natives in Canada which will only perpetuate the myth that we have in Indian affairs at the present time. We really are not taking any substantial measures with this bill to correct a problem in the societal system we have out there. We simply prolong it. This is what my colleagues and I agree on fundamentally.

In 13 months we are facing a brand new millennium. It is time we got with it. It is time that we took a look very seriously at the greatest social problem we have, honour the treaties and let us go into the new millennium, not with the same old rolling over of disputes but with something that looks new, is new and will respect the dignity of every man, woman and child.

This bill will not do that. The Indian Act today does not do that. I do not know how many times I have had people come to me and say ''I want the same right that you have, Mr. MP. I want to be able to go down to my office, just like you go to your town office, and look at a financial statement. I want to see an audited financial statement''. It is not only one call; this goes on and on.

For us to say that they are not ready for it, I say if they are not ready now, and I know the women and children are ready and most of the grassroots people are ready, this bill does not face that issue. Until that issue is faced, we are going to continue with the big social problem.

The Acting Speaker (Mr. McClelland): The hon. member for Souris—Moose Mountain will have approximately 15 minutes remaining when next this bill comes before the House.

Just before we leave this today, I rarely do this but I want to commend members on both sides of the House for the really good and worthwhile debate we had today.

• (1730)

I commend the member for Churchill River who spoke in Cree and then translated it for the House. I assure the hon. member that he need not ever apologize to the House for speaking in his first language, which has been a long tradition. The House deserves a pat on the back for the quality of the debate today.

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*]

CANADA STUDENT LOANS

The House resumed from September 25 consideration of the motion.

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, I am pleased for the opportunity to speak to the motion which calls upon the government to address the challenges facing many young Canadians as they seek to finance their post-secondary education.

To begin with, I commend the hon. member for her concern for the educational needs of young Canadians. I assure her and other members of the House that the government is concerned about the issue of accessibility to post-secondary education and is working hard to address it. We have made it a key priority from our first day in office since we know that having a good education and getting the right skills are key to the future of our youth and the economic well-being of the country.

However, I disagree with a number of points in the hon. member's motion such as some of her premises which suggest that we have privatized the Canada students loans program and that we want to turn students over to bill collectors. This is not true. Another premise is that we need to implement a whole new federal government student grant program presumably because nothing of any value is currently in place. A third premise is that we need to establish accessibility as a new national standard for post-secondary education because once again the member seems to feel we are not doing enough in this area.

Nevertheless I agree with the underlying motive in the motion, namely the desire to ensure full access to post-secondary education for all students who qualify, no matter where they live or what their family circumstances. I state unequivocally that this is also a priority of our government.

To make sure we got things right we consulted with students, their families, our provincial partners and officials in post-secondary educational and training institutions to find out what challenges students face and how we can work with them to address the issues they face.

One of the things students told us was that they needed better access to financial assistance. Families told us that they needed some help in saving for their children's education. As a direct result of these consultations the last budget contained 13 new measures aimed at improving access to post-secondary education for those students who might find it difficult to pursue this goal without financial assistance.

These measures included, first, the millennium scholarship fund that will provide grants to 100,000 students annually based on their financial need and academic merit and, second, changes to the Canada student loans program that help students repay their loans. For example, we included a 17% tax credit on the interest they are paying on their loans each year. The borrower can also ask the lending institution to extend the loan repayment period for 15 years, which can lower monthly payments by nearly 25% at current rate. Third, there are Canada study grants to help those in need. Fourth, we are also encouraging families to save for their children's education by providing a Canada education saving grant of 20% on the first $2,000 of annual contributions made to a registered education savings plan for children up to age 18.

On the last point, even if they set aside $30 per month each year, they will get a grant of 20% of the total contribution each year from the Government of Canada. If they contribute the full $2,000 they can receive the maximum grant of $400. This has already proven to be a very popular savings vehicle.

As members are aware, some special students face special challenges in pursuing their education. For example, students with disabilities face multiple issues relating to access.

● (1735)

To address these special needs the government is trying to make sure they get the assistance they need to enjoy equal access. Some of these involve financial considerations while others relate to long outmoded ways of thinking which emphasize disability rather than recognition of special ability. For instance, students with permanent disabilities such as deafness, blindness or other physical or learning disabilities are eligible for a Canada study grant of up to $5,000 a year to cover exceptional education related costs that might result from the disability. That amounts to an increase of $2,000 or a 67% increase in our support for these students.

These funds may also be used to cover such exceptional expenses as the cost of a tutor, an interpreter, attendant care or any other special assistance required by students with disabilities to allow them to undertake or continue their studies.

I might add that this is not just a one-shot effort but is part of an ongoing commitment by the government to assess the needs of students with disabilities in order to help them take their rightful place in post-secondary education and training. There are also grants for high need part time students, students with dependants and women wishing to pursue certain doctoral studies.

This shows the government's ongoing commitment to ensuring the widest possible access to post-secondary education. Contrary to what the motion claims, the Government of Canada has not privatized our system of student financial assistance. Rather we are working in partnership with students, families, educational and financial institutions to make sure that every student with the qualifications, ability and desire can get the help they need to continue. It shows that our loan and grant programs are opening up learning opportunities to the full spectrum of Canadian students.

We have put a clearly defined action plan in place which is helping to improve the accessibility of post-secondary education for all students, no matter what their family circumstances or special needs.

Because of this the motion before us today, while well intentioned, is unnecessary and could actually harm the progress being made in helping students. For this reason I intend to vote against it and I would urge other members to do likewise.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Ref.): Mr. Speaker, today in Private Members' Business we are debating a motion brought forward by my colleague from Vancouver East having to do with post-secondary education. I would like to read the motion:

> That, in the opinion of this House, the government should reverse the privatization of Canada Student Loans, reject proposals for income contingent loan repayment, and should instead implement a federal student grant program and establish accessibility as a new national standard for post-secondary education.

I understand the motion. My colleague believes and urges support for a move to replace the necessity for student loans with outright grants to students which would not be repayable and to ensure that any student who wishes to pursue post-secondary education would be given the means to do so. I believe that is a correct understanding and I see my colleague agreeing with that summary of her proposal.

The issue is an extremely valuable one to discuss. Clearly there is an increasing feeling on the part of young people in the country that the cost of education is becoming greater, more and more of a burden. There are some who believe that the cost is becoming prohibitive in people pursuing an education who otherwise would wish to do so.

If that premise is true it certainly would need to be addressed very clearly. In a country such as Canada with a small population base our niche in the world economy clearly is one of technological and innovative expertise. We do not have the sheer horsepower that other countries have, but we certainly can have the brain power and the technological power that an above average education system can provide.

● (1740)

Solid education is a key to a dynamic Canada in the context of the global economy and to good jobs and secure jobs for the workforce. That is very important because working people are the ones who contribute to the social security measures that we have in place, as well as to their own well-being and the well-being of their families, and to future prosperity and quality of life in our country.

I think all parties acknowledge the key role that post-secondary education plays in Canadian society. We need to have high quality in this area with highly qualified instruction, with good facilities and top notch research equipment and programs, and with the money needed to pay the expenses of education, tuition, room and board, and books. We need to ensure that capable people, those with ability and academic interests, are not barred from pursuing that line of endeavour. There is very little to argue with in the proposal that students should have the means to pursue these opportunities.

The debate has centred around what is a reasonable means of contribution to the funding of the education of students. Education is expensive in terms not only of the time and talent of the people involved but also in terms of dollars. There is a legitimate debate about who should bear the costs of that educational activity.

Should the student pay any of the costs at all? I think my colleague is suggesting the costs should be borne entirely by others

in society and then in due course the student would gain the expertise to contribute toward the education of others later on.

The question I would pose to her—and perhaps she can address it as she wraps up the debate—is one of fairness. Students receiving an education clearly have an enhanced tool in their hand to earn and to provide a life for themselves and their family. Would it be fair to expect other people to bear all that cost although a great deal of the benefit will accrue to the student? It is not simply a matter of society benefiting although clearly society will, but also there is a personal benefit on the part of the student.

Another question comes to mind. Is there a human dimension that makes people value and put more individual effort into something in which they or their families have a personal investment as opposed to having no personal stake in the educational endeavour in question?

There is also a question of working people, many of whom have not had either the skill or the inclination to pursue academic studies, working at fairly low paying jobs at $7 or $8 an hour but having to pay substantial taxes to fund the cost of education of other people.

There are some fairness issues I would like to see addressed by the member which suggest to me that outright grants to any and all people who want to pursue post-secondary education may not be appropriate.

I understand that students at the present time are required to pay about a quarter of the actual cost of their education. This is up from about 14% in the early 1980s. It is a little lower than 18% which was the cost in the 1970s. The question we need to ask ourselves is whether it is fair to ask students and their families to fund a quarter of the cost of their post-secondary education themselves rather than those costs being totally borne by other working Canadians.

• (1745)

It is interesting to note that family incomes have risen substantially since 1970. Therefore, the burden of post-secondary education is not as great as it was 20 or 30 years ago. There is the serious issue of student debt and the availability of loans to pay the educational costs, but then the burden is on the student afterward. My Reform colleague who spoke before on this issue talked about some of the proposals we have put out into public debate to address that.

The other thing to notice is that students are hampered by this government in other ways. They have to pay EI premiums if they earn over $2,000 a year, even though they do not qualify for benefits. Students earning over $3,500 a year have to pay CPP premiums. Students earning just under $7,000 a year, which is certainly not enough to live on nor to go to school on, are subject to personal income tax. There is an anomaly here. Students are barely able to pay the freight even though they only pay 25% of the true costs of education, but their disposable income is being taken by government in payroll and other taxes. That is something to address as well.

The millennium scholarship fund, often talked about as the big assister of students, in reality will help less than 10% of students and they will be chosen by a board appointed by the government. That is not going to be of great excitement to most students.

Those are the issues we need to talk about in this debate. I commend the member for bringing forward this serious issue. I hope that she will respond to some of the concerns and balancing considerations which I have raised.

[*Translation*]

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, I am pleased to address the motion of the hon. member for Vancouver East. This motion deals with a very important issue, that is access to post-secondary education. I will read the motion before explaining the Bloc Quebecois' position. Motion M-132 reads as follows:

> That, in the opinion of this House, the government should reverse the privatisation of Canada Student Loans, reject proposals for income contingent loan repayment, and should instead implement a federal student grant program and establish accessibility as a new national standard for post-secondary education.

Let me say from the outset that we oppose this motion because it is clearly based on a centralizing will, in an area that comes under the exclusive jurisdiction of the provinces under the Canadian Constitution.

We are not of course opposed to investments in education, but it is not the federal government's role to get involved in this area. Indeed, beyond the Constitution itself, we have always defended Quebec's education system, which clearly differs from those that exist elsewhere in Canada.

The Quebec model has been successful, and it is to protect it from a centralizing federal program that, this morning, I tabled a bill to make changes to the millennium scholarship foundation. If that bill is passed, it will allow Quebec, and the other Canadian provinces interested, to opt out of the foundation's activities, with full financial compensation. It would be possible for a province to opt out, provided there already exists in that province a program aimed at providing financial assistance to students in order to promote equity in access to post-secondary education.

• (1750)

I will not read the bill in detail here, but I will invite anyone in the rest of Canada who would like to see national education standards to do so, for it is a faithful reflection of the consensus in Quebec. That consensus will manifest itself each time the federal government tries to interfere in education in Quebec.

For a clear understanding of the difference between Quebec and the Canadian provinces, I need to provide a brief description of how we have tried to guarantee equality of opportunity for access to post-secondary education.

Quebec already has a program for providing financial assistance to students. This would enable it to meet the conditions for withdrawal with full compensation, as defined in the bill I have made public this morning.

This comprehensive system was not created yesterday. After the Quiet Revolution, the Government of Quebec created a loan and bursary program aimed at promoting equal opportunity. It is the only government in Canada to have developed such a system, and to offer student assistance based on need, not merit.

Year after year, the Government of Quebec assumes approximately 80% of the costs of this program. The rest, a marginal amount, comes from the federal program Quebec opted out of in 1964 with full compensation.

We have to assume that Mr. Pearson, the Canadian Prime Minister of the time, reached such a good understanding with Mr. Lesage, the Premier of Quebec, because he had read the Canadian Constitution, which provides clearly that education comes under Quebec's jurisdiction.

I introduced a bill this morning to remedy the problem created by the Liberal government. By insisting on setting up this millennium scholarship fund the Prime Minister precipitated a dispute with the National Assembly in a field where the separation of powers is very clear. Because of this, it managed to turn all—and I stress that—parties in the National Assembly against its proposal. All parties in the National Assembly, including the Liberal Party of Quebec, are opposed to it.

He succeeded in uniting all the stakeholders in education in Quebec in opposition to him. Whether we are talking about university rectors, professors or students, the world of education opposed with a single voice the meddling by the federal government in the field of education.

In this context, I must reject today's motion, which would engender the same problems as the millennium fund scholarships and apply uniformly across Canada—in Quebec and in the rest of Canada.

At the risk of repeating myself, I reiterate that the people in education in Quebec want to retain the ability to fashion their own future according to the choices made by Quebec society. My action this morning is intended to fight this same sort of meddling by the federal government. It aims to have Quebec's consensus on the matter respected.

This consensus is not surprising. Where education is concerned, Quebec has its own developmental tools. It has had promising results as far as accessibility is concerned. Tuition fees in Quebec are twice as low as in the rest of Canada. The average student debt load is estimated to be $11,000 per student, compared to more than $25,000 in the rest of Canada. We in Quebec can boast as well of having the highest proportion of university undergraduates in terms of our population.

● (1755)

In other words, we know how to manage education. We do not need new national standards or a new campaign to increase the federal government's profile.

There is too little money available for education to take any of it for artificial country-wide standards, or to buy the Prime Minister publicity, which is the main purpose of the millennium scholarship foundation.

Looking at recent federal initiatives in education and assistance to youth, it is obvious that raising the Liberal government's profile is more important than students' real needs. That is particularly clear in the case of the millennium scholarships.

The Prime Minister is prepared to totally duplicate a government structure that is already working perfectly well. The motion is aimed in exactly the same direction as the millennium scholarship foundation.

For example, the Government of Quebec has already accredited all educational institutions within its borders. It has already put into place a system which selects students based on need and not on merit, systems for auditing records and distributing assistance, an appeal process, and so on. This structure has been in place in Quebec for a long time now, and works very well.

My bill urges the federal government to transfer financial assistance directly to Quebec's students through Quebec's existing system, consistent with the wishes of the elected representatives of the National Assembly. It is a system that is based not only on the needs and on the societal choices of the PQ government, but that reflects the wishes of all parties in the National Assembly.

I wish to point out that the money in the millennium scholarships fund properly belongs to Quebec and to the provinces who wish to opt out of the program. The money the federal government is putting into the foundation comes from cuts to transfer payments intended for Quebec and the provinces.

In Quebec alone, federal government payments to the education sector have been cut by $500 million annually. It is not surprising that Canadian provinces and Quebec are demanding that the federal government resume transfer payments before creating any new programs. Nor is it surprising that Quebec's education sector is condemning the government for giving $75 million in millennium scholarships with one hand, while removing an amount six times greater from the education budget with the other.

I have not addressed the issue of privatization of student loans, or of proposals for income contingent loan repayment. The reason is very simple: these measures do not apply to Quebec which, as I explained, has designed its own system of financial aid for students.

I therefore urge all those interested in education to study this system, which has nothing to do with privatization or income contingent loan repayment.

[*English*]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I am very pleased to stand today to speak to the motion by my colleague from Vancouver East which reads:

> That, in the opinion of this House, the government should reverse the privatization of Canada Student Loans, reject proposals for income contingent loan repayment, and should instead implement a federal student grant program and establish accessibility as a new national standard for post-secondary education.

I would like to dedicate what I have to say today to three young women. One of them, who worked for me last term, is one of the many students in this country who are bowled over by crushing student debt. Another young woman had to declare bankruptcy because of the size of her student debt. The main crime of both of these women was that they chose to get a post-secondary education. The third young woman is 20 years old and is absolutely terrified about even entering the game because of the situation she now sees facing so many other people. These are the people I am thinking about when I talk about this motion.

The Liberal government has called itself the government of youth. At the same time it is engaging in a deplorable strategy of gutting funding for post-secondary education and privatizing Canada's student loans and forcing more and more students into severe debt.

• (1800)

This motion attempts to rectify this injustice. It also attempts to highlight the Liberal hypocrisy and make the link explicit between the drive to privatize post-secondary education and the increased hopelessness of students graduating into unemployment and even poverty.

It also should be made clear that, as the government retreats from its commitment to post-secondary education, the banks are moving in. More and more students are forced to borrow more money directly from banks in order to fund their education. Banks are not publicly accountable and have an interest in profit maximization, not in education and student well-being.

It is a strategy on the part of the Liberals to erode public funding for post-secondary education to the point where it is completely within the private sector domain.

With this motion the New Democrats are pressuring the Liberals to recognize the extent of the student debt crisis. We want the government to listen to what the students are saying.

I am interested in the comments from my colleague opposite about disabled students, and I would like to speak a bit about what is facing disabled students in this equation right now. Disabled students are still not at all facing a level playing field when it comes to post-secondary education.

We have enormously handicapped students or just mobility handicapped students who have to work around attendant care schedules. They really are handicapped by the schedules of others. What we need here and now is really a user friendly home care program that will meet the needs of students as they try to make it to classes at different hours of the day.

In my city we need more than two accessible taxis for students who have to find their way to universities. We have students who are dependent on wheelchairs and find themselves not able to get to school because their wheelchairs are in disrepair. They are in fact having to spearhead their own fundraising for new wheelchairs. It would be really unfair at this point to say that there is a level playing field for these students.

There are also a lot of hidden costs for disabled students, things like audio tapes and batteries and hundreds of ways that students have to pick up hidden costs.

Deaf students in Ontario have recently found their grants turned into loans. The cost of interpretation for a deaf and hard of hearing student is quite frankly astounding. It can reach up to $60,000 per student.

Let us not leave the impression that students with disabilities are feeling confident as they enter the slings and arrows of outrageous higher education.

I want to put forward some facts about post-secondary education. According to Human Resources Development Canada, 45% of new jobs by 2000 will require post-secondary education. That means for many young people attending university or college there is simply no option if they want to find work.

Despite this and despite saying they are committed to youth, Liberals continue to throw barriers in the way of young people struggling to develop the skills and talents necessary to get ahead in a cut throat global economy.

Since 1995 the federal Liberals have cut $1.5 billion from federal funding for post-secondary education. Since 1980 Liberal and Conservative governments have cut federal funding from $6.40 for each dollar of students to less than $3.

Tuition fees in Canada have reached a national average of $3,100 which surpasses the average tuition rate at publicly funded univer-

sities in the U.S. Bankruptcy rates for students trying to pay off loans are at a record level, having increased by 700% since 1989.

Currently we have 130,000 students in default. The number of bankrupt graduates is estimated at 37,000. There is a legacy. I really cannot get that out of my mind. I guess the first thing this motion urges, which I think is central, is that the government should reverse the privatization of Canada student loans.

In 1995 the Liberals gave financial institutions broader responsibility in the area of student financial assistance. Before that time, even though student loans were accessed through banks, they were fully guaranteed by government. Since then the federal government has ceased to guarantee student loans.

• (1805)

Instead it pays a 5% risk premium on all loans to participant lenders. It was the government's subtle way of saying that students are not to be trusted.

In the last budget the government announced another giant step toward privatization. Buried deep within the budget legislation currently in committee is a clause which gives banks more power to refuse student loans.

The clause allows cabinet, outside the scrutiny of the House, to determine which students do not deserve access to loans. The implications to that are staggering. Who is to say which guidelines cabinet will set? Will single mothers hoping to access loans be turned away because they missed their credit card payments?

Is this the first step toward giving banks total control over eligibility guidelines? How far are we from banks being able to determine which areas of study have a better return than others? For example, how profitable is it to get an education in the arts?

We are also concerned that privatizing student loans gives banks even more power on campus. CEOs and chairs of Canada's biggest banks already sit on boards of governors of many of Canada's universities and colleges. Privatizing student loans furthers their influence in shaping the direction of post-secondary education.

Why does business want in? It is simple. It wants control. Consider this statement by one time CEO of the Royal Bank Allan Taylor: ''It is in business' best interest to get involved with funding for universities, but also with a direct involvement in setting courses, setting the curricula, so that it will get the kind of student it wants''. Big business has taken note. Across the country campuses are becoming a favourite stomping ground for big business elite.

This motion urges that the government should reject proposals for income contingent repayments. It urges the government instead to implement a federal student grant program and establish accessibility as a new national standard for post-secondary education.

New Democrats are not about to let the federal government forget about the student debt crisis. Instead of creating a scholarship program which duplicates existing programs and does nothing to help students in need, we have called on the federal government to take steps that will reduce student debt.

These include the end of privatization of Canada student loans and restoring this year's cut to education of $550 million. Following the suggestion of the British Columbia provincial government, work with the provinces to introduce a nationwide tuition freeze as the first step toward the elimination of tuition fees. Implement a national grant program to assist first and second year students and assist them to ensure students are provided with accurate information and are informed of their rights.

In the coming months the New Democrats will continue to work with others concerned about post-secondary education to make sure young people from low and middle income families do not have to mortgage their futures and their families to attend university or college.

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am very pleased to have the opportunity to speak for seven minutes on the motion before the House moved by the hon. member for Vancouver East regarding the Canada student loans program.

I am confused by the wording of the privatizing of Canada student loans. In my riding I receive calls from students on numerous occasions with questions or comments about the Canada student loans program. I am not quite sure what the member means about privatizing the Canada student loans program.

The wording of this motion really seems to be calling for action by the Government of Canada to assist in the financing of post-secondary education for Canadian young people.

What the motion ignores is that the Government of Canada has undertaken extensive consultations with all stakeholders with an interest in this subject, including the provinces and the territories.

The government has implemented many of the recommendations of the report of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities. We have already taken measures to ensure Canadians have access to post-secondary education.

In his February 1998 budget speech the finance minister said: ''Canadians do not need to be told that student debt has become a major problem. Students know it. Their families worry about it. Graduates must deal with it''.

In 1990 the average student debtload of a graduate completing four years of post-secondary education was $13,000. It is now

almost double that, $25,000. In 1990 less than 8% of borrowers had debts larger than $15,000. Now nearly 40% do.

• (1810)

[*Translation*]

For the purposes of the Canadian opportunities strategy, the February budget proposed various improvements that reflect our approach regarding financial assistance to students, the new situation of today's students and current economic and demographic changes. The new measures are designed to help those most in need in the current economic context.

[*English*]

The budgetary measures include tax relief for interest on all student loans, interest relief for more graduates, extended repayment periods for those who need them, extended interest relief periods for those who remain in financial difficulty and reductions in loan principal for those who still face financial difficulty.

For the first time all students get tax relief for interest payments on their student loans. Each claimant will be allowed a 17% federal tax credit on the interest portion of payments of federal and provincial student loans. The income threshold for interest relief has been raised by 9%. This means a person can now earn more and still be eligible for interest relief.

The interest relief plan is designed so that the Government of Canada pays the interest on the loan for students facing financial difficulty in repaying their loans. Beginning next year partial interest relief will be available further up the income scale for graduates facing financial difficulties.

For borrowers who have exhausted 30 months of interest relief they can now ask their lending institutions to extend the loan repayment to 15 years. At current rates of interest this could lower monthly payments by close to 25%.

Now debt reduction can be provided for some graduates who still remain in financial difficulty after exhausting free interest relief measures. In these cases the loan principal may be reduced if annual payments exceed 15% of the borrower's income.

[*Translation*]

Other initiatives taken under the Canadian opportunities strategy also seek to improve Canadians' knowledge and skills to prepare them for a knowledge-based society.

First, the millennium scholarships will facilitate access to post-secondary education for over 100,000 students every year. These scholarships will be offered to both full time and part time students.

[*English*]

Second, Canada student grants of up to $3,000 a year will help more than 25,000 students with children or other dependants. These are grants, not loans, and they do not have to be repaid. Students with a permanent disability such as deafness, blindness or other physical or learning disability may be eligible for a Canada student grant of up $5,000 a year to cover exceptional education related costs. This is a $2,000 increase from what was provided in the previous special opportunity grant for students with disabilities. Part time students with demonstrated financial need may qualify for a grant of up to $1,200.

Finally, certain female doctoral students pursuing full time studies may qualify for a Canada study grant of up to $3,000 a year. This will help to increase the participation of women in certain fields of study. Engineering and applied sciences, agriculture and biological sciences, mathematics and physics, arts and social sciences are examples.

Taken together the measures I have described account for some $230 million of new expenditures by the Government of Canada on post-secondary financial assistance to Canada's students.

[*Translation*]

This is a remarkable commitment to promote the well-being of our students and to help them complete their education, at a time when higher levels of knowledge and skills are becoming necessary to allow us to remain competitive in the global economy.

In fact, overall, the federal government's initiatives will meet a large number of the requests made in the motion before us today.

[*English*]

In consultation with other players in the field of post-secondary education and the students themselves, the Government of Canada has devised a system that promotes accessibility for all Canadians. It is a system that works for today's economy.

In conclusion, while we can all appreciate the concern of the hon. member for Vancouver East for Canada's students, the actions already taken by the Government of Canada render the motion redundant.

• (1815)

Ms. Libby Davies: Mr. Speaker, as the mover of the motion I would like to seek the consent of the House to briefly sum up for just two minutes.

The Acting Speaker (Mr. McClelland): The hon. member for Vancouver East has requested the unanimous consent of the House to extend the time available for two minutes to sum up. Is there unanimous consent?

Some hon. members: Agreed.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would first of all like to thank members of the House who contributed to the debate on this motion. I would like to just briefly summarize why this motion was brought forward.

We heard from government members today that there are opportunities for students in Canada and that things are getting better. But I would just like to say that the purpose of this motion is to draw attention unfortunately to the stark reality that things in Canada for students are getting worse, not better.

Student debt has risen dramatically from $13,000 to $25,000. Unfortunately an increasing trend of privatization and control by the banks of the Canada student loans program means that more and more students are falling into debt and are unable to cope with increasing tuition fees primarily because of what we have seen as the retreat of public funding by the federal government.

We know that something like $1.5 billion has been lost from post-secondary education. The reality is that across Canada there are so many different standards in terms of different provinces. I would agree with my colleague from the Bloc that the situation in Quebec has been much better. The situation in B.C. is that we have had a tuition freeze for three years in a row. But elsewhere in Canada the situation is very, very grave for students because of the retreat of public funding.

I would encourage members of the House to defend public education and to say to the government that we do need a national grants program. We do need accessibility as a national standard. It is something that we need to work out with the provinces so we do not have this patchwork across the country and where more and more students are graduating into poverty and more and more students cannot afford to go to post-secondary education.

I urge the members of the House to support this motion in the spirit of standing behind our educational system and defending the rights of students in Canada.

[*Translation*]

The Acting Speaker (Mr. McClelland): Pursuant to the order made earlier today, the motion is deemed to have been put and a recorded division deemed demanded and deferred until Tuesday, November 17, 1998, at the end of the time provided for government orders.

[*English*]

It being 6.18 p.m., this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6.18 p.m.)

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