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Ms. Nancy Karetak-Lindell

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• (1105)

[English]

The Chair (Ms. Nancy Karetak-Lindell (Nunavut, Lib.)): Good morning, everyone. Welcome to committee meeting 41, on Tuesday, June 14, 2005.

We're still doing the study on the Labrador Inuit Land Claims Agreement. We have before us this morning, filling in for the Minister of Indian Affairs, the Honourable Sue Barnes, Parliamentary Secretary to the Minister of Indian Affairs and Northern Development.

I want to take a minute this morning to welcome all the people from Labrador who are here to listen to the witnesses on the Labrador Inuit legislation. We certainly welcome them to Ottawa and to our committee room, and I thank them for making the trip to Ottawa to watch the process of their legislation.

I have to say, coming from cooler weather, you're very brave to come to Ottawa at this time of year, and I'm thankful that we have a little bit of rain today to make things a little more bearable for you. Again, I want to thank all of you for coming.

I would like to get to our first witness this morning. Honourable Sue Barnes, you have the floor. I thank you for filling in for the minister.

Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians): Thank you very much, Madam Chair.

On behalf of the minister, I also would like to welcome all the visitors from the communities up in Labrador. We are very, very grateful that you have made this trip—and anyone else who has joined us.

I want to introduce Gail Mitchell, who is the director of policy and coordination in the comprehensive claims branch and a senior official involved in the negotiation of these agreements since 2000 and also in the development of the bill that we are studying.

I want to introduce Michael Delaney, the legal counsel, legal services, from the Department of Justice. He is the counsel involved in the negotiation of the agreements since 1999 and in the development of the bill.

In the audience I have officials from the taxation board and from Parks Canada. So if we need any of those questions addressed by them, I may call them to the table also.

I'll start by saying that both Minister Scott and I appreciate the committee's willingness to meet to discuss the Labrador Inuit Land Claims Agreement and the Labrador Inuit Tax Agreement before the bill is referred to the committee, the pre-study that we are now completing today. I also appreciate the strong messages of support that were given by all the committee members on June 9, last week.

Minister Scott and I were both in Nain on January 22 for the ceremonial signing of the tripartite agreement. As you know, the land claims agreement was negotiated among the Government of Canada, the Government of Newfoundland and Labrador, and the Labrador Inuit Association.

In a ratification vote in May 2004, an overwhelming majority of Labrador Inuit voted to accept the agreement—76.4% of all eligible voters, and I note the 86.4% turnout during that vote. The provincial legislature also ratified the agreement on December 6, 2004, and I know you will be hearing from some of its members later today.

This agreement is the product of long and sometimes difficult negotiations. The parties came to the table in a spirit of openness and a willingness to reach compromises. This allowed for the conclusion of an agreement that reflects the particular circumstances of the Labrador Inuit, an agreement that melds their traditional ways with an outline for a promising future.

The fate of this agreement lies in our hands. I'm convinced that enacting this agreement will lead to greater economic development in Labrador Inuit communities. A more stable economy will provide a foundation for addressing social concerns within these communities. The agreement puts the Labrador Inuit firmly in control of their development.

Under the terms of the agreement, the Labrador Inuit receive a substantial sum of money, gain ownership of a vast tract of land, and acquire clearly defined rights, powers, and obligations.

I note for the record that the agreement itself was initialed by the chief negotiators of the three parties in August 2003 and therefore has been publicly available since that time for interested parties.

More than two decades ago, Labrador Inuit leaders embarked on a bold plan to negotiate an agreement and regain control over the lands and traditions that have long sustained their people. Now this plan is about to bear fruit, because this agreement forms the basis of our discussions today.

I'm convinced that the value of the agreement lies in the balance it strikes. The agreement sits squarely within the Canadian constitutional framework. It does not affect the constitutional division of powers. The agreement outlines the path that the Inuit can follow to improve the social and economic conditions in their communities. The agreement establishes a new link to the land by granting the Labrador Inuit ownership of approximately 15,000 square kilometres of land in which they will have extensive rights and benefits. The Labrador Inuit also acquire specific management and resource rights over a larger settlement area that includes more than 72,000 square kilometres of land and 49,000 square kilometres of ocean.

To manage these lands and direct economic development effectively, the Labrador Inuit will establish two tiers of self-government. A central authority, the Nunatsiavut government, elected by all Labrador Inuit, will have jurisdiction over Labrador Inuit lands and resources and social and cultural issues. In addition, five Inuit community governments will be created. Members on these community governments will be elected by all residents, Inuit and non-Inuit alike, who live in the community. They will have powers akin to those of other municipal governments in Newfoundland and Labrador.

As Mr. Toby Andersen noted in his comments when he appeared before this committee on June 9, the implementation fund that is provided for in this agreement is a novel approach to implementation. This fund will support the Inuit in funding their own costs of implementing this agreement, providing them with a predictable source of funding to undertake the obligations they will assume with the agreement.

The powers under the agreement also enable the Labrador Inuit to nurture and protect their language and culture. The agreement sets out the Nunatsiavut government's jurisdiction over language, culture, and education, and provides them with the ability to protect and promote their culture through an education system that is dedicated to promoting the Inuit culture and language, while preparing students to take their place in the world.

To ensure that young people acquire the skills needed to foster economic and social prosperity, Labrador Inuit youth are encouraged to pursue their education. Thanks to this support, more than 40 Labrador Inuit have graduated with degrees and diplomas just in this past year alone.

Clearly the Labrador Inuit have worked diligently to prepare themselves for the additional responsibilities they will assume under the agreement. They drafted and ratified the Inuit constitution that will ensure that the Nunatsiavut government and the Inuit community governments are politically and financially accountable to their constituents.

The rights and benefits provided under the agreement are intended to apply equally to men and women. The Canadian Charter of Rights and Freedoms applies to the Inuit government and to all matters within its authorities. This means that all residents of the Inuit communities, Inuit and non-Inuit alike, will be able to avail themselves of the protection it affords.

With a responsible and accountable system of local government in place, decisions about economic development and land use will be

informed by cultural and linguistic concerns. With the revenues generated by development projects, the Labrador Inuit can invest in their social and cultural well-being.

Through the implementation of the Labrador Inuit Land Claims Agreement, a range of valuable enduring benefits will be delivered to the Labrador Inuit. Under the agreement, the Labrador Inuit secure access to the lands, tools, and resources needed to exercise control over their future, and recapture the self-sufficiency that has long been a very central feature of their culture.

We must proceed to implement this agreement that reflects the willingness of all parties to move forward, forge a new relationship, and set the stage for a brighter future for Labrador Inuit and all Canadians.

Thank you very much, Madam Chair. My officials and I will be very happy to answer questions the committee may have.

● (1110)

The Chair: Thank you very much.

Just for the sake of the witnesses, when we do our round of questioning we start with the Conservative Party. Then we go through the opposition members before we go to the government side. The Conservative Party has nine minutes, and that includes the question and answer.

Mr. Prentice.

Mr. Jim Prentice (Calgary Centre-North, CPC): I would like to begin by directing a question to the officials who are here. This comprehensive claim is somewhat different from many of the other comprehensive claims that have been negotiated, in that the Government of Newfoundland and Labrador was of course at the table through much of the negotiating. I'm not sure any other comprehensive claim has had that circumstance. Correct me if I'm wrong.

Can you just describe for us how the process differed, in that you had the provincial government at the negotiating table? This is to either Ms. Mitchell or Mr. Delaney.

Hon. Sue Barnes: I think Ms. Mitchell will start on that.

Ms. Gail Mitchell (Director, Policy and Coordination, Comprehensive Claims Branch, Department of Indian Affairs and Northern Development): Just to clarify, the Nisga'a Treaty in B.C. was also negotiated with the provincial government as a full participant. In the context of Atlantic Canada, this is the first modern claim we will have concluded, and Newfoundland has been a full party to the negotiations from the outset.

As to differences from other claims in the north, we're dealing with somewhat different jurisdictions, because we have a provincial crown, as opposed to a territorial government. The lands, for instance, are provincial crown lands, and that is perhaps the most significant difference between the northern agreements.

Mr. Jim Prentice: Canada has been criticized quite extensively on its failure to implement these agreements after they have been negotiated. I'm referring specifically to criticism the Auditor General made in her 2003 or 2004 report. There she pointed out that Canada had been quite prepared to negotiate reasonably contemplated comprehensive claim settlements with intricate inter-jurisdictional jurisdictions, but when it came time to implement those agreements Canada in a sense defaulted, in that there was quite a bit of concern among first nations that Canada had failed in the implementation process. I know in the western Arctic, for sure, there has been a lot of concern about that.

What steps have been taken in the context of the Labrador Inuit Land Claims Agreement to make sure the Labrador Inuit don't face the same problems where the Government of Canada does not get its job done after the agreement is signed?

• (1115)

Hon. Sue Barnes: In the implementation of the agreement, the moneys go forward immediately in one bulk amount. There is also the formation of an implementation committee. There are representatives of each party in that committee who will do the annual reporting to the various three parties. The difference here is that one bulk sum amount will be given, and it will be up to the Inuit to manage the money over time. It will be given in one lump sum, as opposed to renegotiating over time. That's the major difference.

We are hopeful that the new approach in this very modern treaty will make the implementation much more efficient and provide the kind of long-term certainty people are looking for. I see that in this treaty; perhaps we'll have to judge it as it goes forward. But this is a good innovation that was consented to by all parties.

Ms. Gail Mitchell: The implementation fund is a departure from our previous policy. It is a new feature. It will be a fund that's paid out over a set period of time specified in the agreement. The expectation is that the Inuit will be able to manage the fund to implement the agreement. In the Auditor General's report of 2003, one of the themes was the ongoing renegotiation of funding for obligations under the treaty. We have addressed that issue by providing a fund to be paid out over a set period of time, which will be under Inuit control.

Hon. Sue Barnes: I might add that the Labrador Inuit agreement and the agreements related to it contain numerous review and monitoring provisions that the parties view as sufficient. I point specifically to sections 23.4.1 and 23.4.4 of the Labrador Inuit agreement. There is deemed to be sufficient monitoring of this lump sum.

Mr. Jim Prentice: You're suggesting that money is the reason Canada has failed, at least in the eyes of the Auditor General, in the implementation of other claims. The issue is not as you describe it. The problem has not been the aboriginal people, the Inuit, or the Indian people. It has been that Canada has not got the job done.

Are you telling us that this has resulted from a lack of willingness on the part of the government to allocate the money to get the job done? You talked about innovation. What's innovative? What innovations will keep the Labrador Inuit from running into the same problems that have beset every other aboriginal signatory to a comprehensive claim?

Hon. Sue Barnes: We are talking about this agreement, this potential bill that will come for us. I don't subscribe to your premise, Mr. Prentice. I am trying to say that Canada will transfer to the Inuit about \$140 million of 1997 dollars. This will be paid out over 15 years according to a schedule of payments set out in the agreement. I was trying to let you know that the parties have looked ahead and considered how they wish to monitor this. Within three months, they have to have a committee established, which is tripartite. In exchange for the implementation fund, Canada will be released from a number of future funding obligations, except as specified in the agreement. The Inuit will be responsible for their own costs associated with implementing the agreement.

As Canada moves forward, every land claims self-government is unique. The parties in this case felt that the implementation fund would be more appropriate to their needs. The government is looking forward to seeing whether this is more beneficial. If it turns out to be more beneficial, then there might be other parties and other agreements looking for something similar. That's not known until the future tells the story.

Mr. Jim Prentice: Let's move on. I would just say in closing that the premise you disagree with isn't my premise. It's the premise of the Auditor General, who's issued a scathing report about the government.

With respect to fishing rights, many of the commercial rights have already been allocated. The Labrador Inuit will have to acquire certain of those fishing rights in the free market. What steps will the Government of Canada be taking to make it easier for the Labrador Inuit to acquire these fishing rights from existing holders? I'm not speaking of harvesting rights or ceremonial food-purpose fishing. I'm talking about commercial fisheries.

• (1120)

Ms. Gail Mitchell: On the commercial aspect, as you may know, the Inuit are already large players in the commercial fishery in Labrador. What we have provided for is access to any additional quotas that may be developed following the effective date of the treaty; it spells out percentages for the Inuit to access those new licences. They currently do, though, occupy a fairly large portion of the fishery in Labrador.

Mr. Jim Prentice: Correct me if you will, but my understanding is it's unlikely there will be new quota issued; the quota is largely subscribed for at this point. What steps are being taken so that the Labrador Inuit can buy the existing quota that has been allocated to other people in the market?

Ms. Gail Mitchell: I guess, as in any market situation, if the Inuit are able to identify a willing seller they will be able to presumably use some of the financial component of this treaty or other sources to acquire those commercial licences.

Hon. Sue Barnes: Madam Chair, I'd like to add, if I may, that licences available for issuance on the effective date of the Labrador Inuit agreement are not affected, nor is the right of Inuit to secure licences through the general applicable process. If the minister decides to issue more commercial licences than the number available for issuance in the year of the agreement, the Nunatsiavut government will receive allocations of commercial licences for specified species in the Labrador Inuit settlement area or waters adjacent to the tidal waters of the Labrador Inuit settlement area. In other words, things will continue as they are; if things open up, then the Inuit will be part of the process that is in place.

The Chair: Thank you very much. That brings an end to the Conservative questioning.

I want to ask for unanimous consent from the committee. We have two senators with us who are actively interested in this legislation. If we have unanimous consent, we could invite them to sit with us. I know Senator Rompkey is very interested in this legislation, being the senator for Labrador, and also Senator Willie Adams. If you don't object, they can seek a seat over at the committee table.

Some hon. members: Agreed.

The Chair: Thank you.

We will now go to the Bloc, to Mr. Cleary, for seven minutes.

[*Translation*]

Mr. Bernard Cleary (Louis-Saint-Laurent, BQ): Thank you, Madam Chair.

Congratulations, Ms. Barnes, on your new position.

In my opinion, the contents of the agreement are of good quality. Compared with other agreements that have been negotiated, this is an excellent agreement, and I believe that both sides have done good work. The Inuit group has done a fantastic job. So I won't dwell on these matters, but I am going to consider a number of points, the most important of which, in my opinion, is government financing.

I had an opportunity, during the months the House was in session last year, to meet with several groups who had negotiated agreements. I am thinking of Nunavut, for example, which had negotiated extremely interesting agreements, but which was still, after a number of years, facing serious financing problems. It is probably because people didn't have all the information they needed to conduct frank negotiations in this area. It is also because they often wanted to finance this government in the same way as governments are financed in the South. However, it is not the same thing. The population is sparse, groups are smaller, needs are greater, and so financial needs are much greater.

Have you worked to this end? From the analyses that you have surely done elsewhere, could you improve the system and achieve more concrete results?

• (1125)

Hon. Sue Barnes: Thank you for your question and for your support for the agreement and the bill.

[*English*]

I would like to say that the first fiscal financing agreement has already been negotiated. The renewable five-year agreement replaces

several existing fiscal agreements. It sets out Canada's contributions for agreed-upon programs and services, as well as the Nunatsiavut government's accountabilities and responsibilities.

Indian and Northern Affairs Canada will provide \$73.9 million over five years for the self-government components of the Labrador Inuit....

[*Translation*]

I'm going to ask Gail to answer your question in French.

Mr. Bernard Cleary: I don't mind as long as I get an answer.

Hon. Sue Barnes: Fine.

Ms. Gail Mitchell: We negotiated our agreement on taxation in relation to programs that the government is going to adopt or implement as soon as the agreement comes into force.

We anticipate \$66 million over a five-year period. This amount will come from the Department of Indian Affairs and will be granted for specific programs. Obviously, we have thought long and hard about the fact that these are small communities situated in the North. We took these facts into account when we negotiated the agreements and settled on the funds that will be part of these agreements. We believe we have adequately anticipated the possibilities with respect to financing. As these agreements are to be renegotiated every five years, we will then be able to review the ideas these agreements are based on .

Mr. Bernard Cleary: The beginning of implementation of an agreement such as this is very important for the First Nations. After waiting such a long time for an agreement like this, we want to see as much achieved as possible. Funds must therefore be obtained right away, of course. However, administrative flexibility is even more essential so that people can take advantage of the agreement as soon as possible.

Obviously you will be able to correct the situation after five years, but sometimes corrections have to be made sooner. Will it be possible to have such discussions with the Department, so as to balance things? Negotiations are one thing, but what happens in practice is another. So, will we actually see this flexibility?

Hon. Sue Barnes: Every five years.

[*English*]

The parties will negotiate a fiscal financing agreement by which funding will be provided to the Nunatsiavut government to cover the cost of agreed-upon programs and services to individuals in Inuit communities, at levels that are reasonably comparable to those generally prevailing in communities of a similar size and circumstance in Labrador. That's ongoing in the arrangements.

There are specialized funds, as my colleague has pointed out here —transfers that will happen. For instance, there will be about \$61.8 million over five years for the Health Canada and Fisheries and Oceans Canada funding. Different funds come from different sources.

By the Government of Canada, though, the agreement will be followed, and it calls for at least every five years. There are up-front moneys also.

•(1130)

[Translation]

Ms. Gail Mitchell: I might add that the agreement includes a transfer of funds. For their part, the Inuit are obligated to achieve certain standards that we have set. Can the distribution of funds be flexible? It will be up to the Inuit to decide.

[English]

There are special requirements. As long as they meet those, they have a capacity to administer those funds.

[Translation]

So there is a way of meeting particular requests, unless they are unable to demonstrate that they have attained the standards set.

[English]

Hon. Sue Barnes: Madam Chair, I just wish to add that Canada does provide a capital transfer of \$140 million in 1997 dollars to an organization to be designated by the Labrador Inuit Association and this will be paid over a period of 15 years. So that's the capital transfer, also. What she was referring to and what I was talking about before were the program transfers. They're different things, but there is a capital transfer and there is also the negotiation loan repayment that will come back over the 15 years.

The Chair: I gave you extra time, Mr. Clearly.

Because the NDP are not here, we thought we'd ask for unanimous consent again of the committee to give the senators the next seven minutes. Do I have your consent?

Mr. Jeremy Harrison (Desnethé—Mississippi—Churchill River, CPC): What's the story with the senators?

The Chair: Well, we need unanimous consent if we want to give them the courtesy of asking a question, because the NDP are not here.

Mr. Jeremy Harrison: Well, wouldn't it come out of the government time? My understanding is that the senators are from the government. I have no problem with them being—

The Chair: We could do that too, if you so wish.

Mr. Jeremy Harrison: I have no problem with them being at the table, but I think if they're going to be asking questions, it should come from the government's time.

The Chair: It can, if that's the wish of the committee. We just thought that because the NDP weren't here the seven minutes was going to go unused and we thought we would do that. But if we have unanimous consent, we can give a bit of time to the senator from Labrador to ask their questions.

Do I have unanimous consent?

Thank you. I think we will be able to get in more than one round anyway.

Senator, thank you.

Senator William Rompkey (North West River, Labrador, Lib.): Thank you very much, and thank you for inviting us to the table.

I really don't want to take up the time of the committee with questions. For one thing, we will have a chance in the Senate to ask questions when the bill comes to us, which we hope will be very soon, because we want to try to get it through speedily, before Parliament concludes.

Also, I've been on this file since 1972, and I think a lot of my questions... Of course you always learn something, and we're thankful to be here to listen to you, but I think we will pass on asking questions and allow our colleagues from the House of Commons to do that, if Senator Adams is agreeable. Besides that, we have a caucus meeting in about ten minutes we have to go to.

Thank you very much.

The Chair: All right, well, thank you for coming.

I'll go to Mr. St. Amand for the government.

Mr. Lloyd St. Amand (Brant, Lib.): Thank you, Madam Chair.

I'll ask this perhaps to Ms. Mitchell or to Mr. Delaney.

It's obvious that an agreement that is reached between parties is by any gauge much preferred to a resolution imposed by a court or by a tribunal. Certainly this agreement is the result of some difficult negotiating, but we detect this morning, as we did last Thursday, a real desire to move forward with this as quickly as possible. The Inuit peoples clearly want this to be done as soon as possible.

Having said that, how do you see the accomplishment of this agreement impacting, if at all, on other claims or on other aboriginal communities across the country?

•(1135)

Ms. Gail Mitchell: Well, I think that when we come to negotiations, each group has particular circumstances and facts that really guide the nature of the contents of the agreement. So we're always conscious of that. But that being said, I've been at many negotiation tables around the country, and one always finds certain features from other agreements cropping up elsewhere. So I think this agreement provides another model, a means of resolving claims through a negotiated process that is comprehensive. I think it addresses the aspirations of the Inuit. It satisfies government objectives with regard to finality and certainty, and I believe it is a very detailed and solid document. And if groups are interested elsewhere in the country, it could be an interesting model for other settlements.

Hon. Sue Barnes: Madam Chair, I might add that section 2.10.1 of the agreement itself states that:

Nothing in the Agreement shall be construed to affect, recognize or provide any rights under section 35 of the *Constitution Act, 1982* for any aboriginal peoples of Canada other than Inuit.

That is as defined in the agreement, so there is a non-derogation provision itself in the agreement.

Mr. Lloyd St. Amand: As a result of various factors in the past, I think we all would agree that there remains a social and economic gap between aboriginal Canadians and Canadians at large. Thankfully those gaps are being addressed as the months and years go on. How do you see this particular agreement assisting the good Inuit people in having their social and economic needs driven forward as much as possible?

Hon. Sue Barnes: Thank you very much for your question.

The Labrador Inuit Land Claims Agreement will provide greater certainty and clarity about the ownership and management of lands and resources in central and northern Labrador. That predictability and secure decision-making environment have the potential to attract investment and economic growth as they would in any community. We've seen that with other self-government agreements. Where the self-government and land agreements are negotiated, the economic activity goes up both in partnership and in own-source revenues. There's a lot of wealth here. There's mineral wealth in the land. Under this agreement there's a 5% share in Voisey's Bay. Even though the Voisey's Bay area is not part of the land itself at this point in time, there's a share in the harvesting rights. And there's the potential for all the resources of the oceans.

Here we have economic opportunity, and you will see the legislature of the Nunatsiavut government take its residence in, I believe, Hopedale, with administrative offices up in Nain—these are two of the five communities affected. I think we've already got the groundwork going right now and there's been a lot of planning. The intensity and complexity of the negotiations are embodied in these agreements. There are ongoing supports, and we've seen the support of Newfoundland, which gave unanimous consent and the passage in one day, December 6, last year.

Mr. Lloyd St. Amand: I have one final question.

With the greatest respect to Mr. Prentice, who is a pretty articulate guy, I never hear any word besides “scathing” attached to a report or a comment about the Auditor General. Whenever the Auditor General says something, even if it's the merest hint of criticism, whether it's Mr. Prentice or anybody, quite frankly, in the country it's always prefaced by it being called a scathing report, a scathing comment. Factoring that in mind, how is the implementation of this agreement going to be monitored or assessed as the years go on?

• (1140)

The Chair: Do you have an answer, please, Ms. Barnes?

Hon. Sue Barnes: There are sections in the agreement that are monitoring mechanisms. I think I referred to them in an earlier answer. Section 23 of the agreement in a couple of parts—there are numerous.... Quite frankly, with the constituencies there will be accountability to the political bodies that will be elected, both Inuit and non-Inuit alike who live in the communities, and for the Nunatsiavut government there will be an accountability mechanism there. Plus, we have the implementation committee that has to be, as I said before, established within three months and we'll have the annual reports on the implementation. With good wishes, there's nothing to be said, in that even our Auditor General helps guide the government in improving, and hopefully here we've found the improvements.

The Chair: Thank you very much, Mr. St. Amand.

We now go into our second round of questioning, which is a five-minute round. We'll go back and forth between opposition and the government.

Mr. Harrison, for the Conservatives, go ahead, please.

Mr. Jeremy Harrison: Thank you very much, Madam Chair.

Thank you to our witnesses for being here.

I hope Minister Scott recovers quickly.

We heard from President Andersen during the last day of testimony that we had just how important it is that this agreement be passed as quickly as possible, for a whole number of reasons. I had seen a previous copy of the agreement signed in August 2003. My question is, why, if the agreement was signed in August 2003, was it only introduced in Parliament last week?

Hon. Sue Barnes: Madam Chair, the tripartite agreement was signed January 22 of this year.

From that I just will step it back a little bit. It was December 6 when the provincial government got it through. I can tell you that major translations of all the agreements took considerable time, I think from December 6 to January 22. I know that I and the minister met with representatives of the Labrador Inuit Association before Christmas, and I know that every effort was made to get those translations done.

From January 22 to now involved preparation of materials like this, because the bill then has to be drafted. The negotiations for the bill were between the negotiators, and the negotiators do that drafting also. I was made aware through the president that an agreement had come and that they wanted it introduced—they were satisfied with the bill as it stood, even though they had some concerns about the way in which some of the French was translated—and they said to go ahead. My job was to take it to bill review, which I did on that same day, and within a week I was asking members around this table—

Mr. Jeremy Harrison: My question is when the Government of Newfoundland and Labrador put this through the legislature on December 6, what did they put through? If they passed this agreement through their legislature on December 6, 2004, what difference is there between what they passed and what was introduced by the Government of Canada last week?

Hon. Sue Barnes: They put through their provincial bill, which is not our federal bill.

Mr. Jeremy Harrison: Is it reflective of the agreement?

Hon. Sue Barnes: Yes, of course it is. The provincial government has to ratify....

I will just note that the 2003 date was the initialling by the negotiators of the three parties. It was not the signing. The signing of the three parties happened January 22 of this year in name. Since that time, this bill has had all the preparations. That normally would take a much longer time period, and we have worked very hard inside the department to get it done. This bill could have been done with consent a little earlier, but the situation is that on June 2 the notice of ways and means, which always has the contents of the bill attached, was put into the House, and on June 6 it was introduced.

• (1145)

Mr. Jeremy Harrison: I don't know if the Liberals would do something like this, but some observers have suggested that this bill was actually delayed until after the byelection in Labrador. I don't know if the Liberals would ever do something as cynical as that, but—

Hon. Sue Barnes: Madam Chair, I would like to answer that, because the only thing I've seen on it is something in the newspapers quoting a member of the Conservative Party, and there was something on CBC radio.

Mr. Jeremy Harrison: Well, some observers have suggested it. I'm sure the Liberals would never do anything as cynical as that—

Hon. Sue Barnes: Absolutely not, because we—

Mr. Jeremy Harrison: —but there's opposition, Madam Chair, from groups within Labrador. One of the groups opposed to this was the Labrador Métis Association. The president of that organization was a fellow named Todd Russell, who now, I think, is a member of Parliament. He's actually a Liberal member of Parliament from Labrador. I'm wondering if the opposition offered by Mr. Russell had any role in delaying this bill.

Hon. Sue Barnes: Madam Chair, I don't like to play partisan politics from this chair. I can tell you that before the byelection, outside of an in-camera meeting, three parties gave consent to that bill, going for concurrence, being introduced as a notice of motion. That was before the byelection, and I know that to be true, because I got the answers from the two consenting parties.

That was before the byelection, so I think that should answer that question by inference.

Mr. Jeremy Harrison: I think that far from answers my question.

Hon. Sue Barnes: It's the truth.

The Chair: We also know that Mr. Russell was here at the last committee meeting and gave his own testimony to the legislation. I think that should speak for itself, Mr. Harrison.

Hon. Sue Barnes: Madam Chair, it's necessary to also say that our negotiator wants me to add onto the record that there was a ten-month ratification process by the Inuit. That was very necessary.

The Chair: Thank you.

We will now go to the government side, with Mr. Valley, and we'll go to Mr. Cleary after.

Mr. Roger Valley (Kenora, Lib.): Thank you, Madam Chair.

Thank you, Ms. Barnes. Welcome back to the committee. We know that the ranks of parliamentarians have been decimated by illness and fatigue and the long sitting sessions we have had, so thank you for coming back and providing us with some insight and for travelling all the way to that far side of the table from here.

Before I ask a question, Madam Chair, I would like to say that most parliamentarians would give the respect to other parliamentarians to at least comment when they're here. Other duties have kept Mr. Russell away. He's very busy with his new duties. I think that if issues or questions were going to be raised with him, they should have done it while he was here.

The strength of any agreement comes from the consultation process that goes into place. We've seen that this is a very strong agreement. We've seen support at every level for this agreement. We're trying to move this bill forward even though there's hesitation from the other side of the table.

If could you go back and give me some history on the consultation this bill has taken—

Mr. André Bellavance (Richmond—Arthabaska, BQ): It's not from us.

Mr. Roger Valley: From the official opposition; I correct that, Mr. Bellavance. Thank you for pointing that out.

I raised this question at the last committee. Can you tell us at what level the consultation was? We believe that it was very in-depth. Also, what part did the non-Inuit play in the consultation?

Hon. Sue Barnes: Thank you very much.

During both the agreement in principle and the final agreement negotiations, the parties did engage in numerous consultations with aboriginal groups, third parties, and the public in general. These consultations did show a very high generalized level of support for the Labrador Inuit Land Claims Agreement, which obviously came through in the ratification votes.

They were done often on a tripartite basis. The parties attended open houses and public meetings to discuss and inform the Labrador Inuit. Open houses were well attended. On land selections, negotiations were held in communities on the north coast during the year 2000, and they were also open to a lot of the community members.

There is a list—I know the members have the book we put together for them—of the groups consulted. I'll give you some examples: the Canada-Newfoundland Offshore Petroleum Board; the Atlantic Canada Opportunities Agency; the Salmonid Council of Newfoundland and Labrador; Newfoundland and Labrador, the province; the Newfoundland and Labrador Chamber of Mineral Resources; the Newfoundland and Labrador Federation of Labour; the Fisheries Association of Newfoundland and Labrador; the Newfoundland and Labrador Outfitters Association; the Labrador North Chamber of Commerce; the Salmonid Association of Eastern Newfoundland; Voisey's Bay Nickel Company Limited; the Fish, Food and Allied Workers; Jacques Whitford Environment Limited; the town councils of Happy Valley, Goose Bay, Nain, Hopedale; the mayors of Happy Valley, Goose Bay, Nain, Makkovik, Hopedale, Postville, Rigolet, Northwest River; Tongamiut Inuit Annait; and the Memorial University of Newfoundland.

I know the consultations also went on in the main province of Newfoundland. By request, I know the Labrador Métis were also consulted.

• (1150)

Mr. Roger Valley: Thank you, Ms. Barnes.

I believe I still have some more time.

I want to make a comment. As parliamentarians, it makes it much easier for us to work on this. It's been said many times at this committee that the approval rating that was received for this and the participation level that was received was absolutely astounding. So we know it was done well, and we wanted to bring that point out once more. It's something we can all learn from.

I do have a very brief question for Ms. Mitchell. Mr. St. Amand talked about the process and how the mechanisms in this land claim agreement are a little different. Do we see this, as we move this...? We see agreements coming together across Canada. Are they going to be growing documents, living documents, that will change? You mentioned that circumstances are slightly different in each one. What I see, and I'd like your comment on it, is that we're improving everything as we go. Things are getting better. We're learning as we go. And the process is going to be much better in the future.

Ms. Gail Mitchell: I think that's a fair assessment. We try to draw on the best features. Many times we negotiate in particular communities where the needs are somewhat different, but we can often learn from that. For groups that may be situated elsewhere geographically, we find that certain approaches could work well. We try to adapt.

If you look at treaties, modern land claims agreements in Canada, you will find echoes throughout them, themes that reoccur, and you will find improvements. We try to build on existing agreements and processes, and take the best that's there and modify.

Mr. Roger Valley: So this should build our confidence as we try to deal with the many land claims that are currently on the docket. It's something we can have confidence in.

Thank you.

The Chair: Thank you very much, Mr. Valley. You win the prize today for staying within your time.

Mr. Cleary will be our last questioner for this witness. I give him the floor.

[*Translation*]

Mr. Bernard Cleary: Thank you, Madam Chair.

I would like to talk a bit about the park. I always feel sad when I review such agreements in which Natives are involved and which affect an area that is in great majority Native, and we create a park that, in reality, is not Native.

I have held discussions with Parks Canada hundreds of times to get a Native park created on Native territory when there are negotiations. In my opinion, it would be a great treasure for Canada and a great pride for the Natives in this territory. Nothing will be changed in this agreement, but I dare hope that you will take it into consideration when making other agreements, and that you will force Parks Canada to be a little more open-minded. If you need the jaws of life, they can be found. Parks Canada must give up a little of its patrimony, it has plenty. I would have liked to see that done for the Natives. It would make the Native peoples proud.

The last point, since I am the last to take the floor, is to particularly congratulate the two parties who negotiated this agreement. It is not easy to reach an agreement. I was a negotiator and I have argued with the Department for 25 years. It was not always easy. So it is difficult to reach agreements. When an agreement is reached and both parties are satisfied, it is a great victory as far as I'm concerned. It is a great victory for the Native people, who have regained a certain autonomy. I am still hoping that it will be as great as possible, that the Native groups will benefit and that they will learn to work within this autonomy.

Therefore, the fiduciary role will not necessarily disappear when the Native peoples are granted autonomy, but it should gradually make more room for Native groups. If there are small errors, it won't be the end of the world: Canada has made many of them throughout all its administration. So be patient, since it can all be learned and we must take the time to learn. The government must maintain a certain open-mindedness towards peoples who, probably for the first time, have this kind of autonomy.

So there is a way of having a new relationship with the government that must make a lot of room for the people. I hope this will be the case.

Thank you.

● (1155)

[*English*]

Hon. Sue Barnes: Thank you very much.

Madam Chair, I'll answer briefly.

First of all, Mr. Dion, our Minister of Environment, was there at the signing in Nain, as was the provincial minister. As colleagues probably understand, it was the provincial government that granted the land to the federal government. The federal government will hold this in reserve for a park. When all the outstanding aboriginal claims have been finalized, it will be turned into the park that was started through the vision of Prime Minister Trudeau about 30 years ago.

To specifically answer Mr. Cleary, \$14 million over the next 10 years will be given by Environment Canada for the park operation. Under the park impacts and benefits agreement that was negotiated in the last couple of months, there will be \$250,000 to the Inuit for a feasibility study on economic development, and \$750,000 to create a fund to assist Inuit on economic and employment opportunities associated with the park and to assist in capacity-building within the Inuit communities.

By year ten of that agreement, the first agreement surrounding this park that has been finalized, five full-time positions and five seasonal positions for the Inuit will be in place for the park.

This is a beautiful park. As I read the Hansard of the first meeting the other day, I saw that it was a gift to Canada. That thought was a very welcome thought. The Inuit gave back to Canada, as part of their agreements. I think that we should thank them for this present to all Canadians.

Madam Chair, I would also like to join in thanking the people in our level of government and in the provincial level of government for the hard work, and most especially all those people, the Inuit people, who have made it possible, with the hard work of their descendants.

Thank you very much.

The Chair: Thank you, Ms. Barnes.

I was going to say that you have a minute to do your closing remarks, but I take it that was part of your closing remarks.

We have the provincial government and the member for Tornat Mountains here as our next witnesses. We will take a minute to get ready for the next witnesses.

I would like to take this time to thank the parliamentary secretary, Sue Barnes, for filling in for the Minister of Indian Affairs, who could not be here today, and for the support witnesses with the parliamentary secretary. Thank you.

We will suspend for about a minute to get ready for the next witnesses.

Thank you.

• (1159) _____ (Pause) _____

• (1206)

The Chair: Let's get the meeting back to order, please.

Thank you, everyone. We're now into our second hour. With us, representing the Government of Newfoundland and Labrador, is Minister Thomas Rideout, minister responsible for aboriginal affairs, Department of Labrador and Aboriginal Affairs.

He has a couple of people with him, but I understand we also have the member of the legislative assembly representing Torngat Mountains in the province of Newfoundland and Labrador. I welcome you.

Could we have some order in the room, please? We're now into our second hour. May I have everyone's attention and some order in the room, please?

Mr. Rideout, would you introduce the people who are with you? I understand you'll be speaking first, and then Mr. Wally Andersen will be speaking also.

Thank you.

Hon. Thomas Rideout (Minister Responsible for Aboriginal Affairs, Department of Labrador and Aboriginal Affairs, Government of Newfoundland and Labrador): Good afternoon. Thank you, Madam Chair and members of the Standing Committee on Aboriginal Affairs and Northern Development.

I want to welcome the members of the Labrador Inuit Association who are here and say how delighted I am that so many of them could be with us for this occasion.

It's an honour for me to be here before the committee to speak to Bill C-56, the Labrador Inuit Land Claims Agreement legislation. I want to thank the members of the committee for inviting me to appear as a witness to support the passage of this very important piece of legislation.

With me are Ruby Carter, who is our senior negotiator for Inuit land claims; David Hughes, director of policy and planning; and Aubrey Gover, who's been our legal counsel for the negotiating team. On behalf of the Government of Newfoundland and Labrador, I also invited our colleague, Mr. Wally Andersen, the MHA for Torngat Mountains, to attend as well. Mr. Andersen, as has been noted, represents five of the Inuit communities that will intimately be a part of this treaty. Of course, Mr. Andersen himself is an Inuit, and he was a minister in the previous administration, which signed off on what is now hopefully going to become the final piece of legislation both in Newfoundland and Labrador and in Canada.

Madam Chair, the Government of Newfoundland and Labrador was very proud to pass the provincial ratification legislation for this important agreement during last fall's sitting of the House of Assembly. I was particularly honoured, as minister responsible for aboriginal affairs, to bring that legislation forward. I'm pleased to tell you that our provincial legislation was ratified in one day in our House, with an all-party agreement. I was also honoured to participate with the president of the Labrador Inuit Association, William Andersen III, with Premier Danny Williams, and with the Honourable Andy Scott, Minister of Indian and Northern Affairs, in a tripartite signing ceremony of the agreement in Nain this past January.

In addition, the LIA, the Government of Newfoundland and Labrador, and the Government of Canada signed a historic agreement that will lead to creation of the Torngat Mountains National Park Reserve. Might I say, Madam Chair, that the Torngat region is an absolutely spectacular area of our province, and I would hope all members have an opportunity to visit that area some day.

The passage of this legislation will mark a truly significant milestone for the Labrador Inuit, the Province of Newfoundland and Labrador, the nation, and the history of aboriginal people in Canada.

I was a member of the Peckford administration, which accepted this claim for negotiation in 1980. Little did I realize at the time that I would be the minister responsible for introducing this legislation in our House of Assembly in 2004. It was an honour to sponsor this legislation in our legislature and it is an honour to be here today to encourage you to complete what we all started a very long time ago.

On May 26, 2004, the Labrador Inuit voted on this agreement. As minister, it was among the highlights of my career in public life to experience the overwhelming endorsement of this agreement that was given by the Labrador Inuit. Madam Chair, the endorsement this agreement received from the Labrador Inuit can only be described in two words: "overwhelming" and "definitive". For the agreement to be accepted, 50% plus one of all eligible voters had to vote to approve the agreement. On May 26, 2004, the Labrador Inuit spoke clearly. Approximately 85% of eligible voters went to the polls, and over 75% of eligible voters cast a ballot in favour of this agreement. What politician wouldn't want to have numbers like that?

Madam Chair, this agreement has been almost 30 years in the making. It represents the culmination of decades of work and perseverance by the Labrador Inuit, the Province of Newfoundland and Labrador, and the Government of Canada. The agreement will enable the Labrador Inuit to exercise greater autonomy over their own affairs and protect and foster their unique culture and language. It will bring clarity to land ownership and the management of resources in northern Labrador. This will benefit the Labrador Inuit, other residents of the province, and the country as a whole.

As the minister responsible for aboriginal affairs and on behalf of the Government of Newfoundland and Labrador, I wish to express thanks to all parties who were instrumental in bringing us to this point in the history of this important agreement. I'd like to commend the president of the LIA, Mr. William Andersen III; Mr. Toby Andersen, chief negotiator for the ILA for the duration of those negotiations, and other members of his team; Mr. Jim McKenzie, in Canada's negotiating team; and of course, the province's negotiating team. They all worked hard and were steadfast in their dedication to reaching an agreement.

•(1210)

Our government has consistently stated that we are committed to building a society where aboriginal people can fulfill their desire to become more self-reliant and exercise greater responsibility for the well-being of their communities. This includes addressing aboriginal land claims. I am particularly pleased, as minister, that our government has been able to take the necessary final steps towards completing this land claim.

I'm here today to urge the standing committee to deal with Bill C-56 expeditiously so we can all proceed to implement the agreement and bring into being the Nunatsiavut government. To the Labrador Inuit this legislation means having a voice, a say in land and resource management, ocean management, economic development, and the Voisey's Bay project. Moreover, the Nunatsiavut government will have control over the programs and services it provides to Labrador Inuit.

Implementation of this agreement will result in healthier Inuit communities. It will enable the Labrador Inuit to exercise their own judgment and their own understanding of what makes people healthy. It will also enable them to exercise greater control over their living conditions so they may better protect, preserve, and promote their culture.

Madam Chair, I express the full support of the Government of Newfoundland and Labrador for the expeditious passage of Bill C-56, which provides the details of land ownership, resource sharing, and self-government for the Labrador Inuit and represents the first comprehensive land claims agreement to be concluded in the province of Newfoundland and Labrador and indeed in Atlantic Canada.

As I said in our House of Assembly last December,

The costs of a land claims settlement...are much less than the cost of not reaching a settlement. With a settlement, all the people of the Province can advance with more certainty along the road to economic development. Without a settlement, uncertainty and misunderstanding will slow the Province's economic and social development.

Madam Chair, as minister responsible for aboriginal affairs for the Province of Newfoundland and Labrador, I ask that the Government of Canada and the Parliament of Canada take that vital final step to secure a better future for the Labrador Inuit, a future we've all worked so diligently for so long to attain. As a result of this historic treaty, the Labrador Inuit will be able to chart their future within the province and the Canadian federation.

It's a pleasure and an honour to be here today and support the passage of this legislation.

Thank you, Madam Chair.

•(1215)

The Chair: Thank you very much, Minister Rideout.

We will now take this time to hear from the MHA, Wally Andersen.

Mr. Wally Andersen (MHA, Torngat Mountains, Province of Newfoundland and Labrador): Thank you, Madam Chair, and thank you for the opportunity to speak to this bill here today.

This bill deals with the Labrador Inuit. If anyone over the years has followed the plight of our people, the problems and the devastation, then you'll know we were the people who made the media time and time again.

All too often, when budgets were passed in the province and in the federal government, it was things at the end of the budget that usually fell our way.

Our negotiators, when they began almost 30 years ago, had to travel and live in Ottawa, away from their families, away from their friends.

To Toby and to Isabella, who have done such a tremendous job, all Inuit are proud of you.

We saw people devastated because of the fishery, when the federal government paid billions of dollars in the TAGS program. The only thing was, the Inuit on the north coast of Labrador didn't qualify, because for the years the money was based on, there was not one fish to be caught in our riding.

We face social problems we've had to deal with time and time again. And yes, our people cried out for help, but the help they got was far apart and very little.

We've seen some of our brightest and best leave us because they were so devastated because the infrastructure was not on the north coast of Labrador. We lived through all of that, the hurt, the pain, and yes, the neglect. We questioned the province, we questioned the federal government, and I can tell you there were times the Inuit questioned themselves.

But today, after 30 years of fighting, there's a bill that comes before the House of Commons. This bill is not about money; it's about people. It's about giving back to the Inuit of Labrador their freedom, dignity, and self-esteem.

We're proud to be Canadians. Yes, we're Inuit, but we're also proud to be Canadians, and we want to be a part of Canada, where we pay good taxes and where all of Canada benefits.

Madam Chair, our schools are going to close in a week or two, and so will the House of Commons. Governments rise and governments fall. Every member here today has a chance to put our bill through, the Labrador Inuit Association land claims bill, before it closes this spring. We had good words from the senators that they'll do their part.

Again, people, let me say to you, men and women, the politicians who sit in the House of Commons, yes, there's money in this bill, but most important of all, it's about giving dignity and freedom back to the people. Someone once said, until a person loses their freedom, do they really know what it means? Well, I can tell you, I've spent a lifetime, since the day I walked out of high school in 1970, working with the people on the north coast of Labrador. And yes, ladies and gentlemen, I say to the politicians here today, the Inuit lost their freedom. It was taken away from them.

Today and in the next few days you have the chance to give them back that freedom, that self-esteem. As the member for Torngat Mountains, I'm asking every one of you. The bill will come before the House in the next few days. It's in your hands. It's in your hands to give back to the greatest people that ever walked the face of God's earth their dignity and their self-esteem. I'm asking all of you, please, please, support our bill. Put it through passed, and when our students walk out of our schools in a week's time, we'll know our future looks really bright.

• (1220)

Most important of all, the Labrador Inuit can say, "Yes, we're proud Inuit. We got a land claims deal done, but we're also proud Canadians".

I ask you for your support.

The Chair: Thank you very much, Mr. Andersen. Thank you very much for your wonderful words.

We will now go to the next round of questioning of these witnesses.

I just want to take this time to recognize Jose Kusugak, the president of the national Inuit organization that has lent its support to the Inuit who are here today. Thank you for coming.

We will now go to Mr. Jim Prentice to start the first round.

Mr. Jim Prentice: Thank you very much, Madam Chair.

My acknowledgment as well to Jose.

I'd like to thank Mr. Rideout, who I've known for many years, and Mr. Andersen for their comments. I know that Mr. Barber, Mr. Andersen, their negotiators, and many people from the community are here. So on behalf of our party to everyone, we'd really like to say congratulations on what has obviously been a remarkable journey over the last almost 30 years to negotiate this claim.

I've had a reasonable amount of experience around claim settlements—specific claims and comprehensive claims—and what you've achieved with this agreement is really quite remarkable, in terms of the dignity you speak of and what it brings to the signatories of it, but also the road it paves for the future for the Inuit people and all Canadians.

I've had the good fortune to see a lot of Canada in my years, and I've had the good fortune recently to go up to Labrador. It is a remarkably beautiful place, and the Inuit people who live there are so fortunate to call that part of Canada their home. I'm actually planning to go back and take a boat trip up the coast into the Torngat Mountains, up into the fjords, hopefully this summer. It's a part of Canada I've always wanted to see. It is spectacularly beautiful where

the mountains rise 4,000 feet straight out of the Labrador Sea. It's an incredible part of our country.

I know how hard everyone has worked to bring this to fruition. I think all of the parliamentarians here are wrestling with the issue of how to get this through the Houses as quickly as possible. It's taken 23 years to get to this point, but the bill was only tabled in our House a week ago Friday. So we're doing what we can to get this dealt with by the House of Commons as expeditiously as possible.

On the specific questions I have, Mr. Rideout, I'm impressed with the approach the province has taken in this agreement. There have clearly been great steps taken by the provincial government. There's a lot of wisdom reflected in this agreement in concurrency and sharing jurisdiction with respect to resources in Labrador. I wonder if you or your negotiators can describe for us the process you've gone through in negotiating the comprehensive claims settlement.

Frankly, there's more about Newfoundland and Labrador in this agreement than there is about the federal government. The federal government has provided the money, but most of the land and resource sharing, royalty sharing, has really been arrived at through the good will between the Inuit people and the Newfoundland and Labrador government. So I wonder if you can just elaborate on how you've been able to achieve that, because I think there are lessons here for all Canadians.

Hon. Thomas Rideout: Thank you, Mr. Prentice.

Obviously what I'm about to say applies to a number of administrations in the province of Newfoundland and Labrador. As I indicated, the decision to accept the claim goes back to the Peckford administration, and there have been a number of administrations between then and our current government.

I guess the bottom line for the province is that this was our first negotiation, and it was a steep learning curve for everybody involved. We didn't have very much to guide us. None of the administrations of the Government of Newfoundland and Labrador in that 30-year period had many guide-posts to guide us along the way. But you know, that wasn't a bad thing. I think that left room to be flexible. It left room for our negotiators to sort of think outside the box, as it were. We weren't boxed in by a lot of other precedents, because we had none. We could allow ourselves to be flexible and come at it that way.

This resulted in a made-in-Labrador agreement. For example, one of the unique aspects of this agreement is that the Inuit will have a 25% ownership in all sub-surface resources in Labrador Inuit lands. That's a pretty unique part of the agreement.

We didn't know a process, we didn't have a process, and we had very little to look to in precedents, other than the northern Quebec agreements, but those were negotiated back in the seventies. So starting in the eighties, this was a unique set of circumstances for the Province of Newfoundland and Labrador, and the Labrador Inuit Association. We had to create our own environment as we went along.

We're very pleased that this is really a made-in-Labrador agreement that all of us, including the Government of Newfoundland and Labrador, are proud of.

•(1225)

Mr. Jim Prentice: Thank you very much.

Mr. Andersen, I wonder if you might elaborate on the way forward under this agreement. One question I had earlier in particular was on commercial fishing rights. It may be doubtful that there will be new quota allocated, so clearly the way forward for the Labrador Inuit in commercial fishing is to acquire fishing rights in the marketplace from other quota-holders right now. Do you see that happening? Do you think the agreement contains the mechanisms necessary for that to happen?

Mr. Wally Andersen: I agreed with the minister that when I came here I would speak in favour of the bill, and we agreed that the minister and his staff, because they are the government, would answer all the questions.

Mr. Jim Prentice: That's fine.

Hon. Thomas Rideout: I'm going to thank my colleague, Madam Chair.

Yes, there is a provision in the implementation parts of this agreement, as I understand it, that would provide funding for the LIA to acquire existing commercial quota in the marketplace, so that has been anticipated in this agreement.

Of course, as the parliamentary secretary said earlier today, if there are new quotas the Nunatsiavut government will get its share. That may or may not happen in the near future, but there is provision in the implementation agreement. In fact, money has been allocated for the specific purpose of allowing the LIA and/or the Nunatsiavut government, once it's in place, to be able to purchase commercial quota that currently exists.

Mr. Jim Prentice: When I visited Labrador I went to Hopedale and Nain, and one thing I was struck by in the Inuit communities in particular was the extent of economic development activity there. It has been sponsored and promoted by the LIA, but also with the support of the government—for example, the commercial fish plant operation in Nain.

There's a major commercial granite quarry operating offshore from Nain, where a very special type of granite is exported all over the world, and particularly to Italy. I don't think many Canadians fully appreciate the extent of economic activity happening there, and the extent to which the Inuit people are the proponents of that.

I applaud the provisions in the agreement that relate to future economic activity, and making sure that Inuit people are full and equal partners in that.

•(1230)

Hon. Thomas Rideout: I appreciate the observations of the honourable gentleman. When there is clarity and certainty once this legislation becomes final, we think that's going to go a long way to providing even greater economic development to the Labrador Inuit in their homeland.

You're right regarding the quarry developments that will be open to the Nunatsiavut government: there are 4,000 square kilometres of quarry materials that will become available to them. Of course, the Labrador Inuit have developed tremendous experience in the

dimension stone business, because they're operating two quarries around the Nain area as we speak.

There's also room for commercial forestry potential in the southern part of this settlement area. In fact, the LIA was the organization that developed the forest management plan for the area.

We believe there are tremendous opportunities in adventure tourism, for example, and that will be further enhanced by the Torngat Mountains National Park Reserve. The Labrador Inuit will benefit, as was explained earlier to the committee, by benefits and impacts agreements as the park develops. We also believe there's tremendous opportunity in the outfitting business for the Labrador Inuit, as they would have the right of first refusal for any new operations that would come into existence.

So we believe this is a win-win situation for the LIA, for the Inuit people of Labrador, for the province of Newfoundland and Labrador, and for the country of Canada.

The Chair: Thank you, Minister Rideout.

We will now go on to the next questioner.

I was very generous, Mr. Prentice. I gave you an extra couple of minutes.

Mr. Cleary, please, for the Bloc Québécois.

[*Translation*]

Mr. Bernard Cleary: Thank you, Madam Chair. I hope you will be as generous towards me.

I would like to turn my attention to the much vaunted 25 per cent resources ownership. Just now, you said that you have granted or that you are going to turn over 25 per cent of the resources. I would therefore just like to know how that will be done. I think it's fantastic if this is the case, but I would like to know how it will be done, because a few seconds later, when you spoke of fishing, I didn't understand that they would have 25 per cent of the resources. I understood that they could buy permits, etc. I would therefore like you to clarify this famous 25 per cent of resources, which constitutes an enormous advantage in this agreement. How will that apply?

[*English*]

Hon. Thomas Rideout: What we're talking about is 25% of provincial revenues from subsurface resources. Any revenue from the fishery, of course, is a matter where, at the end of the day, the Government of Canada decides what the fish allocation resources are, how they're split, and who gets them.

We have subsurface royalty-sharing agreements in the agreement with the Labrador Inuit, and they will receive a share of provincial revenues. If there's a new mine discovered in the LIA lands, for example, 25% of the revenue from that discovery or revenues generated by that discovery will go to the LIA.

If a new mine is discovered in the settlement area—because there are two sets of lands, the Labrador Inuit lands and then the Labrador Inuit settlement area lands—50% of the first \$2 million is shared with the Nunatsiavut government, and 5% of additional revenues beyond that.

At the present time, for the one mine that we know currently exists and will go into production within a few months in Voisey's Bay, the agreement provides for 5% of the provincial share to go to the LIA.

I hope I haven't confused you. By the look, I may have.

• (1235)

[Translation]

Mr. Bernard Cleary: Where is the 25 per cent of this mine that is to go to the Inuit? You say it is five per cent. Does the 25 per cent no longer exist?

[English]

Hon. Thomas Rideout: Let me try to clarify it one more time, Madam Chair.

Voisey's Bay presently exists. There was an economic benefits and impact statement negotiated between the LIA and others—we're talking about the LIA at the moment—some years ago, and in that agreement it was agreed that 5% of the provincial revenues would revert to the LIA. That's over and done with. That was done years ago.

This treaty we're discussing today, which was initialled and ratified by our legislature and the Inuit some months ago, goes in a different direction. It says that from whatever subsurface resources are discovered on the Labrador Inuit lands, they will get 25% of the provincial share of those revenues, whatever they might be.

Then there's the other group of lands in this agreement, which are called the Labrador Inuit settlement area lands. That's a different set of lands, okay? Of any revenue resources that emanate from those lands, the Nunatsiavut government will get 50% of the first \$2 million and 5% of any additional revenues beyond \$2 million.

So we have to understand that there are two land areas we're talking about here. We're talking about the Labrador Inuit land that the Inuit own outright. The Nunatsiavut government will get 25% of any resource revenue generated from those lands. Then there's the other set of lands, which they don't own outright but which they have entitlements to. Of any revenue generated from those lands, they will get 50% of the first \$2 million and 5% of anything additional beyond \$2 million.

So in order to understand it, you have to be looking at the fact that some land the Inuit will own outright, and some of it they have control and governance over but they don't own outright.

[Translation]

Mr. Bernard Cleary: Do you have a connection with this famous park? Does the province participate in the operation of the park? Are you a party to this project?

[English]

Hon. Thomas Rideout: We own the land, of course, and our cabinet just agreed, I believe it was last Thursday, to move and transfer the land to the Government of Canada. But when the park is developed, we will sit on the management board or committee—whatever the appropriate word is—as observers. So we'll be party to that, but we won't be party to the day-to-day operations of the park.

I understand, Madam Chair, that the maps are in the books that are available to members. The Labrador Inuit lands we refer to as LIL.

These are the lands from which the Inuit will get a 25% share of any subsurface resources that may be developed in the future.

Then there are the Labrador Inuit settlement area lands, which I think we refer to as LISA. These are the lands where the Inuit Nunatsiavut government would get a 50% share of the first \$2 million of resource revenue and 5% of anything additional beyond \$2 million. So the maps will tell you the story if you look at them in that context.

The Chair: From my understanding, Voisey's Bay is not on those Inuit settlement lands. That's a clarification that needs to be made.

Hon. Thomas Rideout: Voisey's Bay had a separate impact and benefits agreement that was negotiated prior to anything that's in this treaty.

The Chair: Thank you.

Mr. Cleary, I'm sorry, you used up your time.

Hon. Thomas Rideout: The way that works, if I could add, was that there was a separate chapter negotiated on Voisey's Bay impacts and it forms part of this agreement now that it's negotiated and in place.

Sorry, sir.

• (1240)

The Chair: Mr. Cleary, we're going to have to go on to the next questioner and you'll get another chance in the next round, please.

I have Mr. Smith for the government side.

Mr. David Smith (Pontiac, Lib.): Madam Chair, thank you very much.

Ladies and gentlemen, thank you for being here today.

During the last few days we had the pleasure of hearing from the Inuit peoples' leaders, and today we have the pleasure to have you.

You said it was a win-win situation for all parties. Can you tell me what the win situation is for the province?

Hon. Thomas Rideout: Yes. I think it's important for the province that there be clarity and certainty as to ownership of the land. This will lead to, I believe, investors having greater comfort in investing in northern Labrador if they know which government has paramouncy in certain areas, and if they know which government they have to deal with from a licensing perspective, if they know that there isn't a dispute between the LIA and the Government of Newfoundland and Labrador as to who has control and paramouncy in potential developments.

I think this is very good for Newfoundland and Labrador. I think it's very good, obviously, for the Nunatsiavut. And I think, in that context, it's good for Canada as a whole.

Mr. David Smith: Can you also maybe tell me what the feeling is in the communities for the non-Inuit?

Hon. Thomas Rideout: It's very good. The non-Inuit people will be able to vote for their community governments and sit on those community governments. There was significant consultation. In fact, significant improvements were made from the time the original treaty was approved in principle to a time when it was signed off on in its totality. There were significant improvements made for non-aboriginal people living in the Inuit communities and elsewhere in Labrador.

So there isn't any significant negativity among the non-aboriginal community at the moment. There were some land-use concerns, but I think these have been addressed in the interim period between the timing of the agreement in principle and the final agreement.

Mr. David Smith: Chair, I'll share my time with Mr. St. Amand.

Mr. Lloyd St. Amand: This question might seem a little obtuse, but I wonder if you can project forward 20 years or perhaps a generation and comment on how this agreement will address the social and economic gap between the Inuit people and Canadians in general. By that I mean could you comment on those typical benchmarks of progress, such as employment rates, attracting health care professionals and dentists to a community, and the numbers of young persons completing or graduating from high school? Those are fairly typical benchmarks to gauge progress.

Certainly there's a lot of goodwill and great spirit among the Inuit people to move forward. How will this agreement tangibly do those things for them? That is, how will it bridge the gap between where they are now and where they'd like to be 20 or 30 years hence?

Hon. Thomas Rideout: I understand where my friend is coming from, but it's a difficult question to answer. I suppose the best way to approach it is that we believe fundamentally, as a government and as a province, that if we provide the necessary tools to the Inuit people of Labrador, devolve the necessary authority to them and provide the financing necessary, the Labrador Inuit will do a much better job of looking out for their own future than we were able to do on their behalf.

We think it was the wrong attitude and the wrong approach to think we knew best. We need to give back to the Inuit, as my colleague says, their dignity and their pride to make their decisions for their people. We fundamentally believe as a province that if we do this, the Inuit people will grow, will prosper, and will do a much better job of managing their own affairs than we were ever able to do.

I can use an example here that we've agreed on over the years in the health care sector. The province—and I guess the Government of Canada as well—along with the LIA were party to developing a nurse practitioner program. That program has grown and flourished. As a result of it, Inuit nurse practitioners are now going back to the north coast of Labrador.

Isn't that a greater amount of progress than for my daughter to go to the north coast of Labrador? People are taking control of their own destinies and their own futures. As a matter of fact, the Labrador Inuit have been very successful in graduating high school students

and sending them on into professions. I've met many of them at Memorial University.

So we think we're on the right road and the Inuit are on the right road, and we think their future will be a lot more secure and a lot brighter as a result of this new government that's going to be set up as a result of this treaty.

• (1245)

Mr. Lloyd St. Amand: That was a very focused answer to a question that, as I cautioned you, was a little obtuse.

Would Mr. Andersen also wish to comment?

Mr. Wally Andersen: It's not directly to do with the agreement, but it refers to what Mr. Rideout said at the signing in Nain.

I had the opportunity to be on stage, where there were eight full-time RCMP officers. They were all Inuit from the north coast of Labrador.

When I fly from Labrador to St. John's, many times the pilot on the Dash 8 is a young boy from Makkovik.

When the oil rig workers leave St. John's to go to the rigs offshore, Zoe Webb, an Inuit girl from Nain, is now one of the helicopter pilots. She is the first in Canada, I believe, to fly to the offshore rigs.

We're ready to move. There's no question, the aboriginal people are ready to move. All we want is this bill passed. We will show Canada what prosperity is all about.

The Chair: Thank you very much, Mr. St. Amand.

We'll now go to our second round.

Mr. Harrison, please.

Mr. Jeremy Harrison: Thank you very much, Madam Chair.

Thank you very much to our witnesses for being here today.

I would like to congratulate the Government of Newfoundland and Labrador on the very quick passage of this agreement and the bill, when it was introduced. I understand that was in December of 2004. We're now seven months down the road. Recently, a week prior to last Friday, we had this bill put forward in the House of Commons.

I'd like to congratulate the Government of Newfoundland and Labrador. Maybe the Government of Canada has something to learn from Premier Williams and the government in Newfoundland.

Perhaps you could explain to me the way it was introduced so much earlier in Newfoundland, the reason it was introduced so much earlier in the Newfoundland House of Assembly than it was in the Parliament of Canada.

Hon. Thomas Rideout: Thank you, Madam Chair.

I observed the question on timing earlier in the committee process. The whole ratification process took months. The consultation process took months. My Inuit friends tell me that in the overall course of things, 30 years means nothing. Hopefully, we'll be able to move on from there.

In terms of our own legislature, my understanding is that there's a federal policy that precludes legislation being introduced prior to signing. We don't have that policy restriction in the province. We were able to proceed with the passage of the legislation and the royal assent of legislation prior to the signing in Nain in January. It wasn't an impediment for us.

The Chair: Thank you, Mr. Harrison.

We'll now move on to Mr. Cleary.

• (1250)

[*Translation*]

Mr. Bernard Cleary: My question follows up on the question asked just now.

I understand that it is the first negotiation where you arrive at an agreement.

I worked for a Québec group that asked for nearly twenty years to sit down with the Government of Newfoundland to try to settle the hunting problems of the Quebec Innu. The reason for this was simple: for the Innu of Quebec the Quebec-Labrador border just doesn't exist.

I want to ask whether you have changed your view of this matter. Do you think it is possible for Native groups, for all sorts of reasons, to have bits of territories in neighbouring provinces? This causes enormous problems for Indian families who are accustomed to hunt in these places. Have you established a policy in this respect?

[*English*]

Hon. Thomas Rideout: Madam Chair, let me say to Mr. Cleary, in terms of this treaty—and I think it's common across Canada, really—that if there are overlaps, it's left to the parties to negotiate an overlap agreement. In that context, I'm pleased that in this agreement the LIA have negotiated an overlap agreement with Nunavut and also have negotiated an overlap agreement with the Innu of Labrador, so that's not an issue.

In terms of the Innu and the other aboriginal people residing on the Quebec side of the border, I would be optimistic. We're in negotiations with the Labrador Innu Nation now for an aboriginal land claims agreements along the same lines as this one, and I would fully expect that any overlaps between the Innu in Labrador and the aboriginal people of Quebec would be accommodated if and when that agreement is reached.

The Chair: Mr. Bellavance will finish out the time.

[*Translation*]

Mr. André Bellavance: I will finish off the Bloc Québécois portion.

Thank you, Madam Chair, and thank you, Mr. Minister, for being here today.

You have just opened the door to discussions that could be held with the Innu. I will continue in the same vein. I know that the Government of Quebec is not a party to this agreement, but the territory that is part of the agreement is adjacent to Quebec. During the negotiating process, were discussions held with the Quebec government and Innu?

[*English*]

Hon. Thomas Rideout: Madam Chair, there wouldn't have been discussions in terms of the negotiation between the Labrador Inuit, but there were, of course, Quebec Inuit concerns that were addressed in this treaty. There is an overlap between what the Nunavik Inuit are claiming and what the Labrador Inuit are claiming; they were able to reach an overlap agreement, so that's taken care of.

Now you make a projection as to what might happen in terms of the Innu—in other words, the aboriginal Indian population in Labrador, with whom we're currently negotiating, and the Indian portion of the aboriginal population of Quebec. There will have to be, at some point before negotiations are concluded, an overlap agreement that the aboriginal population of Quebec and the Innu aboriginal population of Labrador reach between themselves. Then they will come to both levels of government, as the Inuit did in the north, to say they have reached an overlap agreement, and that will become part of the treaty before the treaty is finalized. That's the process.

The Chair: Thank you, Mr. Bellavance.

My apologies to Mr. Valley. I forgot we were going to go back and forth here. My mistake.

Mr. Roger Valley: Thank you, Madam Chair.

My question is for Minister Rideout. You mentioned that a number of governments had been involved in this, over quite a number of years, before we could get this agreement in place.

What I particularly like are some of the formulas you were explaining to the other questioners—simple, straightforward formulas that deal with different issues on different land bases and earlier agreements like Voisey's Bay. Could you tell me if a lot of time was spent at arriving at those formulas? Did you have something to judge by? You're talking about the formulas of 25% for subsurface rights, 5% for Voisey's Bay. How did you arrive at these? Is there something you were guided by?

• (1255)

Hon. Thomas Rideout: Why don't I ask Ruby to answer the question? She was part of it all, and I wasn't.

Ms. Ruby Carter (Senior Negotiator, Department of Labrador and Aboriginal Affairs, Government of Newfoundland and Labrador): Thank you very much.

The 25% on Labrador Inuit lands actually has a bit of a unique history. In a number of land claims agreements across Canada, the aboriginal group would actually own the subsurface resources on a portion of their land and receive 100% of the resource royalty sharing. What we did in this treaty was a little bit different, a little bit unique. We agreed that through the entire Labrador Inuit lands—that's 6,100 square miles—the Inuit would have an ownership interest of 25%.

Initially we were looking at Labrador Inuit selecting 25% of the lands—from which they would have 100% of the royalties—but what we've done, and the uniqueness of this treaty, is that Labrador Inuit have 25% of the royalties throughout the entire Labrador Inuit lands. It's a bit of a different approach. Instead of selecting 25% of the land, they have a 25% ownership interest in the entire subsurface. That's where the 25% came from.

In terms of resource royalty sharing in the larger settlement area—the 28,000 square miles—that is similar to other land claim agreements across Canada, so there was some precedence to that. It varies; I think the Yukon is slightly different. I'm not quite sure with the Nunavut, but that was a standard formula.

Mr. Roger Valley: Going back to the approval rating you had, you've picked the right formula.

I'd like to share my last couple of minutes with Ms. Barnes, please.

Hon. Sue Barnes: Thank you very much. I'll be very brief.

First of all, I will confirm what the Honourable Tom Rideout said about the federal government going last on these things, as far as the legislative piece goes.

Just so there is absolutely no confusion in anybody's mind, the provincial statute you passed is not the same statute that is before us as a federal government right now. In fact, I just wish for the record to confirm that there may have been consequential amendments to some provincial pieces of legislation, whereas in the bill that is before us right now and that we are studying, there are consequential amendments to federal pieces of legislation, and there are provisions—I would point to just one example—dealing with international trade that are part of ours that may or may not have been part of yours. That's just a point of clarification.

The Chair: Mr. Rideout.

Hon. Thomas Rideout: Yes, Madam Chair, I acknowledge that's the case. There were a couple of consequential amendments, which we just did in the spring session of our legislature, for example, to the original bill that was passed in December. One that comes to mind was the Atlantic Accord Implementation Act, and I believe there were some others.

The Chair: All right, thank you very much.

This brings us to the close of our second hour. I'm very pleased that we were able to stick within the time.

I especially want to thank you for coming here to Ottawa, because I believe you have an emergency sitting in your legislature. Again, I want to thank you for coming to Ottawa.

I especially want to acknowledge the member for Torngat Mountains for lending support to this. As we all know, this is a very important piece of legislation, and we're certainly hoping to be able to do our part, as Mr. Andersen requested, to pass it in this session.

Again, I want to thank everyone who is here today to lend support to the legislation and to the Labrador Inuit Association. I especially want to acknowledge the elders who came all the way here, and the large delegation Mr. William Andersen has been able to get here in Ottawa.

We're always very pleased at the committee level to have witnesses who are watching the proceedings, because we always say, as I said in the last meeting, that this is a moment in history: this is the last land claims agreement for the Inuit of Canada. I'm certainly honoured to be sitting here listening to the witnesses, and all the people who are here can remember the day we worked on this piece of legislation.

Again, thank you to all of you, and thank you for coming.

Thank you. The meeting is adjourned.

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