House of Commons Debates

VOLUME 133 NUMBER 082 1st SESSION 35th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Thursday, June 9, 1994

Speaker: The Honourable Gilbert Parent

HOUSE OF COMMONS

Thursday, June 9, 1994

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

ASIA PACIFIC FOUNDATION OF CANADA

Hon. Raymond Chan (Secretary of State (Asia–Pacific)): Mr. Speaker, I have the honour to table today, in both official languages, the joint report to Parliament of the Asia Pacific Foundation of Canada.

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GOVERNMENT RESPONSE TO PETITIONS

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

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CHINA

Hon. Raymond Chan (Secretary of State (Asia–Pacific)): Mr. Speaker, this past weekend I had the honour of participating in the events to mark the 50th anniversary of D–Day.

Standing next to some of the Canadians who sacrificed so much for our freedom I could not help but feel overwhelmed with pride. Because of them and thousands more like them, many of whom sacrificed their lives, our country is a living example to the world of how diversity, tolerance and generosity can build a peaceful, prosperous society. These are the values Canadians fought for in two world wars and these are the values we continue to uphold.

(1005)

The weekend before last I also took part in an event organized by Canadians to commemorate a group of people who, while not Canadians, nonetheless sacrificed their lives in the hope of achieving the values we in Canada hold so dear. I took part in ceremonies commemorating the fifth anniversary of the tragic events of Tiananmen Square.

I was honoured to have been asked to lay flowers at the monument at the University of British Columbia which was erected by the Alma Mater Society of UBC, the Chinese Student and Scholar Association of UBC, and the Vancouver Society in Support of Democratic Movement to commemorate the tragic events in Tiananmen. Respect for human rights was one of the principal reasons I became active in Canadian politics and it is with this philosophy that I am proud to stand as a member of this government.

As the Minister of Foreign Affairs outlined in a speech last week, this government has a very clear framework when it comes to the conduct of our bilateral relations with China. This framework is based on four pillars: economic partnership; sustainable development; peace and security; and human rights and the rule of law. We do not sacrifice one at the expense of the other. Indeed they are mutually reinforcing. Today I would like to focus on the human rights pillar.

Respect for human rights is an essential part of Canadian foreign policy. Our relationship with China cannot be reduced or simplified to trade versus human rights arguments. We believe systematic and wide ranging contact will lead to calls within Chinese society for greater openness and freedom.

Surely there is evidence that increased political flexibility is a byproduct of economic liberalization, and governments that have opened their markets to international trade are more sensitive to the views and reactions of other countries.

An inward looking society that depends little on trade and international investment is less likely to respond to concerns raised by foreigners. Trade reduces isolationism. Trade also expands the scope of international law and generates the economic growth required to sustain social change and development. Economic liberalization also leads to the pluralization and the empowering of interest groups in society.

Nevertheless it is imperative that we as a government continue to raise the matter of human rights with those countries we believe to be in violation thereof at every opportunity.

While we respect time honoured traditions and cultures our position has always been that the best guarantee for stability and prosperity is a government that is responsive to its people.

As a matter of policy this government will continue to work with other countries to ensure that China respects its obligations under the United Nations declaration of human rights. This was affirmed in the resolution voted on three weeks ago in my party's policy convention.

On a bilateral basis we have also expressed our concerns on human rights to the Chinese leadership. Indeed, during the visit of Vice Premier Zou Jiahua to Canada I personally voiced my concern about human rights in China and I raised specific cases with the vice premier. This was also done by the Prime Minister and Minister of Foreign Affairs in the meetings with Mr. Zou.

At the same time we intend to engage in constructive projects and dialogues with the Chinese government on this question. It is for this reason that our government will be funding joint research projects like the one between the University of Ottawa's human rights centre and Beijing University.

I believe this kind of dialogue and co–operation will help to bring about greater understanding and will be of assistance to the Chinese government in its efforts to reform its legal and judicial structures.

CIDA's China program has contributed to China's economic reforms and gradual opening mainly by creating links between people and institutions, transferring skills, knowledge and technology, and exposing thousands of Chinese to Canada, its values and government.

(1010)

Canadians expect their elected representatives to abide by the democratic principles on which our society is built. The Liberal Party has always taken an innovative and effective approach to its dealings with China.

It was a Liberal government in 1970 that took the bold and imaginative step of recognizing the People's Republic of China. I believe this helped to create the conditions for China to embark on a process of economic reform and opening to the outside world, a development which has had a tremendous positive impact on millions of ordinary Chinese citizens.

As one who has been actively involved in the democratic movement, I want to assure this House and all Canadians concerned about human rights that dialogue and engagement will best serve Canada's interests and those of the Chinese people. This is the policy of this government and I believe it is the right one.

[*Translation*]

Mr. Nic Leblanc (Longueuil): Mr. Speaker, I am pleased to rise this morning and to mark on behalf of the Bloc Quebecois the sad anniversary of the massacres in Tiananmen Square. Thousands were killed there when the repressive Chinese regime crushed the student democracy movement.

In spite of the hopes that had been raised by this vast movement, democracy is still no closer to being a reality five years later. In Shanghai, the 5th anniversary was marked by the arrest of dissident Bao Ge after he had filed papers with the city to register a human rights organization.

Mr. Bao Ge, who had been under permanent police surveillance, was one of the few human rights activists who had not been detained or forced to leave the big cities.

In Beijing where particularly repressive security measures have been put in place, the police, terrified by the idea of public demonstrations, ringed the square where the tragedy occurred.

Memories of the crushing defeat of the democracy movement during the night of June 3 and 4, 1989, are still vivid. According to dissidents and foreign observers, thousands were massacred.

The first image that automatically springs to mind is that of the student facing down the tanks which literally crushed the uprising. One would think that here in Canada, the federal government would have decided to mark this event by making radical changes to its human rights policy, a policy which the secretary of state is defending this morning with great conviction.

Indeed, a great deal of courage and conviction is required to defend this government's 180 degree turn. From now on, human rights will apparently take a back seat to this government's commercial interests.

As the Leader of the Opposition stated in a question to the Prime Minister: ''Canada is relinquishing its historic responsibility, since the Prime Minister knows perfectly well that polite comments behind closed doors will have no impact on foreign leaders who systematically violate human rights''. Would you care to hear the Prime Minister's answer, Mr. Speaker? He answered to the effect that China would laugh in his face if he adopted a hard–line position.

I think we are the ones who are being laughed at now. If we want respect, we must have a conscience and that conscience is what has earned Canada the worldwide admiration it currently enjoys.

(1015)

We have heard the ministers of this government take turns telling us that human rights are no longer tied to trade and market logic.

As my hon. colleague from Hochelaga—Maisonneuve stated before this this House on March 22 last, and I quote: ''The Liberals had promised a more 'we'll go it alone' Canadian foreign policy, one more in line with Lester B. Pearson's vision. Let the naive think again! The Liberal government is trashing a long–standing tradition of defending human rights, reducing

Canada to the condition of petty trading nation without any vision, or heart or soul''.

This morning, the secretary of state reaffirmed the very clear framework of bilateral relations with China recently described by the Minister of Foreign Affairs. There is clearly a double standard regarding human rights violations, with Canada applying a very harsh policy in the case of poor countries—let us just think of Haiti—but a lenient one, one of turning a blind eye, as far as rich countries are concerned.

I listened carefully as the secretary of state praised the four pillars on which the government has decided to base the conduct of its relations with China.

Allow me to reply to some of his remarks. The secretary of state said, and I quote: ''We believe systematic and wide–ranging contact will lead to calls within Chinese society for greater openness and freedom''.

The problem is not so much prompting Chinese society to call for more freedom as having the courage to pressure the Chinese government to stop repressive action against all those who do call for this freedom.

The secretary of state also indicated, and I quote: ''—during the visit of Vice Premier Zou Jiahua to Canada, I personally voiced concern about human rights in China and I raised specific cases with the Vice Premier''.

We believe that the Chinese are expecting much more from Canada than a mere expression of concern. Why not have voiced outrage? Why not have voiced it publicly? Why not have condemned the ongoing repression? God forbid that the government jeopardize its relations with China and prejudice any contract by daring to be insistent in any way!

The secretary of state told us about no specific multilateral action that the government intends to take to make up for its lack of leadership in bilateral relations. I challenge the secretary of state when he tells us that the Liberal Party has always taken an innovative and effective approach in its dealings with China. The Liberal Party is certainly not innovating today; if anything, it is going backwards.

I will remind him that an extremely significant step was taken at the Francophone Summit in Dakar in 1989, when Canada led the 42–country Francophonie in adopting a resolution making protection of human rights a ''fundamental objective'' of the international community.

It also mentioned that not only Canada but also the other leading nations had to take account of the behaviour of the receiving countries—

The Deputy Speaker: Order, please. I hope that the hon. member will excuse me, but it is a principle of equality and parity. You do not have more time than the minister.

Is there unanimous consent to allow the hon. member to continue for a few minutes?

Some hon. members: Agreed.

Some hon. members: No.

(1020)

[*English*]

The Deputy Speaker: Perhaps I should make the point again. There is an understanding that if a minister goes, for example, 15 minutes, the spokespeople for the two other parties can go as long as he or she does, but not longer.

Mr. Bob Mills (Red Deer): Mr. Speaker, I am pleased today to stand in front of the House and honour the brave men and women who sacrificed their lives in Tiananmen Square five years ago.

Like the minister, I often think about the huge square standing in front of the forbidden city, with its overpowering picture of Chairman Mao overlooking what has happened through history in that square.

It was mentioned by one of my colleagues that looking back in history we can often learn some things. Certainly one of the things that might take us back to the thirties was listening to the commentary regarding the rise of the Nazis and what happened in Germany. It only emphasizes the difficult decision we have to make today, whether we isolate or do we get involved.

All of us look forward to the day when China joins other countries that respect freedom and democracy for its people, respect and accept the human rights standards that exist for all countries of the world. In the interests of security in Asia it is vital that we work with these people and that we work from within as the minister has suggested.

We too would agree that the interests of China's people will best be served in the long run by our participation in China. The only real choice the people of China have for more humanitarian and democratic treatment is for us to help them become less economically dependent on the Government of China and with a vision of what is really happening in the world outside.

I cannot help but think of the first time I visited China 15 years ago. It is unbelievable the changes that have occurred within that country in a relatively short time. It stands as some proof of exactly what happens when the western society gets involved. China has made changes and the people have achieved more freedom. It is not perfect but at least they do have a better quality of life.

While we would like to have a perfect world, that just is not possible. All we can hope is that we can have influence and that over time things will change. This is our opportunity to play a leadership role based on our early recognition of China and our continued dealings with China over the years.

We must become more aggressive in our approach to China and be certain that we take every diplomatic opportunity open to us to press for more human rights. We look forward to the day we can stand in the House and truly congratulate the Chinese people on having achieved true and complete democracy.

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COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. Gordon Kirkby (Prince Albert—Churchill River): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Aboriginal Affairs and Northern Development regarding the conservation of the Porcupine caribou herd.

Pursuant to Standing Order 109 the committee requests that the government table a response to this report within 150 days.

[*Translation*]

CANADIAN HERITAGE

Mr. John Godfrey (Don Valley West): Mr. Speaker, I have the honour to present in both official languages the first report of the Standing Committee on Canadian Heritage on Bill C–31, an act to amend the Canadian Film Development Corporation Act, without amendment.

(1025)

[*English*]

The Deputy Speaker: The hon. member on a point of order. The member I think appreciates he will have to have unanimous consent for this.

Mr. Frazer: Mr. Speaker, I believe you will find there is unanimous consent to waive the 48–hour requirement for introduction of this bill.

Some hon. members: Agreed.

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CANADIAN VOLUNTEER SERVICE MEDAL FOR UNITED NATIONS PEACEKEEPING ACT

Mr. Jack Frazer (Saanich—Gulf Islands) moved for leave to introduce Bill C–258, an act respecting the establishment and award of the Canadian volunteer service medal and clasp for United Nations peacekeeping to Canadians serving with a United Nations peacekeeping force.

He said: Mr. Speaker, this bill is introduced to correct an oversight that occurs at the moment. At this time the United Nations issues medals to Canadians who serve on peacekeeping activities. At some time after the issue of that United Nations medal, the Governor General declares that medal to be a Canadian medal. Many of our peacekeepers feel that this is not truly a Canadian recognition and therefore there is a desire among them to be recognized by the issue of a Canadian medal.

Also included in this bill is the clasp which would provide visual recognition of the great honour that was bestowed on Canada by our peacekeepers when they won the Nobel peace award on September 30, 1988. This bill would provide a clasp on the medal which would show those people who had earned that award.

All Canadians are justifiably proud of our contribution to peacekeeping and it is fit and proper that we provide pure Canadian recognition of their contribution to our world esteem.

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

* * *

EXTENSION OF SITTING HOURS

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): I move, pursuant to Standing Order 27(1):

> That, commencing on June 10 and concluding on June 23, 1994, on Mondays, Tuesdays, Wednesdays and Thursdays the House shall continue to sit until 10 p.m. for the purpose of considering Government Orders, provided that proceedings pursuant to Standing Order 38 shall, when applicable, be taken up between 10 p.m. and 10.30 p.m.

He said: Mr. Speaker, in proposing this motion I would first like to thank the House for its generally co–operative approach to the legislation that has been put before it.

I must say I have been assisted greatly in my work by the Secretary of State for Parliamentary Affairs, the hon. member for Beauséjour, and my parliamentary secretary, the hon. member for Kingston and the Islands. I should also like to thank the chief government whip, the hon. member for Saint–Léonard, and the deputy whip, the hon. member for Glengarry—Prescott—Russell, for their similar efforts.

I have other thanks to offer. I want to say I would be quite remiss if I were to fail to indicate as well the important roles played by the House leaders of the opposition parties. I refer to the hon. member for Roberval and the hon. member for Kindersley—Lloydminster. They have both demonstrated the important parliamentary skill of combining tough and vigorous parti-

sanship with a civil and courteous approach as well as an understanding of the public's expectation that the House carry out its business in a reasonable fashion.

Although we have had a number of significant philosophical and policy differences, we have been able, most of the time, to overcome these differences in order to work together to organize the business of the House in a more orderly manner than I have seen in much of my own career in Parliament.

(1030)

I say this not to seek praise for myself as the leader of the government in the House, but to demonstrate that at least part of the message of the election of last October 25 has been heard and understood here in this House. Canadians, regardless of their political inclinations, want Parliament to function in a more civil and open manner and, at the same time, to be a place of vigorous debate and exchange of ideas.

It was with this in mind that the government has sought to restore the importance of this House of Commons as the central institution of Canadian government through its program of reform of the rules of the House. These were implemented with all party co–operation right after the throne speech debate earlier this year.

One objective of this was to give the House of Commons and its members a greater role in the initial stages of policy development.

For this reason major studies by committees of our foreign policy, our defence policy, our social policy and the goods and services tax are presently under way. In addition, the House has had a number of general debates, on the initiative of the government, using time set aside for government business, in order to give the government a sense of where members of Parliament stand on such matters as peacekeeping, cruise weapons testing and on agriculture before the cabinet makes decisions in these matters.

The results of many of these initiatives will be seen only some months later on. In many cases they will result in legislation and some of the resulting reports no doubt will be quite contentious.

The government has been criticized in some quarters for embarking on some of these studies, but they involve consulting the Canadian people on matters crucial to them before introducing legislation. I hope some of those who have voiced these criticisms will not succumb later on to what we would argue to be contradictory claims, when we bring forward the resulting legislation, by attacking us then for moving too quickly.

Even though this government is a new government I submit it has brought forward a considerable legislative program; some 38 bills to date with another half dozen to be introduced before we adjourn for the summer. We have already passed half of these measures. These include such matters as the federal–provincial fiscal arrangements bill, the budget implementation bill, a number of tax measures coming from the recent budget and from previous budgets and a wide range of other matters from fisheries to railway safety to government re–organization.

I want to thank the House and, I repeat, I want to thank my fellow House leaders for the great co–operation shown in this regard.

We face the crunch now, the run up to the long summer adjournment. Bills that were referred to committees earlier in the spring are beginning to pour back into the House and we must deal with most of them before starting the long summer break.

These bills include Bill C–28 regarding financial assistance to students, Bill C–30 regarding fisheries workers, and Bill C–12 revising and updating the Canada Business Corporations Act.

We must also conclude debate on the two bills pertaining to tobacco, C–11 and C–32. Bill C–32 is particularly important because it authorizes the making of rebates of tobacco excise tax, rebates that have been long awaited by small businesses across this country.

We also need to finish Bill C–22 regarding Pearson airport, Bill C–16 regarding the Sahtu Dene land claim, Bill C–25 concerning petroleum resources, the two environment bills C–23 and C–24, and Bill C–18, legislation which will enable us to update the process of revising electoral boundaries. There is also Bill C–35, the legislation to permit the reorganization of the new Department of Citizenship and Immigration.

(1035)

We also have to deal with Bill C–33, the Yukon land claims legislation and Bill C–34 regarding native self–government in Yukon. I want to mention that I have been receiving many representations from not only native groups but from the premier of the Yukon saying that these bills represent a consensus in the Yukon territory after some 21 years of effort. They urge, therefore, that we consider and adopt these bills as quickly as possible.

Mr. Speaker, there are a number of other what you might call smaller items for which we will also seek passage.

In addition, before the House adjourns the government wants to have second reading of Bill C–37, the young offenders legislation. We also want to move into committee Bill C–38 respecting marine transportation security and the lobbyists legislation which will be introduced next week.

This is an extensive list. Of course our precise scheduling is dependent upon the timeliness with which our committees complete their work on the legislation before them. I think however that the proposal before us for additional hours will permit the House to complete all of this business. After all, three and one–half hours each day, Monday through Thursday over two weeks seems to me to be a comparatively easy means to add

what is the equivalent of an additional week of time for government business.

To conclude I again want to thank my colleagues, the Secretary of State for Parliamentary Affairs, my parliamentary secretary, the member for Kingston and the Islands, the chief government whip, the member for Saint Léonard, and the deputy whip, the member for Glengarry—Prescott—Russell and at the same time the opposition House leaders and their whips for their co–operative efforts. These have enabled this House to proceed in a manner reflecting the desire of the Canadian public for a more open and active House, one with a co–operative atmosphere, but which at the same time is a place, as I have said, for vigorous debate and exchange of ideas.

Mr. Speaker, I look forward to a continued good atmosphere here in the House that will enable this House to complete its agenda. Therefore I ask for the support of members for this motion.

[*Translation*]

Mr. François Langlois (Bellechasse): Mr. Speaker, after what the hon. Leader of the Government in the House said earlier about the opposition leaders and especially about the Leader of the Official Opposition, I should return the compliment. I also want to underline the leadership the hon. Government House Leader has exercised—in co–operation with the opposition—and his always pleasant dealings with us regarding the agenda of the House. It is easy to understand, when we look at the actions of the Government House Leader, why he has survived a 32–year career in politics.

Now that the compliment has been returned, allow me to have a slightly different vision from that of the hon. Leader of the Government, especially with respect to the business of the House.

We in the Official Opposition were elected on October 25. After the election writs were returned in the following days, we asked that Parliament be summoned immediately because we saw our friends waving the red book and demanding action.

As early as mid–November, we were ready to meet here to consider government policies, initiatives and bills, and to implement the program they were elected on.

Despite repeated requests, we had to wait until January 17 to meet. Of course, we worked in our ridings, met with our constituents and prepared our arguments, but we could not deal with any legislation because the government had decided not to convene the House.

(1040)

I must say that, when the House first met, it looked like a larger, more visible Spicer Commission. It introduced motions on various issues which we debated, but where was the legislative agenda? Where was the beef then and where is it now?

We then had bills without deep significance which generated little debate because many or all members could easily agree to them. We are now coming to the end of the session and they table a motion to extend sitting hours. It is standard parliamentary procedure. It gives the public, the voters, the people of this country and of both countries, the impression that there is much to be done in the home stretch in this country.

If the parliamentary agenda had been planned differently, if we had started sitting last November, we would not have to extend sitting hours during the last two weeks, so that members will have to work for 12 hours in the House and the committees, respond to their constituents' requests and lead rather hectic lives here.

However, we will do it. The Official Opposition does not at all intend to oppose the motion tabled by the Leader of the Government in the House, but it must be recognized that the planning of our agenda could have been done in such a way that this motion would have been unnecessary, especially since the government is announcing, somewhat hastily and at the very end of the session, bills which have not yet been tabled.

The Government House Leader referred to the Young Offenders Act, an omnibus bill which should be tabled shortly. He also announced legislation on lobbyists, as well as a bill on sentencing. Moreover, the government may want a second reading vote on these bills, some of which are not even on the agenda yet. As you know, it is not always a good thing to take on too much, because you sometimes end up not being able to do everything.

We must dispel the impression that we have to hurry because we have not done anything so far. The opposition is at the mercy of the government's agenda. Every day, we have worked with what the government put before us.

The government, through its House leader, referred earlier to Bill C–18, which we will look at for the last time this afternoon. This legislation on electoral boundaries readjustment and its impact is another example of bad planning. Indeed, Bill C–18 was tabled a bit late, with the result that, in some cases, provincial electoral boundaries commissions had to redo some of their work, while others had to start from scratch. This is an example of the mess we are in.

Mr. Speaker, what really surprised me, in a pleasant way, was to hear the Government House Leader say that he wanted us to have full dress debates, and that this House was the place to have such discussions. I am pleased to hear this from a person who has so much authority, because I was somewhat perplexed

yesterday when I read and heard that the hon. member for Glengarry—Prescott–Russell, who is the Deputy Government Whip under the Government House Leader, was encouraging people to sign petitions to keep us from debating the real issues for the two countries which are to be found in Canada.

I am therefore reassured and pleased to hear the hon. member for Windsor West and Government House Leader say that he has absolutely no intention of setting aside major issues so as to avoid a debate on them.

Mr. Speaker, the Official Opposition will do its job to the very end, and will work the extra hours required to fulfill the mandate given to us by our constituents, in spite of the disruptions to our daily schedule.

Consequently, if there is a vote, we will support the motion tabled by the Government House Leader.

(1045)

[*English*]

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, I rise to speak to the motion before us today. I thank the hon. government House leader for his kind words and the hon. member for Bellechasse for his complimentary words regarding the co–operation House leaders have achieved during the first few months of the 35th Parliament. I also express words of appreciation for the co–operation and goodwill expressed among us.

However I too have some concerns. I rise to speak to the request of the government for an extension of the sitting hours of the House. My party, the Reform Party, has endeavoured to bring a different approach to the opposition benches of the House. The hon. government House leader alluded to it. We did not come to Ottawa to oppose de facto all government policies and motions. Instead it is the goal of my party to offer constructive criticism and even support government bills and motions we deem to be in the best interests of Canadians.

On that basis then we will not oppose the motion to extend the hours. Our hope is that these extended hours will be used profitably for the good of Canadians. I trust this hope is based on reality and not idealism on our part.

However the government's request to extend the hours of sitting of the House brings some questions to my mind. I cannot help but wonder—and I am sure many Canadians have the same questions as I have—why the government feels it needs to extend the hours. There is really only one reason it is necessary for the government to lengthen the time we spend in the House. The reason is that the Liberals have let down Canadians by wasting our time with relatively unimportant housekeeping bills for most of the time we have spent in the House thus far.

Allow me to outline the reasons for my thinking, Mr. Speaker. Since the election last October that elected the Liberal government, 225 days have passed and 82 days have passed since the date of the election and the initial convening of the House. Since then the House has also been sitting for a total of 82 days. During those 82 days we have been presented with 38 bills, with notice having been provided for 11 more.

Let us review the performance of the Liberal government for those 82 sitting days. Unlike other parties, the Reform Party is not adverse to giving credit to the government when credit is due. The government deserves some credit for a few changes it has made so far. Despite some disagreements on the various details of its legislation, the Reform Party is willing to commend the government for some changes proposed to the young offenders and student loans acts; for empowering the committee to make changes to the standing orders; for reviewing policies surrounding social programs, foreign, defence and peacekeeping policies; and for allowing special debates on topics such as agriculture and the situation in Bosnia.

Despite our role in opposition to oppose, the Reform Party is willing to acknowledge that the government is following through on some of its campaign promises, such as the cancellation of the EH–101 helicopter deal and the Pearson International Airport privatization deal.

If nothing else, we congratulate the government for sticking to its word in these areas. The Liberal government appears to have followed through on its promise to reduce the size of budgets of the offices of the Prime Minister and cabinet. Its promise to create a youth job initiative, even though we fear it will be ineffective in light of the jobs it creates at considerable cost to taxpayers, was at least an attempt to keep a promise.

However I must admit that my praise is rather faint. We are disturbed at the amount of time being taken by the government to put its plan in place. How much time does the government need to study and consider important Canadian issues? When will the government admit that the time for talk is over and that the time for action has come?

Two troubling statistics have come out of my examination of the bills introduced by the government. The first is that of the 14 bills left on the Order Paper at the end of the last session under the previous Conservative administration, eight have been recycled or reused with minimal changes. The Liberals said that they were going to be different. Instead they have shown they are an old line party from the same old system of politics of which Canadians have grown tired. In fact it is impossible to see how the government is different from the previous Conservative administration subscribing to Marshall McLuhan's idea that politics is a means by which to offer yesterday's answers to today's problems.

(1050)

The second troubling statistic is that of the 38 bills introduced thus far, at least 13 have been of a housekeeping nature. We seek not to question the fact that many of these housekeeping details needed to be taken care of. Rather we seek to question why the government has tied up the business of the House with details of lesser importance than the truly great issues facing the majority of Canada. The issues I speak of are the promised Liberal programs dealing with jobs and job creation; the deficit and the

debt crisis; with justice system overhaul; and with reform of the pension plans for MPs.

The Liberals seem to be inclined simply to put on the guise of action. As I have mentioned 38 bills have been introduced of which 16 have been passed, 3 have gone to the other place, one has been returned to the House by the other place, and that was a real government fiasco, 12 are at committee and 5 are at second reading.

To an outside observer this gives the appearance of action. It is like the Liberals have just inherited the family farm but do not want the neighbours to find out that they do not know what to do with it. Instead of putting in a crop they are driving around in their tractors, spinning its wheels, or they are rearranging the equipment in the shed.

The Liberals cannot claim lack of experience. In the campaign they offered a list of star candidates and they even have several old hands from the Trudeau era. Perhaps this lack of ability to introduce substantial legislation is a result of the Liberal government not really wanting to make any changes at all, preferring rather to revere the memory of previously inept Liberal administrations.

Some hon. members: Oh, oh.

The Deputy Speaker: Order, please. I remind members on the government side that nobody heckled the government House leader when he was giving his speech.

Mr. Hermanson: Mr. Speaker, Liberal Party members cannot blame the neighbours for their lack of advice or input. We know it is just a matter of time before the government comes to realize it needs help in getting its farm up and running. They only need to ask. As the farmer across the road, the Reform Party is willing to help provide the direction required.

Of the 38 bills brought before Parliament only 16 have been passed. Of the 16 bills that have been passed into law the Reform Party has supported 10 of them. Let it not be said that the Reform Party seeks to obstruct the legislative process of the Government of Canada. Rather the Reform Party has sought to be and has become a constructive force and good neighbour in the House of Commons. It is unfortunate, however, that we have not been given the opportunity to deal with very much truly substantive legislation.

The result of the election that brought all of us to Ottawa was an obvious expression of the desire of the Canadian people for change in government. Canadians elected over 200 of the current members of Parliament to the House for the first time. The Liberal government could have taken this past election as an opportunity to make the changes it promised in its so–called red ink book.

While the Reform Party does not support the majority of the policies put forth by the red book, we recognize the democratic voice of Canadians in providing the Liberals with the mandate to make those changes. Instead of representing the change Canadians expected, the government has chosen to waste its time on these housekeeping matters and put off the real decisions seemingly to an indefinite time, preferring to remind us how to do politics in a tired old way. The government has let down all Canadians. It has given Canadians exactly what they voted against: the status quo.

The Liberal Party campaigned on a platform of job creation and economic stimulus. Unfortunately campaign is the only thing it did with most of its promises. The Liberals have shown themselves to be politicians of the old order. The Liberals are politicians who, like their predecessors, promised change and delivered nothing.

The Reform Party does not object to sitting late and working for Canadians. The Reform Party has been co–operative in supporting 10 out of 16 bills passed in this session. It must therefore be the fault of the Liberals that virtually nothing substantive has been put forward by the government. With this in mind we cannot help but wonder what justifies the rush when no hurry has been exhibited by the government to implement its program thus far.

I am the member for the riding of Kindersley—Lloydminister in Saskatchewan. A large part of my riding was devastated by the great depression of the 1930s. The people survived by sticking together in a spirit of teamwork and mutual support. It is with that spirit I offer advice to our Liberal friends on the other side of the House. Perhaps the Liberals can take a few ideas from the common sense suggestions of the Reform Party. Hopefully Liberal egos will not get in the way of common sense.

(1055)

First and foremost the Reform Party feels the need to remind the Liberals of the massive debt crisis facing the country and specifically future generations of taxpayers. The Liberals may not care about future generations but the Reform Party does.

The young people of Canada are being cheated by the government. Deficit spending is a discriminatory tax on youth. The unrestrained deficit spending of the last two decades has placed a heavy burden on Canadian youth. It is they who will be taxed throughout their lives to make interest payments on the national debt which is now over half a trillion dollars. Growing at over

$1,500 per second, the national debt amounts to over $18,000 per capita. Debt and taxation levels in the country have gone up so fast that the government is soon likely to price Canada right out of the world market. This cannot continue.

Where are the bills to reduce federal spending in every department from every minister? Why is there not balanced budget legislation instead of a budget that increases total government spending by $3.3 billion?

The debt is the most critical problem facing Canadians and their social programs today. The irony is that we can afford our social programs. It is the debt we have accumulated that we cannot afford.

According to the public accounts for the year ending March 31, 1993, the interest on the national debt amounted to some $38.793 billion. In fact government accounts show an operating surplus but for the interest payments being made on the long term debt of the country.

In the absence of debt and the resulting interest payments, we would have a program of expenditure surplus and tax levels could in fact be reduced without any threat to social programs. The government does not seem to care. Last night it refused even the most moderate reductions to the estimates. The Liberal government, along with the Bloc and the NDP, voted against reducing the estimates by only $20,000. What an awful sign that sends from Ottawa.

The government has forecast a deficit in this fiscal year of approximately $40 billion, making no effort to curb the spiralling deterioration of the fiscal situation in Canada. This is why last week Moody's, the investment rating company, downgraded the rating on foreign denominated Canadian bonds. This is also why Reformers feel that the debt and the deficit are the most important issues facing Canadians today and why we would not hesitate, as the Liberals have obviously hesitated, to deal quickly and with conviction regarding the financial problems facing Canada today.

Reformers do not wish financial slavery on their own children or on the future generations of Canadians. Why are there not bills before the House that would restore investor confidence, small business optimism and taxpayer hope for tax relief?

Why did the government scratch out the following words from the Reform Party's motion on national unity? I quote:

> —remain federally united as one people, committed to strengthening our economy, balancing the budgets of our governments, sustaining our social services, conserving our environment, preserving our cultural heritage and diversity, protecting our lives and property, further democratizing our institutions and decision making processes, affirming the equality and uniqueness of all our citizens and provinces, and building peaceful and productive relations with other peoples of the world.

Another area of concern to Canadians and to the Reform Party is the extravagance of pensions for members of Parliament. High on the list of suggestions I would offer to our Liberal counterparts is the reform of MPs' pensions. As the member for Calgary Centre mentioned the other day, the pension package for politicians has created a two–tier pension system completely out of line with the private sector. This system must be reformed and brought into line with the pension programs in the private sector.

The government is talking about making changes. It is waiting for studies when no studies are needed and has made no substantive proposals. Could it be that the Liberals are trying to protect the wealth of their pensions for themselves? After all, will they need them when a disillusioned public turfs them out of office after the next election? I doubt they are needy; maybe they are greedy.

Canadians are frustrated by the fact that there are more barriers to trade and commerce in an east–west direction in the country than there are in a north–south direction. For many businesses it is easier to carry on business with companies and customers in the United States than it is to carry on business with other provinces in Canada. These barriers to the free exchange of goods and services within Canada work against economic growth and development of business relations in our country.

The government promised to work quickly to eliminate interprovincial trade barriers by a date this month. However these barriers to trade within our country still stand and it appears no progress is being made in this area. How long will the government wait to put business in any and all provinces and regions on an equal footing?

(1100)

Let us talk briefly about justice. A few weeks ago Barb Danelesko, an Edmonton housewife, was murdered in her own home by intruders who turned out to be young offenders. Her death has brought to the national stage the fact that the Liberals have been slow to act on this issue.

The Reform Party believes that the justice system should place the punishment of crime and the protection of law–abiding citizens and their property ahead of other objectives. This principle should apply to the Young Offenders Act.

The current treatment of young offenders still derives from an outdated 19th century idea that youth are morally incapable of criminal wrongdoing. The policy consequences of this idea deny justice to young offenders, to the victims of their offences and to citizenry at large. Reform MPs have illustrated this point with case after case of documented youth offences, but they have not moved the Minister of Justice and his government to introduce responsible legislation.

Recently the Minister of Justice did introduce some changes to the Young Offenders Act. Unfortunately these amendments do not go nearly far enough to provide for the protection of society. Most noticeably, it failed to lower the age at which youth will be held responsible for their actions. It is unfortunate that the House will spend many hours debating inferior legislation like Bill C–37.

Another issue that concerns Canadians is the fact that the traditional representatives they elect to Parliament seem to have become spokespersons of the government to them rather than ambassadors of their electors to the government in Ottawa. It is time that all members of Parliament began to truly represent their constituents.

Reformers want to make it possible for members of Parliament to represent the wishes of their constituents. We believe that the failure of a government measure in the House of Commons should not automatically mean the defeat of the government. Defeat of a government motion should be followed by a formal motion of non–confidence, the passage of which would require either the resignation of the government or the dissolution of the House for a general election.

This practice has been successfully followed in the United Kingdom for over two decades and it could be introduced here. No constitutional or legal change is required, just a declaration on the part of the Prime Minister. He has failed to make this declaration.

This bold act would break open what scholars have called the iron cage of party discipline. Members of Parliament could begin to vote for what their constituents really want instead of what a small cadre of cabinet ministers wants. This would open up the institution of Parliament and revitalize respect for politicians who would have the opportunity to truly serve the people who elected them.

The only substantial parliamentary reform has been to change the standing orders, allowing committee and report stage of bills prior to second reading. However, absolutely no bills have followed or gone this route to date. Why would the government make these changes and then not follow through on using the new procedures? I would like to suggest that this is perhaps a sign of a deeper problem within the Liberal Party. I trust the Liberals will have more use for changes they make in the future.

Therefore, not only does the Reform Party question the government on what it has been trying to pass off as important business during the last session of Parliament, but we have concrete ideas and proposals that we believe would be in the best interests of Canadians. If the government wants to admit that it does not know what to do by dredging up old Tory legislation, the Reform Party will be glad to help point the way.

Let us not waste our time on cursory housekeeping matters but get on with the truly important matters that need to be urgently dealt with. The deficit, justice issues, MPs' pensions and representational matters are issues that affect Canadians to a far greater degree than migratory birds or the National Library.

Right now I feel like the woman from the now famous ''where's the beef'' commercials. I believe the hon. member for Bellechasse mentioned a similar concern. This government's approach to reform is to talk about it, study it, promise it and quibble over it but when we come to sink our teeth into it, we find there is nothing there. We have missed the point.

It is with reluctance that I support this motion. I support it because Canadians need reforms legislated soon. I do it reluctantly because the government has proposed so little substantive legislation to this point.

In closing, I would like to quote Allan Fotheringham's column in the Ottawa *Sun* dated June 5, 1994. In it he addresses the Prime Minister with these words: ''Start fulfilling your mandate. You're the Prime Minister. Act it''.

(Motion agreed to.)

* * *

(1105)

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Fernand Robichaud (Secretary of State (Parliamentary Affairs)): Mr. Speaker, Question No. 45 will be answered today.

[*Text*]

Question No. 45—**Mr. Chatters:**

With respect to police investigations relating to fraud and misappropriation of funds by the Indian bands, tribal councils and aboriginal/metis organizations, (*a*) how many were conducted during the last five years, (*b*) how many charges were laid, (*c*) how many are currently underway?

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, the Royal Canadian Mounted Police does not collect statistics in relation to any particular ethnic groups.

[*Translation*]

Mr. Robichaud: Mr. Speaker, I would ask that the remaining questions be allowed to stand.

The Deputy Speaker: Shall the other questions be allowed to stand?

Some hon. members: Agreed.

The Deputy Speaker: I wish to inform the House that because of the ministerial statement, Government Orders will be extended by 20 minutes, pursuant to Standing Order 33(2)(*b*).

GOVERNMENT ORDERS

[*English*]

ELECTORAL BOUNDARIES READJUSTMENT SUSPENSION ACT, 1994

The House resumed from June 3 consideration of the motion in relation to the amendments made by the Senate to Bill C–18, an act to suspend the operation of the Electoral Boundaries Readjustment Suspension Act, 1994.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, it is a good thing I have a glass of water. I am quite busy this morning.

Today I have an opportunity again to rise and speak about the changes the other place is proposing to Bill C–18. I am glad we have a chance to revisit this issue.

Bill C–18 as it was originally envisaged by the government was a very serious breach of the fundamental principle of democracy, namely preventing the intervention of political parties in the design, conduct and outcome of elections in Canada.

The electoral process in Canada is probably the most fair, unbiased and most professional in the world. Our electoral process is not perfect and I hope we will have the opportunity to discuss some improvements at a later date.

The original intent of Bill C–18 not only threatened the non–partisan aspect of our democratic process but it jeopardized the reputation that Canada enjoys internationally as a country that could be counted on to set high standards of impartiality with regard to the electoral process.

Witness that Canada is very often called upon to supervise or observe elections around the world. The Ukrainian and South African elections are two recent examples of this. I cannot emphasize enough the damage that would be done to Canada's international reputation if Bill C–18 were to have passed in its original form.

It should be obvious that Reformers were correct in their analysis of the bill. The government should have accepted our amendments.

The reasons this bill had to be amended are many but the concept of preserving a Canadian sense of fair play was certainly the most important. It is of paramount importance that all aspects of the electoral system be conducted at arm's length from the government and all political parties. This will ensure the fair play ideal that Canadians hold.

It is somewhat ironic that the body that is moving to protect democratic principles in Canada is the Senate. The formation of the upper House is about as undemocratic as one can imagine. The principle of appointing legislators in the British parliamentary system is not only undemocratic but it is outdated and not in keeping with the tide of democratization washing over much of our globe.

The old vice of the monarch choosing half the Parliament has now evolved to the point at which the Prime Minister recommends senatorial candidates to the Governor General. This is unacceptable to most Canadians. This makes senators nothing more than political hacks who have no legitimacy in the eyes of the nation.

Senators have become the focal point of Canadians' desire to democratize their country. Senators are the tip of the patronage iceberg and many Canadians, including loyal Canadians on this side of the House, want to remove this liability to democracy.

Many may ask, if the Senate is an undemocratic chamber why did it act to protect Canadian democracy? It almost sounds like an oxymoron, just like Progressive Conservative, or fiscally responsible Liberal.

(1110)

Was this action of the Tory senators an indication that they are more democratic than their Liberal counterparts? Not at all. It is clear this was an attempt by the Conservatives to do the right thing for once and stick up for Canadians since they blew the opportunity to do that while they were in power for nine years.

The elected part of this party is now gone. In desperation the patronage recipients of a discredited Tory party are trying to restore credibility to their very discredited party. All I can say to them is good luck but do not hold your breath.

The issues of Senate reform, democratic principles and redistribution are inextricably linked. There is much concern from Reformers and in the country in general that we must reform the two component parts of our bicameral Parliament to balance adequate regional representation with the democratic principle of one person, one vote. It is impossible to accomplish this balance without including Senate reform.

With the current undemocratic Senate there is only one truly democratic chamber in Parliament, the House of Commons. This Liberal government and all previous governments strive to balance equality of individual Canadians with regional representation within this House. As time goes on, this issue is getting under the skin of more and more Canadians in all parts of the country.

As a result of the constitutional floors accorded some provinces with regard to the electoral district allocation, true equality of Canadians is already precluded. Many of the reasons for these floors can be traced to the sad reality of an unelected Senate.

There is a constitutional law that no province can have fewer elected members in the lower House than unelected members of the upper House. For instance, Saskatchewan is guaranteed six seats. Nova Scotia is guaranteed 10 seats and Prince Edward Island, 4 seats.

There is also an accepted convention that the redistribution process will not result in any province having fewer seats than it had in 1976. This results in Manitoba and Saskatchewan being guaranteed 14 seats each. Newfoundland is guaranteed seven and Prince Edward Island, four.

These limits make it almost impossible to cap or reduce the number of seats in the House in an equitable way over the long term. Nobody seems to mind the fact that most provinces have more MPs than senators. Perhaps this is because the MPs have legitimacy and senators do not because they are not elected.

The question then becomes: How do we give senators legitimacy, provide for a regional balance among the provinces and protect the principle of one person, one vote? The answer is a triple–E Senate, a Senate that is elected, has an equal number of members from each province and is effective in protecting regional interests. It is a Senate that has an equal number of members from each province to provide regional balance, elected by the people to give them legitimacy, and therefore effective in safeguarding provincial and regional interests. This leaves the House of Commons free to be the guardian of the rep by pop, one person, one vote system.

A triple–E Senate would also provide an opportunity for internal regional balance within large provinces. For example, in Ontario the population of the golden triangle region can be represented equally with the north. In provinces like Saskatchewan the urban and rural areas can achieve more equitable representation. A triple–E Senate could be a real problem solver for many issues that alienate Canadians in many parts of the country.

I believe very strongly that the problems arising with the redistribution process are a direct result of the refusal on the part of traditional parties to reform the Senate. The fact that an unelected Senate ensures the requirement for constitutional floors on the numbers of seats guarantees that some Canadians will be better represented than others in the House.

It follows that electing senators and an equal number from each province will allow more equitable distribution of seats in the House of Commons based on the principle of one person, one vote. It would allow the redistribution process to more accurately reflect the population distribution of the country.

One of the consequences of an ineffective Senate is the power vacuum created in balancing regional interests. This is supposedly the mandate of the upper chamber. However, first ministers conferences have grown in importance and power as a result of this vacuum. The increased frequency and authority given to such meetings have put far too much power in the hands of two smaller groups of individuals to be called democratic and responsible.

Canadians are weary of hearing that 11 men and women behind closed doors have come up with another proposal. Perfect examples of this are the public's reaction to the Meech Lake and Charlottetown accords.

It is also worth mentioning that the House has given the procedure and House affairs committee the mandate to investigate the possibility of capping or reducing the number of seats in this House. Some very simple mathematical calculations make it obvious that guaranteeing certain provinces a minimum number of seats regardless of population will make it all but impossible to properly carry out the mandate over the long haul, unless we are willing to live with an even larger discrepancy in the number of people represented by MPs from different provinces, a difference that is already more than a factor of five.

(1115)

For example, the riding of Cardigan, Prince Edward Island has a population of 29,150 while the riding of Brampton, Ontario has a population of 162,610, more than five times as many. That means a Canadian living in Cardigan has five times as much say as a Canadian living in Brampton. A triple–E Senate would then allow for a reduction or capping of the number of MPs without lessening the representation for sparsely populated areas of the country.

Canadians are outraged that the government continues to support an outdated 19th century appointed Senate. We are currently studying ways to move this House into the 21st century by investigating the matter of electronic voting and by allowing laptop computers into the House. Why then does the government refuse to update the 19th century upper chamber, which is a far more serious matter?

There are currently two vacancies to be filled in the other place, one for Manitoba and one for Quebec. Both of these provinces will be having provincial elections in the near future. Why will the Prime Minister not encourage the people of Manitoba and the people of Quebec to choose their own senators at the same time as their provincial elections are being held? There is no constitutional barrier to doing this, as was shown by the election of the late Senator Stan Waters, Canada's first and only elected senator.

I challenge the Liberal government with its red ink book and its rhetoric about a more open and democratic Parliament to practise what it preaches and to move toward Senate reform. I challenge it to do something that will give it a revered place in history.

I challenge this government to stop the patronage appointments to the Senate. I challenge it to take a stand and say that an unelected Senate is unacceptable and that this government will allow elected Canadians to sit in the upper chamber. Ending the patronage appointments is the right thing to do. This government now has a chance to do the right thing. The Tories before

them missed their chance to do it and we know what happened to them.

There are likely to be another eight or nine senators who will reach retirement age before the next federal election. That means eight or nine more opportunities for the government to show if it is committed to democracy or addicted to patronage. The hon. member for Swift Current—Maple Creek—Assiniboia thinks there might be more if some of them pass away. Let us see if this government is committed to democracy or if it is addicted to patronage.

Once we get the elected part right, there will be more goodwill created toward the Senate. The constitutional changes that are required to ensure the democratic equality of all Canadians will be more achievable.

I would hope for the sake of Canada, our democratic system, the wish of Canadians for a reformed Senate, and to avoid future problems and disagreements over redistribution formulas that the government will move to democratize the upper chamber. There is no reason other than partisan self–interest why it could not do so.

The government is proposing moving the date that the redistribution process would resume to June 22 from February 6. This has the effect of creating a 12–month period to review the redistribution legislation. The government had originally proposed 24 months and the other place proposed six months.

When this bill was debated the last time around in this House the Reform Party proposed an amendment that provided for—guess what—a 12–month period. The Liberals unanimously voted it down. Now they are proposing the very same thing. This shows two things. First, they are not willing to support a common sense idea if it comes from this side of the House. Second, they are admitting to feeling a little embarrassed about the ridiculous nature of what they tried to do.

Even the media has acknowledged the Liberal retreat. An article in the June 3 *Toronto Star* reads:

> The Liberal government has backed away from a confrontation with the Senate, agreeing to extensively amend a bill that would have prevented riding redistribution before the next election. The government House leader proposed the compromise yesterday, winning tentative support from senators and Reform MPs who had strongly objected to the original bill.
>
> We've given the matter further thought. We've listened to public comment—We're a government that's ready to listen, the government House leader told reporters. But the proposed amendments also help the government. British Columbia, which stood to gain two House of Commons seats prior to the bill, objected to it strongly. Even rank and file Liberals were against it at the party's national convention last month.

The move to pass the original Bill C–18 was so unpalatable that even the Liberal's own party membership could not support it. Had the Liberals taken our advice in the first place we could have saved a lot of House time.

(1120)

Perhaps we would not have had to deal with the motion just prior to this one, where we extended the sitting until 10 o'clock every night until the House recesses for the summer. Let us have some common sense here so we do not have to introduce these motions at the last minute to accomplish the business we need to accomplish. Had the Liberals taken our advice in the first place we could have saved a lot of House time and allowed for more constructive legislation to be considered before the summer recess.

Also, the bill as amended will allow for the redistribution commissions to complete their hearings and report to the Chief Electoral Officer by September 16. Again this is what we proposed the first time around and the government rejected it. It almost seems that it rejected the ideas we presented out of pure partisan spite only to reintroduce them under its own name.

In conclusion, it is clear the Liberal government came up with a raft of bad ideas regarding C–18. As a result those of us on the procedure and house affairs committee are left to repair the mess that has been created. The Liberals have a majority on that committee as well as in the House. Will they attempt to force their predetermined wishes on the committee or will they begin to listen to some of the excellent proposals offered in good faith by Reform MPs? They have now admitted through their amendments to the bill that we were right the first time. Perhaps they have learned that we do have something to offer.

This country is far too precious to play politics with. Democracy is not free. It comes at a very high price. Last Monday we honoured those who gave their lives to protect democracy 50 years before on the beaches of Normandy. We owe those who fought that day more than we can adequately express. It would be a terrible shame for their sacrifice to be wasted on petty partisan attempts at boundary gerrymandering.

In Canada the principal tenets of democracy are something we should be proud of. They are not something to be tampered with to suit the needs of the government.

I would support the bill as amended because it is basically what we had proposed in the first place. I appreciate the opportunity to speak to Bill C–18.

[*Translation*]

Mr. François Langlois (Bellechasse): Mr. Speaker, I carefully followed the proceedings on Bill C–18 at all stages and also joined in the debate at all stages.

The hon. member for Rimouski—Témiscouata just made a comment I did not quite understand, and I am afraid I was momentarily distracted.

As I was saying, Bill C–18—

Some hon. members: Oh, oh!

Mr. Langlois: —was introduced by the Leader of the Government in the House of Commons and considered at all stages, where I took part in the debate, and to me it was clear that the government wanted Bill C–18 to be adopted as is, without major amendments in this House.

In fact, the Leader of the Government in the House of Commons said so on several occasions, not only from his seat here in the House, but also when he appeared, at least twice, before the Senate, to defend his amendments. I read and reread what was said by the government House leader in the Senate, and his replies to questions from Senators Prud'homme, Lynch–Staunton and others were a clear indication that he did not intend to add any amendments.

What happened between the time Bill C–18 was passed in the House and today? Basically, two things happened which made the Government House Leader change his mind.

We had the Liberal convention which voted on a resolution requesting that redistribution take place in time for the next election.

(1125)

Resolutions on the subject all had the same goal. There was also the position taken by the Conservative majority in the Senate. The Conservative majority, seems more like a Reform majority. We now apparently have a reform majority in the Senate, since comments made in the Upper House by hon. senators who defended the majority position reflected the same arguments used by Reform members in this House. We can say there is a kind of strange osmosis between Conservative senators and Reform members. I think they are starting to find out they have things in common. The missing link lies somewhere between the Reform Party and the Conservative Party. The family is getting back together.

Just as the phoenix rose from his ashes, apparently the Reform Party has benefited from an electoral infusion of Conservative support. We shall see.

I am very sorry to see that the government caved in to the wishes of a House that is not elected and is dictating to us its concept of a democratic approach to setting electoral boundaries and guidelines for electoral boundaries readjustment, since basically, that is what we will have to do on the Standing Committee on Procedure and House Affairs.

All things being equal and the government having consented, despite denouncing what the Conservative senators appointed by former Prime Minister Mulroney had done with the GST, despite all this, today we realize that the more things change, the more they stay the same. Once again, the government bent to the will of the other house. This is one time too many since at the start of its mandate, the government had the unique opportunity to send a very clear message to the Senate and to show that the Upper House was and is the embodiment of democracy, according to the classic definition. The government missed this unique opportunity to make it very clear not only to the Senate, but to all Canadians that decisions are made in the House of Commons by the elected representatives of the people.

Of course, the other house may from time to time make some technical adjustments or indicate that a bill may have been poorly drafted. At times the Senate may serve this useful purpose. I also believe that a few extra legislative advisers could achieve the same results. The role of an unelected Senate in 1994 is not to propose such substantive amendments to a bill. For this reason, my colleague from Richmond—Wolfe proposed yesterday that funding to the other house be cut off, which to all intents and purposes amounted to proposing the abolition of the Senate.

Virtually everyone in this country objects to the idea of an appointed Senate like the one we now have. Since there is no chance whatsoever of reforming this institution either in the short or medium term, abolishing it outright is the simplest solution.

When we, the members of the Bloc Quebecois, have fulfilled our mission, working with Quebecers, to achieve sovereignty for Quebec, then of course the debate on whether Canadians want an elected Upper House, or a Triple E Senate, as mentioned by my colleague from Kindersley—Lloydminster, can be reopened. However, it will be quite another matter to convince Ontario which will account for probably more than half the population of Canada to agree to having one–ninth of the senators. I wish them good luck, but it will be their problem. That debate will take place in Canada. We will have our own debate in Quebec.

For all of these reasons, Mr. Speaker, given that the Bloc clearly stated its position, supported Bill C–18 as originally introduced, listened to the Reform Party argue that Bill C–18 should be amended and finally, voted against these amendments, we will not change our position. We stand by the original version of Bill C–18.

(1130)

If the government has decided to bend to the will of the Senate, then so be it. Let it live with the consequences of this act of weakness. So as not to delay the work of this House, we will consent to the bill being passed on division.

[*English*]

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

Some hon. members: Question.

The Deputy Speaker: 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.

An hon. member: Nay.

The Deputy Speaker: In my opinion, it is very easy this time, the yeas have it.

An hon. member: On division.

(Motion agreed to.)

* * *

YUKON FIRST NATIONS SELF–GOVERNMENT ACT

The House resumed from June 1 consideration of the motion that Bill C–34, an act respecting self–government for first nations in the Yukon Territory, be read the second time and referred to a committee.

Mr. John Williams (St. Albert): Mr. Speaker, I really do not have a long prepared text for my speech this morning.

This long and detailed bill on the First Nations self–government act which has been introduced by the government deserves a great deal of consideration. It is a lengthy bill and has major ramifications when it deals with the granting of self–government to large parts of our country by creating a new level, a new idea, a new vision of government by certain classes of people.

It is a little bit different than the whole vision we have always had that Canadians are exactly the same from coast to coast, that we are going to set up some kind of self–government for one particular class of Canadians.

Reformers very much believe in the equality of all Canadians from coast to coast and this type of bill requires a great deal of consideration. We cannot move ahead too quickly on this and the House should take the opportunity to look at the bill and examine it in great detail.

In the deliberations the government and the Minister of Indian Affairs and Northern Development have had with the aboriginals in the development of this bill I hope the wishes of the rest of Canadians have been taken into consideration. It will have ramifications for natural resources and on how we govern this country. It could become unmanageable to have another level of government introducing its opinion into the development of the country. We already have three levels and a fourth level is going to make it more and more difficult. Therefore I hope the Minister of Indian Affairs and Northern Development can give us his assurance that this bill is advancing the cause of Canadian aspirations rather than causing roadblocks and problems in the years ahead.

(1135)

Mr. Herb Grubel (Capilano—Howe Sound): Mr. Speaker, I rise to discuss the problems of Bill C–34 and its attempt to help the Indian communities in Yukon to achieve the kind of economic and social aspirations which I think is their legitimate right and which I would like to support.

Unfortunately I believe this bill will not achieve this objective. In fact, it is my judgment this bill will do a great deal of harm, much like policies of the past have done an unfortunately large amount of harm.

In my saying that the basic principles underlying this bill are false, I do not wish to suggest that I have an answer to the complex problem on how to help the native population of our country. Nevertheless, I am in the kind of situation where I do know there is an illness and that the medicine which is being proposed will not help alleviate the problems but in fact will make them worse.

Let me say what I mean. All of us—it is a human condition—dream about having a rich uncle who pays us a guaranteed, generous income so we can retire somewhere on some south sea island and be happy ever after. It is part of the human condition that we all have these kinds of dreams. However, in our experience, as we have matured, we have known that this is a dream which cannot be fulfilled. The rich uncle, even if he gave money to us, even if we could go to the south sea island, would not help us be any happier than we are. Often in fact we would be forced to leave.

Studies have shown that people who have the means to engage in this kind of fulfilment of their dreams come back unhappy and resume their old lives.

This is why we as parents typically, even if we could afford to, tell our children: ''No, your education is finished, you cannot count on more support from me, from my family, from your parents. You will from now on be on your own''. The rich families of this world establish trust funds to say: ''At age 35 or 40 you will be able to draw on this money''.

We understand it is in the human condition that we need an obligation, that we need a job, that we need to work. We have refused to give in to our children, yet we have been misguided when in the past we have given in to the demands of the native community to give them more physical goods, to allow them to live on their south sea island equivalent. This is my judgment of what is going on.

I have read a sociological economic study of conditions on these reservations. Let me tell you the story of what is known on these reservations as the lazy house. In the olden days, when families lived in their traditional ways the man in the house had a task. The man had to cut wood, make sure that his family was comfortable. He went out to hunt and fish to supplement the food supply. The housewife, the mother, was fully occupied doing the kinds of chores we have all seen our wives doing and we in fact have participated in helping in the family.

(1140)

Of course with modern houses you do not have to go and cut wood. Electricity or gas supplies the heat. You do not have to stir the wood in the stove in order to cook meals. Instead of having to tend a garden in the summer you just buy the food from the supermarket.

I can understand it. When I was in my twenties I was saying to my parents: ''Hey, listen, you know you can afford it. Give me some more''. These people have come to the Government of Canada and said: ''It is our right''. It has been supported by people like those heckling me saying: ''Yes, of course you poor people, we will give it to you''. Well, we give it to them.

This is what I read has been the consequence of this policy. They would not do it to their children but they do it to the natives. The lazy house now means the mother has so much time on her hands she does not know what to do with it. The father, his very existence, the meaning in life has gone away, just like the meaning of life has gone away from people who go to the south sea islands and have the option to come back.

This is the interpretation that I read of what is wrong with the native communities. I do not have to repeat what is wrong with the native communities. The books are full of it. My wife, the doctor, treats the wounds, treats the cigarette burns on the arms of the people, of the wives who have been mistreated by men whose meaning of life has gone because we were like the rich uncle who says: ''Oh my poor teenage nephew. He needs a steady flow of income''.

I know I am going against the conventional wisdom by suggesting that it is short–sighted for the government to do what many of us have decided is short–sightedness of supplying our children with ways which lead to complications of the sort I have described.

I do not know the answer to the native communities and the problems which persist. If we go back 50 or 100 years, every year the answer is to give them more resources and they will be happy and will get rid of the problems. We give them more and more and more.

I have the budget here. We already are increasing expenditures at a time when all the other spending programs are being cut, for example, to old people. The future is being burdened by increasing debt. We are increasing spending on natives by $300 million a year. That has been going on over the last 100 years.

(1145)

I hear people saying: ''You do not know what you are talking about. You mean to spend even more''. The problem has not got any better. From what I know, it has been getting worse all the time. That is why we are now going for other institutional innovations. Now we have to make this absolutely permanent so they never, ever have to do certain things that I believe are the essence of human dignity, of a life worth living on this planet.

It is the natives who have called those houses lazy houses. We have seen what happens if we do this.

Sometimes the best thing we can do for our children is to say no. I believe that even though we do not have the answers, saying no would mean that we are not giving more medicine for the cure of this problem which I think history over the last 100 years suggests is the wrong medicine.

The Deputy Speaker: Questions or comments? Perhaps some of the members who were heckling would have the courage to get up and ask a question or make a comment.

Some hon. members: Hear, hear.

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development): Mr. Speaker, I heard the hon. member and his reference to the Yukon legislation and the four First Nations that are involved. His reference to lazy house is a reference to the aboriginal people of those four First Nations. Maybe he could clarify this. He is in fact saying they are lazy, they live in a south sea environment and the men go around burning their wives with cigarettes.

Is it his intent to leave that on the record?

Mr. Grubel: Mr. Speaker, it is not my intention to suggest that the native people are in any way inferior to us or any other people in the world. It is my considered judgment from reading history and evidence on the sociology and the problems of these communities that the state and well meaning people like the minister who just spoke have created conditions and institutions with the best intentions, filling the short run demands of the individual just like we were likely to do when we were teenagers or in our twenties.

I am suggesting the evidence I have seen is that these institutions have produced not what the teenager wanted, not what the natives wanted but something that is now creating the difficulties all of us feel so terrible about. From what I hear life is awful on these reservations.

We all want to help. I am not here to denigrate or in any way insinuate that the aboriginal peoples of this country are in any way inferior. They need our help. The question is, are we giving them the right help?

I believe we must look at how we got where we are. How did we get there? How does the proposal to give even more resources to these people differ from what our predecessors in the last 100 years said: ''Here is a problem. Let us throw more money at it''. Let us make sure that this is a cure, that the responsibility we have for them is even more permanent and fixed.

I did not invent the words lazy house. It was discovered by the natives themselves. When they get the things they have they do not quite turn out the way they expected.

(1150)

You remember when you had your first bicycle, your first motorcycle, your first car. As you were fighting for it, you thought: ''If only I could have that, I would be happy forever and ever''. We now remember. Sometimes the things we want, when we have them, are not really good for us.

Let me sum up. I am not in any way insinuating that the people themselves are lazy, that they are in any way inferior. Any problems that society has I believe should be looked at realistically by asking: ''How did we get there?'' If we decide that all we need are more resources, I urge members to go back and see why proposing all those resources in the past, increasing all those resources available to them, has not solved the problem. From what I hear and read, it has made it worse.

Mrs. Marlene Cowling (Dauphin—Swan River): Mr. Speaker, I have to say as a member of this House that I am appalled at the message we are receiving from the hon. member across the way. I say that because the hon. member is constantly asking how we got there.

This government is taking an initiative of listening to the native community. Our Minister of Indian Affairs and Northern Development has been into communities across this country listening to the people. The people want a vision for themselves and part of that vision is what we are talking about today.

It is about economic growth and jobs within the First Nations community. The member opposite is criticizing and opposing what we are doing on this side of the House. What is his agenda for the First Nations of this country?

Mr. Grubel: Mr. Speaker, could you indicate to me how much time I have.

The Deputy Speaker: About two to three minutes.

Mr. Grubel: Mr. Speaker, it is quite clear we are facing a very complex problem.

I do not pretend to have the answer but I can tell the member that I have read studies. One of them had a wonderful title. In fact the author and I were colleagues at the Australian National University for a long time. It was called *The Affluent Subsistence Economy.*

The south sea islands are so far away from all markets that the south sea islands will never be able to be industrialized and have the kind of living standards we have in our industrial country. It is simply a physical impossibility. I wish it were different. I wish we could fly. It is not in the cards.

Why am I using this example of the south sea islands? It is because that is something we can relate to. I certainly come from a temperate climate. This has always been my dream.

The areas in the north are very much like the south sea islands that have been studied. There was no great interference in many of them from the outside. They all have a reasonably good living. They are healthy. They have their traditions. They are from all descriptions of sociologists a happy, well–balanced society.

However they now all want radios, televisions and other things. One of the tragedies of our lives, of the reality of this world is that there is no way that by staying on these islands they can have these things. I did not invent it. The analysts did not invent it. It is simply a fact of life. There are distances and they cannot have this.

They have a choice. Either they continue to have their affluent subsistence with all the satisfaction, all the dreams and romantic attributes that are associated with that kind of a life or, dare I say it, they leave. They go to the big island and they join the big cities with all the problems that go along with it.

(1155)

Time is too limited to draw the parallel of what that analysis implies for the native people of our country. I can tell you there will never be in the centre of Yukon an industry sufficient to maintain the people there by their own work at a living standard corresponding to that which we have in Toronto or in Vancouver. I believe that it is a contradiction, that we are not serving them by giving in to their demands. I do not deny that the hon. minister has been listening to them.

They say they want enough resources in the centre of Yukon so that they can live as well as the people in Vancouver. It is not possible. I believe the sooner we come to that realization and tell them they have a choice but they cannot have it both ways, the better off they will be and we will be.

That is an outline of the solution I have. I know it is not popular, but I have not been elected to keep on talking about what is popular. I was elected to speak out and to say things the way I see them after 30 years of spending my life reading, writing and thinking about these matters.

Mr. Len Taylor (The Battlefords—Meadow Lake): Mr. Speaker, I am pleased to speak on Bill C–34 which is before the House today. The legislation allows for implementation of the land claims agreement entered into by the Government of Canada, the government of Yukon territory and a number of

First Nations residing within Yukon territory. I am pleased because this is very important legislation that was a long time in coming and that deserves the full support of every member of this House including, I would hope, the member from Capilano—Howe Sound who just spoke.

I am disturbed by some of the remarks that I have just heard. I would simply say in prefacing my remarks today that I think it is time all members of this House stopped thinking in terms of something as ours to give someone else. We must understand that we as people in this nation share a tremendous resource and that in sharing that resource we recognize that some people have as much right to that resource as others. Members of this Parliament do not have the right to give something to somebody that in fact they possessed long before it was removed from them.

The aboriginal people of this country have a claim not only on our resources but our economy that has long been denied them. It has created a great deal of the problems that have been identified by the member for Capilano—Howe Sound. It is only in that recognition that we will in fact achieve the ability to deal with the crisis that occurs within the aboriginal communities. That is one of the points that this legislation addresses. I would hope that the member for Capilano—Howe Sound in recognizing that would in turn support the legislation.

I want to thank the House for allowing me a few minutes to speak today. I will not take up much time. This space was originally allocated to my leader, the member for Yukon, who was called away today on other parliamentary business. She asked me to say a few words on her behalf. I appreciate the indulgence of the House, the member for Vancouver Quadra and yourself, Mr. Speaker, for allowing me this time.

(1200)

I wish to say a couple of words about the member for Yukon today. She has worked closely with the Government of Yukon and the Yukon First Nations during the negotiations which led to the signing of the claims agreement. She is certainly very well informed about the nature of the agreement. She is firmly committed to assisting the House in approving the legislation which will allow that agreement to be implemented.

On her behalf, on behalf of myself and on behalf of our entire caucus in the House of Commons, I ask the government to proceed as quickly as possible through all stages of the legislation. It has been thoroughly discussed, carefully thought out and properly negotiated. Agreements have been reached. It would be a real shame if all levels of government that have worked so hard to get to this point were to see things stalled simply because the government and Parliament could not conclude matters before heading off for a summer recess.

I said before and I simply repeat for the benefit of the House that the legislation has been a long time in coming. It is the result of more than 20 years of very frustrating negotiations at times. There have been delays as governments changed and priorities shifted, but it is a piece of legislation that not only rights the bitter wrongs of the past but holds out the key to the future, a future which I think all members of the House would understand, a future which all Yukoners, aboriginal and non–aboriginal alike, could look forward to with pride and with hope.

It is a historic agreement. When we look at the umbrella agreement we see that it directly affects about 8,000 Yukon Indians and involves a total of about 16,000 square miles of land, some of which comes with surface and subsurface rights and some with surface rights only but including the rights to material such as sand and gravel, economic opportunities in Yukon.

There is a little more than $242 million in compensation available to the 14 First Nations affected, to be paid out during a 15–year period. There are provisions ensuring that the Yukon First Nations receive full rental revenues from surface leases and royalties from the development of non–renewable resources. These are very important provisions for the future of the people of the Yukon First Nations.

I recommend all members of the House review the umbrella agreement. It has sections that deal with wildlife harvesting, wildlife conservation and land use management proposals, as well as provisions dealing with the preservation and promotion of the culture and heritage of the people of Yukon.

The agreement is a tremendous example of what can be achieved when governments sit down to discuss these matters, when they have respect for each other's history and tradition and for each other's needs.

The final umbrella agreement was signed on May 29, 1993. Today is a little more than one year later and I believe this is the time to get the legislation out of the House and put it to work in Yukon where it will do the most good.

I certainly look forward to having some time during the brief committee stage discussions to have a further look at some of the more specific clauses for the benefit of some members of the House. However I will conclude immediately by urging the government and all members of the House to get the legislation through this stage and completed as quickly as possible.

Mr. Lee Morrison (Swift Current—Maple Creek—Assiniboia): Mr. Speaker, I am a little disturbed by some of the comments of the hon. member, his overwhelming enthusiasm for the bill. Companion Bills C–33 and C–34 in my view legislatively and constitutionally entrench a form of apartheid in the country. The fact that the people who are being segregated will perhaps have greater rights than the segregators is a bit unique. They are ensuring perpetual divisions within the country, as well as, as my hon. colleague has stated, ensuring that for the future and perhaps for all time the people who will be segregated from us will be condemned to a life that has no real meaning.

(1205)

Let me explain what I am getting at. In the 1950s and early 1960s I spent most of my time working in the bush with native people. They were very self–reliant, hard working and proud. They did what they could to support their families. They did not ask the government for anything. By and large they were happy and successful people. They built their own cabins; they hunted their own food. They did not ask us to send them more money, give them control over more resources and they would be happy. They never thought of themselves as being unequal because they were our equals. Now we are going to make them something different.

Does the hon. member believe or does he not in the equality of all Canadians?

Mr. Taylor: Mr. Speaker, I appreciate the question. I cannot agree with many of the comments my friend and colleague from the southern part of Saskatchewan has put on the table today. I do not believe that anything could be further from the truth than segregating people by this legislation.

If the member for Swift Current—Maple Creek—Assiniboia would look carefully at the agreements that have been signed, he would realize this is an integration of aboriginal people into full participation in the economy of Yukon. We are not just talking about the equalities of people. We are also talking about equality of opportunity for all people.

We have to find a way in which the aboriginal people, not only of Yukon but all across Canada who in his words want to be self–reliant, hard working and proud, can participate in an economy that has been denied them for many years because of policies of previous federal governments. The treaties signed in other parts of the country have actually reduced the ability of our aboriginal people to participate in the economy as equal partners in the way in which they deserve to be treated.

We have to find ways, as this agreement has done, to bring together equality of opportunity. That is a more important question than the one the member asked.

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, I am curious and rather amazed at the comments of my hon. friend. Anyone who has looked at the Indian Act will realize that for years and years it has denied the treaty Indian people of the country their equality with other Canadians.

As we look at this document we must ask ourselves whether or not we are simply eliminating one piece of legislation that has created inequality on behalf of Indian people and replacing it with another, except the rules have changed. The rights and privileges granted Indian people are going to supersede those which other Canadians enjoy.

I ask the member to consider these points. At the time the treaties were signed, it was not so much the treaties but the application or the administration of the treaties that caused inequality in the country for so long for treaty Indian people.

Would the hon. member focus his attention on this question: Are we or are we not at risk in that we are creating laws that will grant special rights and privileges to Canadian people based upon their race and ethnic background?

(1210)

Mr. Taylor: Mr. Speaker, again I think the member has things a bit backwards here. I recommend that he have a look at the agreements reached in Yukon with regard to the legislation we are trying to implement today.

First, we are not talking about treaties in the case of this agreement. Second, one part of the agreement does away with the provisions of the Indian Act which have caused many of the problems in the past.

We recognize that over the years federal government policy and other policies developed by provincial and territorial governments have actually removed the aboriginal rights to the land and the benefits the land provides. Those rights have been encroached upon by others who had no claim on them. The agreement recognizes those rights were encroached upon to begin with and returns them to where they rightfully belonged in the first place.

I do not accept the premise of the hon. member's question at all. I certainly wish he would study the issue a lot more closely.

Mr. Ted McWhinney (Vancouver Quadra): Mr. Speaker, perhaps we should return the debate to Bill C–34. We have been all over the world. We have been to the south seas in search of some mystical blue lagoon. We have been to pre–democratic South Africa in search of a regime I would have thought was totally foreign to anything we have seen in the application of the law currently before the House.

As real Canadians, not inhabitants of some mythical isle but as native Indians, founding nations or whatever, we are dealing with Canadians getting together in a new act of law making. I thought it delightful when I read it—and I asked whether I could meet with the public servants who actively engaged in the work on the bill—that it was not an exercise in abstract law making.

To use another metaphor, one was not building castles in Spain or seeking to do so. One was not seeking the sermon on the mount which is so rarely realizable in concrete life. One was venturing on a concrete act of problem solving. One was trying to solve problems for particular people. I would have thought there was the difference. May I say it is the theatre of the absurd to compare it to apartheid, a regime of state imposed draconian police measures and enforced segregation.

Here we are dealing with a free act of consensus. The players are all coming together, not simply the government and not simply native peoples. If we look at the files we see local communities, chambers of commerce and an amazingly wide degree of consultation in the process. We see peoples coming together and freely deciding on a new system of government.

The search for constitutional absolutes, abstract principles which read very nicely in platforms but do not often correspond to reality if we examine constitutions around the world, has been avoided. One could have spent hours, days and months discussing the concept of the inherent right to self–government which so baffled the former Minister of Justice and the late Prime Minister. She never could understand it.

When it was first launched in 1980 in the Trudeau patriation round, it was a simple statement of the obvious: people have rights not because some government gives them but because of their nature and their capacity as human beings. It is what Locke said. It is what Rousseau said. It is the basis of our constitution making and our constitutional system.

(1215)

What you have is a constructive involvement of native peoples by their own free consent negotiating with the federal government and reaching an agreement which might serve as a model for future agreements but which does not have to be applied rigidly, inscrutably to other problem areas in the future.

The charming thing, the wonderful thing here, is law in the making, a sense of a dynamic creation of new norms of law. The way it is done is to limit oneself to the particular problem, not to attempt to solve the problems of the day after tomorrow but to set in place a structure and process of self–government.

Self–government is not an abstract norm, it is something that happens to people as Dewey recognized in his theory of truth. You make the events happen. You work together. I look at this and I see pragmatism, I see empiricism, I see problem solving. I congratulate the players and it is not simply the federal government, it is the Yukon territorial government, it is the native Indian leaders, the people, it is the local community people. I look at the steps that are taken, the recognition that self–government without an economic base is no more than tinkling cymbals.

This is why Bills C–33 and C–34 go together. You need an economic base or self–government is meaningless.

Then you go on to the issue of self–government and what form. You can begin as so many people did between the two world wars by creating a beautiful constitution. The history books are littered with these beautiful constitutions that were enacted and were never seriously intended, or sometimes were seriously intended but the people did not bother to follow them up with the machinery necessary to implement them.

When I look here, there is the concept of incorporation of native Indian peoples to create their own companies, to create their own commercial organizations, to develop resources, to develop wealth, to share it among the population. That is something the European constitution makers between the two world wars forgot. It is present in this bill. It is a key part of it.

The Indian act will continue to apply outside Yukon. This is a special experiment. If it succeeds others will copy it. If it does not fully succeed it can be modified. The power to tax is a necessary element of self–government. You do not rush into it in the sense that we will enact an abstract law tonight and it will be in force tomorrow. It is not to apply for three years. What that envisages is a continuing process of consultation and discussions with experts and government officials, finding the correct formula for taxation before it is concretely implemented.

I was particularly impressed by the provisions on the administration of justice. I have seen in too many newly independent countries or too many countries newly freed from subjection to some form of government, communist or otherwise, not particularly constitutional, the attempt to create the blueprints before one has examined how to make them operational.

The thing that is impressive here is that the staggered stage by stage, step by step approach that the full administration of justice will occur by the year 2000. One has avoided the temptation to rush into a law that will be in force tomorrow but that does not have the concrete underpinning to sustain it operationally.

There is something very impressive in this, the recognition that there are many roads to Rome in terms of self–government. Here is a model that the native Indian leaders have worked out with federal officials and local community groups and they are going to try it out. That is very important.

The temptation, as they say, was there to go for the abstract blueprints. It has been avoided in a mature exercise in constitution making in favour of this pragmatic, empirical, problem oriented, step by step approach here, resting all the time on continuing negotiations between the parties.

(1220)

There is an act of faith here, a sense of faith and trust not between parents and children, as somebody suggested in a metaphor that was ill placed, but between free citizens. The trust is very important to the further progressive development of the self–government concept.

When I look at this bill I do not see anything that changes the structure and system of government in Canada as a whole. The impressive thing is that this is achieved within the Canadian Constitution. It is within the parameters of the Canadian Constitution. It is subject to the Canadian Constitution. It is subject to the Canadian Charter of Rights and Freedoms.

Do not create imaginary scenarios, worst case scenarios that would in effect take us out of the Canadian constitutional system when neither the parties wanted it nor is it present in the act. These two acts are very well drafted. I say this without being presumptuous. I say this from an earlier free, prepolitical role. They are carefully drafted, problem oriented and there are no hidden traps here.

There is no reason for worrying about hypothetical situations that do not exist; a decision made within the Constitution, within Canadian federalism, a special approach to federalism, the concept of pluralistic federalism. We have always recognized within Canadian federalism that equality does not require a rigid, abstract application of laws identically in all situations.

It is the large concept of equality that the United States Supreme Court recognized. It has spread throughout the world. It is building people up to a level where concretely, in terms of their rights and obligation and duties, they are as one.

I commend this law. I would say to those who feel that they must search for the blue lagoon somewhere, let us come back to Canada. Let us herald this as a first step, so generous in many respects because it breaks new ground within the Constitution and subject to the Constitution. The nice thing in it is that it has its own dialectical process, the capacity for further growth. The capacity for change, for amendment is there if the parties agree to it.

That is something transcending the issues of party politics. We can say congratulations are in order to the minister, to the civil servants, to the native Indian leaders. This is good. In a certain sense when federalism is under attack for other reasons in Canada today it makes one feel very confident in the future of our federal system and its capacity, the continuing dynamic growth in relation to new problems.

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, I listened intently to the hon. member opposite.

It is important to point out that no one in this House surely is going to say that the native peoples of Canada should be denied any type of rights, certainly not, and no one has said that today.

What we have commented on is the extension of rights exclusive to the native peoples under Bill C–34, exclusivity of rights not applicable to other citizens of Canada, rights that would be available to them under their own Constitution and in fact outside the Constitution Act of Canada.

Nowhere in this bill is there a reference that the Constitution Act of Canada would be supreme over any provisions of this bill. To suggest that there are people in this House who would want to deny rights to native peoples is a misstatement for certain.

(1225)

Mr. McWhinney: Mr. Speaker, I would be happy to put any fears of the hon. member opposite to rest on this. It is not necessary in a law of Canada to recite, to repeat, the self–evident that the Constitution and the laws of Canada are supreme. The Constitution of Canada applies to all laws enacted by the Parliament of Canada. The source, the grundnorm in legal terms, if I can use the technical term, of this new self–government is an act of Parliament of Canada. It is subject to the Canadian Constitution. It is subject to the Canadian charter of rights. There is no room for doubt on that. I hope I can put any fears the member may have to rest on that.

I do not see here any notion of exclusiveness of rights or particularization of rights, priorization of rights in relation to other citizens. I would have thought this is an attempt to put all Canadian citizens on the same level but if there is doubt as I say this is part, this is a law enacted within the Canadian constitutional system and it is therefore subject to the Canadian Constitution and all its parts.

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, I am wondering if the hon. member who has just spoken would accept an amendment that would remove all doubt with regard to the application of the Charter of Rights and Freedoms to this agreement.

I think that as members of Parliament and those involved in law making we must flush out every corner to ensure that no mistakes are made and that nothing is overlooked so that the document when it finally receives the great seal of Canada does the job it is meant to do.

I am wondering if the hon. member would support an amendment where it clearly states that within the document the charter of rights of Canada does apply and will continue to apply.

Would the hon. member care to comment on such an amendment and whether he would be prepared to support such an amendment?

Mr. McWhinney: Mr. Speaker, I am not the author of this bill and so I am not authorized to make any arrangements on behalf of the government.

I would, however, caution against the pursuit of perfectionism in its extreme and pathological form. I recollect the legislature of a province which I will not name enacting within the preamble to every law at a certain point ''this statute is not subject to the Canadian Charter of Rights and Freedoms''.

I do not think this is a good way to make law remembering that law is designed to be educational too. The statute states very clearly in its preamble that it is subject to the Constitution of Canada. It is quite clear. It is quite explicit and it is true in any case as a matter of general law.

To be very frank, if the member has any concrete problems they will very quickly be tested before the courts I am sure and the self–evident clearly expressed. It is not simply self–evident. It is evidenced in writing and will apply.

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, I am pleased to rise in the House today to address Bill C–34, a bill which deals with the self–government provisions of the aboriginal peoples of Yukon.

Clearly there has been a great deal of confusion over the term self–government in this House.

On February 7, I questioned the Prime Minister on this topic and specifically whether aboriginal self–government in his mind, in his government's mind, in its definition, would exist within federal or provincial jurisdictions, jurisdictions which apply to all Canadians.

(1230)

He chose not to answer the question directly. Further, the Minister of Indian Affairs and Northern Development and the Minister of Justice have made conflicting statements with respect to the application of the Criminal Code and the Charter of Rights and Freedoms as it would pertain to aboriginal self–governments.

Clearly the federal government has absolutely no idea of the definition of self–government, nor does it have any idea where these self–government agreements will lead. However, this has not deterred them from putting forward Bill C–34, a bill which is unprecedented in relation to the scope of powers and privileges it delivers to self–governing institutions, a bill which for all intents and purposes confers a type of nationhood on the affected bands.

If we look at the specifics of Bill C–34 I believe that we can easily envisage the creation of four new nations in the Yukon, with a further ten yet to be established. These nations, within the nation of Canada, according to the bill, will convey the same powers that federal and provincial governments exercise upon four new nations with a combined population of only 2,600 people. These new nations may, in fact, exist outside the authority of federal and provincial jurisdictions.

I believe there is ample evidence to establish that the government is stumbling blindly into agreements which will create a patchwork of sovereign aboriginal nations across Canada.

For the pleasure of the members of the House, I will now begin to present the reasons for supporting this belief.

The government on a number of occasions has committed itself to the belief that aboriginals have an inherent right to self–government. With agreements such as this bill, the government obviously believes that amendments to the Constitution are unnecessary as aboriginal inherent rights could be interpreted as being included under section 35(1) of the Constitution Act.

But what exactly does this constitutionally protected term inherent mean? An inherent right is something beyond a legal right, since the latter is dependent on the existence of some other government. Therefore, an inherent right to self–government puts aboriginal governments beyond the reach of federal and provincial governing bodies.

If we go a step further, we can see an inherent right leading to claims of international sovereignty, or more likely, the possibility of the aboriginal peoples under this bill choosing to opt out of federal laws. It is the term inherent that is the rationale for the government producing Bill C–34 and it is the term inherent that will allow aboriginal governments to challenge the authority of federal and provincial Parliaments.

The federal government saw fit to insert section 15(2) in Bill C–34 to ensure that the Federal Court of Canada remains supreme over future aboriginal justice systems. This is good. Why not a similar section to allow for the supremacy of the Canadian Parliament over future aboriginal self–government institutions? What does the government gain by permitting the term inherent to go unchecked in this legislation?

Nevertheless, this huge omission is only the beginning. The powers awarded to aboriginal governments, coupled with their inherent rights, can only further my claim that these new governments could actually be new nations existing outside provincial and federal jurisdictions. According to section 8(1) of Bill C–34 these aboriginal governments are to have their own constitutions which will set out the structure of their legislature and their democratic processes. It will establish a citizenship code and determine the rights and freedoms of those citizens.

Does this sound familiar, Mr. Speaker? Well, it should. These are the same powers exercised by the federal government operating as the nation of Canada, the very same powers. The powers delivered to aboriginal governments are a mixture of federal and provincial powers as defined by sections 91, 92 and 93 of the Constitution Act of Canada.

(1235)

Arguably these small numbers of aboriginals have been awarded the combined powers of our present federal and provincial governments under this bill.

Bill C–34 allows aboriginal control over everything from marriage to education to justice to peace, order and good government. Does that phrase sound familiar? In short, this bill represents the possibility of another order of government in Canada, something that we questioned the Prime Minister on early this year. Not only have they achieved legislative powers that represent the best of provincial jurisdictions, but they have also achieved the right to draft their own constitution and establish their own citizenry.

If this does not represent the distinguishing features of a nation within a nation then I do not know what does.

The scope of Bill C–34, coupled with the government's interpretation of section 35(1) as including and protecting the notion of inherent right will surely supersede section 91(24) of the Constitution which conveys power to Parliament over Indians and the land reserved for Indians. This is a giant step for band councils which to this date have simply exercised municipal–like powers.

After the implementation of Bill C–34 these councils must create a constitution which, among other things, will include the creation of a legislature. According to section 8(1)(b) of Bill C–34, the aboriginal constitution will determine the composition, the membership, the powers, duties and procedures of any governing bodies. This appears to be very dangerous considering the broad spectrum of powers awarded to these new possible governments.

I have some questions. Will this new government be democratically elected? Will it hold regular elections? Will all citizens be permitted to vote and run for office? Surely questions like this must be answered before this legislation is passed. All of these questions are left unanswered and are to be determined by their own constitution.

Section 9(2) is particularly disturbing since it allows the delegation of law–making authority to one person if it be consistent with their constitution. Everything from democracy to oligarchy to dictatorship to nepotism could be completely acceptable if it is consistent with their constitution.

Perhaps this is why the government did not include any provision for the Charter of Rights and Freedoms in Bill C–34. Could this be the reason?

Any deviation from democratic principles would be disallowed under sections 3 and 4 of the charter. These sections deal with democratic rights and ensure that, first, every citizen in Canada can vote and qualify for membership in a legislative assembly; and, two, that no legislative assembly shall continue for a period of more than five years. The government has given absolute leeway to the wishes of these new nations.

Undoubtedly aboriginals do not want Canadian citizens involved in their government. Perhaps they do not want elections, at least every five years either. Indeed, they have absolute control to the point where the Canadian charter has been excluded and the aboriginals can draft their own charter of rights and freedoms.

We are creating two nations here. Entrenching the principles mentioned could perhaps infringe on the form of government envisaged by aboriginals and their respective nations.

(1240)

I would hope that the federal government has not compromised the existence of democracy and basic human freedoms in these new nations by excluding aboriginal adherence to the Charter of Rights and Freedoms.

Another factor which leads me to the conclusion that a number of new nations will be created in the Yukon is the fact that Bill C–34 refers to aboriginal citizens. Section 8(1)(a) of the bill states that a citizenship probe will be developed by the yet to be drafted aboriginal constitution. The only level of government at present that controls citizenship is of course the federal government of Canada. It is the only authority that has the right to control citizenship.

An hon. member: That is the way it should be.

Mr. Harris: With the implementation of this bill aboriginal governments will have the power over the national concept of citizenry. As a matter of fact they will have the absolute power over the definition of who qualifies for citizenship.

What is the basis for creating a new brand of citizenship within Canada if it is not for the purpose of specifically defining new nations in Canada? For it is clearly within the purview of nations to have their own citizenry and the definition thereof. That is what nations are all about.

The exemption of the Charter of Rights and Freedoms from this agreement can also be understood in light of this new power over citizenry. Equality rights are defined in the charter under section 15(1) whereby all citizens of Canada have equal protection and benefit of the law without racial consideration. That is in our charter.

Any future aboriginal justice system as provided in section 14 of Bill C–34 would be in violation of our Charter of Rights and Freedoms since it would provide a judicial system for particular citizens based on racial considerations. It is in violation of our Constitution.

Is the federal government looking forward to legislatures and court houses which are reserved for those of a particular race? This is clearly where Bill C–34 is leading and therefore it must be the desire of the government.

Even the much hated Charlottetown accord included a provision whereby the Charter of Rights and Freedoms would apply immediately to the governments of aboriginal people—even the dastardly Charlottetown accord.

As demonstrated, this bill goes out of its way to avoid the charter. Otherwise the government would have to include a provision like the one that existed in the Charlottetown accord or conversely it would not have included section 8(1)(d) allowing aboriginals to draft their own charter.

This governing party, a party that drafted the charter and placed so much faith in its existence, is now willing to cast it aside in order to establish new nations, new governments, new homelands based on race. I must question the wisdom of this, considering third world nations that have been struggling with apartheid, with separation.

The power of taxation goes along with these expansive legislative and judicial powers. These new nations will have the ability to raise revenues through property and personal taxation. However, that ability is not limited to what is in this agreement. Further tax powers or exemptions may be negotiated with native governments at a later date. The power of taxation exists despite the presence of a financial transfer agreement. This represents a transfer of funds from the federal government that will maintain the present level of band funding, provide for incremental funding of self–government operations and will provide for land claim implementation funding.

Moreover, section 24 of the bill guarantees a blank cheque for the funding of any self–government operations. All of this funding plus $242.6 million is to be awarded over 15 years in general compensation. The tax base is very small. These new governments would be dependent on continuing financing from Parliament.

(1245)

Perhaps it is through this measure that this government believes it may in fact exercise control over these new nations. However, I doubt Parliament could or would ever threaten to withhold funding since it has been perpetual through DIAND. Of course to withhold funding would be viewed as cruel and unusual punishment.

While they have been awarded vast legislative powers, control over resources and powers of taxation, these new nations will remain dependent upon the federal treasury. This agreement does little to break the cycle of financial dependency in which aboriginals have become entrapped.

Continued funding from the government will in no way put aboriginals on the same economic level as all other Canadians. This agreement represents profound political emancipation but fails to address the issue of aboriginal economic disparity.

Finally, another issue of importance in this process is the interest of third parties. Who speaks for the non–natives in this agreement? Those who may be affected by settlement claims or self–governing powers have not been included in the negotiations. Neither non–natives, members of the public, MPs nor MLAs have any say in the proceedings which have led to the existence of this unprecedented document.

Moreover, the government has ensured that in the future bills such as the one before us today will not even come to this House for consideration or debate. They will not even get to this House.

Clause 5(2) of the bill states that any self–government agreement reached between the federal government and the remaining 10 Yukon bands shall come into effect only by means of an order in council. A government that promises openness and transparency is now committed to establishing new nations in the Yukon by way of the secret workings of cabinet. Does this sound familiar?

If these agreements are in the best interests of Canadians, why then does the government include clause 5(2)? What is the government afraid of in not allowing an informed debate to occur in this House on future settlements? I believe that as demonstrated in the past, this government is afraid of the question: How? How is self–government going to work? How will the government protect democratic freedoms enjoyed by the native people to date? How will the government ensure that the rights and freedoms of these new aboriginal citizens will not be extinguished?

The government cannot and will not answer these questions. It blindly allows for the creation of new constitutions which create new legislatures, new judicial systems, new rights and freedoms and new citizens. Ultimately, this leads to the formation of 14 new nations within the Yukon alone, 14 nations within our nation of Canada.

The precedent Bill C–34 sets for future self–government is astounding. With the implementation of Bill C–34 and the incredible amount of power vested in these new aboriginal governments, what other aboriginal band would settle for less than Bill C–34? With some 600 aboriginal bands across Canada, each demanding self–government, the potential for a patchwork of 600 new nations in this country is very real under the terms of this agreement.

Again I must question the government on its rationale for allowing new constitutions, new legislatures and new citizens to be created within this one nation, this great nation of Canada. Is this nation, this Constitution, this Parliament, this Canadian citizenry so inconsequential that it may be tossed aside in

favour of new legislation, new legislatures, a new Constitution and new citizenship?

Is our existing law so inconsequential? Is this the message the federal government is trying to deliver to the Canadian people, considering that a separatist party sits in official opposition? Is this the message?

William Lyon Mackenzie King said this in this very House. He reminded us that a divided Canada can be of little help to any country and least of all to itself. We should ponder those words very carefully.

(1250)

Opposing Bill C–34 may not be politically correct in the eyes of those who support this bill. As a servant of the Canadian people, I am duty bound to question the necessity of this bill and the possibility for founding new nations within this one nation of Canada.

Therefore I and the Reform Party must oppose Bill C–34.

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development): Mr. Speaker, as I heard the member for Prince George—Bulkley Valley, he asked who speaks for the non–natives. As I understand the policy of the Reform Party it is to heed the people's will. If it conflicts with the Reform agenda, then the people's will is paramount.

This particular legislation has involved 21 years of negotiations. It is supported by the Government of the Yukon. The leader, Mr. Ostashek, is a non–aboriginal. It is supported by the Yukon Chamber of Commerce, by the mayors that I talked to, and by the mining association. As a matter of fact the Yukon has already passed mirror legislation. It is supported by all of the Liberals in this House, by the Bloc, by the Conservative Party and by the NDP.

When I stack that up against the 50 Reform members sitting over there in the corner who are asking who speaks for non–aboriginal people, my question for the hon. member is: Do you not think there has been sufficient non–aboriginal contribution to all these negotiations which have been open and transparent and going on for 21 years?

Mr. Harris: Mr. Speaker, I live in the north central part of British Columbia where we are surrounded with pending land claims and with negotiations for self–government.

As I travel throughout my riding and talk to people, the number one question I get from the non–native people in my riding is: ''Who is asking us about how to settle these land claims, about how to negotiate aboriginal self–governments? Who is asking us?'' The fact is no one is asking them.

This legislation came to our party the morning it was introduced in this Parliament, nine inches of documentation, and was expected to be debated that day. We are pretty good over on this side of the House but the hon. minister and this government expected us to come up with informed debate as a result of reading the documentation of this bill in a matter of hours. Something is amiss in the thinking there.

We intend to speak for the rest of Canada, the non–natives in this country. We intend to speak for the taxpayers in this country and we intend to speak for the native people in this country.

There will be nothing more damning to this country than if Bill C–34 is passed and the creation of new nations operating outside federal–provincial jurisdictions is allowed to take place. There will be nothing more damning to the unity of this country.

If you think we have a problem, Mr. Speaker, having a separatist party sitting in the House as the Official Opposition, that is nothing compared to what this will do to our country.

(1255)

Mr. Len Taylor (The Battlefords—Meadow Lake): Mr. Speaker, I will be brief. I have three brief questions that I will put to the member.

He talked about speaking to the non–aboriginal people in his constituency. I wonder if he has spoken to aboriginal people in his constituency and can he tell the House what the aboriginal people in his constituency are saying.

Second, in his remarks he addressed the question of not liking the inherent right to self–government included in the legislation. Does this mean that he does not believe at all in the inherent right to self–government in this legislation?

Third, he uses the Constitution of Canada as a basis for most of his arguments in his speech today. I am wondering in terms of the consultative process that occurred in this country if he would recognize that when the constitution was written prior to 1867 and agreed to by the parties that there were no aboriginal people at the table.

Mr. Harris: Mr. Speaker, certainly I have spoken to aboriginal people in my riding. Certainly they did tell me that they want the opportunity to become self–sufficient.

This is not the way to convey self–sufficiency upon them. Self–sufficiency has to come from within a people. We have to extend to them every right and freedom that exists for every other Canadian, rights to education, rights to justice, rights to equality, the very things that are contained within our Canadian constitution now.

We do not want to separate the aboriginal people with a series of patchwork provisions for them to establish their own nations. We want them to be involved in the country of Canada with every right and every freedom that Canadians currently enjoy.

In answer to the member's second question regarding the term inherent right to self–government, a close examination of the term inherent right to self–government could fundamentally mean answerable to no other authority as inherent right to self–government has always existed.

If we are to pass legislation in this House that would be not answerable to the supreme authority of the Government of Canada, the Constitution of Canada, the Charter of Rights and Freedoms in Canada, where are we going as a nation?

The third question, the constitution act, of course the aboriginal people were not at the table. The constitution act of Canada was to create a nation of Canada, a nation where people of all races, all cultural backgrounds, all heritages can live with equality, opportunity and freedom. That is our constitutional act. People who came to this country after the constitutional act was created were not at the table either but those people from other countries who are now citizens of Canada and even non–citizens enjoy the fruits of that constitution act as it applies to aboriginal people.

The Constitution of Canada is probably the most sacred document that exists in this country because it provides for equality and freedom to all citizens of this country.

[*Translation*]

Mr. Yvan Bernier (Gaspé): Mr. Speaker, I thank you for giving me the floor.

I would like to start by telling my colleague from the Reform Party that, if he is going to attack the separatists, as he calls us in his speeches, he could at least make sure to give us a little time to reply.

I have two comments. First, the term ''separatist'' does not exist in international law. That is why we use the word ''sovereignty'' and its derivatives all the time. We make no secret of the fact that we want to become a ''sovereign'' nation. That is the first point I wanted to make.

Second, the question before us—and the minister can confirm it because he said so himself earlier—has been under review for 21 years, I think.

(1300)

So, Bloc members who want Quebec to become sovereign as well as Liberals—while holding opposite views—are capable of looking at this and saying: ''What the natives are requesting in here makes a lot of sense and after 21 years, it is about time that we delivered''. Let us not get sidetracked by lip service. That is what I wanted to get across to my colleague.

[*English*]

Mr. Harris: Mr. Speaker, I used the term separatist very clearly. It is my opinion that any person or group of people wanting to destroy the Confederation of this country, wanting to secede from this nation are indeed separatists. I will never retract that statement.

The hon. member talked about 21 years of study and so it has to be a good document. I would like to remind this House and the hon. member that we studied the creation of a nuclear bomb for longer than 21 years. Did that make it a good result?

Length of time in study does not necessarily yield a fruitful result. I have pointed out the disparities in this bill. If the hon. member will take the time to go through this bill clause by clause, I am sure he will be inclined to agree with me.

[*Translation*]

Mr. Yvan Bernier (Gaspé): On a point of order, Mr. Speaker. Pardon me for interrupting the debate, but I call upon your wisdom with regard to the use of the word ''separatist''.

I know that we are allowed in this House to use terminology which may not be recognized in international law. However, I would like to know whether the term ''separatist'' should be allowed to be used to excess? More specifically, for your guidance in considering this point, Mr. Speaker, how can we be referred to as separatists when we were involved in building this country? Why is it that our right to consider getting out of it is not recognized? That is the point of order I wanted to make.

The Deputy Speaker: Frankly, I think the point of order was quite clear. As the hon. member indicated, however, I will have to think about it. I will get back to the House with a specific, precise and hopefully clear opinion shortly. Meanwhile, I recognize the hon. member for Okanagan Center.

[*English*]

Mr. Werner Schmidt (Okanagan Centre): Mr. Speaker, it is an honour for me this afternoon to enter into the debate on Bill C–34. It is a landmark piece of legislation that is being proposed to this House and I commend the minister for bringing forward legislation that deals with a very significant and serious matter that will affect all Canadians.

Regardless of whether we consider the advent of the Europeans into the territory we now know as Canada to have been fair and just, since then a lot of time has passed and the passing of time has brought tremendous change into this country and in the way we relate one to another.

Some of those changes have been cultural and today Canada is a multicultural country. The changes have been economic and today Canada is a developed nation. More significantly, the changes are irreversible. We cannot go back. We cannot go back because we must think about each of the 28 million people who

today call themselves Canadians, native or non–native, French or English, black or white.

Any original injustice when might was right set an immutable course which has brought us here where the dominion of some is now the dominion of many. To recognize this is to recognize that despite history the present rests on compromise. Compromise means that we can acknowledge with the deepest respect both the indigenous peoples who gave this land its spirit and the dreamers and builders who later came here and created Canada, as it is today.

(1305)

In this House compromise comes to us in the form of Bill C–34 this afternoon; agreeing with which grants self–government to the First Nations in the Yukon territory.

Government is right to pursue such a compromise. Compromise under Bill C–34 affirms the right of the Yukon Indians to determine how they will live culturally and spiritually, and that is right.

Compromise under Bill C–34 means the Yukon First Nations people will determine how they will govern themselves and how they will determine their economic future, and that too is right.

We must ask ourselves questions. Does Bill C–34 further the common good for Canada and does it respect the equal nature of the rights and privileges of every citizen in this country? The question is twofold. Does it further the common goal of Canada, the common good for Canada? In any situation that requires compromise it must seem so. Government and natives are carving out a way to solve a disagreement that has carried on for many years. Many feel, and I am inclined to agree, that this agreement and others like it place doubt in the value of nationhood, citizenship and democracy.

Nationhood is the way we define who we are. We value nationhood because it gives us a strong identity and emphasizes that each of the citizens who make up that nation are members of that nation and are therefore equal.

Bill C–34 proposes to create a nation within a nation. Why? What of the nationhood that already exists? What of the equality of those citizens who live within this nation? Creating a nation, a first nation, within a nation does nothing to advance the equal status of First Nations people with other Canadians. Instead, establishing a first nation creates a bias based on ethnic origin, something which Canada and many others have worked very hard to eradicate from the political practices of mankind.

No matter in whose favour one pursues the bias, it remains a bias. It emphasizes what is different and makes it conspicuous rather than allowing our varied ethnic identities to form a tightly woven and colourful background that identifies us as Canadians. Is that good for Canada? How can it be?

This bias breaks the link that forms nationhood, the link of citizenship and the relationship between an individual and his or her country, the implication of freedom.

In Bill C–34 a new language has been created where words like nation and citizen have been redefined as they apply to native Canadians. By redefining these words we place doubt on the value of the original nation and the original citizen. This new language says this is my land and that is your land. It says this is my nation, the first nation, and that is your nation, the nation of Canada. It says in this nation I am a citizen of the first nation. In your nation you are a citizen of Canada.

The new language erects boundaries and cuts holes in a land where First Nations live. Like the main sail of a ship the holes work to weaken and cause a greater chance for larger tears and cease to protect from the winds of change. Once nationhood and citizenship are redefined, the very pillars of democracy begin to crumble and that is not good for Canada.

Does Bill C–34 respect the equal rights and privileges of every citizen in this country? In part I have answered that question in my previous remarks. Bill C–34 emphasizes an ethnic bias simply by acknowledging it. No other citizen in Canada receives rights or privileges on the basis of ethnic origin, although our colleagues in the Bloc Quebecois are seeking that very thing.

By setting this precedent in Bill C–34 I fear that we are fueling the fires of those who would separate, who can now argue that they like the First Nations people have the right to special status based on their ethnic origin.

(1310)

It is further evidenced that special status does not accomplish what it intends. It does not strengthen, it serves to weaken. Some may argue that Bill C–34 gives First Nations people no more rights and privileges than any other Canadian. Why is it necessary to entrench these rights and privileges in legislation by naming them?

First Nations people are citizens of Canada and as such are given the same rights and privileges under the Charter of Rights and Freedoms as any other Canadian—we heard this in this House just a few moments ago—except for one. By creating land claim agreements and subsequent self–government agreements we give to the First Nations people something that no other Canadian has a right to, namely the right to own property.

No other Canadian is allowed to realize that because it is not enshrined in the Constitution. By giving First Nations people ownership over their lands, we have now set a precedent which

would allow others to claim ownership for any number of other reasons, a certain one of which comes to mind readily.

Is this the way we ensure that all Canadians are treated equally and fairly under the Constitution?—no. Does this respect the equal nature of the rights and privileges of every citizen in this country?—no. Is this the way democracy is meant to function?—no.

Democracy says we all shall have a voice and that no one voice should be louder or stronger than any other. Democracy is meant to serve all, not a chosen few. Bill C–34 is a far cry from the agreements of long ago which placed First Nations people on reserves with limited lands and limited responsibilities and capabilities.

In our minds such legislation should speak with more dignity and find a way to bring together two sides in what has been a long and venerable argument. For the sake of both sides it is important that we use the same democratic principles that form the foundation of any legislation in this country. If we do not, that legislation is weak from the start and vulnerable to failure.

We owe it to native and to non–native Canadians to make Bill C–34 and any self–government legislation or land claims agreement sound, for if we are going to go forward we must do just that. The right legislation will respect all of us and will acknowledge the very thing that makes us the same.

We all want a home where we are free to explore our personal identities and spirituality and culture, but it has never been right to pursue this at the cost of others. There will be a cost if in our haste to find a compromise we pass legislation that has the potential to create more division.

In a strong, confident and democratic environment distinctions are valuable and positive, but in a fragmented one they become razor sharp, manipulated to cut here and there, to sever. The differences of Canada have great potential to hurt us if we continually uphold them at the cost of what is true, that we are all first and foremost citizens of Canada.

I believe Bill C–34 is guilty of this. I believe that Bill C–34 forgets that while it seeks to solve the past discrepancies faced by native Canadians, it affects all Canadians. Bill C–34, which provides self–government, Yukon self–government, must seek to reaffirm the citizenship of everyone, our nationhood, our confidence in democracy.

Bill C–34 must bring an end to the beliefs that put greater importance on who was here first or how we came to be here rather than where we are now. All Canadians seek a place of belonging unfettered by intellectual and physical boundaries. All Canadians seek citizenship in its truest form in a place where we uphold that all people are created equal.

Let us not jeopardize this by passing weak legislation that forgets our nationhood, our citizenship and democracy. Let us affirm this again and again above all else because this place exists, this country exists, and that place is Canada.

(1315)

Mr. Len Taylor (The Battlefords—Meadow Lake): Mr. Speaker, not wishing to delay the discussion at all, I will be very brief in my question.

While listening to the hon. member's comments I could not help but think about the treatment of aboriginal people over the years since the settlers and the immigrants arrived on the shores of North America. The member is committed to the words he has chosen to use, the words of equality and citizenship, very important words for a minority but very difficult words for the majority.

Could he tell us when in Canadian history these words spoken by non–aboriginal people came to have such strength? I think about the days when the treaties were being signed and the community leaders were being asked to participate in an economy that was being built in Canada. The chiefs and the community leaders at the time when aboriginal peoples' lands were being removed from them were saying to the people they were negotiating with that they were prepared to work in equal partnerships with the immigrants and the settlers, that they were prepared to share the resources of the land, that they were prepared to share what they had for 6,000 to 10,000 years with those new to their shores.

Within a very brief period of time or 100 and some years in the country most of the sharing the aboriginal people engaged in has disappeared and the Reform Party and others are now saying that we are all equal and all live as citizens in one country, a country that was created to suit the needs of the immigrants and the settlers.

Could the member tell me at what point in our history the words changed from those being spoken by the chiefs and community leaders to those now being spoken by immigrant representatives?

Mr. Schmidt: Mr. Speaker, I thank the hon. member for the question.

We have to be very careful how we deal with a subject that far reaching which affects virtually every Canadian as I indicated in my remarks: Indian, non–Indian, native, aboriginal or whomever.

The concept of democracy, the concept of freedom, the concept of equality and the concept of being a citizen of a nation are very fundamental. I in no way want to suggest to the member or to anyone listening to the debate this afternoon that everything was always right in the past. Indeed it was not. There were many times in the history of Canada where we treated one another very poorly, where we did not treat one another equally,

where we did not give the kinds of rights we should have given and where we did indeed deny people certain rights because of their ethnic or other backgrounds.

That does not make me proud. The fact remains that we are at a point in history today where we can rectify some of those things, but let us not rectify them in such a way that would create new inequalities and would deny the very things we want to rectify. Let us create strong legislation. In no way do I disparage the direction in which the legislation is headed or the spirit that I think is intended in it. That is not my concern.

My concern is that we create a Canada where Canadians of whatever description, no matter where they live in the country, no matter whether they came here as immigrants or were born here, are Canadian citizens, are equal and do not have particular rights because of a particular ethnicity, language, religion or anything else. That to me is key. If the legislation can be improved to reflect that, I am completely in favour of it.

I am suggesting there are unanswered questions in the legislation. It does not give the kind of equality I stand for and the freedom I want to promote.

(1320)

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development): Mr. Speaker, I want to follow up on that question of the NDP member because I do not think it was answered.

The hon. member talked about equality and citizenry. The people we are talking about had been there for 10,000 years. They were citizens. They had their own laws. They had a religion which we took away. They had customs which we took away. They had a system in place.

When the non–aboriginals came to the area, as has been expressed by others in the House, they came with a certain amount of avarice in their hearts. They wanted to take the land, the mines and the lumber, and they did.

Now we have a situation where we have the wealth and they have the poverty. That is the situation. We have before us 21 years of negotiations drawing aboriginal people back into the process honourably with a lot of transparent and open negotiation, bringing them back to sharing resources with us, which was the original intent.

Where specifically does the hon. member think the legislation falls short?

Mr. Schmidt: Mr. Speaker, in part I believe the shortfall comes in the new language that has been created. Somehow we now have two kinds of nations; we have two kinds of citizens. If we think the relationship will be changed simply by writing new words it is false. Nation means something to me that is somehow separate from other nations. It creates a difference. I do not think it is possible to have two kinds of nations within a nation, and that is what has been created.

We have used the terms nations and First Nations. We have used the term nation. We have citizens. That is where the confusion lies. If that could be clarified so that a citizen of a first nation is like a resident of Alberta or a resident of British Columbia, if that is what is meant, why would we use a new kind of language? This is confusing. It needs to be clarified. It needs to be recognized that they are equal people who share the same kind of rights and privileges the rest of us share; nothing special or nothing denigrating.

Mr. Bill Gilmour (Comox—Alberni): Mr. Speaker, in introducing the bill the Minister of Indian Affairs and Northern Development has urged the House and pressed for ''the speedy passage of this important piece of historic legislation''. I simply cannot understand why the government is attempting to ram the legislation through the House in the same manner as the Conservatives did in 1993 with similar legislation regarding the Nunavut deal, Bill C–132.

The minister has stated it has taken 20 years to formulate the legislation and the last few months to draft the agreements. Again I cannot understand the logic of rushing through legislation in a matter of days when it has taken us years to get this far. It begs the question: Is there another or what is the real government agenda? When this agreement which took 20 years to evolve is now being pushed through the House, we have to ask what is the rush.

Bill C–34 represents only four agreements of a possible fourteen. These future agreements will be negotiated behind closed doors if the bill passes. No doubt we can expect more Yukon bills to be pushed through the House.

Where is the new style of government the Liberals promised in the red book? For example, section 52 allows the other land claim agreements to be ratified by cabinet rather than by Parliament. Again it means it will be behind closed doors, not in the House as we are doing today. It means Parliament will no longer be involved. Again where will it be? It will be behind closed doors. So much for the open government promised by the Liberals. I expect they have to read their red book with rose coloured glasses so that only the parts they can deliver show through.

(1325)

Another area I would like to touch on is the issue of constitutional recognition. In section 35 of the Constitution Act, 1982, there is provision on native rights stating that existing treaty and aboriginal rights are recognized and affirmed. Yet there is no definition of native rights other than to say they are defined as rights in present and future land claim agreements.

The fact that these extremely vague rights are supposedly affirmed by the Constitution brings into question how readily and easily these rights can be changed. How could these rights be constitutionally entrenched when they are so vague that they can easily be altered at the whim of each new government or

cabinet? The definition of constitutional entrenchment is loose, to say the very least.

I would also like to point out that there are many problems in the definition of a native citizen as established in the bill. The bill sets out that the definition of native citizens is determined by the constitution of First Nations. In so doing the agreement provides for a completely separate level of citizenship distinct from that of non–native Canadians.

It appears the government is setting up a two–tier system with two levels of citizens and two nations. At a time when the rest of the world is striving toward equality as evidenced by what we saw in South Africa, the government is trying to establish a two–class system based on race.

It appears the Prime Minister has forgotten his days as Indian affairs minister. His so–called progressive report of 1969 proposed that Indian citizens should become equal citizens of the provinces and of the country. Now his government is proposing to relegate natives to a separate status from those of other Canadians.

As Indian affairs minister the Prime Minister wrote a report which argued for ''the fundamental right of Indian people to full and equal participation in the cultural, social, economic and political life of Canada. To argue against this right is to argue for discrimination, isolation and separation. No Canadian should be excluded from participation in community life and none should expect to withdraw and enjoy the benefits that flow from those who participate''. That was considered to be progressive in 1969. Compared to the implications of this agreement, I would say it still remains progressive, with the current proposed legislation regressive.

This agreement does not guarantee full and equal participation in Canada. Far from it. It sets up an entirely separate regime. The Prime Minister talked about ending the legal distinction between natives and other Canadians with a movement toward equality of all Canadians. Now his party affirms ethnic and racial distinctions. This is a step backwards. Our native people should be equals in every respect as should all Canadians. Racial distinctions are no longer justified or tolerated in today's society. It is clearly the wrong way to go.

The treatment of our native people to this point has been unequal in many respects. They have been subject to inequalities based on race. To remedy the situation by legislating more equality does not make good sense.

The agreement would affirm and strengthen racial inequalities by establishing a two–tier system, by setting up another level of citizens separate from other Canadians. How could the government justify the obvious unequal treatment which the bill will create? We simply cannot allow the legislation to pass in its present form.

The fight for discrimination has gone on for centuries. In the 18th century William Wilberforce, as an MP in the British House of Commons, fought to free the slaves. On another front we have witnessed our American neighbours struggle through the civil rights movement. We have all witnessed the downfall of the two–tiered system in South Africa.

(1330)

Systems based on racial inequalities are wrong and history has shown that they do not and cannot stand up to the test of time. Why is the government trying to set up these same barriers in Bill C–34 by establishing two levels of citizenship?

This agreement sets up two separate and distinct societies within the boundaries of Canada. In addition, this system sets up a bureaucratic nightmare in the territory of Yukon. At present Yukon has two levels of government, federal and territorial.

This agreement opens the way for another possible four levels of government with ten more to follow when the ten native bands are dealt with. This means Yukon could be subject to many varying law–making bodies.

Curiously, according to the present Minister of Indian Affairs and Northern Development the Charter of Rights and Freedoms would apply to native self–government. Yet the justice minister of the same government has suggested that the Charter of Rights and Freedoms will not apply. Who are we to believe? There is no requirement in this agreement that laws will be subject to the Charter of Rights and Freedoms.

When the Charlottetown accord was drafted, it included 20 provisions for native people. An amendment to the Canadian charter was proposed that would apply to laws made by Canadian people. This clause said that the charter should not diminish any rights or freedoms relating to the exercise or protection of the languages, cultures and traditions of native people.

There was another clause in the Charlottetown accord that clarified that the equality of native men and women would apply to all respects of native rights, including the right to self–government. I question that any such rights will extend to native women in this agreement. Will the rights of native women, the rights which native women demanded to have protected in the October 26 referendum be protected in this agreement? It certainly does not appear so.

The minister of Indian affairs claims that the Charter of Rights and Freedoms will apply to natives. If this is so, why did the previous government find it necessary to include such provisions if the charter already applies? The answer is that if the charter is not included in this bill then it does not apply. As it

is not mentioned, I suggest it does not apply to native self–government.

Let me recount some history for hon. members. In 1982 the Assembly of First Nations when appearing before the parliamentary committee on aboriginal affairs said that: ''As Indian people we cannot afford to have individual rights override collective rights. The Canadian charter of rights is in conflict with our philosophy and our culture''.

In 1992 the Assembly of First Nations published a report which rejected the charter of rights. This report recommended: ''that the Canadian Charter of Rights and Freedoms shall not override First Nations' law''. Does this philosophy still stand? Is it the intent of Bill C–34? Will the Canadian charter of rights apply to native people? If not, this concerns me and will be of great concern to many Canadians.

Perhaps members will remember that many women's groups, particularly the Native Women's Association of Canada insisted that native self–government without the protection of the charter would be dangerous for native women, stating that violence against women on reserves was widespread.

The 1989 Ontario Native Women's Association report stated that while one in every ten Canadian women have experienced some form of abuse, eight out of ten native women have been abused or assaulted or can expect to be abused or assaulted.

Section 28 of the charter guarantees protection of sexual equality. Yet all native councils would be shielded from charter protection of guaranteed sexual equality. There is nothing in this agreement to guarantee that the rights of sexual equality will be protected. This concerns me as I am sure it concerns many native women.

Our Charter of Rights and Freedoms may not be perfect but it is one way in which the individual rights of each and every Canadian are protected. To deny any citizen of Canada, in particular native women, protection under the charter is not only negligent but deeply unjust.

(1335)

In addition, the Charter of Rights and Freedoms applies to federal and provincial levels of government. However there is nothing in the charter that would make it apply to native self–government. The democratic rights section of the Charter of Rights and Freedoms gives all Canadians the right to elect people to the federal government or legislative assemblies or to run for office. There is no provision in this bill to protect the democratic rights of native citizens as this level of government is not covered in the charter.

There is no guarantee under the Charter of Rights and Freedoms that native people have the right to vote for native governments, run for native office or to limit the terms of native government. These are concerns that were raised only two years ago.

There is nothing in this agreement which addresses these concerns and until this aspect is included in Bill C–34 it should not be passed.

In conclusion, this bill goes well beyond giving natives the right to govern their own affairs in a manner similar to what is presently being done by municipal governments. With its all encompassing law–making powers it sets up a separate nation within the nation of Canada, a nation subject to laws and powers and outside the protection of the Canadian Charter of Rights and Freedoms.

We are already experiencing separatist threats that originated from treating one group of Canadians differently from another. If Bill C–34 goes through in its present form we are setting the stage for even more discontent. There is room for only one nation in Canada, a nation where all Canadians are treated equally and respected by all.

Hon. Ron Irwin (Minister of Indian Affairs and Northern Development): I have a question for the hon. member.

He used words like ''ramming, listening and a new style of government'' which I suppose means more consultation and more listening. It is my information that the CYI, the leadership headed up by Mrs. Judy Gingell, were here for a week and a half up to second reading trying to arrange meetings with the Reform Party without success. There were no meetings until after second reading.

In this broad consultation and this ramming and secret agendas that the hon. member has talked about, has he talked to any of the First Nations of the Yukon personally?

Mr. Gilmour: Mr. Speaker, the minister just makes my point. We did not get the information until Thursday morning and the bill was due to be responded to on Friday. We had absolutely no lead time.

I find it rather curious that the native bands were here a week ahead of that time and yet the Reform Party was not advised of the agenda of the government.

[*Translation*]

Mr. Gérard Asselin (Charlevoix): Mr. Speaker, thank you for giving me a chance to comment and to question the member who just spoke.

As the Minister of Indian Affairs said, after 21 years of consultation, after 21 years of thinking and talks between the government and native organizations, especially in the Yukon, it is time to act.

I must congratulate the government on reaching a conclusion in its present term for good relations between the government and native communities. I believe that the First Nations, the native people, including those in the Yukon, want and demand their full autonomy so that they can take on more responsibility themselves. Unfortunately, Canadians often say that natives live

at the expense of whites. I think that the native community in the Yukon is very advanced because today it is ready to become more independent and to take over some of its responsibilities and autonomy.

Also, I think that the self–government which the natives demand will enable them to develop their resources properly and keep their customs.

(1340)

In my riding, Charlevoix in Quebec, I have two native communities, inhabited by Montagnais, and as the member for Charlevoix, I must defend these communities as I defend all my constituents. Besides, my oldest child is a Montagnais boy whom we adopted. He will be twelve on July 10 and I consider him as much as the two children we had later.

I think that the native community in the Yukon is calling for more dialogue between their communities and the government because they want to share their ideas. In closing, I want to commend the native community of the Yukon for claiming its rights and being heard by the government. I also congratulate it on taking charge of its economic development.

Does the Reform Party member who preceded me think it possible that the Yukon natives are more advanced than the Reform Party?

[*English*]

Mr. Gilmour: When speaking of evolution I guess we could go back a long way. However it is very clear and I pointed it out in my speech that equality and the evolution of equality can only go one direction. We have to be equal, all of us, whether we are from Quebec, from Yukon, from other parts of Canada.

That was the key point to my speech and if that is part of evolution that is exactly what I would like to see evolve in the bill because the bill does not speak to it now and it should not be passed in its present form.

[*Translation*]

The Deputy Speaker: A while ago, I promised as Speaker to render a decision on the issue of the word ''separatist'' raised by the hon. member for Gaspé. The word ''separatist'' is found on page 148 of the 6th edition of *Beauchesne's Parliamentary Rules & Forms*. It is considered parliamentary. I quote: ''Since 1958, it has been ruled parliamentary to use the following expressions—'' and the word ''separatist'' is among them, as I said.

Nearly 30 years ago, in 1964, Speaker McNaughton said: ''These questions are, of course, not easy to answer. I would say that the word used was rude; but in my opinion it was not unparliamentary''. He was talking about the word ''separatist''. Later, Speaker Sauvé said this about ''separatist'' and ''McCarthyism'' on December 9, 1980: ''Whether one approves of the connotations or not, the words ''McCarthyism'' and ''separatism'' have become part of the political vocabulary and therefore their applicability is a matter of interpretation and debate in which the Chair has no role''.

I fully realize that hon. members will say that the usages of international law were not the same as those in Parliament. For now, it seems that such is the rule in our legislature.

Mr. Bernier (Gaspé): Mr. Speaker, first of all, I would like to make it clear that I do not question your ruling on this subject. I think it was good for the whole House that this issue was raised. I note that the debate has been going on longer than we think. You mentioned 1958. The Speaker at that time said it was ''rude''.

(1345)

The last thing I would like to say for our listeners and hon. members is that if he wants to use the word ''separatist'', it has an emotional connotation; if he wants to speak objectively, the recognized term in international law is ''sovereigntist''.

[*English*]

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, I would like to begin by thanking the hon. minister for being present during the debate on this bill. It is good that the sponsor of a bill is present, particularly during a debate in which contentious issues are involved. I want to thank him for being here.

I am grateful for the opportunity to participate in this debate on Bill C–34 which is the Yukon self–government bill. As do many of my colleagues, I have a particular interest in this proposed legislation. During my life and my career I have had an opportunity to work directly with native people in a number of different areas.

As a labour foreman on a hydro electric project in the territories, as an ombudsman for the Alberta region of the department of Indian affairs under Harold Cardinal and as a business consultant I have seen the problems of these people firsthand and I have spoken with them. I have lived some of the problems that they experience. I have experienced directly the discrimination that they have experienced, particularly the discrimination that has been levelled at them through the interpretation and the enactment of the Indian act along with the changes that have occurred to that act from time to time over the years.

Therefore what I say today, I speak at least in part from my experience and empathy for the plight of these people. The Dog Rib Indians of the territories I found were some of the hardest working and capable individuals I have ever worked with. They were more than willing to work under adverse conditions of weather and isolation when the jobs were available. However,

the opportunity to work was not always there. When this occurs, these willing and capable people go unemployed.

I was appointed ombudsman for the province of Alberta under the direction of Harold Cardinal who was a regional director general for the department of Indian affairs for a period of time. Mr. Cardinal was a prominent leader in Canada and president of the Alberta Indian Association for a number of years.

It was under his leadership that what is known in the Indian communities today as the red paper was developed as a direct result of the white paper of the Prime Minister when he was a department of Indian affairs minister. It wanted to assimilate the Indian people into Canadian society and wanted to eliminate their reserve lands.

Grand Chief Norman Yellowbird, a friend and associate of mine, delivered that red paper developed by the Indian Association of Alberta to the Prime Minister, Mr. Trudeau, at the time.

I have had a close look at some of the problems and some of the challenges faced by Indian people and I have heard directly from them their concerns and their viewpoints on these problems.

As a consultant I have received many complaints from band members accusing their band leaders of corruption and expending funds improperly. Those same complaints have been brought to my attention since I have become a member of Parliament. The department of Indian affairs seldom, if ever, looks into those complaints. It has not looked into them before and the feedback I am getting from some of my aboriginal associates indicates that they are not being looked into today.

Instead, the department apparently chooses to ignore the concerns of the aboriginal people at the grassroots level and proceed with negotiation self–government arguments with some of the same council leaders who have been accused of fraudulent and suspect practices. I am not suggesting for a moment that involves the leaders who were involved in this agreement.

I point out the trials and tribulations faced by many Indian people at the grassroots level that have come to my attention through my experience with them.

(1350)

I, like many Canadians, want to see Canada's aboriginal peoples given every reasonable opportunity to become economically and politically independent. I want to see their dignity restored by ending the cycle of dependency that has become so customary within aboriginal communities.

It is no secret that the aboriginal population is among the most disadvantaged of all Canadians. Life expectancy is about eight years shorter than average. Death by suicide is about two and a half times more common and the unemployment rates are several times the Canadian average.

I do not believe that Bill C–34, Yukon self–government, is the answer to the numerous problems plaguing aboriginal peoples and particularly if that is to become the model for the other settlements, claims and requests for self–government that are being made by so many of the bands across the country. I am not confident that the aboriginal people will not be subjected by a new form of government under their council leaders to an autocratic form of government that will deny them the rights they now receive under the protection of the Charter of Rights and Freedoms.

I believe a gradual and progressive approach must be taken to ease the dependency of the aboriginal people and to provide them with the opportunity to fully understand the terms and implications of self–government.

During the Charlottetown accord I spoke to many of my aboriginal friends and I asked them what they thought about that. Of course they disagreed and they voted against the Charlottetown accord because they did not feel that they were included. They did not understand many of the provisions. There was not the dialogue that I think is necessary when we get into these kinds of negotiations. It must be suitable and understood by the grassroots people.

I would recommend and support a movement toward autonomy which could be initiated with self–determination that institutes possession and control of their land. I agree with that. I do not support or accept Bill C–34 to establish self–government for the Yukon First Nation.

The concept of self–government is too vague in this document and there are no real specifics that provide a definitive meaning to this term. I cannot support self–government until the term is clearly and emphatically defined so the aboriginal people understand, so Canadians understand and so there are no misconceptions about the type of agreement the federal government is entering into.

Right now there are too many questions unanswered, too many terms undefined and too many *t*s not crossed and too many *i*s not dotted.

What does self–government mean? Self–government is a phrase whose history predates its application to aboriginal governments in Canada. The British used the term when they arrived at the conclusion that one of their colonies was ready for autonomy. Aboriginal self–government has been the subject of many definitions in Canada. We have heard it from many politicians in the past. Some have defined it as being more or less municipal government covering the relative autonomous

administration of programs and services that find their roots in the authority of the federal and provincial governments.

Alternately, self–government has been envisioned by many aboriginal people as a creature of aboriginal authority, of the legitimate authority of distinct aboriginal peoples to make their laws, to sign their institutions and govern themselves as they see fit.

One aboriginal author writes: ''The right to self–government goes much beyond entitlement to practice our own culture, traditional customs, religion and languages or the right to determine the development of our own identity. It includes constitutionally protected powers over our lives, our lands and our resources, as well as the right to determine the nature of our ongoing relationship with the federal and provincial governments in Canada''.

Not only is there divergent views of what self–government means between the federal government and the aboriginal people, the comments of Howard Adams, an aboriginal person and university professor of native studies, lead me to believe that this term may vary between the aboriginal leaders themselves and what he calls the rank and file aboriginal people.

This is not unlike the Canadian situation in which the people of Canada have one definition of democracy and the government has another. I think we all know and have witnessed what happens when those in power allow their views to supersede the views of their constituents.

(1355)

In an article published in the Native Studies Review in 1992 Mr. Adams says, referring to the Charlottetown referendum: ''The negotiations on the constitution were not relevant or meaningful to the rank and file of aboriginal people. For these people it was an unknown and an unheard of matter because the negotiations involved only a few elite leaders and their organizations''.

As one of my colleagues has mentioned many of the aboriginal women's groups from across the country have expressed concern about the protection that might have been lost under the Charter of Rights and Freedoms had the constitutional accord been passed.

Mr. Adams states that from his experience in speaking at remote Metis and Indian communities he learned: ''These distant people had absolutely no knowledge about the Constitution and the negotiations. Consequently they had no concern or involvement whatsoever''.

I am concerned that this is still true today. I am concerned that the aboriginal people, those at the grassroots, do not understand nor are they aware of the agreements their band leaders are negotiating on their behalf. There has been no indication that this has occurred in this particular agreement.

The details of what self–government will mean to them or the powers they may be subjected to have not been explained and therefore they have not had the opportunity to decide if self–government is what they want. This is referring back to the constitutional discussions.

Mr. Adams also believes that during the constitutional talks the leaders involved did not really understand what was transpiring: ''It was continuous confusion and vagueness due to lack of clarity in terminology and concepts such as self–government''.

Again, how can we be sure that the council leaders were fully aware of what they were signing and particularly the long term consequences?

An October 25, 1991 article in the Vancouver *Sun* reports: ''Canada's aboriginal people are front and centre in the debate over the Constitution. Their demands for constitutional recognition, self–government and land claims played a major role in blocking changes that would have allowed Quebec to sign the Constitution''.

Mr. Adams states that the negotiations were nothing more than staged media events that provided an opportunity for the previous government to improve its so–called human rights concerns for aboriginal people and to help take the focus off the threat of Quebec's cession.

Further, he believes for the self–government negotiations to have produced an authentic agreement there should have been greater participation by the masses in which the indigenous ideas and perspectives would have emerged.

Nothing in Bill C–34 leads me to believe that the government is any further ahead in defining the term self–government, that the agreement is a genuine reflection of what aboriginal people want and that the motives for entering the agreement are strictly legitimate.

According to an article on March 29, 1994 in the *Globe and Mail* the federal government has spent more than $50 million on self–government negotiations with native groups over the past seven years, yet it has produced only one agreement: ''About 400 native communities have entered self–government talks but most have abandoned the process because it is long, bureaucratic, limited and legalistic''. This according to the *Globe and Mail* was the finding of a federal audit.

The audit apparently described a host of weaknesses in the federal policy for negotiating self–government deals at the community level and concluded that the process is long, cumbersome and expensive.

Federal payments to native groups for the negotiations have jumped by 500 per cent since the process began in the 1986–87 fiscal year. The department of Indian affairs has given $30 million to aboriginal groups for the talks and has spent a further $20 million on internal operating costs. The department has spent $50 million creating a cottage industry around these negotiations in which lawyers and political leaders are the only

ones who have benefited while the deplorable living conditions of the individual aboriginal person have not changed as a result of the expenditure of these funds.

The Speaker: The hon. member still has time in his speech. We will take up the speech and the questions and comments after Question Period.

It being 2 p.m., pursuant to Standing Order 30(5), the House will now proceed to Statements by Members pursuant to Standing Order 31.

STATEMENTS BY MEMBERS

[*English*]

D–DAY

Mrs. Anna Terrana (Vancouver East): Mr. Speaker, the presence of the right hon. Prime Minister in Normandy for the D–Day ceremony has given Canada and Canadians a reason to reflect on the good deeds our people have accomplished in the world.

As a child living in Italy during the second world war, I was subjected to bombing in a big industrial city and to the absence of my father who had to go to war.

The landing of Canadian troops in Sicily in 1943 is still remembered with great affection by all Sicilians and those Sicilians who immigrated to Canada and live in Vancouver celebrated with me and the military in 1983.

The arrival of the Allies in Italy meant the end of a cruel, senseless war and a return to democracy and freedom to a whole continent and ultimately to the world.

I would like to thank our Prime Minister and our country for remembering with us and for being present at such an important event.

* * *

[*Translation*]

QUEBEC FEDERATION OF SENIOR CITIZENS

Mr. Yves Rocheleau (Trois–Rivières): Mr. Speaker, since Tuesday, the city of Trois–Rivières has been the host of some 2,500 people from all parts of Quebec, who are attending the convention of the Quebec Federation of Senior Citizens.

The year 1994 also marks the 25th anniversary of the council of senior citizens from the Mauricie region.

The theme of the convention, ''The necessary social involvement of seniors'', recognizes not only their past contribution but also their current role and dynamism, in particular through their numerous volunteer activities.

It is not by cutting services to seniors, by closing departmental offices in our regions and by replacing staff with answering machines that this government will provide an adequate response to the needs of these people.

I am proud to salute all convention participants and assure them that the Bloc Quebecois supports their demands, keeping in mind that, above all, the government should show them the greatest respect.

* * *

[*English*]

THE LATE TOM GOODE

Mr. John Cummins (Delta): Mr. Speaker, today I would like to recognize Tom Goode. Tom Goode, who served as Delta's mayor for six years and an MP in Pierre Trudeau's Liberal government died last weekend of cancer at the age of 60.

Tom Goode was a fine man, a good friend, a Liberal whose circle of friends and admirers extended far beyond any partisan bounds.

Tom was optimistic about his ability to beat this dreaded disease. As evidence of this, just a few weeks ago he had accepted the position of chair on the Delta North Liberal Party policy committee.

Tom started his political career as a school trustee and was elected as the Liberal MP for Burnaby—Richmond—Delta in 1968. In 1973 he was elected Delta's mayor.

As a politician and a person, Tom was respected for his honesty and integrity. He was a charming man, a delight to be with. He will be missed.

* * *

NORTH AMERICAN WATERFOWL MANAGEMENT PLAN

Mr. Ian Murray (Lanark—Carleton): Mr. Speaker, I would like to inform all members of the House and all Canadians that the signing of the North American Waterfowl Management Plan update took place this morning.

The North American Waterfowl Management Plan, originally signed in 1986, is designed to protect 3.6 million hectares of wetland and upland habitat in Canada. With the signing of this update, Canada has extended its commitment to this conservation program to the year 1999.

Without this form of conservation, wildlife depending on these habitats for survival would continue to decrease in numbers. However, since the implementation of the plan, populations of several species of waterfowl, such as the gadwalls and blue winged teals, have begun to increase.

[*Translation*]

In the spirit of Environment Week, let us keep in mind that protecting the environment is an ongoing commitment, and that the signing of this plan strengthens the government's commitment in this regard.

* * *

[*English*]

STONEY CREEK BATTLE FIELD MONUMENT

Mr. Tony Valeri (Lincoln): Mr. Speaker, I rise to share with my colleagues the news that I had the pleasure last weekend of participating in the reopening of the Stoney Creek Battle Field Monument. I would like to extend my sincerest congratulations to the Preserve the Monument Committee and to the community of Stoney Creek for having undertaken this project.

The monument is located on the very site where the Battle of Stoney Creek took place on June 6, 1813. It is particularly fitting that this week, while we are celebrating the 50th anniversary of D–Day, we pause and reflect on the sacrifices made by the Loyalist soldiers in the war of 1812. Some paid the ultimate price but in doing so they helped to ensure that Canada would be born strong and free.

The Stoney Creek Battlefield Monument is a lasting reminder that those who came before us believed that what we now know as Canada was worth dying for. That is their legacy.

The monument is Stoney Creek's legacy to them and it stands as an important symbol that they did not die in vain nor will those sacrifices be forgotten.

* * *

(1405)

NATIONAL TRANSPORTATION WEEK

Mr. Joe Fontana (London East): Mr. Speaker, as other members before me have done this week I wish to pay tribute to those involved in the transportation industry in Canada.

The transportation industry is a major contributor to the nation's economy, whatever region of the country you come from. Employment, jobs, salaries, wages and export sales are among the direct benefits.

Transportation serves a variety of functions. It extends Canadian sovereignty over an immense country, it provides links between regions and markets, and connects small remote communities to larger centres.

In the final analysis, transportation today is about moving people and goods efficiently and reliably. The theme of National Transportation Week, as announced by the Minister of Transport, is ''Inter–modalism: The perfect fit''. This theme and the week's activities complement the regulatory and policy initiatives government and industry are taking to promote smoothly interlocking transportation services.

The government believes that modern, improved, intermodal transportation systems will contribute to the long term economic growth by enabling Canadians to receive supplies and deliver goods to markets quickly and at a competitive cost.

* * *

[*Translation*]

HUMAN DEVELOPMENT

Mr. Philippe Paré (Louis–Hébert): Mr. Speaker, last Wednesday, the United Nations Development Program published the global report on human development. The Liberals bragged in this House that Canada ranked first for human development, but they forgot to mention Canada's mediocre record in some important areas.

Canadians should be reminded that, according to the report, Canada comes in ninth place with respect to sexual equality, that it has one of the highest unemployment rates, that it treats its native population poorly, that it is one of the most wasteful users of natural resources among OECD countries, and that it shows little concern for the environment.

Instead of trying to score easy political points, the Liberals should analyze the report and look for viable solutions to Canada's major problems.

* * *

[*English*]

MAIN ESTIMATES

Mr. John Williams (St. Albert): Mr. Speaker, I rise today to comment on the debate held on the proposed spending outlined in the 1994–95 main estimates.

Since 1969 Parliament's annual review of the main estimates has resulted in a pathetic total reduction of only one–millionth of one per cent of the proposed expenditures that governments have submitted to Parliament for its approval.

I would hope that my colleagues would reconsider their traditional practice of rubber stamping the government's main estimates. Yesterday the House authorized the government to spend $160.3 billion and will add another $39.7 billion to the national debt, without even considering modest spending reductions.

You would think that when this country is over $500 billion in debt that the government would welcome every opportunity and suggestion to cut its expenditures.

* * *

THE CONSTITUTION

Mr. John Harvard (Winnipeg St. James): Mr. Speaker, Canadians spoke clearly last fall that they were fed up with the uncertainty over Canada's Constitution created by the previous

government. They voted for a government that promised to focus on issues that were more vital to them; jobs and economic growth.

Yet on Tuesday of this week the constitutional issue was back in the House, thanks to the leader of the Reform Party. It is a touch of irony that the party that promised to make deficit reduction its top priority and swore not to talk about the Constitution, should be the perpetrator of such a divisive debate.

This apparent contradiction may be one reason why the Reform Party's popularity has dropped right across the country, especially in Manitoba and Saskatchewan.

The opposition has tried to derail the nation's business by setting a constitutional trap. We will not be fooled. We will stick to our plan. Canadians can be sure that we do not intend to fall off the track.

* * *

[*Translation*]

RIGHT TO SELF–DETERMINATION

Mr. Ted McWhinney (Vancouver Quadra): Mr. Speaker, after my June 7 speech on national unity, the hon. member for Laurier—Sainte–Marie asked me a question on sovereignty and the right to self–determination.

Present–day international law recognizes the right to self–determination only for peoples. Nothing requires self–determination to occur through the break–up of an existing multinational state. This right can be exercised by staying within a pluralistic federal state like ours. In a political and non–legal sense, both Quebec francophones and Native Canadians can qualify as nations.

* * *

[*English*]

RESULTS CANADA

Mr. Mac Harb (Ottawa Centre): Mr. Speaker, malnutrition affects one in three children in the developing world. Clean water is not available to over 1.2 billion people and basic education and primary health care is considered an inaccessible luxury to many in the world today.

(1410)

Results Canada is an organization devoted to creating the political will for the sustainable end to hunger and poverty. Basic human needs such as literacy, immunization and clean water should be available to every person on earth.

Results Canada encourages the promotion of economic self–reliance. Through the Grameen Bank in Bangladesh small loans are issued to the most destitute rural people and over half have managed to get themselves out of poverty.

The success of this program has led to the establishment of the Grameen Trust, a fund set aside for the development of similar loan programs in third world countries.

To all of the staff and volunteers at Results Canada, I commend you for a job well done.

* * *

[*Translation*]

QUEBEC SOVEREIGNTY

Mr. Gaston Leroux (Richmond—Wolfe): Mr. Speaker, on his own initiative, the hon. member for Glengarry—Prescott—Russell and Deputy Government Whip circulated a petition to silence the Official Opposition. That petition, which more or less sought to censure discussions in this House, must be strongly denounced as being fundamentally undemocratic.

Let us not forget that close to two million Quebec voters democratically expressed their support for our option, an option which we never tried to hide from the public, and that it is not only our right but our duty to talk about sovereignty for Quebec.

Mr. Speaker, we will continue to talk about sovereignty, in compliance with the democratic mandate which we received last October 25 from Quebecers, who gave us more than two–thirds of the province's seats and made us the Official Opposition. We now have confirmation of the intolerance and pettiness of the member for Glengarry—Prescott—Russell and the Liberals.

* * *

[*English*]

THE FAMILY

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, Canadians have made it clear that one of their greatest concerns is the family and the need to strengthen and encourage this important cornerstone of our society. What Canadians need is someone to champion their cause.

The Reform Party caucus has taken on that mandate. The Reform's task force on the family will seek to strengthen the status and the well–being of the family by providing leadership on important issues and by challenging policy trends and legislation that harm and interfere with the role of the family.

The purpose of the task force will be to protect Canadian families from inappropriate government control and interference. The task force reaffirms the family is the fundamental unit of our society. The family is the foundation of our social and

economic structure. It provides a place to nurture our children. It provides for the communication of beliefs, convictions and values.

Reform will ensure that even under the present Liberal agenda this does not change.

* * *

[*Translation*]

REGIONAL DEVELOPMENT

Mr. Patrick Gagnon (Parliamentary Secretary to Solicitor General): Mr. Speaker, I want to take this opportunity to announce the most recent initiatives of the federal government in Eastern Quebec.

A few days ago, the Canadian and Quebec governments unveiled six projects totalling $2.7 billion. Moreover, this morning I announced that a project worth more than half a million dollars would be implemented in my riding.

Last June 2, the hon. member for Rimouski—Témiscouata made the following statement in the House regarding the Federal Office of Regional Development:

> When I am told that there are only $2 million left for the Lower St. Lawrence, the Gaspé Peninsula and the Magdalen Islands, I say that the cupboard is bare.

In the last week, $3.2 million were invested in Eastern Quebec. The hon. member for Rimouski—Témiscouata should be more objective in her comments. It is no surprise that her party, her leader and her option are losing popularity in Quebec. It is time for the opposition to stop making slanderous statements.

* * *

[*English*]

NATIONAL UNITY

Mr. Harold Culbert (Carleton—Charlotte): Mr. Speaker, this past week there were many celebrations honouring the 50th anniversary of D–Day and those who sacrificed so greatly so that Canadians might enjoy the freedoms we do today.

However, on Tuesday of this week there was a debate in the House on the issue of Canadian unity, a debate which by its very essence questioned the future of Canada.

In its report covering over 100 countries, the United Nations concluded that Canada is the best country in the world in which to live.

We can share our differences in colour, our differences in religion, our differences in language and our differences in culture and still share the dream that so many Canadians fought and died for, a strong, united Canada where dreams are made into realities.

Long live Canada for all Canadians.

(1415)

CHALLENGER SOFTBALL LEAGUE

Mrs. Jane Stewart (Brant): Mr. Speaker, I appreciated the opportunity to throw the first pitch of the first game of the Challenger Softball League in Paris, Ontario.

This is a special league for special children, boys and girls who may be physically, mentally or emotionally challenged, playing together on the field in a game we all know and love, baseball.

I would like to congratulate the organizers of this league for the great work that they have done for the children in our community and to say to them on behalf of their proud parents, keep it up. It is going to be a great season.

* * *

THE ENVIRONMENT

Mr. Len Taylor (The Battlefords—Meadow Lake): Mr. Speaker, a few weeks ago in this House was tabled the report of the Standing Committee on Environment and Sustainable Development that called for a commissioner of the environment and sustainable development to be established and for the expansion of the Auditor General's role to include environmental auditing.

I am very pleased to support the work of the environment committee in developing this report, work that I had been engaged in during the sittings of this committee as well as in the previous Parliament as a member with environmental responsibilities.

I commend the report to the Minister of the Environment. I ask that she review this carefully and bring forward legislation into this House that would put into practice the recommendations of the committee.

* * *

1995 CANADA GAMES

Mr. Charlie Penson (Peace River): Mr. Speaker, the 1995 Canada Games are being held in Grande Prairie in my riding of Peace River. The Canada Games are the country's top amateur athlete competition.

Yesterday evening the identities of the first ever Canada Games honorary chairpersons were announced. They are Alexandre Daigle and Kerrin Lee–Gartner. These two outstanding Canadian athletes need little introduction.

Alexandre Daigle, now a star with the Ottawa Senators, participated in the last Canada Winter Games in 1991 playing hockey for Team Quebec.

Kerrin Lee–Gartner, a resident of Alberta, thrilled Canadians with her Olympic gold medal finish in the downhill event in Albertville in 1992.

In their role as honorary chairpersons, these two accomplished athletes will appear on printed material and in radio, television and newspaper advertising promoting the games.

I hope my colleagues in the House will join them in capturing the vision, the slogan for the games.

ORAL QUESTION PERIOD

[*Translation*]

HUMAN RESOURCES DEVELOPMENT

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, in Paris when he was attending the OECD conference on manpower, the Minister of Human Resources Development apparently said that his action plan was not ready yet and would be released in six weeks, in other words, not until the middle of July, although it was originally to be released at the end of April.

Will the minister confirm that his action plan is still not ready and that it will not be released until mid–July, in the middle of the summer, safe from public scrutiny, very discreetly, so that Parliament cannot discuss it before the summer recess?

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, first of all, I can assure the hon. member that my visit was more productive than the visit of the Leader of the Opposition, as far as Canadians are concerned.

[*English*]

I can say to him very clearly that the approach that we have been pursuing in terms of looking at the broad range of programs that can improve employment opportunities for Canadians was one that was broadly and strongly endorsed by all the other member countries of the OECD. This shows that we are on the right track and the hon. Leader of the Opposition is on the wrong track.

[*Translation*]

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, the minister feels his trip was productive since he managed to obtain the approval of other ministers from all over the world for his action plan. I suggest that he first obtain the approval of the provincial ministers in Canada.

I would like to ask the minister whether he can also confirm that as yet, no date has been set for a federal–provincial conference of social security ministers. Are we to understand he has given up his plans for a federal–provincial conference before the fall?

(1420)

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, the decision on our proposals is not under the ownership of any government, foreign or domestic. It is the ownership of the Canadian people who will make that decision. They will decide by open, transparent, honest debate and consultation over the next several months.

We have committed and promised full discussion with the provinces, full discussion with the Canadian people and full discussion with all the major stakeholders. That is our commitment and we will live up to it.

It is unfortunate that the only group of people in this country which is opposing this attempt to reform what we are doing is the Bloc Quebecois and we know the reason why.

Hon. Lucien Bouchard (Leader of the Opposition): Mr. Speaker, obviously this minister is a great democrat. He has now committed to having an open, vigorous public debate in mid–July. This is the kind of democracy we have.

From here I can see citizens all over Canada in their cottages close to the lakes discussing and arguing hotly the minister's plan.

[*Translation*]

Aside from his official optimism, will the minister admit that by insisting on imposing his views on people and provincial governments that do not want his action plan, he is actually sabotaging his own reform?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, I understand that the Leader of the Opposition does not plan to work this summer and is going to spend all his time at the cottage beside the lake, but we will work all summer to make sure that we get a proper plan through. That is our commitment.

I hope that in a sign of goodwill and charity the hon. Leader of the Opposition will return his salary for the two or three months he is taking off in the summer period because clearly he is not intending to work the way we are along with the rest of Canadians.

I do not think the Leader of the Opposition understands what has been going on. I do not think he has any notion or interest in an attempt to bring about a clear, step by step approach which is now being considered by cabinet, that will be put forward publicly and that will result in major public consultations over the fall by all Canadians involved. That is the plan and the

commitment that we have had. The only people who have been standing in the way of that have been the Leader of the Opposition and his members.

[*Translation*]

Mrs. Francine Lalonde (Mercier): Mr. Speaker, my question is directed to the Minister of Human Resources Development. In his speech to the OECD on Tuesday in Paris, the Minister of Human Resources Development promised to build a new program aimed at putting Canadians back to work—a new program—while guaranteeing income security for those who need it.

Since his statement is completely at odds with what the government has done about job creation, which so far has been limited to temporary jobs under the infrastructures program, are we to conclude from the minister's speech that the government will at last implement a pro–active job creation policy?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, at the OECD there was a report tabled that was the product of two years of work and endorsed by all the countries involved which said that many of the traditional elements of development for jobs now must be sort of complemented or supplemented by major efforts to deal with the problem of structural unemployment. It is a condition faced by all countries.

What we are saying and what I said is that the initiatives that we are taking to make major changes in the way that we give assistance to people to find new employment, to substantially support and strengthen our training and education programs, to give new opportunities for work, and to deal with the problems of young people as we provide in the youth employment strategy, is the beginning of that recreation. We will continue to do it through the judgment and negotiations during the process.

(1425)

The two have to go hand in hand. We have to stimulate the economy which is what we are doing through the infrastructure program. We have to put in place major elements of restructure in the economy as the Minister of Finance laid out in his budget. We must also make a fundamental redesign of our human resource policies. It is all part of a broad strategy and that is what we intend to do.

It is too bad the hon. member is incapable of understanding how important it is that we work together to achieve that goal.

[*Translation*]

Mrs. Francine Lalonde (Mercier): Mr. Speaker, are we to conclude that the government's job creation policy, inspired or not by the OECD, basically consists in cutting social benefits, as in the case of the Unemployment Insurance Program, in order to force the unemployed to look for non–existent jobs?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, by that question it is obvious the hon. member has not read the OECD report. I would think that before anyone asks a question they should find out. I know the hon. member does not want to get too confused by the facts, but in this case it would have been very important to have read the report before asking the question.

That is not what the OECD said. It said we have to make major changes in labour market policy and social policy to lead to a more active emphasis on job development, job creation and employment services. That is the basic thrust of the report.

I will be very happy to send a copy to the hon. member so she can get up to speed.

* * *

TRANSPORT SUBSIDIES

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, my question is for the Minister of Agriculture.

Yesterday rather surprisingly the transportation minister apparently told the media that next summer the government will stop paying subsidies to the railways that defray the cost of shipping grain to Vancouver and Thunder Bay. In the 1993–94 year these subsidies amounted to almost $650 million.

This is something which Reformers have advocated for years as part of a comprehensive, well thought out agricultural reform package. Yet until yesterday western farmers had not heard anything of this from the Minister of Agriculture.

What role did the agriculture department play in this decision and what policies and plans does the minister have to prepare the grains industry to adjust to this dramatic change?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri–Food): Mr. Speaker, yesterday the Minister of Transport clearly indicated his view that over time the government will be rethinking its role in direct subsidies in transportation in light of Canada's international trading obligations and with an aim to ensuring competitive and efficient transportation systems in Canada.

I have indicated time and time again in this House that a number of processes are under way to consult broadly with all of the stakeholders in the western grain transportation system to deal with the possibility of reform in the system. One of those processes is a study on transportation efficiencies being conducted by the Grain Transportation Agency. The report on that study has been received and it is being reviewed internally. Another study is being conducted by a group called the Producer Payment Panel dealing with the method of payment with respect to the Crow benefit under the Western Grain Transportation Act.

I expect to have a final report from the Producer Payment Panel some time in the month of June or perhaps early July. We will take all of that input into account as we make decisions in the future. I have indicated very clearly that all of these various reports and studies would be the subject of further consultations with farmers and farm organizations across western Canada in particular but with all those in the country who have an interest before the government makes any decision. No final decision has yet been taken.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, frankly the minister's definition of over time and what we heard in the media report from the Minister of Transport is quite different in the view of most Canadians. He is talking about July 1995 which is a very short time, almost shorter than the time the minister took to answer that question.

As the minister knows Reformers advocate consolidating a dozen existing agriculture support programs into three. We then propose redirecting some of the savings toward deficit reduction and redirecting subsidies under GRIP and the Western Grain Transportation Act to a trade distortion adjustment program, an expanded whole farm NISA stabilization account and a strengthened crop insurance plan.

(1430)

My question is for the minister. Would he tell the House how much of the $650 million subsidy to the railways will be directed to some new or existing safety net program and how much will be redirected to deficit reduction or to something else?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri–Food): Mr. Speaker, the hon. member is inviting me to pre–empt the consultative process which has been under way for a number of months across Canada. Obviously I am not inclined to do that because I want to see the advice before I make any decisions.

With respect to the timeframe issues to which the member referred, the new General Agreement on Tariffs and Trade is scheduled to come into effect at some point in 1995. We suspect it will be July 1, but there is still some discussion among GATT countries about what the precise implementation date will be.

Once GATT comes into effect it requires certain disciplines upon subsidies to be implemented gradually over a five or six year period. The timeframe being referred to by the hon. gentleman, between now and 1995, is obviously the timeframe before the GATT comes into effect. Once the GATT comes into effect there is a phase–in period for any change that stretches over a following period of at least six years.

The Speaker: I am quite confident all hon. members will be anxious to make their questions and answers as precise as possible.

Mr. Elwin Hermanson (Kindersley—Lloydminster): Mr. Speaker, this is June 1994 and July 1995 is very close. By the time the minister is done consulting, the transportation minister will have implemented the changes.

If this change to the subsidization of grain transportation had been made when agricultural reformers in the west had first advocated it instead of waiting until we were forced to make these changes by a GATT agreement, Canadian farmers would have had a much better chance to adjust. This is part of the price that prairie farmers are paying for a Liberal government that is playing catch–up ball instead of getting ahead of the game.

What is the government's plan and timetable for enabling western grain producers to adjust quickly to market based freight rates?

Hon. Ralph E. Goodale (Minister of Agriculture and Agri–Food): Mr. Speaker, the hon. member may not have noticed but the period of time since the original passage of the Western Grain Transportation Act in 1984, I believe, until November 4, 1993 was occupied by a different government of Canada. If he is concerned about delay during that period of time perhaps he should exercise his questions elsewhere.

With respect to the process I now have under way, I indicated within days of assuming my responsibility as minister of agriculture—and certainly during the throne speech debate back in January, in other speeches in the House and in addresses I have given to farm organizations from one end of the country to the other—that the government has a very active agenda in terms of developing the competitiveness, profitability and future success of Canadian agriculture.

We have laid out that agenda very clearly. The hon. member will see in the weeks and months ahead a very vigorous agenda on the part of the government in dealing with the pressing issues confronting Canadian farmers.

* * *

[*Translation*]

SOCIAL PROGRAM REFORM

Mr. Michel Gauthier (Roberval): Mr. Speaker, in a backgrounder to the budget concerning proposed changes to the Unemployment Insurance Program, we read, and I quote: ''The Minister of Human Resources Development will present an

action plan for reform in April, and the Standing Committee on Human Resources Development will soon begin public hearings, culminating in a report to Parliament in the fall. New legislation will be introduced before the end of 1994''.

Considering the delay in releasing his action plan and fierce opposition from the provinces to his social security reform, does the Minister of Human Resources Development still intend to table changes in the legislation before the end of 1994, as he promised when the budget was brought down?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, I confess I do not share the same crystal ball as the hon. member.

He talks about strong opposition of the provinces to a plan which has not yet been tabled. How does he know? They have not seen it. He has not seen it. We have not tabled it yet.

I can tell the hon. member, going all the way back to last December at the meeting of all provincial premiers, that they were the ones who asked for major changes to our programs. We have been working closely with them and talking with them during January, February and the spring. We will be talking with them further before we table the report.

(1435)

For the hon. member to try to speculate there will be major opposition once again simply shows that the interest of the Bloc Quebecois is not in having a serious debate. The interest of the Bloc Quebecois is in trying to stall the process.

[*Translation*]

Mr. Michel Gauthier (Roberval): Mr. Speaker, how can the minister say he will be able to be on schedule as planned, when at that time Quebec will be in the middle of an election campaign and many provinces, I may recall, are strongly opposed to his social security reform strategy?

[*English*]

Hon. Lloyd Axworthy (Minister of Human Resources Development and Minister of Western Economic Diversification): Mr. Speaker, I realize the hon. member has not been in the House for a very long period of time. He should understand that we do not set agendas here according to provincial elections. We set them according to what is right for Canadians and how we can get Canadians back to work. That is what we had a mandate to do last October.

One of the key elements in doing that is to make sure that we have more effective employment programs and more effective social security programs. I believe we will have a willingness on behalf of all Canadians in all regions to work with us to obtain that objective.

I keep coming back: the only group that consistently, perpetually and continually says it does not want any reform, any change, or any improvement is the Bloc Quebecois.

* * *

GOVERNMENT EXPENDITURES

Mr. Preston Manning (Calgary Southwest): Mr. Speaker, my question is for the Minister of Finance.

Over the past six months both the House and the committees have scrutinized the spending estimates. Numerous proposals have been put forward to reduce spending estimates even further than contained in the minister's budget. Yet none of these proposals for reducing spending have been supported by government members. In fact last night even a modest proposal to reduce by $20,000 was defeated.

Would the minister please stand in the House today and tell all hon. members, those to the left of him, those to the right of him, those behind him, those in front of him, that it is okay to vote in favour of reductions in spending that go beyond his budget, that this is the nineties and not the seventies, and that he would welcome action by his colleagues to reduce spending levels below those contained in the budget?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development –Quebec): Mr. Speaker, government members of the House fully understand and share the views that it is necessary to cut the deficit, that it is necessary to cut government spending in order to do so, and, as we have said on many occasions, that it is very important to get Canadians back to work because that is the best way to cut the deficit.

Mr. Preston Manning (Calgary Southwest): Mr. Speaker, if members wanted to demonstrate that, the way is not through words but by supporting some of the motions to reduce spending below budget levels.

My supplementary question is for the minister. Earlier this year the government changed the standing orders to allow committees to make recommendations on next year's spending provided it was done before June 23.

Will the minister assure the House that he welcomes such recommendations and that he is predisposed to support them, including proposals to reduce spending below those that the departments may desire?

Hon. Paul Martin (Minister of Finance and Minister responsible for the Federal Office of Regional Development –Quebec): Mr. Speaker, I have said on numerous occasions in the House, in response to questions from the other side, that we are very open to legitimate suggestions for cutting spending or for making government more efficient.

I would also remind the hon. member that I hope members on that side of the House will support the government upon the completion of the very thorough, line by line, program by program, review which is being undertaken by the Minister responsible for Public Service Renewal.

* * *

(1440)

[*Translation*]

YOUNG OFFENDERS

Mrs. Pierrette Venne (Saint–Hubert): Mr. Speaker, Bill C–37 on young offenders created quite a stir among Quebec experts in juvenile crime.

Yesterday, in the National Assembly, the Quebec Minister of Justice asked his federal counterpart to withdraw his bill, a move he indicated would be extremely satisfying for Quebec and perfectly in line with the wishes of the people.

Does the Minister of Justice intend to accede to the Quebec government's request that he withdraw his bill?

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, the government intends to proceed with the bill to amend the Young Offenders Act in what we believe is in the interests of Canadians and the justice system generally.

I am sensitive to the observations made by my counterpart in Quebec. I have listened with care to the points that were made at the conference in March when I met with Mr. Lefebvre and with my counterparts across the country.

We believe the amendments which we propose in Bill C–37 reflect important improvements in the juvenile justice system while remaining flexible for the administration by each province in its own jurisdiction in accordance with provincial objectives.

[*Translation*]

Mrs. Pierrette Venne (Saint–Hubert): Mr. Speaker, in the face of unanimous opposition from stakeholders in Quebec, is the minister at least prepared to resist the minority repressive body of public opinion in English Canada expressed mostly in the West.

[*English*]

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, the amendments we introduced last week are not intended for Canadians in the west or for Canadians in the maritimes. They are intended as improvements to the juvenile justice system in Canada.

May I emphasize that a very significant part of those amendments are intended to enhance the very rehabilitative, community based and restorative penalties that are very commonly found in the Quebec administration of the statute and are intended to strengthen juvenile justice in the province of Quebec as well.

* * *

IMMIGRATION

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, my question is for the Minister of Citizenship and Immigration.

The minister has said on numerous occasions that he intends to consult the public before devising a 10–year immigration plan. However the minister has also repeatedly pledged to carry out the red book promise to increase immigration to an annual rate of 1 per cent of the population.

What is the minister's plan: to let the public direct the formulation of an immigration plan or to stick to the immigration targets already set out in the red book?

Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration): Mr. Speaker, the minister has been very clear on what his plan is.

The minister has put in place the largest immigration consultation in the history of Canada. That consultation will culminate in a national forum in September, at which time the plan will come forward. If the member has some patience she will find out in due course.

Mrs. Sharon Hayes (Port Moody—Coquitlam): Mr. Speaker, at the Montebello meeting the president of Ekos Research, Frank Graves, reported that a majority of Canadians believed that immigration levels were already too high.

The minister's plan to increase immigration levels to 1 per cent is clearly not in line with the views of Canadians. I say this is not a consultation plan. It is a public relations plan.

Will the minister admit that the real reason he is spending $1 million Canadian is to change people's opinions rather than listen to them?

Ms. Mary Clancy (Parliamentary Secretary to Minister of Citizenship and Immigration): Mr. Speaker, I thank the hon. member. I guess I have to say that if we could change people's opinions with a mere $1 million, life would be a little easier for all of us in the country.

This is a very broad based consultation. It is going on in every major centre. One person that the hon. member has brought forward says that immigration levels are too high. Admittedly other people say that too, but many other people who are frontline dealers with immigration say differently.

Our promise in the red book was to keep it at 1 per cent. We are consulting with members of the public across the country.

We will continue to do so. When that consultation is finished, we will bring forward a 10–year plan.

* * *

(1445)

WESTERN GRAIN TRANSPORTATION

Mr. Jean–Paul Marchand (Québec–Est): Mr. Speaker, the Minister of Transport yesterday very clearly declared that the federal government would put an end as of next July to all western grain transportation subsidies which total some $600 million.

On the other hand, the Minister of Agriculture and Agri–Food in hearing this statement admitted very clearly that no final decision by cabinet has yet been taken. Therefore, the statement by the transport minister has, at the very least, surprised and embarrassed the minister of agriculture.

How can the Minister of Transport justify his surprising statement about putting an end to western grain freight subsidies while visibly his colleague for agriculture was not informed, being that he underlined last night and in the House today that no final decision has yet been taken by cabinet?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, just to make sure the hon. member understands what was said yesterday, I indicated, as Minister of Transport, and as the budget document did, that we were looking at reducing subsidies from the Department of Transport for various forms of transportation.

I also clearly indicated that the Minister of Agriculture and Agri–Food and others have been involved in the consultative process that has been described by the minister today with a view as to how we can continue to support the farm community in Canada.

It is prudent, in view of our international trading agreements, to make sure we give a clear signal that changes will be made on how the WGTA is paid.

Mr. Jean–Paul Marchand (Québec–Est): Mr. Speaker, the Minister of Transport did in fact specify that as of July 1 all subsidies were to be withdrawn because of GATT. He knows or does not know that there is no direct link between the subsidies in the west and GATT.

Does the Minister of Transport not recognize he is being very insensitive regarding a program which has wide implications for both animal and grain production between the east and west? Does he not recognize that in the past such talk has always provoked violent outcries from the farming community?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I am sensitive enough about the situation in the west as it relates to the Crow that I do not have to read my questions as the hon. member just did.

I want to make it very clear that when we dealt with the question of what was going to take place on July 1 next year, we were very careful in stating that the Department of Transport recognized we had to change the way these subsidies were being paid, taking into account our international agreements.

I know the hon. member's background very well. If the hon. member is not familiar with what the implications of the international trading agreements are on how we are going to have to administer these kinds of programs, then he needs to do a little bit more homework and get caught up on what he was doing 15 years ago when he thought he knew something about agriculture.

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[*Translation*]

ANTILYMPHOCYTE GLOBULIN

Mrs. Eleni Bakopanos (Saint–Denis): Mr. Speaker, my question is for the Minister of Health. Since Tuesday, the opposition has been claiming that the lives of two children were seriously endangered after the drug ALG was administered to them. As a mother of two myself, I am quite concerned.

When did this incident happen? And is it true that the lives of these two children were threatened by this drug?

Hon. Diane Marleau (Minister of Health): Mr. Speaker, the Official Opposition's thoughtless allegations are serious indeed. First, the incident in question occurred five years ago at Sainte–Justine Hospital, in Montreal.

According to the hospital, two children out of fifty or so had a mild allergic reaction to the drug. Both were successfully treated and their transplanted kidneys were not rejected. Today, these two children are healthy. Justine Lacoste–Beaubien, who founded Saint–Justine Hospital in 1907, must have turned over in her grave hearing the Bloc talk in such a way about an institution she founded to save the lives of children in Quebec.

(1450)

I am responsible to Canadians for health, Mr. Speaker, and the Official Opposition has responsibility in that area as well. It should use some of its research budget to check its facts before alarming the Canadian public needlessly. If they want to launch a political attack on me, that is one thing, but they should not use children to do so.

* * *

[*English*]

CRIMINAL CODE

Mr. Garry Breitkreuz (Yorkton—Melville): Mr. Speaker, my question is for the Minister of Justice.

In 1991 the federal government ratified the United Nations Convention on the Rights of the Child. Since that time a debate has been under way in Canada regarding the right of parents to spank their children. Section 43 of the Criminal Code currently

protects parents who use reasonable physical force to discipline their children.

Can the minister advise this House whether or not he is currently considering a repeal of section 43 of the Criminal Code?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am aware that like most things involving the justice system, section 43 is under review in the Department of Justice.

I can also tell the hon. member that I know of no plan at present to propose a change to the section. If the situation should alter, I can let him know.

Mr. Garry Breitkreuz (Yorkton—Melville): Mr. Speaker, on March 22, 1994 the Toronto *Star* reported that 70 per cent of Canadian parents stated they believed it is sometimes necessary for parents to use physical force to correct their children's behaviour.

We are given to understand that the federal government is currently reviewing section 43 of the Criminal Code. Can the minister advise the members of this House who is conducting the review, the cost of the review, and when members of this House can receive a copy of it?

Hon. Allan Rock (Minister of Justice and Attorney General of Canada): Mr. Speaker, the review is being conducted within the Department of Justice.

On how much it is costing, I do not know that it is separately costed. I think it is part of the mainstream work of the department's professional staff but I can confirm that. As to what might become of the review, that is a matter for decision. No decision has yet been made whether proposals are going to be brought forward, whether discussion is going to be encouraged publicly, or whether a change is going to be proposed.

I can only respond by saying that like much of the justice system in general, that section is under consideration. No decision has yet been made whether a change will be proposed.

* * *

[*Translation*]

SHIPS UNDER FOREIGN FLAGS

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

The practice of foreign–flagging Canadian ships to bypass Canadian legislation has deprived Canadian sailors of jobs and the public treasury of revenues. The Minister of Finance will surely agree. Although this practice hurts Canada, some Canadian shipowners resort to it.

My question is this: How can the Minister of Transport justify the fact that two ships, the *Bluenose* and the *Atlantic Freighter*, which belong to Marine Atlantic, a company wholly owned by the Government of Canada, operate under the Bahamian flag?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, I thank the hon. member for his question. It is certainly something that should be looked into. I want to assure the hon. member that I will check today exactly when these two ships were transferred, because we know that Marine Atlantic has been in business for a long time and that the *Bluenose* in particular has been plying the waters of the Atlantic region for quite a while.

(1455)

I promise to get back to the hon. member as soon as possible to let him know when it happened. Of course, we will also examine the relevant policy.

Mr. Michel Guimond (Beauport—Montmorency—Orléans): Mr. Speaker, the Minister of Fisheries, who claims to be pursuing pirates everywhere on the seas, should perhaps start pursuing his colleague, the Minister of Transport, who is himself a pirate.

Some hon. members: Oh, oh!

The Speaker: Dear colleagues, I hope we will stay here rather than sink to the bottom of the sea. I would like the hon. member to withdraw the word ''pirate'', please.

Mr. Guimond: Mr. Speaker, I withdraw the word ''pirate'' but I simply wanted to point out that the minister is behaving like a pirate.

Some hon. members: Oh, oh!

The Speaker: I would ask the hon. member to withdraw that remark.

Mr. Guimond: Mr. Speaker, I withdraw that remark.

How does the minister explain that, according to the *1993–94 Lloyds Register of Ships*, these two ships belonging to Marine Atlantic are registered in the Bahamas with Nassau as home port?

[*English*]

Hon. Douglas Young (Minister of Transport): Mr. Speaker, having listened to my hon. friend put his question, I now understand his rhetoric a little bit better. Obviously he did his research in the Bahamas and they have great rum there.

Some hon. members: Oh, oh.

The Speaker: I think if this continues I am going to need a drink.

Mr. Young: Mr. Speaker, I have great consternation at being described as a swashbuckler so I thought I would find some rationale for it.

In any event I want to repeat my undertaking to the hon. member that I will look into the question of the registry of the two ships he has referred to. I will look specifically at when those ships were registered under the Bahamian flag because obviously they have both been in operation for a significant amount of time. I would want to see that the Bloc Quebecois, and especially the Leader of the Opposition, is consistent in its approach as to foreign flagging of vessels in Canada.

* * *

AIR CANADA

Mr. Jim Gouk (Kootenay West—Revelstoke): Mr. Speaker, earlier this year the Minister of Transport made a backroom deal to grant Air Canada landing rights in Osaka, Japan. At the time he denied that any deal had been made, but two days later the story changed. Now Air Canada is pressing to have further landing rights granted in Japan and in China.

Will the minister advise this House if he is involved in or contemplating any unilateral backroom deal of this nature with Air Canada?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, no.

Mr. Jim Gouk (Kootenay West—Revelstoke): Mr. Speaker, will the Minister of Transport agree and commit to this House that negotiations involving Air Canada and Canadian Airlines will be left to those companies unless government intervention is requested and then be fully visible and transparent?

Hon. Douglas Young (Minister of Transport): Mr. Speaker, of course if the senior people at Air Canada and Canadian Airlines International wish to discuss matters of mutual interest that is entirely within their prerogative. With respect to it being transparent, that again would be something they would have to decide on the basis of their commercial interests.

I do want to indicate that any decisions with respect to the allocation of routes is always looked at meticulously. We hope it will always be done in the best interests of both our national airlines and the Canadian public in general.

* * *

(1500)

[*Translation*]

CRTC

Mr. Benoît Serré (Timiskaming—French River): My question is directed to the Minister of Canadian Heritage.

I will take advantage of this lull in the opposition's offensive. Has the minister received formal objections from francophone groups outside Quebec regarding the CBC's news network, and what does the minister intend to do to ensure that francophones in Canada receive the services to which they are entitled?

Hon. Michel Dupuy (Minister of Canadian Heritage): Mr. Speaker, I can confirm that I received a request from the Fédération des francophones et acadiens, asking me to intervene so as to amend or reverse the position taken by the CRTC regarding this network. I intend to make recommendations to the Governor in Council so that he can make a decision within the timeframe prescribed by the act.

* * *

[*English*]

PRESENCE IN THE GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Dr. Sein Win, the Burmese Democratic representative.

Some hon. members: Hear, hear.

* * *

[*Translation*]

BUSINESS OF THE HOUSE

Mr. Michel Gauthier (Roberval): Mr. Speaker, as you may have guessed, I would like to ask the hon. member to announce the order of business for the next few days.

[*English*]

Hon. Herb Gray (Leader of the Government in the House of Commons and Solicitor General of Canada): Mr. Speaker, I respond to the request of the opposition House leader to deliver the weekly statement of business that the government intends to call.

First, I wish to thank the House leaders of the parties opposite for their co–operation in sharing information in order to facilitate the business of the House for the rest of the month.

In outlining this business I would caution the House that there may be changes from time to time in order to accommodate members with a view to expediting this business.

I must also point out that much of the agenda depends on the timeliness of bills being reported from committees.

Today the House will continue its consideration of Bill C–34 and Bill C–33, the bills regarding native self–government and land claims in Yukon. We hope that we will be able to complete second reading of these bills today but if we cannot we will fit them in for completion early next week.

Tomorrow we will call Motion No. 13 concerning a committee review of the Canadian Environmental Protection Act.

On Monday the first item of business will be Bill C–35, the citizenship department reorganization bill.

There are ongoing discussions as to whether we might be able to do this bill at all stages. If we are not able to do so we will merely complete second reading. This will be followed by Bill C–23, the Migratory Birds Convention Act, and Bill C–24 concerning wildlife.

I understand that there may be a disposition if there is time to commence with Bill C–11 regarding tobacco on Monday evening.

In any case this bill will be the first business on Tuesday. It will be followed by Bill C–16 regarding the Sahtu Dene Land Claims and Bill C–36 respecting the Split Lake Manitoba flooding agreement.

We would then begin the report stage of Bill C–22 regarding the Pearson airport.

In order to accommodate the critic for the Official Opposition on this bill who cannot be here on Wednesday, if the other business is moving less quickly than expected during the day we will discuss moving Bill C–22 up in order to get a start on it while he is still here.

(1505)

On Wednesday we will begin with Bill C–12, the Canada business corporations bill, followed by Bill C–28 regarding student loans, and Bill C–31 concerning Telefilm Canada.

If this is not feasible, after consultation we could return to consideration of Bill C–37, the Young Offenders Act, a bill that I understand will require a considerable amount of debate.

On Thursday we will call Bill C–38 regarding security of marine transportation. It is the intention of the government to make this bill subject to the new Standing Order 73(1); that is, to refer it to committee before second reading.

The remainder of Thursday will be taken up by Bill C–22 and any other spill–over from earlier in the week.

We expect to introduce the lobbyist legislation late next week and to devote Friday to a consideration of a motion pursuant to Standing Order 73(1) to refer that bill to committee before second reading as well.

We are now beginning to use one of the new provisions that we all agreed to when we passed an order to update our standing orders a few months ago shortly after we adopted the throne speech.

In any event, it may be presumptuous to attempt to project into the last week the House will be sitting, the week of June 20, but I can at this time indicate to the House that the government intends to place before it during that week Bills C–32, C–30, C–25 and C–7, as well as a bill implementing miscellaneous statute amendments already reviewed by the justice committee in addition to asking the House to complete any unfinished business from the week before.

If we have time I am sure there is a lot of other work we can do.

The Acting Speaker (Mr. Kilger): Do I dare say is that all?

GOVERNMENT ORDERS

[*English*]

YUKON FIRST NATIONS SELF–GOVERNMENT ACT

The House resumed consideration of the motion that Bill C–34, an act respecting self–government for first nations in the Yukon Territory, be read the second time and referred to a committee.

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, as we had been debating prior to the break, Bill C–34, I was pointing out that the department of Indian affairs has spent $50 million creating a cottage industry around the negotiations on land claims and, of course, the inherent right to self–government. This has simply benefited the lawyers and the political leaders, while at the same time the deplorable living conditions of the individual aboriginal person have not changed one iota as a result of the expenditure of these funds.

Fifty million dollars later and the introduction of Bill C–34, we still have so many unanswered questions. Topping the list is the question: What is aboriginal self–government going to look like? Does it mean a transfer of power, or just a transfer of administrative responsibilities? Will it mean that 30, 40, 50 or 100 nations will each have their own governments, and power to pass their own constitutions, their own laws and their own citizenship status?

It is simply going to add a new layer of government to what we have now, and it is going to result in more duplication, taxes and debt.

Will the federal and provincial governments be overwhelmed by the demands of many small and inefficient governments?

(1510)

How will the Canadian Charter of Rights and Freedoms apply? Will they have their own constitution, their own system of justice and education? These are all things that are promised within this document. I would like to just touch for a moment on the area of the Constitution.

They are granted the right to create their own constitution. The very definition or the very words ''inherent right to self–government'' would indicate that the laws passed by either the federal or provincial governments will not apply to them. How in the world can we expect them to create a constitution that will direct their inherent right to self–government if that constitution is not independent of the Constitution of Canada including the

Charter of Rights and Freedoms? That question has not been answered by the creators of this bill.

Will non–aboriginal peoples be subjected to the powers of governments that are beyond their control? What kind of self–government rights will aboriginal people have when they are not on an aboriginal land base? Will I need a passport when entering these new territories? The questions go on and on.

I feel that I cannot support this bill, although I support, as many of my colleagues do, the direction in which this bill goes. However the questions that we have raised in this debate so far have not been addressed. Before this bill can be supported we must make sure that we know exactly where we are going with the bill, the rights and obligations attached to this bill and the responsibilities of not only the two senior levels of government but also the responsibilities of this new form of government that we will be forming.

Mr. Keith Martin (Esquimalt—Juan de Fuca): Mr. Speaker, it gives me great pleasure here to speak on Bill C–34 which represents the settlement of four self–government agreements in Yukon with the native peoples.

There are 10 more self–government agreements that still have to be settled. This bill if it is passed will give further agreements to be ratified by cabinet alone and therefore does not have to come under the scrutiny of Parliament and therefore the scrutiny of the Canadian people.

The purpose of this agreement is to deal with aboriginal self–government to a vast and sparsely populated part of Canada. I think it is worthwhile for us today to discuss some of the salient points of this bill, what it would give the native people, vis–à–vis the Canadian people, the rest of Canada.

Bill C–34 gives special rights and special privileges to some of the native peoples of the Yukon Territory. As a representative here of all Canadians I have some problems with this. This bill is divisive. It will define the citizens of the First Nations as a separate group of citizens. Therefore what we would have in this land are two citizenships, citizens with different rules and regulations pertaining to each group.

As a result of this we are setting up separate governments for separate nations within the borders of this country, new governments with broad legislative powers, independent legislative powers of the rest of the country.

Native peoples see themselves as separate nations and not part of Canada. This I recognize. It is obviously a philosophical point of contention. To see oneself as a nation that is separate from another within the borders of this country may sound good to some, but I think that it is only divisive.

The native people should ask themselves if this is indeed going to improve their social and economic situations or will it be divisive and counterproductive. The rest of Canada must also ask whether they are prepared to accept this within the borders of their country.

Yukon I believe, as most Canadians believe, belongs to all Canadians. Let us elaborate on some of the nitty–gritty of these bills. Bill C–34 will increase the number of governments in Yukon right now up from two to sixteen. This would produce an increase in bureaucracy, in taxes, in rules and regulations for only 7,300 people, 20 per cent of the people who live there. This is apartheid. It smacks of the old South Africa. In effect we are creating separate nation states within the borders of our own country. This is a new brand of Canadian apartheid.

(1515)

Apartheid, as we know, means separateness or apartness for those who do not realize it, not togetherness, and this at a time when above all else we need to work together. It is wise to reflect on the meaning of this when we look at what will be happening to the Yukon if these bills are passed. It will mean a division among people.

Another question that has not been asked concerns the structure of the legislative body that would have the ability to pass laws and legislations within the Yukon. This has yet to be finalized but would be left up to the native legislative body. I can say this though, it does enable the body to give the power to a single person to enact legislation. There are no rules and regulations concerning democratic institutions in this bill and this concerns me greatly.

Who will be paying for this self–government? The Canadian taxpayers and the native people together will be paying for it. However the Canadian taxpayer will be footing the major portion of the bill. Then they must also have a say in what will be the outcome of the negotiations on this bill. The cost would be far greater than that which is borne today by the federal government to provide services to the aboriginal people in this area.

We must stand back and look at the larger issue here, in fact the most important issue, the welfare of the native people. No one disputes the ability of any individual to exercise his or her democratic rights and freedoms. I do not think anyone has a problem with enabling any group of people who live in an area to govern themselves by municipal powers, the same municipal powers that are given to any other area of the country.

However will providing these vast, expansive special agreements to the rest of Canada, a part of Canada that belongs to every Canadian, help the welfare of the native people? Let us get

down to brass tacks here and call a spade a spade. Many of the native communities tragically are wracked with very high rates of suicide, alcoholism, substance abuse, unemployment, depression and sexual abuse.

As a physician I have spent much time in northern British Columbia working with native people. The plight of these individuals breaks my heart. I have seen individuals raped, had their heads put through walls, beaten up, smashed up, shot and killed, people who have suffered the ravages of alcoholism. I have seen them go for years, suffering these ravages only to have to pronounce them dead on the gang plank of an emergency department.

It is intolerable for this to have occurred and it is intolerable for it to continue. Part of the blame rests on the non–native population and in particular Canadian governments that have continued to treat people in a paternalistic fashion by providing for them many of their basic needs without trying to do much to stimulate self–reliance.

Whenever you give an individual or group their basic needs they will lose their desire to fight for these things and therefore lose their self–respect, pride and self–reliance.

I also put a large part of the blame squarely on the shoulders of the native population and native leaders who in my opinion have been unwilling to take the bull by the horns and ask what they can do to pull their communities out of these tragic situations.

Do the native peoples' leaders truly think that settling these land claims and self–government in a different fashion from anybody else—it is important to emphasize different—is going to do much to alleviate these tragedies? Are they trying to carve out an area of Canada for their people based on history and have them live like they did 150 years ago? If so, do they think that their people want or need this?

If you want to go back to living off the land so be it, but you cannot expect to do that and still have a VCR, car, CD player and many of the other amenities of 20th century, first world lifestyle. In other words, you cannot have it both ways.

Over time and history, groups of individuals have moved from one area to another, expanded and taken over certain areas where others live. This has occurred, whether you are speaking of Canada, America, Australia or England. It has been a fact of life and a fact of the history of mankind. It is something that none of us here can do anything about. We must look ahead, look into the future and determine how all people in the country can have their socioeconomic situations improved. This is particularly important for the native people because their socioeconomic situation is the poorest in the land.

(1520)

However it is incumbent on the native people to ask themselves what they can do to help themselves. In my discussions with native people, it has been sorely lacking. They speak about getting back pride and self–reliance. I can tell members that the only way to get back pride and self–reliance is if you earn them yourself. You only achieve these things through your own hard work, your sweat and your desire to fight for your basic necessities and your life.

Pride and self–respect are not things that are given to someone, paid for or bought. They are only things that come from within your heart and soul and only from your ability, as an individual or community, to fight for your own life. I do not mean this in a pugilistic sense or by taking up arms. I mean this figuratively and in a spiritual sense.

When one works hard and fights for one's life in this world, win or lose, one develops a sense of pride, self–respect, self–reliance, self–esteem that nobody can take away. It is the only way that this will come to the native communities.

As I have said before, it must come from within the people. Canadian governments and provincial governments have done too much to pander to the communities. They have taken this desire away from them, this fight to become the best that they can become.

Cultural, social and linguistic integrity does not have to be lost but again the responsibility for this resides squarely on the shoulders of the native population. Canada's cultural mosiac is a great benefit to every citizen. For the native population to lose its history and its culture would not only be a disservice to them but to every citizen, native and non–native.

Rather than dealing with trying to buy out the native populations with these huge land claims, perhaps it would be better for us to determine ways that together we can work toward helping the native population becoming self–reliant. Of course this does not preclude the concept of municipal governments in areas where there are native populations but these rights are the same for every Canadian, non–native and native. I will reiterate this again. The rules, regulations, laws, responsibilities and privileges of a citizen of our country must be equal for everybody, native or non–native together.

Mrs. Karen Kraft Sloan (York—Simcoe): Mr. Speaker, I guess I am somewhat puzzled by the statement of the member from the other side.

He said that he has worked with First Nations' people as a medical doctor and has talked to them. It seems to me that he really has not listened to them, nor has he learned anything about them. He talked about self–government but he has talked about it in a somewhat befuddled way. If he were to truly

understand what self–government is about, he would change a lot of the statements that he just made.

I had the honour of sitting in a meeting with a group of chiefs from across the country. A very articulate chief from the west spoke about self–government. He spoke about his relationship with the Department of Indian Affairs. He spoke about the problems that native people have because they do not have the same rights that many Canadians take for granted.

Moneys that are generated through leases and economic activity in their communities goes to the department. They have to apply for moneys through budgets. These budgets can be turned down. He gave a very eloquent and poignant description of this life and he looked to me and said: ''Self–government is just a way of having the same basic rights that other Canadians enjoy''.

I am really at a loss to come up with a question for the member on the other side. I only have a suggestion and that is to open your mind and your heart—

(1525)

The Acting Speaker (Mr. Kilger): Order. I know that in debate people feel a great deal of conviction and are very committed to the issue they are debating. However I want to remind all members that it is in the best interests of all members in the House to direct comments in a less personal fashion through the Chair.

I would ask all members to keep that in mind throughout the day.

Mrs. Kraft Sloan: Mr. Speaker, I would ask the member to think about some of the experiences he has had, open his mind and his heart and really listen to what people are telling him. He should investigate what it is like for people in native communities and the kinds of relationships they have right now and really explore what self–government is all about.

Mr. Martin (Esquimalt—Juan de Fuca): Mr. Speaker, I do very much appreciate the comments of the hon. member. Whether she believes it or not what she is saying is supporting what I have said. I agree with many of her comments.

The Department of Indian Affairs is paternalistic, does not serve the native people at all and should be eliminated. They agree with that and I think many people in the House do. It is insulting for them to have an institution such as that govern them in the way it does. They do not deserve it.

I will reiterate it again as I did at least twice in my speech that we in this party stand for equal rights, equal status and equal opportunity for all Canadians, natives and non–natives. We should concentrate on investing our efforts collectively, natives and non–natives together, to determine how every individual who lives within this beautiful country can become the best they can.

We have to dismantle some of the barriers for native people. I would ask whether settling these land claims is going to do that. An economy cannot be created in some of the far away places where these land claims are to be settled and expect individuals to improve their socioeconomic situations. It will not happen. We must provide a helping hand to enable native peoples to become the best they can become. I am sure that we can do that.

Mr. Darrel Stinson (Okanagan—Shuswap): Mr. Speaker, Bill C–34, an act respecting self–government for the First Nations in Yukon Territory is a bill which I would very much like to support.

I would like to support it and I say this with absolutely no malice toward the Minister of Indian Affairs and Northern Development because I personally look forward to the day when the Department of Indian Affairs no longer exists. When that day comes it will mean that people born on Indian reserves or people born of First Nation parents have assumed their full rights and responsibilities as adult citizens rather than living under the not always benevolent dictatorship of some distant white parent figure in the federal government.

I would also like to support Bill C–34 because I know that men and women around the world regard aboriginal peoples as a world treasure. Any modern nation which can bring its aboriginal peoples into full partnership in the modern world will be deserving the world's praise and gratitude.

I would like to support Bill C–34 if I could because it is only right and just that as the First Nations people demonstrate their readiness to take over their own affairs, that right should be handed over to them in a reasonable and efficient manner.

Finally if it were possible I would support Bill C–34 because the policy of the Reform Party of Canada passed by our many thousands of members at our regular assemblies supports: ''Processes leading to the early and mutually satisfactory conclusion of outstanding land claims negotiations—enabling aboriginal individuals, communities and organizations to assume full responsibility for their well–being by involving them in the development, delivery and assessment of government policies affecting them''.

Given my own commitment to those four reasons for supporting progress toward native self–government, it was with real disappointment and mounting frustration that I read the reasons why I cannot support Bill C–34.

(1530)

The incredible twists and turns of this bill have created a strangely complex administrative trap set to ensnare well meaning officials of both the involved First Nations and the Yukon territorial government.

I have no wish to say anything bad about the motives of the people who put Bill C–34 together. No doubt they had the best intentions. Regardless of their good intentions, they have started Canada's long desired progress toward native self–government by making two fundamentally wrong assumptions.

I am deducing their assumptions by looking at what Bill C–34 provides. In its schedule III, parts I, II, III and IV, Bill C–34 provides these First Nations with jurisdiction over virtually every item relating to creation, preservation and defence of peace, order and good government that would be granted to a nation such as Canada.

For example, the First Nations will have jurisdiction over manpower training, which the province of Quebec has long been seeking but was not granted. Additionally Bill C–34 provides these First Nations with jurisdiction over the control or prohibition of the possession and use of firearms and other weapons and explosives.

Part III, number 21 gives this a power which has been reserved for the federal government and not even given to governments at the provincial levels. With the passing of Bill C–34, that right to make firearm laws will be handed over to these four First Nations.

As a third example, portions of Bill C–34 relating to administration of justice point out that some interim agreements must be concluded, but once such agreements expire these four so–called First Nations shall have the right to administer justice including imposing fines up to $5,000 and imprisonment for up to six months.

In other words, Bill C–34 is taking very literally the term nations when legislating to these four groups of natives. Is this reasonable?

I am not a student of world geography, but I frankly cannot recall reading about any nation in the world which has a population of under 10,000 people. In Canada our towns, municipalities and regional districts have more than 10,000 people and those administrative levels of governments are often hard pressed today to pay for the kinds of things required from municipal level governments; for example, to pay for the salaries of building inspectors to be sure that new construction complies with standards for things like electrical wiring, soundness of building foundations and fire safety.

Bill C–34 regards each of these four so–called First Nations as being a nation with virtually all the rights and responsibilities of a modern developed country like Canada, whose population is 28 million.

Bill C–34 extends the special rights, privileges and duties of nationhood to these groups whose total population is approximately 7,300 native people, divided into 14 bands and scattered across some of the most sparsely populated land remaining on our planet.

Again I must ask my colleagues of the House: Is this reasonable? From my personal point of view it is so far from being reasonable that it seems tragic. I say that Bill C–34 is tragic because by expecting far too much Bill C–34 dooms one of Canada's first experiments in native self–government to failure, for on to the shoulders of these 7,300 natives will fall the responsibility to administer some 16,000 square miles of land equivalent to about 75 per cent of the province of Nova Scotia which the land claim agreements of Bill C–33, the companion piece of this legislation, will hand over in fee simple ownership.

In case some hon. members may doubt what I am alleging here, let us look at some of the other responsibilities which will fall on the small native population. On that piece of land, three–quarters of the size of Nova Scotia, they will be responsible for all use, management, administration, control and protection. That is part III, item 1.

They will be responsible for all allocations and dispositions of rights and interests in that land for the use, management, administration and protection of natural resources for all businesses, professional and trade licensing, for all construction, sanitation planning, zoning and land development, for controlling operation and use of vehicles, local services and facilities, for preventing pollution and protecting the environment.

(1535)

In short, nobody needs feel concern over unemployment in this area of Yukon because virtually every adult will be getting a job from the new First Nations government.

At a time when the people of Canada are complaining about being overgoverned, Bill C–34 carries overgovernment to undreamed of extremes.

One incorrect assumption of the people who drew up Bill C–34 is that the term nation should be applied literally to these tiny isolated groups, reserving for the federal government only such limited functions as postal service, international agreements, military defence and the jurisdiction of the federal court.

The second bad assumption which the drafters of the legislation apparently made is that these native groups are fully ready for such an advanced stage of self–government. To return to the Reform Party policy on the subject, because it has the unusual merit of making plain common sense, unlike Bill C–34, the Reform Party supports: ''The establishment of a new relationship with aboriginal peoples beginning with a constitutional convention of aboriginal representatives to consider their position on such matters as the nature of aboriginal rights, the relationship between aboriginal peoples and the various levels of government, and how to reduce the economic dependence of

aboriginal peoples on the federal government and the department of Indian affairs''.

To the best of my knowledge none of this preliminary groundwork has been completed. I believe it is particularly important for native peoples to work out agreements with neighbouring municipal level governments with which they could share the cost burden of providing that more realistic level of self–government services.

I would like to draw to the House's attention the question of drawing up a constitution for these First Nations as probably the most essential missing pieces of Bill C–34.

Regarding creating a constitution, many people around the world have been impressed by the process used by the new South Africa in moving away from its old white race dominated system of government to a new country based, at last on the fundamental democratic principle of one person, one vote.

Once the political will was there, South Africa accomplished this transition fairly quickly by establishing, first of all, a temporary constitution to determine how the election should take place, some soft boundaries for the future nine provinces, and the rough framework whereby the newly elected federal officials, balanced by an equal number from each of the nine new provinces, will gather to draw up South Africa's long term constitution, subject to ratification by the people.

In order to establish these four Yukon First Nations, to the best of my knowledge and research, no such constitutional details have been spelled out.

What Bill C–34 does provide is some standards which must be included in the constitution of these First Nations, including what is required for citizenship and procedure for determining whether a person is a citizen; what shall be the governing bodies of the First Nation, including such things as membership, duties and procedures; a system for these governing bodies to be financially accountable to the citizens; a way to recognize and protect their rights and freedoms; a way to challenge the validity of laws and quash the laws seen as not valid; a way to amend the constitution.

Unfortunately a number of key questions are not discussed. For instance, who is to draw up these constitutions for each of the four First Nations involved? What time frame are they to follow? Do the native people get to vote on their own proposed new constitution? If so, how? Will our Canadian Charter of Rights and Freedoms be followed in these new nations?

On all of these essential points, Bill C–34 is silent.

However the legislation does contain something which does not, in my opinion, properly belong in any bill which a responsible government asks members of this House to support. Bill C–34 asks Parliament, by passing this one piece of legislation, to give blanket approval, sight unseen, to self–government agreements for 10 additional Yukon bands, according to Clause 5(2): ''Where a self–government agreement is concluded with a First Nation after this act comes into force, the governor in council may, by order, bring the agreement into effect and add the name of the First Nation to Schedule II''.

(1540)

I believe this particular clause is the height of irresponsible behaviour by the present government. In the way of things, another government altogether may be in place before the 10 other self–government agreements have been concluded.

Members of today's Parliament could be giving this blanket permission to a cabinet not even yet elected. I submit to my colleagues that this simply is not a conscientious way to fulfil our obligations to all the people of Canada. It is at best a slip–shod kind of behaviour which no conscientious people would exercise in the conduct of their own personal affairs, much less the affairs of this great nation.

In conclusion, I would like to suggest some positive alternatives to Bill C–34, which I regard as having such serious flaws that it cannot be remedied even by numerous amendments.

In the very desirable process of going along with our aboriginal peoples as they follow the road to self–government, I believe that we must simply start at the beginning of the road and not leap with little caution toward the road's end. The beginning of the road to aboriginal self–government is holding an aboriginal constitutional convention at which the native peoples spell out what conditions they want to live under and what responsibilities for government and administration they want and are ready and financially able to assume.

For example, I doubt that the people of Canada would question or deny the aboriginal right to administer First Nation affairs and operation and internal management of the First Nation, together with the management and administration of rights and benefits realized by the aboriginals' agreement with Canada.

I feel certain that the people of Canada would be pleased and proud to see natives assume full responsibilities for programs and services relating to their spiritual and cultural beliefs and practices as well as the preservation of their aboriginal language and culture. However, far too little thought and planning has been devoted to the ways by which our native peoples would end their financial dependence on the rest of Canada.

There is no joke about the golden rule, that he who has the gold makes the rules. In our society to be regarded as a responsible adult is to take full responsibility for one's self. In my book that does not mean negotiating such huge settlements of land, cash and resources that the most minimal common sense

about investment will allow the beneficiaries to pursue their own chosen lifestyle forever.

In the rest of Canada people with many types of handicaps pride themselves on being able to work to be as self–supporting and independent as possible. Frankly, to say that for some reason our native people are not equally able to become self–supporting and independent seems to me to be racism of the worst kind.

I look forward to the day when a responsible government will bring to Parliament the kind of legislation enabling aboriginal self–government that all members of this House will be pleased and proud to support. Unfortunately, Bill C–34 does not fit that description.

Mr. Charlie Penson (Peace River): Mr. Speaker, I thank you for the opportunity to speak on this very important topic this afternoon.

I spoke a month ago on Bill C–16 which laid out a settlement for land claims with the Sahtu Indian bands. I stated at that time that I was opposed to the bill on the grounds that it was overly generous. I also stated my concerns that the bill was setting a dangerous precedent. My thinking on these two bills before us today is much the same.

I support the concept of self–sufficiency and self–reliance inherent in the successful land claim settlement process. In no way do I argue with these in principle. I also encourage this government to dismantle the department of Indian affairs and let the people involved conduct their own affairs.

This approach develops responsibility and places decision making in the hands of those most directly involved.

Bill C–33 will validate land claims entered into between Her Majesty, the Government of the Yukon Territory and certain First Nations of the Yukon Territory. Bill C–34 is an act respecting self–government for the First Nations of Yukon territory. These two bills represent only four land claim agreements and four self–government agreements. There are 10 more of each to come in the Yukon. I might add there are about six pending in my riding of Peace River.

(1545)

The 14 land claim agreements would convey fee simple 16,000 square miles of land for these 14 bands. As my colleagues have said, that is equivalent to roughly three–quarters the size of Nova Scotia. The Government of Canada also agrees to pay $243 million in 1989 dollars over a period of 15 years. That is very substantial.

Clause 5 of Bill C–33 would allow the other 10 land claim agreements to be ratified by the approval of cabinet rather than by Parliament as a whole. In much the same way, clause 5 of Bill C–34 allows the self–government agreement to be ratified by cabinet as well.

At the present time, law making in Yukon is entrusted to two legislative bodies in Canada: the Parliament of Canada and the Yukon legislature. When this bill is passed, the number of governments having the right to pass laws in Yukon or parts of Yukon will go from two to sixteen. This means there will be more bureaucracy, more taxes, more laws and more rules and regulations. How can this possibly be in the best interests of Canada? We have just heard from my colleague from Okanagan that some of these are very small in terms of the amount of people involved and the efficiency of skills certainly cannot be achieved.

A number of questions need to be addressed. Will the new self–government have to function within the provincial, territorial or federal framework? That is a very important question that needs to be answered for Canadians. Why is it not spelled out explicitly that the self–governments must respect the authority of the Parliament of Canada?

Does the Canadian charter apply? Obviously it does not. Why is it not specifically spelled out in this legislation that the Canadian charter should apply?

The population of Yukon is about 32,000. To accommodate 20 per cent of that population, some 7,300 people, we are going to have 14 new governments. That does not make any sense to me. Who is going to pay for these governments? The country is already borrowing heavily abroad to finance the excessive spending of our federal government. Do we really want to ask the Japanese or the Americans to finance 14 more governments?

Let me read to members clause 24 of Bill C–34 which deals with funding: ''The minister may, with the approval of the governor in council and subject to appropriations by Parliament, enter into an agreement with a First Nation, for the provision of funding by the Government of Canada to the First Nation over the period of time and subject to the terms and conditions specified in the agreement''. To me, that sounds like a blank cheque and I do not think Canadian taxpayers will buy it.

Frankly, I am not prepared to commit my children and my grandchildren to who knows how many millions of dollars in future payments. I am not prepared to set this kind of precedent for future aboriginal self–government agreements.

As a member of the Reform Party I support the expeditious settlement of land claims leading to self–sufficiency. That is a very important distinction, self–sufficiency. I also support a modest form of municipal style self–government. That is a very important first step before we embark on any other notions that it may be federal or provincial. Bill C–34 goes much beyond that. I simply cannot support the direction in which these two bills are taking us.

I further object to the underhanded way in which these two bills are being pushed through. The Liberal red book promised integrity in Parliament, yet these bills were introduced only last week. Surely there is more time. This House has to work effectively. One week is certainly not enough time for MPs. These bills were introduced only last week with second reading occurring today. How can MPs properly prepare a response and debate a very complex package that took some 21 years to prepare in such a very short time?

The agreements made so far which Parliament is now asked to ratify are nine inches thick. That gives some perspective of what is involved here and how complex they are. They represent only four of fourteen land claim agreements and only four of the fourteen self–government agreements.

(1550)

If Bills C–33 and C–34 are passed, only cabinet will have to approve the other 10 yet to come. There is something seriously wrong here. I will vote against these bills and I urge my colleagues in this House to do the same.

Mr. Len Taylor (The Battlefords—Meadow Lake): Mr. Speaker, the Reform Party has said on several occasions this afternoon there was not enough time to prepare for this debate. Was the Reform Party not aware that this agreement was signed a year ago and that implementing legislation would have to be brought to the House at some point? Did Reform members not prepare and do their homework prior to the introduction of the bill so they would be prepared for the debate knowing it was coming forward?

Mr. Penson: Mr. Speaker, I am glad to have that question asked. We have been trying to find out from this government, the minister of Indian affairs and the Prime Minister himself. On many occasions we have asked them to define what native self–government means and we have been unable to get any kind of a direct answer. They have been very evasive.

The most important question that needs to be asked is: What does native self–government really mean? Is it municipal government, provincial government or federal government? Those kinds of parameters have to be spelled out before we can embark along what we know is going to be a very long trail because a lot of other land claims are going to be coming before us.

I still think we need to defeat this bill. I hope the Senate will have enough common sense to send it back to the House and make this government define more clearly what self–government means.

Mr. Gordon Kirkby (Prince Albert—Churchill River): Mr. Speaker, I believe that the question of the member for The Battlefords—Meadow Lake has gone unanswered. This agreement has been signed for quite some time now and I believe the hon. member mentioned it has been about a year. Could he not have asked for this agreement in order to get ready for this debate? We would like a direct answer to that.

Mr. Penson: Mr. Speaker, it is interesting that when this government wants to implement something it agrees with like native self–government, it seems it can be done very quickly, but when it comes to cancelling the Pearson airport deal that is another matter. The former government was wrong and lot of blame was put on it. Now this government seems to be hiding behind the skirts of the former government in that the deal was negotiated so now it has to be finalized. I do not think that is a good enough argument.

Mr. Bob Mills (Red Deer): Mr. Speaker, we need to put this whole issue in a different perspective. For the last three months I have been involved in the foreign affairs review. We have been looking at different countries and the property disputes, future disputes and the ethnic and racial tensions that have developed. I can see many of the things we have looked at there when I look at the type of legislation we have before us today. We might simply be trading one problem for another. We should take a serious hard and long look at some of the poorly thought out measures in this bill.

First I should make clear that I and certainly my party believe the department of Indian affairs is a mismanaged, poorly operated bureaucratic nightmare. All of us can agree it is something long overdue for reform. We can also agree with the principle of self–government. However, before something like that is set up there must be the criteria and an understanding of what you are getting. As was just mentioned the minister has been asked over and over again what is meant by self–government and the answer has never come.

(1555)

My general overview of self–government is one where we have a municipal–like organization. It is one which has limited powers and co–operates with the other levels of government. It is one which is harmonized at all levels and one which leads certainly to a better form of government for its people. The most important words would be ''democratically chosen'' and democratically representing the entire group of people, the grassroots. It does not mean representation by a clique, by powerbrokers, by a mob–like government, which in fact can happen if there are no restrictions or if the people are not ready for that type of government.

In examining the bill itself we see a very broad range of powers being given, literally an unlimited set of powers with absolutely no guarantee of any kind of democracy. We see more bureaucrats, more rules, more laws, more regulations, and more waste. We in fact see something possibly worse than the department of Indian affairs is today. Relating back to the world

situation, if people are not ready for self–government and are not prepared to work by certain criteria, which they should have a part in establishing, then you have nothing but disruption and ultimately possibly chaos.

Also there is no mention in this bill as has been mentioned a number of times before about the charter of rights. I do not think there are any Canadians including the native people of Yukon who would not want the charter of rights included in any kind of government they might have. If those charter of rights cannot be guaranteed, that is how countries get into human rights abuses, how they get into an area where the people are not protected from that power clique that could potentially run the proposed government.

We have to stop and look at this and get the people along with the experts to define what exactly we mean by self–government.

This is setting a serious precedent for the future. We are going into uncharted waters and we are going to come up with proposals that are going to be used in other parts of Canada. Are we sure these in fact are the rules by which we want to play? Certainly by removing any future settlements and allowing cabinet to decide these could not be much less democratic. We have literally taken the people out of the equation and have put it in the hands of politicians. I do not think that is a decision that is current with the way Canadians are thinking.

With the big picture now in place, do Canadians really know what they are getting? Do the natives of Yukon really know what they are getting? What are the repercussions later? Are the seeds of racial and discriminatory practices being sown by a bill like this? The potential is there. You just do not know enough of the guidelines or there are no guidelines to guarantee that will not happen. We have then a poorly defined self–government and the repercussions are for Canada entirely. There is no place that does not have a land claim in Canada and so the repercussions are great.

Of course there is the cost. No one really has talked about that. We have talked about the blank cheque in clause 24 and we have to ask as to who pays. We have to ask about the kind of repercussions that could come from the Canadian taxpayers when they find the price tag on this kind of agreement that has been signed.

This is just another case of legislation that will come back to haunt us in the future. It is another time when we should take a sober reflection and look at it before we move forward. The government should be happy to blame the last government for this kind of botched deal. Obviously the Canadian people believe the last government botched things pretty badly. This would be an opportunity then to simply reiterate that, as the Canadian people told us last October, go back and do it right, set the criteria and put this bill on the back burner until we can come up with something better.

(1600)

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, I rise today to give a Saskatchewan perspective on the issues of Yukon aboriginal self–government and the land claims that are before this House today.

What is happening in the Yukon is very important to those of us in our province as well. Certainly today we are setting legislative precedents. We must be very careful about this, thorough in our analysis and creative in our proposals for solutions.

These issues are of real concern for people in my province. We have a significant and growing aboriginal population. In fact by early in the next century, some believe that the aboriginal population in Saskatchewan will approach a majority percentage.

I would like to raise four specific areas of discussion taking place now as we contemplate the present and future factors. Number one is the concerns of the Saskatchewan rural municipalities regarding land claims. Rural municipalities in Saskatchewan have a deep concern about losing a tax base from land claim settlements.

I sat in on a meeting of the Standing Committee on Agriculture and Agri–Food on April 28 past. We heard the concerns of the Saskatchewan Association of Rural Municipalities in this matter. SARM represents 297 rural municipalities with over 235,000 rural residents. They are concerned that approximately two million acres are going to be purchased by the aboriginal community.

For rural municipalities this is a large tax implication. These lands are not going to be purchased in large blocks. It will be a quarter here, a half section there, a willing buyer, a willing seller type of agreement. These lands will go to reserve status.

Under federal law municipalities do not pay taxes. On treaty land entitlements there is a compensation fund worked out but on specific claims or reinstatement of treaty land entitlements we do not have an agreement.

If Indian people move into your municipality and they are not going to pay municipal tax, it is going to create unhappy neighbourhoods. If a person on one side of the road does not have to pay taxes and the person on the other side does, and perhaps more because the first does not, this is unfair.

SARM told our committee that it wanted to leave a strong message with us: This is a big problem in Saskatchewan and it has to be addressed.

This is an example in Saskatchewan of decisions and agreements being made without meeting the essential characteristics of good decisions. I fear for the same bills under discussion here in this House today. We must have decisions that are, number one, appropriate. Do these bills respond to the real problem?

Will they transform the present situation into the target state? Number two is attainability. Can these bills be successfully implemented given the resources that we have? Number three is attractive. Do we see these bills as relevant, feasible, understandable, supportable and ownable by everyone? Number four is adaptability. Can we modify things easily if conditions change or if new information becomes available?

In order to make the best decision we may have to do what all good decision makers should do, slow down, retrace our steps, elicit new opinions, present new ideas, give a word of encouragement, suggest a compromise, postpone action and reach out to non–participants. I say this is what we should be doing with the bills before us here today.

We have questions about the effectiveness of these bills and someone has said that questions thrown out the front door have a way of coming in through the side window. We do not want that to happen in this case. In fact we cannot afford to have it happen in this country.

The second concern is the community pastures under the PFRA program. A second type of related issue in Saskatchewan was raised in our committee at the same time in late April. Some of the PFRA community pasture lands will also be up for purchase by First Nations people.

(1605)

A reasonably good process of negotiation has been put in place for this. The Indian band will need the agreement of 75 per cent of the patrons of any particular pasture in order to proceed to the transfer of the said lands. This process is open and democratic, which all processes should be.

The third concern is the First Nations Council of Moose Jaw. Moving to yet another related issue, an event occurred in my riding of Moose Jaw—Lake Centre about a year and a half ago that really surprised some of my constituents. They woke up one morning to read the daily paper's lead headline, and I quote: ''First Nations elect first government. Status Indians take charge of their destinies''.

This was during the referendum campaign. The news story we read that morning said that an election held in Moose Jaw Tuesday should pave the way for self–government for urban status Indians throughout Canada. They said that their elected council would negotiate with all levels of government to secure better health care, education, employment and housing for its members.

What surprised people was that this was a group of neighbours and friends in our city who got together, conducted a process of discussions, elected leaders and declared to the rest of us that they were a duly constituted government to which we would now relate in jurisdictional terms. One hundred and seventy people out of a city population of some 35,000 made this decision that the rest of us must now abide by. I have yet to settle in my own mind exactly how one should respond to such an initiative.

The fourth concern was an event that happened last year in our riding. I have raised it before in this House. I believe it illustrates the importance of making sure our decisions and our actions are carefully thought out and applied before we take them.

In our riding we are trying to work together to solve a potentially divisive problem. Last July 22 to 25 an indigenous peoples celebration was held in Moose Jaw. Soon after I was elected as MP in October, local business and organizations that had provided goods and services to this event approached me with the news that they had not been paid for their services. The problem is serious because we have identified possibly as much as $200,000 worth of unpaid bills. I have informed both the federal government and the Saskatchewan provincial government about this situation and the issue certainly has been in the local news.

I have a deep concern that a successful resolution be found to this problem. I am encouraged by the patience of the business persons involved as we work through this problem and by the openness and the responsibility being taken by the newly selected aboriginal leaders in Moose Jaw. I am hoping we can carefully reach a successful conclusion to this matter. I have said that I will keep this House informed. I am of the distinct persuasion, however, that this problem ended up being harder to solve than it would have been to prevent by careful planning.

A wise person once said that one should make sure they count the costs before undertaking an initiative. I am concerned that this is what will happen in the debates about the far–reaching and significant implications of the legislation that we have before us.

Mr. Gordon Kirkby (Prince Albert—Churchill River): Mr. Speaker, I thank the hon. member for his comments that were directed toward this legislation.

It is often easy to ask a lot of questions about self–government legislation. Questions have been asked of the government to define self–government. When an agreement like this is put forward does that not aid the members of the Reform Party to see what the government means by self–government?

Second, if there are perceived problems with the legislation what specific measures would the hon. member propose to deal with situations like the comprehensive land claim issue?

(1610)

Mr. Kerpan: Mr. Speaker, I appreciate the hon. member's comments and questions.

The one key element that is missing from this agreement, as I see it, is the inclusion of the Charter of Rights and Freedoms. From looking at the bill and studying it in some detail, that to me sticks out more than anything.

The other part of the question that I would like to answer is what we would do or how we would involve this. I do not think anybody on this side of the House, certainly in our party, is against the theory of some sort of native self–government. The problem as I see it is that the process has not been a very open process. In my mind it is something that has been rushed for an issue of such significance. I think it needs to be opened up to all Canadians regardless of what part of the country they live in or what their particular personal heritage might be.

That is probably the key to this whole issue, that we must bring all Canadians into this type of decision–making process. Anything short of that will certainly spell disaster for some idea or theory that may in fact be a good idea to start with.

The Acting Speaker (Mr. Kilger): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Kilger): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Kilger): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Kilger): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Kilger): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Kilger): Call in the members.

During the ringing of the bells:

(1615)

The Acting Speaker (Mr. Kilger): Pursuant to Standing Order 45(5)(a), I have been requested by the chief government whip to defer the division until a later time.

Accordingly, pursuant to Standing Order 45(6) the division of the question now before the House stands deferred until Monday at the ordinary hour of daily adjournment at which time the bells to call in the members will be sounded for not more than 15 minutes.

Mr. Boudria: Mr. Speaker, on a point of order. Pursuant to our rules the vote now has to take place on Monday. From our position while the bell was ringing we could not ask otherwise. However, now that we have officially reconvened I wonder if the Chair would seek to determine whether or not there is unanimous consent to have the vote at the ordinary time of adjournment on Tuesday if there is such consent.

The Acting Speaker (Mr. Kilger): Is there unanimous consent?

Some hon. members: Agreed

* * *

YUKON FIRST NATIONS LAND CLAIMS SETTLEMENT ACT

Hon. Michel Dupuy (for the Minister of Indian Affairs and Northern Development) moved that Bill C–33, an act to approve, give effect to and declare valid land claims agreements entered into between Her Majesty the Queen in right of Canada, the Government of the Yukon Territory and certain First Nations in the Yukon Territory, to provide for approving, giving effect to and declaring valid other land claims agreements entered into after this act comes into force, and to make consequential amendments to other acts, be read the second time and referred to a committee.

Hon. Fernand Robichaud (Secretary of State (Parliamentary Affairs)): Mr. Speaker, I am honoured to rise to address the House on Bill C–33, the Yukon First Nations Land Claims Settlement Act.

[*Translation*]

The government's red book clearly stated our commitment to the resolution of outstanding land claims, a commitment we intend to meet whenever we can.

By settling land claims in a way that is responsible and equitable, the government will resolve former differences with the First Nations and ensure that old grievances between native and non–native people will gradually disappear.

[*English*]

Nowhere is the need to act more evident than in Yukon. The council for Yukon Indians land claim entitled''Together Today for our Children Tomorrow'' was accepted by the Government of Canada in 1973. It was among the first of the land claims accepted by the government and its settlement is long overdue.

We have come close in the past. An agreement in principle was reached in 1984 but was not ratified by a sufficient number of Yukon First Nations to move the process forward toward negotiations of a final agreement.

Based on the 1988 agreement in principle the Council for Yukon Indians and the Governments of Canada and Yukon were able to negotiate the Yukon Indian final umbrella agreement. That agreement was signed by all three parties in May 1993 and is the basis for Bill C–33.

(1620)

[*Translation*]

Hon. members should realize that the approach to resolving land claims in the Yukon clearly differs from what has been done elsewhere in Canada. This is due to the simple fact that the Yukon is different from all other regions.

It is unique in that, first of all, most aboriginal people do not live on reserves. As a result, programs and services are dispensed by the territorial government with which a close relationship exists.

[*English*]

Because of the unique situation in Yukon the negotiation of the final umbrella agreement was only the first part of the settlement process. It remained to conclude land claims agreements with each of the 14 Yukon First Nations; four such agreements have been reached and will be given effect through Bill C–33.

Also as part of the settlement process, certain Yukon First Nations will be negotiating transboundary agreements to resolve overlapping claims with aboriginal groups in the Northwest Territories and British Columbia.

Throughout the negotiations that have taken place over the past two decades, the effected interest groups and the public have been consulted extensively. The end result is that we have territory–wide support for the settlement agreements.

[*Translation*]

Numerous public hearings were held to discuss the contents of the final framework agreement. The Yukon Legislative Assembly also set up a special committee on land claims and self–government. Based on the favourable response it received during its visits to Yukon communities, the committee strongly recommended that the four agreements negotiated to date be approved.

[*English*]

Interest groups have also had direct input to the settlement process. A good example of this occurred during the selection of settlement lands by the four First Nations that have reached final agreement.

As part of this process, the Yukon Outfitters Association whose members will be affected by the designation of settlement lands was widely consulted and was able to negotiate compensation for provable losses under the final umbrella agreement.

First Nations are continuing to work with this association to minimize any commercial hardship that may result should the agreements come into force during the outfitting season.

[*Translation*]

We also sought the views and backing of groups representing the energy and mining industries. We consulted with all municipal governments, churches, chambers of commerce, recreational associations and other groups, and heard some very valid comments.

With your indulgence, Mr. Speaker, I would like to quote from several letters which the government received from Yukon organizations. The person signing each letter expressed firm support for the land claims settlement agreements and urged Parliament to move quickly to pass the enacting legislation.

[*English*]

The Anglican Bishop of Yukon, the Right Reverend R.C. Ferris, has written to the government on behalf of his diocese. Right Reverend Ferris asked that the settlement legislation be brought forward without delay and expressed the community's distress after so many years of struggle on the part of all parties to achieve an acceptable agreement. Settlement legislation is not yet a reality.

Mr. Dan McDiarmid, chairman of the Mayo District Renewable Resources Council, wrote to the minister in April stressing the importance of the land claims agreements to everyone in Yukon, requesting that the government introduce and approve settlement legislation at the earliest possible date.

(1625)

[*Translation*]

The Yukon Chamber of Mines noted that the land claims settlement agreement had the support not only of Yukon natives, but also of many other territorial groups, and among others, of the mining industry.

Mr. Steven Powell, the president of the United Keno Hill Mines Limited, sent us the following message: ''Thanks to this agreement, Canada will be able to close the door on a difficult chapter in the history of its relations with aboriginal peoples. Therefore, I urge you to press your colleagues in the Commons to debate the matter in a level–headed manner and to endorse these agreements''.

The entire Yukon Legislative Assembly urged the government to act. On April 27, the assembly passed a resolution calling upon the minister to urge Parliament to enact the land claims settlement legislation. Furthermore, the resolution called upon the members: ''—to act expeditiously to adopt the Yukon First Nations Land Claims Settlement Act which will safeguard the rights and interests of the Yukon's first nations and enable the territory to move into the 21st century''.

[*English*]

One of the most candid and compelling letters the government has received came from Chief Robert Bruce, Jr., writing on

behalf of the Buntut Gwychin tribal council whose final agreement will be given effect by Bill C–33.

In his letter to the Prime Minister Chief Bruce stated: ''The people of Yukon and the Government of Canada have worked very hard to reach the compromises and innovative concepts that are embodied in these agreements. It is very important to see these efforts translated into action now while enthusiasm and expectation are high''.

[*Translation*]

Mr. Speaker, in light of all these comments, it would be inconceivable for the House to reject Bill C–33. Clearly, all sectors of Yukon society overwhelmingly support the land claims settlement act.

[*English*]

There is good reason for that support. The first four nations final agreements that will be given effect by Bill C–33 are good agreements. They will bring many social, economic and political benefits to the affected Yukon First Nations. They will also provide many substantial indirect benefits to non–aboriginal residents of the territory.

Yukoners are now calling on Parliament to do its work, to give this legislation speedy passage so that it can get on with the job of building a stronger, more prosperous future. I can see no other reasonable or responsible course of action.

[*Translation*]

The Acting Speaker (Mr. Kilger): Order. Pursuant to Standing Order 38, it is my duty to inform the House that the questions to be raised this evening at the time of adjournment are as follows: the hon. member for Vancouver Quadra—Rwanda; the hon. member for Verchères—Trade; the hon. member for Peace River—National Defence.

Resuming debate, the hon. member for Saint–Jean.

Mr. Bachand: Mr. Speaker, I have something to ask you. My hon. colleague from Prince George—Bulkley Valley must catch a plane and, if you have no objection, I agreed to give him the floor immediately. I would like to come back and respond to the speech given by the hon. member on behalf of the minister. I would be very grateful if you told me whether I can use up to 40 minutes which are allotted to me for a reply.

[*English*]

The Acting Speaker (Mr. Kilger): Certainly I am only too pleased to follow the agreement. I thank all members for that sense of co–operation in the House and I will recognize at this time the hon. member for Prince George—Bulkley Valley.

Mr. Dick Harris (Prince George—Bulkley Valley): Mr. Speaker, my deepest appreciation to my colleagues from the Bloc. I really appreciate that.

(1630)

We are debating Bill C–33 today. It is probably appropriate, and it would be the best possible direction to take on the bill, to draw some comparisons between Bill C–33 and Bill C–16.

I know the Yukon natives involved in the negotiation of Bill C–33 overwhelmingly support the bill. There is no doubt about that. It appears that they would be more than satisfied with this settlement. However I believe that we as parliamentarians, as duty bound by the people of the country, would be more than negligent, as have past parties in the House, if we did not address some of the problems contained within Bill C–33.

Certainly my colleagues and I in the Reform Party are most willing to entertain the concepts of aboriginal self–sufficiency and aboriginal self–determination, but only in situations and only under the clear focus that aboriginal people or the Yukon natives will come to a position of self–sufficiency within Canadian society.

Most unfortunately Bill C–33 does not address that focus. Bill C–33 like Bill C–16 calls for more bureaucracy, large settlement moneys, continued DIAND participation in programs, financial assistance and future negotiation for self–government. The bureaucracy possible within the agreement is very extensive.

We in the Reform Party greatly fear that as we proceed along the path to establishing land claims and aboriginal self–government the bureaucracy will create such an expensive and complex deterrent to the goal of self–sufficiency. It is necessary to address that.

I want to look at Bill C–33 for a moment and talk about the package itself. There are some 8,000 Yukon Indians in Yukon out of a total population of 32,000 people. They will be conveyed collectively ownership of some 16,000 square miles or 41,400 square kilometres of land, 10,000 square miles of which include all subsurface rights and the remaining 6,000 square miles of which include some subsurface rights.

In addition, the federal government will pay some $242.6 million in cash and the Yukon First Nations will receive rental revenues from surface leases, royalties and development of non–renewable resources. Yukon First Nations will also receive a preferential share in wildlife harvesting, exclusive harvesting over most of their settlement lands, and 70 per cent of their trap lines will be located in the larger traditional territories.

On top of all this, under the bill all existing government programs for natives and non–natives will continue to apply. How could we have a focus on arriving at a settlement for land

claims if coupled with that settlement are promises for continued future federal funding?

The object of settling land claims is to break the dependency of the native people upon the federal government. We want to give them the opportunity to become self–sufficient. As my hon. colleague talked about this morning, we cannot break that dependency cycle if we continue to give money and funding to a person or a group such as the Yukon natives. That dependency cycle has to be broken. The goal has to be self–sufficiency. To include in the agreement the same federal funding that exists now is no incentive to create self–sufficiency.

(1635)

Another area of concern is that although Bill C–33 has come to the House for debate, and certainly we in the Reform Party welcome the debate, the other 10 land claim agreements spoken about in the bill and yet to be negotiated need only be approved by order in council. In other words, we will not be given the opportunity in the House to debate those land claim settlements. We are talking about thousands of square miles of land and hundreds of millions of dollars in funding. Surely the people paying the bill, the taxpayers of the country, have a right to be represented in the House by members who debate the good points and the bad points of the bill.

The bill guarantees that future land claims under Bill C–33 would be negotiated in the offices that we cannot get to. I believe Canadian taxpayers deserve more than that. We are trusted by them. We were elected and sent here by them to look after their affairs. This is certainly something of major concern to Canadians.

I want to talk about the constitutional entrenchment. By virtue of clause 6 of the bill the rights contained in the land claim agreements are recognized and affirmed under section 35 of the Constitution Act, 1982. We are very uncertain as to what this means and we are relatively certain that the government is uncertain as to what this means. It may mean these rights are not amendable except by constitutional amendment or, at the very least, without the concurrence of the first nation involved.

This would mean that these rights are beyond the reach of ordinary future parliamentary amendment. This adds the element of finality to them that does not sit well for changing future circumstances. The circumstances are changing all the time. In our Constitution we have the mechanism to make amendments, to be able to change our Constitution with the times. Bill C–33 in our opinion does not provide for changes to meet future circumstances which may appear. Quite frankly we think the government displays a tremendous amount of arrogance to lock in forever today's government policy. The constitutional entrenchment causes a lot of concern.

I spoke about the comparison between Bill C–33 and Bill C–16. I talked about the boards, the commissions and the councils. Bill C–33 would formally constitute five more government boards and two government councils referred to in the various land claim agreements. Presumably most, if not all, of the functions of these new bodies are presently performed by the facilities of the Yukon and federal governments. Is there a need for more regulatory bodies, support staff and bureaucracy on top of what is already in place?

Clause 9(4) constitutes still more boards, commissions and councils that may be referred in future land claim agreements. As I stated, the bureaucracy concerned in Bill C–16 is predominantly present in Bill C–33. This is not the way to get best value for our dollars.

The government has talked about downsizing government, downsizing departments and downsizing the way government runs so that it can be more cost effective. The government, the Reform Party and the Official Opposition have been talking about downsizing, becoming more efficient and more cost effective.

(1640)

Bill C–33 goes exactly in the opposite direction. It calls for a larger bureaucracy, a larger government, more costs and less cost effectiveness. This is an area in which the government has done a flip–flop if it believes in downsizing. It has done a complete about turn.

I want to talk for a moment about the transfer of full ownership. The implementation of full ownership of the property has gone far beyond what any court in Canada has found to constitute aboriginal title. No court in Canada of which I am aware has decided that an aboriginal interest in land goes so far as to entitle aboriginal people to fee simple or full ownership. At best our courts have found the meaning of aboriginal rights and title to include those traditional activities carried on by native communities prior to colonial contact. These include hunting, fishing, et cetera.

These rights have been characterized by the courts as not, strictly speaking, being interest in land but all special rights unique to the native people. This represents a cloud on the crown's title. The courts have gone on to say that the cloud can be removed by the exercise of crown sovereignty through legislation that has a clear intention to remove the aboriginal interest.

There is a challenge to the aboriginal land claims presently in the court of B.C. It is a challenge to a ruling by Chief Justice McEachern in which his decision was that there was no valid legal basis for the land claim in question. The fact the government now proposes to bypass an undecided court ruling by means of Bill C–33, a ruling that is still under appeal, causes a lot of concern for us.

I said that the focus of land claims should be on the eventuality of self–sufficiency for the aboriginal people. No one can deny that every Canadian wants to see that come about. It will

not come about until the aboriginal peoples of the country are given an opportunity and the dependency cycle would be broken.

In other words, we have no problem with settling land claims with aboriginal people whatsoever. We have a problem with the inclusion in land claim settlements that government funding would continue exactly as always. This is an area of concern. I urge the government to do the right thing: to help aboriginal people become self–sufficient.

The government has the power to break the dependency cycle. That is what it should be doing. It is like when I was trying to teach my children the value of becoming independent and responsible for their own lives. What if I had continued giving them everything they wanted without asking them to take responsibility and to begin to understand what it means to strive and to work and the value of education to make themselves more independent? If I had not done that they would be still dependent on me and, quite frankly, at the age my sons are I am looking forward to the time when they will be independent of me. That is what I have been striving for. That is what the government has to do in connection with these land claims. They have to break the dependency cycle.

(1645)

I strongly want to urge members of the House to focus on that. Let us not be swayed by the emotional part of this whole native issue. Let us focus on what should result out of this process. The aboriginal people should have the opportunity to become self–sufficient. Let us break the dependency cycle. Let us not make agreements or contracts that will drive a wedge further between Canadian society and the aboriginal people. Let us seek to tear down the barriers that exist and that does not mean continuing to fund native programs forever and ever.

The Acting Speaker (Mr. Kilger): I see members seeking the floor. The House might keep in mind that the first three speakers on this legislation at this time have up to 40 minutes to speak without question or comments.

[*Translation*]

Mr. Claude Bachand (Saint–Jean): Mr. Speaker, true to form, I will state forthwith the position of the Bloc Quebecois. Following discussions with appropriate authorities, the Bloc will support Bill C–33.

I take this opportunity, while the cameras are on me, to pay my respects to the people from the Yukon both at home and in the gallery. Their perseverance is rewarded today, after twenty some years of discussions, with agreements that will be given effect by Bill C–33.

As I said when I spoke to Bill C–34, perseverance is one of the characteristic traits of native culture. We often think in terms of future generations and these peoples must be commended for their perseverance. Year after year, decade after decade, they persevered in their pacific approach toward a potential agreement. Here it is today. I am pleased to greet and congratulate them.

A number of things were said in this place this morning as well as this afternoon. I may have given my speaking time up to my colleague from Prince George—Bulkley Valley but understandably, it does not mean that I agree with every single remark he made.

I heard someone say: ''I gave my son a bicycle as a child; then, he asked for a motorcycle''. To listen to the people across the way, you would think that native peoples, Indians and first nations are nothing but spoiled children. I want to make it quite clear that I do not agree with that opinion.

I think we must bear in mind the social contract they have concluded with us, white people, people with our own laws, procedures and parliamentary democracy. We must also bear in mind that we settled on their land. Let us not forget that these nations have been established in the Yukon Territory for 10,000 years. They were here long before us. Yet, we have enjoyed the use of that land. Regarding the financial compensation provided for in this agreement today, I do not think it is really a matter of giving them everything they want and them more or less rubbing us of these $240 million. It is more a matter of recognizing the fact that for generations, for decades, in fact since the Europeans set foot on this continent, we have enjoyed the use of this land and are now granting appropriate compensation.

As far as I am concerned, the native peoples are no spoiled children. They are people perfectly capable of negotiating. They are very good at it too, as I have seen for myself on many occasions. Having been a negotiator myself for 20 years, I must admit that while being pacifists, they are formidable negotiators.

(1650)

We must also understand that with an agreement such as the one before the House today and with this enacting legislation, the objectives of the two parties have not been fully met. At best, they agreed on a common denominator, this agreement before us which to my mind is the end result of discussions between persons who took care to ensure that they had all they needed in the way of services from legal or consulting firms.

Far be it for me to think that the first nations are merely being treated like children who have grown up and are finally being allowed to fly on their own. Basically, I believe that this is a good agreement for the people of the Yukon and I also think it is good for the Parliament of Canada. These are very important considerations.

Mention is often made of ending the guardianship. I believe we need to discuss how to go about doing this. Some people may argue that the agreement and legislation before us do not end the guardianship and naturally, I disagree with them. I think this agreement enables the first nations of the Yukon to take charge of their own destiny, much like Bill C–34 adopted on second reading speaks about self–government. Certain powers are being given to these nations and the logical follow–up to

Bill C–33 would be to give them the land base over which to exercise these rights.

Therefore, I feel that this agreement is one way to end the state of guardianship and as everyone knows, particularly those who took part in the negotiations on the native side, no set pattern of self–government or land base has yet been decided on.

It is clear from this agreement that the land in question is splintered. The government did not take one piece of the Northwest Territories or one piece of the Yukon and say ''Here, this is yours now'', as it did with other agreements or with the Sahtu Tribal Council. In those cases, a homogenous parcel of land was turned over and the people were told that they could exercise certain powers within that territory, based on agreements that were reached.

As I said, the government has not taken a general or uniform approach. What we have here is a splintered agreement between the government and four first nations of the Yukon. They have finalized agreements with the federal government and made decisions about the land involved. Ten other agreements are slated to follow.

When I hear that these ten other agreements will be negotiated behind closed doors, I have to disagree with that way of seeing things. On reading the text of the four agreements before us, we see that they are virtually identical.

So of course, subsequent agreements are likely to be carbon copies of these four ones. I think we should take the time to look at the contents of this agreement which the legislation enacts. Exactly what provisions are being enacted today?

The agreement involves a total area of 41,439 square kilometres which, as I said earlier, cover a broad area. If one first nation was able to prove to federal negotiators that its traditional lands were located in area X and the government agreed, then these lands are included in the final agreement with that first nation.

We have here before us today an final umbrella agreement which covers all land claims for a total area of 41,439 square kilometres which the federal negotiators have agreed to make available to 14 first nations. Four have already availed themselves of this right and have negotiated final land claims agreements with the federal government.

Regarding the government's economic proposal, as I mentioned earlier, this is not simply a matter of extending charity. For decades, even centuries, from the moment the Europeans arrived on this continent, we have benefitted from these lands.

(1655)

Today, we give back to them a number of settlement lands with compensation in the order of $242 million over 15 years. In my opinion, that does not necessarily keep these people under trusteeship because, as we will see later, they will have capabilities. They will have at their disposal financial structures that will administer this money and free them from this dependence in which we have kept them for too long.

We also see that the lands given back will be divided into Class A and Class B lands. It may be important to explain the difference between the two classes.

On Class A lands, people will have not only surface rights but also subsurface rights, including mining, minerals and oil. That is not to be sneezed at either. Not only are we liberating them by compensating them for what we took from them before, but we also give them the right to administer surface and subsurface resources on some settlement lands. It is another step toward the goal of freeing them from this trusteeship.

The agreement contains interesting clauses which I must point out.

Earlier I referred in passing to the final umbrella agreement but I would like to come back to it. We have before us today four final agreements for the four Yukon nations who negotiated and reached a settlement with the government. All future agreements will always have to refer to the final umbrella agreement covering all 14 final agreements, one for each nation. It may be important to point this out.

Regulatory agreements—this is important—will be guaranteed under Section 35 of the 1982 Constitution Act. Unlike Bill C–34, where Section 35 does not apply to modern–day treaties, these agreements on the land base will be protected under Section 35 of the 1982 Constitution Act.

The agreement also outlines some interesting options I would like to point out. Among other things, people will have some time to decide whether or not they want continued protection under the Indian Act, particularly with respect to Indian reserves. In other words, there are two options. The people will have the option of preserving the Indian reserve concept for a while. The other option will be that of settlement lands, meaning that they will move away from the Indian Act and the reserve concept and exercise their full autonomy on settlement lands, which are different from Indian reserves.

This whole agreement, of course, required a lot of mapping and surveying work. Today, I would like to dispel a rumour that circulated in the Yukon. I am mentioning it at this time because people in the Yukon are now watching us. The Bloc Quebecois has never considered for one second blocking the introduction and first reading of a bill because maps had not been translated. We admittedly consulted the party, but we never thought of

blocking an agreement that took decades to negotiate just because maps had not been translated.

The document before us is printed in English and in French. As far as we know, we told the minister we would appreciate it if he could have the maps translated as soon as possible. But in the meantime, we will not tell people who have been waiting for so long that we will not even let the bill pass first reading. That was out of the question.

I must point out today that the Bloc Quebecois did in fact agree to the introduction and first reading of this bill. The agreement also contains many interesting things such as the special management areas.

(1700)

You know that we whites and the natives agree on certain territories. There are boundaries and limits on these territories. This applies very well in a city or municipality, but in the wide open spaces of the Yukon, it is obviously hard to apply, especially for everything that has to do with wildlife, flora, fauna, the natural environment.

I give the Porcupine caribou herd as an example. It is very difficult to ask the caribou herd in the Northwest Territories in the spring not to go to the Yukon in the fall and not to go to Alaska because of the U.S. border. We understand that there will be specialized management areas. What is interesting about it is that it again highlights the traditional aspect of native peoples. Some areas will be specialized to concentrate on the local flora and fauna.

Another interesting point is the great emphasis put on land use. I was just telling you that it is a fragmented agreement; eventually 14 nations will have territories that are not necessarily contiguous. In some areas, native self–government will not apply and the Yukon first nations will not have a land base.

However, the agreement provides a process to ensure compatibility in decision making so as to avoid grey areas where the local authorities could make laws or regulations that would impinge on their neighbours. A process has been put in place for that and it is worth mentioning.

This process takes the Yukon Indians' cultural values into very serious consideration. It is very interesting because for once it lends weight to sustainable development, a concept of great importance to me. Our consumer society has too long overlooked the concept of sustainable development. We build and develop rapidly, often at the expense of the environment, and then we find that the environment has been destroyed. The economy enjoyed a boom and then declined when the resources on the surface and underground were completely used up. So sustainable development is a cornerstone of land use. We note that very great importance is given to sustainable development. We must be glad that this concept of sustainable development is in this agreement.

There will also be a development activities commission. This in a way is what I have always called a happy marriage of the traditional and of modern economic development. All the economic activities that developers want to propose on the lands covered by the agreement or on the reserves will have to be submitted to a development activities review board. Of course, we can see that sustainable development will be a key, as I said earlier, but the traditional methods and culture of these peoples will be taken into account. The agreement provides that developers will have to reduce the environmental impact of their projects so that this happy blend of the traditional and modern economic development is an everyday reality.

I think that another very important commission for them is the Fish and Wildlife Management Board. In the agreement, the federal government agreed to set up a joint fund to restore and rebuild everything that has to do with wildlife, fish and flora. We know that unfortunate developments in some areas depleted the resources on the surface or underground. The Fish and Wildlife Management Board will seek to restore the resources which have characterized the Yukon for centuries.

(1705)

A great deal of attention should also be paid to their heritage. That is something which is not often talked about and I am pleased to address this subject, as I did in my speech on Bill C–34. All issues related to language will be extremely important on those lands.

I must, once again, draw an analogy between the Quebec people, a French–speaking minority in the vast country that is Canada, and the aboriginal nations who are also linguistic minorities. So I am happy for them that attention was paid to their languages and traditions. As far as I am concerned, their rich traditions often add to my own culture.

I have noticed among other things that legends are very important to them. What could be nicer than a legend told in a traditional language spoken by the ancestors? That is provided for in the agreement. It is not the federal negotiators, I am sure, who insisted on inserting these provisions in the agreement as such. I think these people felt their culture was very important and saw to it that it was protected, just as we Quebecers want to preserve our culture. I think we ought to congratulate them for their similar views on this issue.

These people are not hegemonic because it is not a part of their culture. When the Europeans arrived, they did not object to sharing their huge territory. This attitude is reflected in the agreement: there will be quite reasonable access for all the

people who want to go to the Yukon. Obviously, we will not need a visa or a passport to travel to the Yukon.

By the way, I have been invited to go fishing for 25–pound trout in the Yukon—

An hon. member: Invite us.

Mr. Bachand: —I will be pleased to accept the invitation and I will not need a passport or visa to go there. I intend to go and see for myself whether this is really true, because people who go fishing often like to brag about the fish they caught, and when they do not have a photograph, they often say the fish was that long. I intend to find out whether what they said about fish weighing 25 pounds is true, and I promise to get back to the House on this and tell you whether there was some truth in all this.

Oral traditions are also a very important part of their heritage. Nowadays, we have the tendency to say: I'm buying a house. Now, I would like to see what the last contract, the contract with the previous owner, looked like''. They, however, have an oral tradition. We used to have that in our society as well, a long time ago, but today, that has been lost as a result of our whole legal perspective. But to them, oral traditions are very important.

They often have agreements without having a contract as such. As far as their heritage is concerned, they reserve the right to emphasize such agreements, and I think they are right. There will be a water management board, because the waters of the Yukon are very special. There is very little pollution in the Yukon, and some people would like to take advantage of this. For instance, our American friends might want to import water. This is something we are hearing more and more in some parts of the United States where the water table is going down. People often talk about diverting certain waterways to try and get more water.

The agreement states that as far as domestic needs are concerned, there is no problem. However, to handle specific needs, the people in the Yukon decided to set up a water management board. To me that is not a bureaucracy, because one–third of the board will consist of members appointed among aboriginal people, which is one way for aboriginal people to control their own affairs.

We see this as a way to stop having all the decisions made by Ottawa and then transmitted to regional headquarters and from there to the Indians or aboriginal peoples or First Nations. And now, the government says the will boards will be created.

(1710)

You want boards to protect your waterways and your environment, so the government will ensure that most of the people on those boards will be local people who are knowledgeable about the area.

I do not think we are getting a new bureaucracy as much as more effective management, because these will be local people who know their area, and we hope this will help to dismantle the Department of Indian Affairs and the Indian Act as soon as possible, and what the people of the Yukon proposed is a step in the right direction. As I said earlier, there are provisions on fish and wildlife on class A lands where they will have exclusive harvesting privileges. The agreement maintains 70 per cent of the trap lines, which was very important for them because this is one of their traditional activities.

Forestry is also an interesting area, and here I would like to draw an analogy, using forestry as an example. Aboriginal people often say that they see the world as a big forest. In a forest, there are many kinds of trees, like pine and maple, and they often say that the way they see the forest is more or less the way they see society. I wanted to draw this analogy, because to them, the forest is a vital resource, and the fact that this resource is also included in the agreement means that these people will have better control over their forest resources. I mentioned economic development, and the hon. member on the government side also raised the matter of transboundary agreements. These people will be able to take a part in transboundary agreements. For instance, as I said before, we have the Porcupine caribou herd, and these herds do not necessarily stay within certain borders. Since for aboriginal people, the caribou is part and parcel of their traditions, it is important for them to participate in discussions on transboundary agreements and the Porcupine caribou herd.

Incidentally, we must conclude agreements with the Americans because the caribou herds that migrate through the Yukon Territory spend part of the year in Alaska, and the Americans are thinking very seriously about developing Alaska's oil and mineral resources. That is why it is important for First Nations in the Yukon to be able to participate in transboundary agreements. An example that comes immediately to mind is the caribou herds.

In concluding, I would like to say once again that I want to congratulate the First Nations of Yukon on signing the agreement. And I want to say to them that the Bloc Quebecois supports Bill C–33. And as I said earlier, these people stood their ground, they were painstaking and stubborn and probably very hard on the federal negotiators who, I am sure, returned the compliment, and in spite of all that, there was no hostility. And as I said when we considered Bill C–34, and I say it again now, with respect to Bill C–33, there are aboriginal peoples that

would be well advised to follow the example of the people of the Yukon and the First Nations of the Yukon and persevere in their land claims and their demands for self–government, but peacefully, which can be very difficult when it comes time to negotiate.

However, taking up arms in a modern society, whether we are talking about aboriginal people or white people, is hardly if at all acceptable, and these people have demonstrated in what will become another historic turning point, that thanks to their perseverance and their ability to negotiate, they concluded an agreement that was satisfactory to all concerned, an agreement that was welcomed by many people in the Yukon, including the territorial government and mining companies involved in mining exploration in the Yukon.

(1715)

Once again, these people have demonstrated that co–operation exists in the Yukon. They made that clear, and I think we have cause to welcome Bill C–33.

In concluding, I want to say to the people of the Yukon that they can count on the support of the Bloc Quebecois for the passage of Bill C–33.

[*English*]

Mr. Bill Gilmour (Comox—Alberni): Mr. Speaker, at the outset let me say that the Reform Party believes in the self–reliance of natives in the Yukon. The difficulties that we have with this bill are on the generosity aspect.

To begin with, I am concerned with the general direction of this bill because it sets a precedent and, along with other bills such as the Nunavut deal that was brought in by the Conservatives, C–16, the Sahtu, these are overly generous settlements to small numbers of people.

If you look at the Canadian map, you start to see the jigsaw puzzle that is put together, individual bits and pieces. However, if put all together it is very clear that the area in Canada north of 60 is very quickly being set aside in land claims. There is little regard for the implications on non–native Canadians because these agreements have implications for both native and non–native Canadians. We have to look at it from that aspect.

It appears that this government may be sleepwalking toward a disaster with this overly generous land settlement plan. The generosity of this agreement is somewhat ridiculous because it has no basis in fact and no basis in law.

We do not state that there should not be a settlement. That is not the point. We are saying that the size of this settlement is clearly overly generous. In fact we could say that this settlement is far too liberal. It is the kind of agreement that will drive a wedge between native and non–native Canadians.

To give some statistics, this agreement gives 17,275 square kilometres or 6,670 square miles to these four Yukon native groups. Out of this area, 12,000 square kilometres or nearly 5,000 square miles includes the mining and mineral rights. That is 6,670 square miles for 2,457 individuals or each individual getting about 3 square miles of land.

This settlement deals with only four of the bands out of 14. There are still 10 more claims to be negotiated. If these groups are to realize similar agreements then I have to ask this government where the land will come from. Certainly to grant similar agreements to the 10 remaining groups will cover the entire Yukon Territory and possibly more.

I will go back to my jigsaw puzzle because it is starting to appear that each piece is falling into place, only the whole northern top end of Canada is being taken up.

What about the land rights of non–native Canadians here? When will this government look at the developments that are going on in the rest of the world? The policy that we are talking about here today is based on race. The rest of the world is going toward equality. We see it all over the world. I have to question why this bill and the self–government bill are going against that when the rest of the world is going for, the equality of all its citizens.

What about the non–native Canadians who spent their lives in the Yukon? Where do they fit in? That is unclear. What will happen if some of these people are in an area where the land claims go through the area? What if they are displaced? Will they be compensated? Have they been consulted?

On the consultation process the government has said, yes, it has consulted with the people. However, my understanding is that it is a fairly broad consultation on very fuzzy ideas like: Are you in favour of native self–government? Yes. Are you in favour of settling the land claims? Yes.

(1720)

The detail of these settlements has not been made public to my understanding. What will happen to the current landholders? If you own a house, a ranch, a trapline or whatever and it is covered by a land claim, whose law do you answer to? Is it the Canadian law? Is it native law? Is it a combination of both? I can see a nightmare of bureaucracy running through this whole situation.

There are not only native land claims. There are numerous more land claims that have to be settled. This precedent setting legislation that we are looking at is exceedingly dangerous in that each band will look at this as an agreement and say: ''We want at least as much if not more''. We are on the tracks heading to an area where we are going to have some huge disagreements.

Some of the areas that I have talked about before like the Nunavut deal that covered the eastern Arctic, the Inuvialuit deal that was the western Arctic, the Gwich'in agreement in the Mackenzie River delta, are all parts of this puzzle that are

falling into place. Again it appears that this government's goal is to blanket the Canadian north with these settlement agreements.

Let us go back in time because Canada is a nation of immigrants. We are all immigrants whether we arrived here first, second, third or just recently landed. Every one of us including natives has come to this country from somewhere else. Some of us have come for economic reasons. Some have come to join loved ones and some of us have had the good fortune to be born here.

Many immigrants have come here because they were persecuted somewhere else and Canada has opened its doors. What are we offering? We are offering equality for everyone. That is where we should be going today with these settlements. The first people in this country should not have any more rights or any fewer rights than other Canadians.

Moreover I do not think that the government is really aware of the extent of this settlement. According to the final umbrella agreement, $242.6 million in cash compensation will be divided among the 14 native groups to be paid over 15 years. That results in about $30,000 per individual. Thirty thousand dollars is a nice lump sum when one's house is paid for and the government is still continuing to pay the other bills.

How is this money going to be divided? When I talked earlier on the self–government bill, it became clear that the charter does not apply. We have huge sums of money and huge tracts of land that are going to be looked at and overseen by groups of people.

One of the biggest concerns that people had with the old Indian affairs act was that a native on a reserve did not own the land. He could not go to the bank and say: ''I own this chunk of land''. It is going to be the same thing as I understand it with these deals.

What about an individual native owning the land that he is on. This is where we start to get self–esteem. If it is owned by the band, if it is owned by an umbrella group, again we run into difficulties because it is not covered in the charter.

Does this government know the potential of the mining rights that are given in this deal? I made some phone calls to some mining people to find out and they are unclear where it is going. They do not know the potential of the mining claims in the Yukon. Because of uncertainty, a lot of the claims have been basically set back. Exploration has been set back.

The government does not know the value of what it is deeding away. Included in these four agreements is the option to acquire up to 25 per cent of the royalties held by the Yukon government, its agencies or corporations in future non–renewable resource development and hydro projects in the traditional territories.

Again, can the government tell the Canadian people what the values of these royalties are? I rather doubt it. We do not know what kind of money we are talking about here. One of the agreements, the Champagne agreement, provides for economic development agreements within the federal government to provide technical and financial assistance for economic development purposes.

How much assistance are we talking about? Does this mean unlimited loans? What are the guidelines? Again, where is the equality here? There should be the same rights and privileges for natives as for non–natives in the area.

(1725)

I question if this government had any idea of the actual proportion of transfer payments involved. In fact, I wonder if anyone knows. I fail to see how this government can justify the royalties to this House and to the Canadian people. We know it is going to be asked by the Canadian people to justify it.

In addition the federal government will continue to support all the present and future programs. Again how are we getting to self–sufficiency? Getting the land, getting the money, yet the programs continue to be ongoing. This does not bode well for getting self–sufficiency of individual natives.

The minister states that these agreements give aboriginal beneficiaries the means to become self–reliant, to regain a measure of control over their lives. My colleagues and I are in complete support of such an end. We recognize the need for all Canadians to become self–reliant and to gain control over their lives.

We would support such an agreement that would actually fulfil such a goal that is beneficial to natives and non–natives alike. However, this agreement moves in a very different direction. The granting of all this money, all the land or continuing to provide the same programs and benefits will nurture dependency and in no way fosters any measure of independence. Rather it would seem that by giving out these huge sums of money and land this agreement removes the incentive.

The agreement takes away the motivation for these people to gain their own self–respect and self–worth as individuals. This agreement does not allow the natives to make their own way and to succeed on their own. It is the old Indian act again.

There is no indication anywhere in this agreement of any intention to phase out financial assistance and government native programs if the terms of the agreement prove it successful.

For all the money that this agreement deals with there is no justification to state why this money is being awarded. What is the rationale? It concerns me that this agreement sets a very bad

precedent for fiscal responsibility in future government negotiations for many, many more land claim deals and agreements with natives.

There are many concerns about the management of both the funds and land base, concerns raised by natives themselves because settlement dollars and land title are not vested in the individuals. They are vested in the organizations as I said earlier.

This huge conveyance is far too generous and the entire deal should be re–examined to bring the agreement into reality. I stress again it is the size of this agreement that we are concerned with.

What are the rights of the non–natives in this agreement? That needs to be spelled out. Some of these agreements are providing for exclusive harvesting rights in the parks and in the territories. Where do the non–natives come into this? What are their rights?

Natives are granted guaranteed participation in commercial fresh water salmon fishery and sports fishing, adventure travel, forestry, outfitting and campsite operations in the traditional territories. Does this mean that they have exclusive rights? That is unclear. Once again the rights are given out on the basis of race. When the world is moving toward equality of all its citizens this government seems to want to move away from that direction and go on to a basis of creating two nations with the nation of Canada.

I am particularly concerned about the backlash from non–native Canadians. This government with this agreement is going to drive a wedge between these two peoples. What was supposed to be a program to assist natives in B.C. in the aboriginal fisheries strategy is a good example. It is native fishermen and non–native fishermen. Twenty–five per cent of the fishery is native. They worked together for generations and did just fine until the aboriginal fisheries strategy came in. It drove a wedge between those two groups of people who got along for years and years. This is the same type of thinking I see in this agreement.

I will be very surprised if this government can provide all of the answers here. Hopefully when it is addressed in committee a number of these issues will be brought forth and will be addressed rather than rubber–stamped.

(1730)

There is tremendous concern on the part of all Canadians who are not opposed to this settlement in principle but they do not like the generous deals. This agreement has to be re–examined in committee, it has to be re–examined here, the whole thinking process has to be looked at again.

Mr. Allan Kerpan (Moose Jaw—Lake Centre): Mr. Speaker, one thing that I have noticed as I sat through the debate today is that the bill uses the term First Nations throughout. It describes these 14 bands not necessarily as bands but as First Nations. Similarly the members of these First Nations are described as citizens of First Nations.

Although the term First Nation has been loosely bandied about lately and is in common practice, to my knowledge this is the first time that it has been formally referred to in federal legislation. It gives rise to a number of questions that I have and I would ask the hon. member's opinion of some of these questions.

First, are native people in Yukon now to have two kinds of citizenship extended to them under what we perceive as Canadian law? If that is the case, would that not be conflicting allegiances? This is a problem that I have had as I have sat through this debate today and listened very carefully.

I would ask the hon. member if he would like to comment. I would like to hear his comments on those types of allegiance, and the conflict that might arise should that be the case.

Mr. Gilmour: I thank the member for his question. It brings very much to the fore the tying together of these two bills, native self–government and the land deal.

The member is absolutely right. We appear to be setting two different nations within a nation with these two pieces of legislation. The bills tie together, they are intertwined. I fully believe, as I have said a number of times, that we are going the wrong direction. We are only one nation. We cannot be people from Quebec, people from the Yukon, people from other parts of Canada; we are all Canadians.

The push to pass this legislation, in my mind, is going away from the direction of equality toward a self–government that cannot be defined. We have asked the government on a number of occasions to please define their view of what is self–government. Is it a municipality? Is it provincial, is it federal; what is the umbrella approach? We cannot get those answers.

Until we can get those answers, until Canadians can sit down and see what they are looking at, what we are voting on, it is so vague, so loose, it can be manipulated by virtually any party that is part of the agreement.

It is paramount that we should be going toward equality. We should be going toward a fair settlement that puts all of us on an equal basis.

Mrs. Karen Kraft Sloan (York—Simcoe): Mr. Speaker, I am intrigued by the questioning about First Nations. We are indeed talking about First Nations. These were the first people on this continent. They are not one nation, they are many nations, and I think it is only right that people have the opportunity to name themselves.

I was in northern Sweden and you are probably familiar with the term Laplander. Laplanders did not name themselves Laplanders, they call themselves Sami which means the people.

There is a bit of confusion here around this issue. This is not just a trendy little name that has been bandied about; this is a name that the indigenous people of North America have chosen for themselves, First Nations, and we use it out of respect.

(1735)

When we talk about treating people equally, and that is absolutely the point here, we have to understand the historical roots of discrimination, the barriers to discrimination, the systemic aspects of discrimination. These are not conquered people. These people had treaties, agreements with our government and rightfully they are seeking what is theirs.

Mr. Gilmour: I thank the member for her question. We have a differing point of view which often happens in the House.

I will not be using the term First Nation because to me it implies a second nation and a third nation. There is only one one nation of Canada. That to me is equality. It is all of us together. It is not a slight on our native peoples. If there is a First Nation, what is the second, what is the third and what are the different rights? There are no different rights. We are all equal.

Mr. Bob Mills (Red Deer): Mr. Speaker, I have heard bandied about the idea that Yukon people are very familiar with self–government, what it means and what its implications are, and that the Canadian people are also familiar with them.

I wonder if the member could comment on how general is this knowledge and how informed people really are about the settlement agreements that we are talking about.

Mr. Gilmour: Mr. Speaker, my understanding, as I touched on in my speech, that the general knowledge in depth of this agreement is not high.

The concept of self–government, the concept of a land claim deal, that is fine. People are well aware of that. But the depth of what is in this bill and its generosity is not general knowledge.

Mr. Charlie Penson (Peace River): Mr. Speaker, about a month ago I rose to speak on Bill C–16, the Sahtu land claim.

At that time I told the House we were setting a very dangerous precedent and we are following along the same footsteps today. Bill C–33 gives two square miles of deeded land per person in this land claim. Just to put this into perspective, my family has a farm in northwestern Alberta. We have two square miles of land that we farm and it has supported a family of six people. If we were to work this out, two square miles per person comes to twelve sections of land per person.

Let us put this into perspective for a moment. When my family came to Canada in 1869 from England they got 205 acres. We are talking about 12,000 acres here. This is a lot of land. I think it sets a very dangerous precedent.

In the Peace River riding I have six land claims that have not been settled that we want to move forward. It seems to me that every land claim that is settled we start to build and build on it at a time when Canada has a major debt and deficit.

I wonder if the government has given some thought to the implications of how this is going to play out in all the land claims settlements throughout the country. Thirty–five thousand dollars roughly per person in this particular land claim settlement using the model again of a family of six represents $200,000 plus twelve square miles of land.

I have to ask the question, where do we go from here? We have a lot of land claims in the province of British Columbia that are coming up. Are we going to be borrowing more money from places like Japan and the United States to pay out on land claims? We have to think very carefully of the cost of what we are doing here and the precedent we are setting.

(1740)

Mr. Keith Martin (Esquimalt—Juan de Fuca): Mr. Speaker, the costs of these land claims are absolutely enormous to the Canadian taxpayer. It will cost over $260 million to settle these four claims. Something is missing in this equation. No one is standing in the House today speaking about the non–native Canadians.

Who is standing up and speaking for them? Who is speaking about their responsibilities and their ownership of other parts of the country?

Is it not that Canada from sea to sea belongs to all Canadians, native and non–native alike? Are all of us here interested in the well–being and the welfare of the native peoples in this land claim? What will the land claims do to benefit the native people? Is there a better way of doing this, is there a better way to help the welfare of the native people? What responsibility or what accountability is there going to be to the non–native people in these land claims as they are going to impact dramatically on the taxpayers of Canada.

Mr. Penson: Mr. Speaker, I thank the hon. member for his questions. I think they are very important questions.

We are going through a situation in my riding where agriculture has been hit very heavily with the trade war that has been going on for over 10 years. I have a lot of constituents who have lost their farms, lost their land and I think they would ask that question and it should be answered. These people are finding it very hard going.

The Canadian debt is very high and it is part of the reason these farmers are losing their land. They are paying so much in taxes at a time when we are giving land to native people in big land claim settlements. I do not believe that can be supported and I do not believe that the Canadian public will support it.

We have to settle these land claims but we have to have some self–reliance and self–sufficiency built into them. That is not my understanding of what is being done in these two bills. It is sort of an open–ended arrangement where we really do not know what the cost is going to be. In effect we are giving a blank cheque. It would be one thing if they were signed, sealed and delivered and that was the end of it but that is not my understanding of the two bills that are before us today.

Some very important questions have been raised. I think that has to be built into the legislation and I would encourage the members of government to entertain some amendments to make these more effective so they can be sold to the Canadian public.

Mr. Harold Culbert (Carleton—Charlotte): Mr. Speaker, I wonder if the hon. member has any idea of the mass of land in the country and in the particular case of this bill what was available to the native people in the Yukon at the time when the settlers came forward.

It has been suggested that the bill overextends the number of square miles, acres, whatever you want to take it in, per capita, per family. I would suggest that we have to consider where those rights were and what amount of space actually was considered as part of their homeland. When the early settlers came to this country and went to the far north in some cases they were welcomed and in other cases they were not. However over a period of years they took over and operated those masses of land.

There has to be some responsibility of government, of members on all sides of the House, as Canadian citizens, for our actions today and the actions of our predecessors, our ancestors and our family line.

This bill finally takes some responsibility for the people of today's First Nations and takes that responsibility very seriously. I think this government should be commended for finally taking those actions after these many years.

(1745)

Mr. Penson: Mr. Speaker, I thank the member for that question. It is a very important question and one that we have to give considerable thought to. Essentially when the white people came to Canada the Indians had all of Canada. Surely the member is not suggesting that we try to redo that wrong because it simply would not work.

I understand that there are some Indian bands in British Columbia that would take back the city of Vancouver. It simply cannot be done. In British Columbia they tell me there is 130 per cent of the land mass claimed in land claims because there is some dispute as to which ones own certain properties.

Therefore, you are absolutely right. We do have to have a fair settlement. I guess it is a matter of debate as to what is fair here.

I have raised a family of six children on considerably less land and I certainly did not have any cash settlement along the way. I think this is overly generous.

Mr. Jack Ramsay (Crowfoot): Mr. Speaker, could you advise me of the time that I have left?

The Acting Speaker (Mr. Kilger): I will be glad to indicate to the House that we will terminate at 5.50 p.m. and move to Private Member's Business.

Mr. Ramsay: Thank you very much, Mr. Speaker.

I listened to the very eloquent, warm and generous tone of the Bloc member who spoke a short time ago. I listened intently to what he had to say. As he spoke I could not help but compare what is happening in Yukon through this land agreement with what the situation would be if a similar occurrence were happening or the same situation were occurring in the province of Quebec.

I wonder what the member from the Bloc would say about that kind of an agreement if the James Bay Cree, if the Mohawks and the aboriginal people in northern Quebec had been granted huge blocks of land over which they would have complete control and an agreement that would give them the right to create their own constitution, to create their own legislative assemblies, to determine citizenship and the rights of citizens in that area, to determine laws that would deal with non–aboriginal people when they came on to that land, and the right to set up their own justice system and to administer the affairs of huge chunks of what is now the province of Quebec.

Would it be looked upon as fair to them if this agreement were centred in Quebec rather than in Yukon?

I have already in the early debate on Bill C–34 mentioned my concern in the particular area that all of these rights and entitlements contained within this document are based upon race.

Like the Indian Act that was based upon race, and they were discriminated against based upon race as the Indian Act discriminated against them and the interpretations of that act discriminated against them, this document as well is based upon race. I wonder about that. I wonder if that is wise.

They are going to have rights on the land that is designated to them. Are they going to be Canadians? I would hope they would remain Canadians. That would mean they would have rights. They would be Canadians plus.

They would have all the special rights that they would enjoy on the land area they are granted. If they moved off that land which they would be entitled to they would enjoy all the rights they and we as Canadians enjoy.

What about the rights of the non–aboriginal people who move on to those lands, whether it is to go fishing, as the hon. member from the Bloc suggested, or to set up a business or simply move in and establishing a home, a living quarters on that land? What would be their rights?

I see this bill creating a two tier system of laws within this country to the benefit of the aboriginal people or one sector of Canadian society based upon race.

I have the deepest feeling for our aboriginal people. This is going to go through. There is no question. When the treaties were signed so many years ago there was no real record, no real fleshing out of the spirit and the intent of those treaties. All we have on the one hand is what the white man recorded in the treaty and the notes and the remembrance by the aboriginal people of the intent and the spirit of those treaties.

We have been arguing about that for almost 100 years. This time around because it has been brought into this House, certainly the aspects that we have had time to examine are going to be placed upon the record. As this program goes forward and as this agreement takes effect we are going to be able to then judge whether it is has been a wise deal or not and whether the wisdom of the people of this country on both sides of the issue has been applied to this agreement. We will be able to judge the fruits born by this agreement.

Therefore, if it is a good deal it will have the support of all of us. If it fails we will be able to go back on the record and see those concerns raised by elected representatives of this country in this House.

In summing up, I say to the aboriginal people who are going to benefit from this program, God bless you and the very best to you. Surely if they take over that part of Canada they cannot do a worse job than the governments of this country have done to this country when we look at our debt, our justice system and other matters where this country has really run amok as a result of the direction of the people we have elected to this House.

I wish them the very best. I have reservations but I say God bless them and the very best to them.

The Acting Speaker (Mr. Kilger): It being ever so close to 5.50 p.m. by my clock, I cannot extend questions and comments but I will ask members whether they are ready for the question.

Some hon. members: No.

The Acting Speaker (Mr. Kilger): It being 5.50 p.m. the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

BANKRUPTCY ACT

Mr. Pierre de Savoye (Portneuf) moved that Bill C–237, An Act to amend the Bankruptcy Act (priority of claims), be read the second time now and referred to a committee.

He said: Mr. Speaker, the purpose of this bill is to change the priority of payment of claims in case of employer bankruptcy, in order that the wages, salaries and pension plan contributions of employees, up to a limit of $9,000, be paid in priority to any other class of claims.

(1755)

The Bankruptcy and Insolvency Act passed in 1992 maintains preferred status for wage and entertainment expense claims in the event an employer goes bankrupt. The limit was increased from $500 to $2,000 with regard to wage claims, and from $300 to $1,000 in the case of entertainment expenses claims.

When an insolvent employer offers to restructure his company, unpaid wages up to a limit of $1,000 have to be paid to employees as soon as the restructuring plan had been approved by the court. The issue of wage claims in the event of an employer becoming bankrupt or insolvent was widely debated in Canada in the context of the legislative reform on bankruptcy.

In the last bill to amend the Bankruptcy Act, which was tabled in 1991, the government proposed to establish a compensation fund for unpaid employees. Because of the opposition to the tax intended to finance the program, however, this measure was withdrawn and replaced by a simple change in priority, which has been granted to wage claims for years in Canadian legislative enactments on bankruptcy.

When the Act to amend the Bankruptcy Act, since renamed the Bankruptcy and Insolvency Act, received royal assent on June 23, 1992, the Minister of Consumer and Corporate Affairs stated his intention of striking a joint committee of the House of Commons and the Senate to examine the issue of salary protection in case of insolvency. This committee which was to table its report by June 1993 was never established.

Now, Mr. Speaker, let me provide the House with some background information to put the problem with this bill in full context. It all started in 1919, with the Bankruptcy Act giving wage claims priority over unsecured debts for a period of up to three months before the bankruptcy. Wage claims came third at the time, after professional, trustees and seizing creditors fees.

The Bankruptcy Act of 1949, maintained the priority given to wage claims for a period of three months before bankruptcy occurred, but also set a $500 limit per claim. Travelling salesmen were allowed to claim $300 more for unpaid expenses. Thereafter, wage claims ranked fourth in the order of priority of preferred claims.

Toward the end of the 1960s, a committee was appointed to review and report on the Bankruptcy Act. With this committee, known as the Tassé Committee, the government embarked upon a legislative reform on bankruptcy. In its report presented in 1970, the committee recommended that the period in question be limited to three months, but that the limit on preferred claims be raised to $1,000.

Five years after the Tassé Report was tabled, on May 5, 1975, Bill C–60 was introduced in first reading in the House of Commons by the then Minister of Consumer and Corporate Affairs who has since become Minister of Foreign Affairs.

The purpose of that bill was to give wage claims of up to $2,000 per employee top priority over any other secured or unsecured creditor. Fiercely criticized, this ''top priority'' proposal was rejected by the Senate Standing Committee on Banking, Trade and Commerce in its report on the bill. The committee argued among other things that this top priority did not ensure employees would be compensated and could in fact disadvantage borrowers trying to obtain credit, especially in labour intensive sectors. As an alternative, the committee recommended establishing a government–operated employee compensation fund to which employers and employees would contribute and from which wage claims of up to $2,000 could be paid to employees. However, none of the three bankruptcy bills tabled in the Senate in 1978 and 1979 provided a compensation fund for employees or superpriority. Employees instead kept their status as preferred creditors and the amount of wage claims was increased to $2,000 plus $600 for business travel expenses and up to $500 for contributions to pension plans and fringe benefits.

(1800)

In 1980, another bankruptcy bill, C–12, was tabled in the House of Commons by the same minister. It contained the same salary protection provisions as the previous Senate bills. After considering it, the Standing Senate Committee on Banking, Trade and Commerce again recommended creating an employee protection fund. The committee thought that the fund which would pay salary compensation of up to $2,500 should be financed from employer contributions and administered by the Superintendent of Bankruptcy. The fund would be subrogated to all employee claims against a bankrupt employer.

In this context, the Minister of Consumer and Corporate Affairs in 1980 asked a task force to look into the question of employee protection. Although the Landry Committee saw there was a problem with unpaid wages, it said in its 1981 report that it could not determine its scope. It thought that no permanent solution to the problem could be found until the extent of the problem was known and federal and provincial policies were co–ordinated. The committee favoured creating a salary protection fund and recommended a temporary solution for three years during which the treasury would pay salaries due, including benefits, up to $1,000.

Although tabled in 1980, Bill C–12 was only referred to a parliamentary committee in October 1983. The Minister of Consumer and Corporate Affairs then proposed amending it so as to give superpriority to unpaid wages, not counting severance and termination pay, of up to $4,000 if an employer went bankrupt. The amendments would have allowed a bankruptcy trustee to borrow to pay wage claims and to secure the loan. The recommendations of the Landry committee were rejected because of budget constraints and because of the lack of foolproof data on the wages lost as a result of bankruptcy and the problems that could arise if a wage protection fund were created. The minister was also concerned that if such a fund existed, employers would no longer feel compelled to pay their employees' salaries on time.

Bill C–12 which died on the Order Paper was reintroduced as Bill C–17 on January 31, 1984 by Mrs. Judy Erola who was the Minister of Consumer and Corporate Affairs at the time. However, it did not contain any amendments respecting first priority. That same year, however, the Minister of Consumer and Corporate Affairs brought in new amendments which would give first or superpriority to salary claims up to a limit of $4,000, including legal costs up to a limit of $600.

In late 1986, the Minister of Consumer and Corporate Affairs released a working paper on proposed amendments to the Bankruptcy Act. The proposals flowed from the report of the advisory committee and from consultations between the minister and concerned groups and provinces.

The working paper called for a salary compensation fund to be established to cover possible cases of bankruptcy or receivership. The fund would have paid up to $2,000 in unpaid wages, including statutory benefits and up to $1,000 for unpaid expenses incurred on the employer's behalf.

The fund would have been financed through employer and employee dues and would have been administered by the superintendent of bankruptcy. Pursuant to the bill's provisions, the federal fund would have priority over provincial laws, would be subrogated to the rights of employees and would constitute a preferred creditor.

The department estimated that the fund would pay out between $30 million and $50 million annually.

(1805)

In 1989, another report recommended creating a national wage earner protection fund. The Advisory Council on Adjustments, which was asked to examine adjustment issues arising from the Canada–U.S. Free Trade Agreement, supported creating a national wage earner protection fund which would pay workers up to a maximum of $4,000 and would be financed by contributions from employers.

In June 1991, new bankruptcy legislation, Bill C–22, was tabled in the House of Commons. The new measures provided for a wage earner protection program similar to the one proposed in 1988. The program was included in a new act, the Wage Claim Payment Act.

The bill was referred to the Standing Committee on Consumer and Corporate Affairs and Government Operations for preliminary consideration. Most witnesses appearing before the committee favoured a wage protection program, but many objected to the program being financed by a tax on wages.

In its preliminary report, the committee rejected the concept that a wage protection fund was the only way to guarantee recovery, and it proposed a combination of superpriority and a wage protection fund. The committee also noted that the fund proposed in Bill C–22 would not protect employees who had not been paid because the employer had abandoned the business. It recommended that the government consider ways to reimburse wage arrears in such cases.

The government rejected the committee's recommendations. Procedural problems within the Standing Committee forced the government to reverse its position on wage protection, however, and in May 1992, the Minister of Consumer and Corporate Affairs announced the withdrawal of this part of the bill.

As a result, the Bankruptcy and Insolvency Act passed in 1992 maintains the status of secured creditor with respect to claims for salaries and representation costs in the case of employer bankruptcy, but claim–limits were increased from $500 to $2,000 for salaries and from $300 to $1,000 for representation costs.

The Bankruptcy and Insolvency Act provides for a review of the provisions of the act by a parliamentary committee three years after coming into effect.

I would now like to address Bill C–237. The proposed legislation would amend the Bankruptcy and Insolvency Act to give claims arising from salaries and unpaid contributions to pension plans priority over all other claims in the case of the bankruptcy of an employer, including claims of secured creditors, up to a limit of $9,000. This bill reflects the provisions of a previous bill that would have given wage earners superpriority over other creditors.

As we have seen, granting superpriority to unpaid wages raises a number of problems. First, superpriority does not guarantee that wages owed by a bankrupt employer will be paid. The available assets of the bankrupt are not necessarily adequate to cover the amounts claimed.

Second, superpriority of wage claims might reduce the amount of credit offered to labour–intensive businesses.

Third, it might be difficult to distribute the burden of superpriority among creditors.

Fourth, some lenders might be tempted to circumvent superpriority by demanding that the loan be in the name of an affiliated company that would own all the assets of the borrower.

Finally, since wage claims can only take precedence once bankruptcy proceedings have started, secured creditors might be tempted to exercise their right outside the bankruptcy process to preserve their priority.

I am sure you will agree that wage earners deserve special treatment when their employer becomes insolvent. For many wage earners, their job is their main if not sole source of income. One of the most common ways of ensuring that workers get their unpaid salaries in case of bankruptcy is to give priority status to their claims.

A preferred creditor is an unsecured creditor who has the right to be paid before other unsecured creditors. This means that salaries are paid, or could be paid, out of the assets of the bankrupt, but before payment of secured creditors.

Under the terms of the current Bankruptcy and Insolvency Act, salary claims and disbursements of travelling salesmen have priority in case of bankruptcy but, as we said, there is a limit of $2,000. As a result of inflation, this is a very small amount which does not give much protection to employees.

Several arguments can be used to justify a superpriority of claims. First, the present system which gives preferred status to salary claims is seriously lacking, and the same can be said for the claims of secured creditors and preferred creditors of higher rank that must be paid first.

(1810)

Second, with a superpriority, employees would have a better chance of being paid quickly. Very often they would not have to wait until all the assets of their employer have been disposed of.

Third, a superpriority would enable employees to be paid at no cost to the government or taxpayers. Recently, some people proposed setting up a fund managed by the government. I remind you that this proposal was rejected. With a superpriority, it is up to the employer to pay salary claims, and they are paid out of his assets.

Fourth, the danger that such a superpriority would hinder a company's borrowing power is probably exaggerated. Some say that if salary claims had superpriority, companies would have trouble getting credit because wages would come before securities such as mortgages and bonds.

The bill contains provisions limiting the impact of wage claims on other creditors. Employee claims would not all be honoured in full. Priority would be limited to wages and pension plan contributions for the six months preceding the bankruptcy, up to a limit of $9,000.

Moreover, the present Bankruptcy and Insolvency Act now gives unpaid suppliers the right to reclaim their goods from bankrupt buyers, which in fact places them ahead of secured creditors.

I believe I have demonstrated how important Bill C–237 is. The historical background of this issue, which I just presented to the House, proves beyond any doubt, that wage protection in a bankruptcy context has been justifiably a main preoccupation of the House since 1919, and especially in the past few years.

I then clearly explained how Bill C–237 was in the same line as previous bills and how it avoided problems associated with a compensation fund and superpriority.

Today, I am asking the House to take a step forward towards wage protection in a bankruptcy or insolvency context, and when the time comes, to support Bill C–237, and send it for review to the Committee on Government Operations so that workers in this country can enjoy the wage protection they so rightly deserve.

[*English*]

Mr. Barry Campbell (St. Paul's): Mr. Speaker, I am pleased to rise in my place today to respond to the bill of the hon. member for Portneuf.

Bill C–237 would adjust the priority of claims of the Bankruptcy Act so as to provide employees with the first priority of the proceeds of a bankruptcy, up to a limit of $9,000 per person.

I would remind the House that in 1992 the Bankruptcy and Insolvency Act was revised for the first time in 40 years. There had been six previous attempts to reform the act and they all failed.

Hon. members who were present during the last Parliament will no doubt recall that one of the most controversial aspects of the original legislation was the proposal for a wage claim payment act that would enable employees to obtain wages and expenses after a company has gone bankrupt.

[*Translation*]

The debate focused on the best way to finance the payment of this type of claim. Several methods were recommended. The original bill provided for the creation of a wage claim payment program, that was to be financed through a tax paid by the employer and collected with UI contributions.

[*English*]

Many members of the Standing Committee on Consumer and Corporate Affairs and Government Operations, however, argued against that method of financing wage claim payments. They maintained it was not right to impose an additional tax burden on business in the name of helping the employees of bankrupt companies. The act might only succeed in driving more companies over the edge and into bankruptcy and the last thing Canadians needed was legislation that might kill jobs. Therefore the government of the day dropped the wage earner protection provisions in the interests of getting the bill through Parliament.

[*Translation*]

We must examine very carefully the eventual impact of the various proposals, as well as the results of the 1992 amendments. The consequences of the priorities established in the new Bankruptcy and Insolvency Act will help us better understand what works and what does not.

(1815)

[*English*]

Let me provide an example. The 1992 act gives unpaid suppliers the right to repossess goods sold and delivered to a debtor if the debtor is bankrupt or in receivership at the time the supplier demands the return of the goods. This rights comes into effect when the following conditions exist.

The supplier must demand repossession in writing within 30 days of delivery. The buyer must be bankrupt or in receivership. The goods must still be in the possession of the buyer, trustee or receiver, be identifiable and in the same state as when delivered, and not have been resold or subject to an agreement of sale.

A supplier's right to repossess goods supplied ranks ahead of any other claim against the goods, except that of a purchaser who bought the goods in good faith and for value without notice if the supplier has demanded repossession.

The new bankruptcy laws make other provisions in the case of farmers, fishermen and aquaculturalists. Usually the goods they provide are perishable and the normal 30–day period would not respond to their needs. The goods they provided would already have been processed or resold. The act gives them a super priority over all holders of security in respect of unpaid amounts on inventory supplied within the 15–day period. There is no need to establish the existence of products supplied because they are perishable and will likely be disposed of shortly after delivery.

[*Translation*]

We must ask ourselves whether the solution proposed by the hon. member will help workers or make life more difficult for them.

[*English*]

If workers were asked what they would prefer, super priority in the event of a bankruptcy or a chance that the company will survive and they will keep their jobs, I am sure there would be no difficulty getting a response. Workers might value a higher priority in bankruptcy proceedings but not at the expense of putting jobs at risk in the first place.

Lending institutions maintained they would raise the interest rates they charge on business loans if super priority were given to wage earners. They say they would be inclined to charge higher rates of interest to labour intensive firms. They say they would be less willing to provide a loan to a company facing tough times and they might move more quickly, regrettably, to realize their securities.

The banks might call the loan before the company declared bankruptcy. Calling that loan would unfortunately result in creating the bankruptcy.

[*Translation*]

That is what credit institutions said to the various committees that have considered this issue in the past. I do not necessarily agree with them on this. There may be ways of reviewing wage earner protection while guaranteeing the availability of capital. We however need more information than what is now available to us to understand the impact superpriority will have.

[*English*]

At the same time there are other issues that must be addressed in assessing priorities of creditors in the event of a bankruptcy. I wonder if the hon. member has given some thought to protection for consumer deposits, for instance.

A consumer who makes a down payment to a retailer for the purchase price of a good or a service may be left with only a claim as an ordinary creditor. If the retailer goes bankrupt or into receivership before delivery, current law relegates the consumer cannot establish ownership in particular goods to ordinary creditor status. Consumers who pay for goods yet to be identified or not yet produced will be ordinary creditors as will buyers of unperformed services.

Is this fair? Consumers do not intend to give credit and do not see themselves as creditors when they give deposits or make down payments for consumer goods or services.

[*Translation*]

Consumers are vulnerable. They cannot easily obtain information on the seller's financial situation. They cannot afford multiple risks when they buy. Neither can they realistically expect their deposits to be guaranteed.

[*English*]

The argument can be made that consumers are in as much need of protection as suppliers and wage earners. If we give suppliers protection and wage earners super priority, what are we to do for consumers?

Once again we get into the same difficulty. Any gain for consumer buyers arising out of a privilege would be offset by a corresponding loss for other creditors. Special treatment for consumers would depart from the principle of equal treatment of creditors. This protection might have a detrimental impact on the availability of credit.

There is one more example of the complex issues that arise. Under the Income Tax Act the crown has a super priority to a bankrupt's unremitted source deductions for income tax, Canada pension plan and UI. Bill C–237 puts the wage earner's super priority ahead of the crown's right. The employee might get compensation for wages lost in the bankruptcy, but the crown would find it difficult to have funds to make UI payments. Premiums might have to be raised. The cost of business would rise and more businesses might well fail.

(1820)

It all has a ripple effect, and I do not believe the bill pays enough attention to the impact it would have on business viability or job creation. We need to examine impacts more closely. We need more information.

Hon. members may be aware that the Bankruptcy and Insolvency Act provides that after three years a parliamentary committee will review both the new provisions and the operation of the act. This provision was established because we do not want to wait another 40 years before we can change the bankruptcy legislation again. We want to keep the act up to date and successful.

[*Translation*]

According to the act, the review to be conducted after three full years should be held in 1995. We will soon have to study these questions in detail but, for the moment, what we should consider is the big picture.

[*English*]

To prepare for the review the government has created a bankruptcy and insolvency advisory committee. It is a representative group of insolvency stakeholders. The object is to bring together representatives from all interests affected by the law. These groups often have interests that compete with one another, so we want to try to build a consensus on what is fair and reasonable before the government introduces changes as part of the three–year review.

Since its establishment, the committee has created eight working groups that have submitted their preliminary recommendations. This month they will review the recommendations and send them back to the working groups for fine tuning. I hope the report will be complete by the end of this year. The minister will then be able to use these recommendations to draft a new bill.

[*Translation*]

As you can see, Mr. Speaker, we will have to answer not only the many questions related to the reform of the Canadian bankruptcy legislation but also those concerning wage earner protection. The fact that the previous government could not find a better way to protect wage earners did not make anyone happy. A piecemeal approach to the problem is certainly not the solution.

[*English*]

I believe the House should vote down Bill C–237 and prepare instead to look at wage earner protection as an integral part of the larger issue of bankruptcy reform we will address in coming months.

Mr. John Williams (St. Albert): Mr. Speaker, I rise to speak this evening on Bill C–237, an act to amend the Bankruptcy Act.

I appreciate the history lesson from my hon. colleague in the Bloc who went through all of the trials and tribulations to tell us how we managed to arrive at where we are today. I also appreciate the comments by my Liberal colleague who explained the Bankruptcy Act and the fact that a great deal of thought went into the Bankruptcy Act as it is today.

It is rather ironic that I stand here to speak on amendments to the Bankruptcy Act when I was an intervener back in 1991, three years ago when it was being reviewed. I guess we have come full circle. I now stand in the House making comments on potential revisions to the act when three years ago I was making revisions as an accountant on behalf of an organization that had an interest in representing its members as far as the Bankruptcy Act provisions at that time were concerned.

Speaking to the amendments, I find the bill poorly drafted, I am afraid to say. We cannot agree and support the measures being put forth. We do not feel a great deal of thought has been put into the bill. Unfortunately I see it as being ideologically driven, wherein the workers have been put first and absolute in front of everything else with no real consideration to the other parties that have or may have input and deserve consideration in the event of bankruptcy.

It is a socialist position, not only a position of the Bloc separatists. It seems to be socialist as well and perhaps the position of successors to the party that has one or two members on the backbench here.

The first line of the bill states:

> Notwithstanding any law or any other provision in this or any other federal or provincial Act—

This puts it as number one, right up there with the charter of rights or perhaps even ahead of the charter of rights. It is a constitutional document because it puts it ahead of all provincial acts at the same time.

If every bill we debated in the House of Commons were to start by saying notwithstanding any other provisions or any other law, how would we ever determine which one would take precedence? It would be impossible. That is why I say even the wording is poorly drafted law. We cannot support the way it is presented.

(1825)

Subclause (a) talks about giving protection to employees in the amount of $9,000. Three years ago the act allowed $2,000. We have not had inflation of the kind that we would want to multiply it by four and a half times to get up to $9,000 today.

The mover of the bill is also saying that in the event of a bankruptcy and money owing to an employee in an amount of up to $9,000, that money can either be paid into his pension plan or paid to him in cash less normal deductions.

It does not say which one because it says the money could be put into his pension plan as well as wages, salaries, commissions and so on. ''As well as'' does not tell us which one would take priority. If a trustee in bankruptcy were to put the money into the employee's pension plan while the employee was destitute and the employee was denied access to the money even though it was in his name, how better off would he be?

As it is written, Bill C–237 says that the trustee has a choice. He can put it into the employee's pension plan or he can give it in cash less deductions. He does not even have to take the employee into consideration to see what is most beneficial to him. Unfortunately the act is poorly drawn.

It rearranges the whole order. The act as it currently stands gives priority to secure claims. My hon. colleague on the Liberal side talked about the super creditors and so on. Notwithstanding, as it stands today first are the secured creditors, followed by funeral expenses, undertaker's expenses and so on to look after the unpleasant side of things that the trustee should pay for in the case where the bankrupt is deceased. Then it goes on to pay the trustee's own expenses and talks about wages and salaries.

Wages are number four because the first three items are important. We would not want to pay an unsecured creditor and not pay the undertaker. How would we ever get trustees to wrap up a bankruptcy if their fees took less precedence than the money paid to wage earners who are unsecured creditors? Who would ever do the job? Who would ever pay them? That is why

the Bankruptcy Act as it reads today puts these things ahead of payments to wage earners.

As an hon. colleague asked, what about the banks? What is their attitude to the situation? Let us take the situation of a good sized company of 110 employees. If it had not paid its employees it would have a liability of $1 million. That is the first priority ahead of all other laws, notwithstanding any other law, provincial act or anything else. Are the banks going to lend that company money? Of course not. There is no way that a bank is going to lend money to a company when there is a potential liability of up to $1 million that it will always rank ahead of the government or the bank security.

Therefore business will find that it is unable to raise cash because of that point. Business will decline and unemployment will go up. There will be more and more bankruptcies created by this particular change in the law. I do not think that was the intention of the member who moved the bill.

I do not think it was the intention of the mover to create unemployment. I think the mover was coming at it from the point of view of trying to protect the rights of wage earners. I have no problems with that whatsoever, but we must recognize that the member is actually proposing in the law to create more unemployment and to cause more business failures. He is going to deny business the ability to borrow money. By doing all these things the matter is being made worse rather than better.

The member talked about the compensation plan that was proposed before, but who was supposed to pay for it? The idea was to lump the cost and pass it on to the employer.

(1830)

The employer is the guy who takes the risks. He is the guy who gets the money left in the till at the end of the day after he has paid for all other obligations, including wages to his people. If there is next to nothing in the till, that is all he gets for his hard work.

I had an accounting business before I got into this political game and I used to deal with many small business people. I said to them that unfortunately in many cases small business people work twice as hard and earn half as much as the people they employ. They said that was right but they enjoyed the freedom of having their own business and they accepted the risks. Unfortunately I saw cases where some businesses did not make it. The point is that they were working hard and as best as they possibly could for the benefit of themselves and the people working for them.

That is the recognition of the role small businesses play in our economy. We should not hamstring small businesses to the point that we expect or assume they are out to gouge their employees and to take them to the cleaners. I can assure the hon. member that in all my experiences with small business people they have gone to great lengths to ensure that their business is viable and that they can look after their employees to the best of their ability.

In wrapping up, I have looked pragmatically at the bill as a Reformer. I recognize the hon. member is trying to protect wage earners, but if he really looked at what this bill would do, he would find that is not the case. Hopefully the hon. member will come around to seeing it in the same way Reformers do. Unfortunately the bill is not acceptable and therefore the Reform Party will not be supporting it.

[*Translation*]

Mr. Gaston Péloquin (Brome—Missisquoi): Mr. Speaker, if you look closely at Bill C–237, which was tabled by the hon. member for Portneuf, you cannot help but think of an expression often used in this House but particularly appropriate in this case: social justice. This is what the bill is all about.

The amendments proposed today to the Bankruptcy and Insolvency Act do a lot more than would mere technical changes to this federal act, since they give it the human and compassionate dimension which it needed so badly. Indeed, Bill C–237 aims at giving wage claims priority over any other claim.

The current situation regarding commercial bankruptcy is simply unfair to those who are the real engines of our economy. Workers should be the first ones to be paid when the assets of a bankrupt business are liquidated. I should point out that, under the current act, workers are not at the bottom of the priority list. This shows that the legislator already recognizes the importance of giving priority to claims related to unpaid salaries, expense accounts of travelling salesmen, contributions to retirement pensions and other benefits.

Indeed, under the current Bankruptcy and Insolvency Act, salaries, commissions, and fringe benefits are said to be privileged claims. This means that they come before unsecured claims, but after secured liabilities. Some might say that this is pretty good, but the reality is that once secured creditors have been paid, there is often hardly any money left to pay salaries and commissions to workers. Consequently, the term privileged or preferred is misleading. One has to go beyond the semantic meaning of the word and see the hard reality which workers have to face when their employer goes bankrupt.

(1835)

The status of preferred creditor is no better than if you were offered the most comfortable seat in a theatre, but that seat was right behind a big post blocking the whole view of the stage. In spite of its comfort, that seat would simply not meet the primary requirement of offering a good view of the stage.

The federal government likes people to think it is doing a great job. It keeps them from noticing the big post and gives everyone the impression that everything is fine. This is more or less the situation with the current Bankruptcy and Insolvency Act. Salaries are considered a privileged claim, but that nice status does not guarantee at all that the creditor will get any money. In this case, the big post is represented by the secured creditors whose claims have priority over wage claims.

Many people cannot see the stage because the government has not yet amended the Bankruptcy and Insolvency Act so as to ensure that salaries are the number one priority when the assets of a bankrupt company are liquidated. It is certainly not normal to see municipal taxes having priority over people's livelihood. And yet, since 1919, several attempts have been made to give wage claims the place they deserve on the list of priority claims.

Several task forces have looked at this issue and recommended all kinds of solutions designed to favour workers. The reports of these committees are still gathering dust today on the shelves of the National Archives. Also, several bills were presented to remedy the situation but were abandoned for lack of time and especially because successive governments lacked courage and political will. As a result, the improvements were timid and inconsequential.

People who are laid off after their employer goes bankrupt already suffer enough from the loss of their livelihood; they should not, on top of that, lose the salary owed to them.

When a bank agrees to invest in a company, it usually knows the risk it runs. Furthermore, the interest rates it charges reflect these risks of financial loss.

Perhaps employees do not invest their money, but they devote themselves body and soul to their employer in exchange for a salary that is often too small, but that still lets them meet most of their financial obligations.

Bill C–237 is thus intended to correct the injustice being done when a bankrupt company's assets are liquidated. This amendment goes further than any previous attempt in favour of workers' rights.

My colleague, the member for Portneuf, was not satisfied with reupholstering the comfortable seat behind the column; he is moving this seat and giving back to workers their rightful place.

This is the sort of measure which the people of Canada and Quebec expect of their government, initiatives that reflect the legitimate needs and aspirations of the Canadian working class. Of course, the big secured creditors will surely not appreciate this legislative amendment since they will see their claims fall on the priority list of payments in case of bankruptcy.

And the effects of the financial losses on them would be much less than for the average Canadian worker who, in losing his salary, is losing his only source of income.

(1840)

As I said earlier, it is a question of social justice and the government should try to consider it more often when the time comes to present bills that might affect people's lives.

[*English*]

Mr. John Godfrey (Don Valley West): Mr. Speaker, I thank you for this opportunity to join the debate on Bill C–237 which is presented by the hon. member for Portneuf to guarantee superpriority to employees in the proceeds that would be realized from the bankruptcy of their employer firm.

This compelling issue, le célèbre fauteuil de mon collègue en face, has been the object of repeated parliamentary and provincial examinations before our Parliament, in seven bills and seven reports. Not only has superpriority been consistently rejected before, but also a fund from government revenues has been refused as was the tax.

In 1992 the previous government was obliged to drop the provisions for a wage claim payment program so as to ensure that the other provisions of the Bankruptcy and Insolvency Act referred to by my previous colleague on this side would be accepted. It did give workers a preferred claim to cover wages earned during the six months that preceded the bankruptcy, up to a limit of $2,000 a person. In striking contrast, the bill before us provides a first priority payment up to a limit of $9,000 per employee in the context of bankruptcy proceedings.

What the act also did, and this is important to our debate today, is it instituted a three–year review to examine the matter of bankruptcy and debt. So it is important not to jump the gun and obliterate that concerted effort of government and stakeholders.

With the passage of the 1992 act a consultation committee was struck, the Bankruptcy and Insolvency Advisory Committee, or BIAC. The government should be given time to exercise the three–year review. This committee, BIAC, co–ordinates consultations of insolvency stakeholders on a multilateral basis. BIAC is enabling us to bring stakeholders into the policy development process early on, and keep them on board right through to the end in a systematic way, to look at the issues and then to recommend options.

In the meantime, Industry Canada has been gathering data on the impact the 1992 revisions have had on the economy. We need to know the full extent of the problem and what is required to resolve it. For example, in how many insolvencies do employees lose wages? How much have they lost in total? Do they receive any of the wages owing from the trustee? How long does this

process take? In past cases how much money was available in the estate for paying creditors?

Related issues abound, many of which are fundamental. Here is one example of an important issue facing BIAC. The Colter and Tassé committees have recommended amendments to the Bankruptcy and Insolvency Act to deal with the increasing problem of international insolvencies. Indeed, in a global marketplace cross–border insolvency problems are not rare. This possibility is gaining huge significance in light of free trade and the NAFTA.

I ask you to bear with me, Mr. Speaker, as I move to a second point, which is one of the absolute issues arising from the legislation that is presented to us today, one with which you are abundantly familiar. As my hon. colleague has referred to previously, that is the priority of the crown which is above all would–be super priorities. The hon. member for St. Paul's gave us a tantalizing glimpse of the problem under this rubric. I wish to reinforce and amplify his remarks.

By way of explanation, under the Income Tax Act the crown has the super priority to a business's unpaid deductions for income tax, Canada pension plan and unemployment insurance. Bill C–237 would put the wage earners super priority ahead of that of the crown.

(1845)

What is the end result if you do that? The employee might well get compensated for wages lost in the bankruptcy but the crown could find it does not have enough funds to make up unemployment insurance payments. Premiums would have to be raised. The cost of business would necessarily rise. More businesses already facing tighter loan money because of added responsibility for the wage earner super priority would face bankruptcy.

In a telling metaphor the hon. member for St. Paul's spoke of a vast ripple effect. I do not believe this bill pays enough attention to the ultimate reach of that ripple effect on business viability and job creation.

What is a priority? It is a moving, subtle thing that can apparently seem to defy logic. I will give one example, and it will be my final one, in an area touched by the committee on Canadian heritage of which I have the honour to be the chair.

Priority becomes a far more fragmented thing within the information based marketplace. To put it at its simplest level, the government has been approached by one set of representatives of that market and to get to cases I mean authors who are often their own copyright holders.

What happens to a copyright holder when a publisher goes bankrupt? An author—and I can claim to be a modest one in this regard—put years into writing a book, his or her whole life in some instances, his or her mind and spirit, and yet receives little or nothing if the publisher collapses leaving royalties unpaid. The unpaid author has to watch while suppliers quite possibly recover the cost of paper and ink that delivered his very book to print.

There is a system in place that may shed new light on these many interrelated problems that must be addressed together if any hope for a resolution is to be realized. It is in the interest of this country and of its labour force, which this bill wishes to help, that we give our review system, the one I referred to previously, a chance and that we allow a solution to come forth from the concerted effort of government and stakeholders.

It is equally in our national interest that we develop a global approach that allows our businesses to reorganize or to catch their second wind and have another go at it. We do not need or want a piecemeal approach which will only be remembered for its disastrous consequences.

This government wants a concerted effort that has regard for all workers, creditors, consumers and of course the crown itself. For this reason and at this time I do not support Bill C–237.

[*Translation*]

Mr. Paul Mercier (Blainville—Deux–Montagnes): Mr. Speaker, our current legislation on bankruptcy and insolvency does not fit the social philosophy of our time. One could say it has lagged far behind.

It provides that in the case of bankruptcy, hypothecary creditors take precedence over wage earners, or to put it bluntly, it provides that money takes precedence over human beings. I do not think you have to be a socialist, as the hon. member for the Reform Party said, to get upset about this kind of situation. It is intolerable that in 1994, we should still let money take precedence over human beings, and I certainly do not think Socialists have a monopoly on the indignation this kind of situation arouses.

In fact, our so–called capitalist society is concerned about the problem, and it has been since 1919. The hon. member for Portneuf recalled what has been done about this problem over the past 75 years, but so far, all attempts to bring divergent interests together have failed. I would like to mention three particularly significant developments that occurred during that time.

(1850)

First of all, in 1975 we had the Liberal Bill C–60, which I believe mentioned for the first time the possibility of superpriority for wage earners.

This admittedly generous and fair legislation met with objections from the Senate Committee on Banking, Trade and Commerce which would have preferred to see a wage protection fund administered by the State. Understandably, there were bankers

and businessmen who preferred to let taxpayers pay the cost of administering this fund.

In any case, nothing happened, and later on—this is the second development I wanted to mention—we had the Landry Commission, which pointed out, and it was probably right, another drawback to this protection fund. To a certain extent, the fund might have been an incentive for unscrupulous employers not to do everything in their power, in case of bankruptcy, to pay their employees, since a fund would do it for them.

The third and most recent development was in 1992, when the Conservatives appointed a joint committee to examine these issues, but unfortunately it too failed in the attempt.

My point is that the hon. member for Portneuf is to be commended for resurrecting a problem that is certainly not recent and which so far has remained unsolved. His solution is realistic and humane, and here it is in a nutshell: it gives absolute priority to the payment of wages and salaries owed, and it raises the limit of such payments.

This bill, like any bill designed to resolve differences and overcome opposition, is certainly not perfect. There is, of course, no solution that can satisfy everyone. Claimants may argue that the bill weakens their position. We must, however, admit that the employees are the people closest to the business and the most affected by its closing. Therefore, there is no doubt that, from a moral and social perspective, they must have priority.

Finally, I think this bill is quite timely because it fits in with a new school of thought, a new trend we are happy to see emerging between the unions and the employers. Of course, their interests being at odds with each other, there are still tensions, but we must admit that unions look harder now than 20 years ago for opportunities to co–operate with business. In the current recessionary climate, this co–operation often takes the form of major concessions from the employees in the new collective agreements.

This effort to bring employees and employers together to try to solve the problems—and we know that our society now faces many problems—is very much in line with today's spirit of understanding and employee co–operation that the unions are displaying more and more these days. It should not be a one–way street. In return, legislators should ensure that the employees receive what is owed to them.

(1855)

The Acting Speaker (Mr. Kilger): The period provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 96(3), this item is dropped from the Order Paper.

Adjournment Debate

ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

RWANDA

Mr. Ted McWhinney (Vancouver Quadra): Mr. Speaker, on May 9, 1994 I asked the Minister of Foreign Affairs a question regarding the role of the United Nations in the continuing tragedy in Rwanda.

My question then was directed to chapter 6 of the United Nations charter which clusters together the UN processes for peaceful settlement of international disputes.

In its best known manifestation chapter 6 connotes peacekeeping in the classical form first suggested by Lester Pearson who resolved the Suez crisis of 1956 and for which he later received the Nobel Peace Prize.

That is the interposition of an unarmed international peace force between combatants who have been in direct armed conflict in order to separate them and allow a necessary cooling off period preparatory to elaboration of a formal peace accord or other formalized truce.

Peacekeeping under chapter 6 of the charter is to be distinguished from peacemaking under chapter 7 which connotes the direct interposition in military force through the medium of UN military contingents under UN command and authority and which is specifically empowered to use armed force to resolve conflicts.

It is to be noted, however, there is an increasing reluctance of UN member states to utilize the chapter 7 processes in part because of recent unhappy experiences in problem areas like Bosnia–Hercegovina and Somalia where the line between classical peacekeeping and peacemaking became increasingly blurred and confused.

It may, however, be suggested that the problems there have arisen more from lack of a clear advance definition or instructions as to the UN roles and missions in the particular cases than from any defects inherent in the chapter 6 and chapter 7 processes as such.

In the context of Rwanda my suggestion is directed to the fact that once the internal ethnic strife had transcended national frontiers with the waves of refugees from Rwanda escaping to neighbouring states and thereby imposing severe burdens on those neighbouring states' economy and health and social welfare resources and personnel, the Rwanda conflicts had ceased to be purely internal or national, if they ever were, and had taken on a larger international dimension, with major implications in the new humanitarian international law.

For this reason while noting the considerable humanitarian aid already given within Rwanda by Canadian emergency relief personnel, both civil and military, to relieve the human suffering involved in the ethnic conflicts, I would ask the Parliamentary Secretary to the Minister of Foreign Affairs what further steps, within the ambit of chapter 6 of the charter and under the UN aegis, the Canadian government might recommend to the United Nations for purposes of collective, world community action, or what action we might be prepared to take on our own initiative to save human lives and to alleviate further human suffering in Rwanda.

Mr. Jesse Flis (Parliamentary Secretary to Minister of Foreign Affairs): Mr. Speaker, no formal decision has been made concerning Canadian participation in an expanded United Nations assistance mission in Rwanda.

The UN has informally asked us to provide communication specialists and if we decide to participate in the expanded mission we are considering sending some 300 such specialists.

Countries have started to answer positively to the UN request for personnel and equipment. At the close of a recent regional summit the president of Zimbabwe stated that 14 African countries were prepared to respond affirmatively to a UN request for material and troops.

Since the outbreak of violence in April CIDA has contributed $4 million and pledged another $7.6 million in emergency aid to Canadian NGOs, the United Nations High Commissioner for Refugees, and the Red Cross.

A Canadian military aircraft based in Nairobi is the only link between Kigali and the outside world. As a result of a new attack on the airport on June 5, humanitarian flights have been suspended until a new truce is negotiated.

General Dallaire together with 10 other Canadians continues to play a key role in leading the United Nations missions, serving as intermediary between the warring parties and participating in humanitarian operations.

The Canadian general is doing his utmost to obtain a ceasefire but the Rwandan patriotic front, the RPF, seems more determined than ever to take power by force before deployment of the UN force. They took the Kigali airport on May 22 and continue to progress. Many members of the government left Gitamara for Kibaye near Zaire on May 28.

(1900)

The Department of Foreign Affairs has summoned the Rwandan ambassador to encourage his government to negotiate in good faith and put an end to the killing and has sent a similar message to the Rwandan patriotic front.

I wish to thank the hon. member for Vancouver Quadra for all his representations in helping to bring this dispute hopefully to a peaceful resolution as he recommends using chapter 6 of the United Nations charter.

[*Translation*]

TRADE

Mr. Stéphane Bergeron (Verchères): Mr. Speaker, early last March, the U.S. government reactivated an extraordinary trade measure, the Super 301, which allows it to impose sanctions on any country which it considers guilty of unfair trade practices. In reintroducing the Super 301, the United States was primarily targeting Japan, a country with which it has a large trade deficit. Dissatisfied with the progress of talks on the opening up of Japanese markets to American goods, the United States is now using strongarm tactics to bring an unco–operative Japan into line.

The United States and several other countries have been complaining for years about the non tariff trade barriers erected by Japan to keep out foreign goods and services. Having grown impatient with the lack of progress made following Japan's promises to open up its markets, the United States recently set quantifiable and measurable objectives which Japan must meet in certain specific economic sectors. Japan refused to go along. The reintroduction of the Super 301 has been denounced by the Secretary General of the GATT, by a number of western politicians and by the Canadian Minister for International Trade as a trade practice that is not in keeping with the spirit and rules of international trade. However, U.S. requirements as to quantifiable objectives resemble a form of managed trade and these too are incompatible with free market principles.

In the past, the United States has used the Super 301 in response to certain trading partners whose practices were deemed to be unfair. These partners included Japan, Brazil and India in the late 1980s. Canada also got a taste of the Super 301 in 1990 when U.S. sanctions targeted Canadian beer exports.

Under the Super 301, the United States has until September 30, 1994 to compile a list of countries which it feels have erected unreasonable barriers to keep out American products. This so–called black list is based on the *National Trade Estimates*, an annual report released by the U.S. trade secretary on March 31 of this year. Measures will subsequently be taken against all blacklisted countries.

The latest edition of the *National Trade Estimates* contains 12 pages of complaints about a number of Canadian trade practices, primarily those involving beer, agriculture and domestic procurement policies. While the U.S. Super 301 is directly aimed at Japan, the fact remains that the procedure applies to any country found guilty of trade practices deemed unfair by the United States.

It is to be feared that, to appease the wrath of the United States, Japan could come to favour openly the access of

American products and services to its market and this, at the expense of other trading partners, including Canada.

On the one hand, the verbal match between the Americans and the Japanese has subsided considerably over the past few months, Japan having expressed the intention of steering the course of deregulation, which should make access to the Japanese market easier for foreign products.

On the other hand, the war of words between Canadians and Americans has picked up. The Canadian ministers of international trade and agriculture had a few well–chosen words about the scare tactics used by the Americans. Disagreement is obvious from agricultural disputes concerning durum wheat, poultry and eggs for example, disputes which undermine trade relations between our two countries. A fragile and incomplete settlement has just been reached in the Canada–U.S. trade dispute on beer.

So, the fact remains that Canada is among countries that the United States complains about profusely. Therefore, nothing stops them from applying or threatening to apply their Super 301 to some specific sectors of our economy.

In fact, the question I put to the Minister of International Trade on March 25 last has not lost any of its relevance or topicality, since Canada appears on the list of countries found guilty of unfair trade practices in the latest American *National Trade Estimates*. The United States who have until September 30, 1994, to complete their blacklist, could still be tempted to add or threaten to add Canada to their list in order to pressure us into settling certain trade disputes in their favour.

(1905)

Canada must not give in to blackmail and intimidation. It must continue to protect its economic interests. That is why the Bloc Quebecois urges the Minister of International Trade and the Minister of Agriculture to oppose steadfastly certain American claims considered illegitimate.

The Bloc also advises the government that it would be unacceptable to the people of Quebec and Canada to fall for the American trap and play off the interests of one region against those of another in hope of settling the dispute as a whole.

[*English*]

Mr. Mac Harb (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I thought when the hon. member raised his question we answered it fairly well.

In his presentation he was trying to question the commitment of the government in protecting the interest of Canadians. I want to bring to his attention that the Minister for International Trade criss–crossed the planet probably four times, reaching out and trying to promote the interests of Canadian business and Canadian companies in order to promote trade internationally.

This minister as well as this government are not afraid to stand up and protect the interests of the industry. I would like to bring to his attention a few articles, one in the *Globe and Mail* with the headline stating: ''MacLaren blasts U.S. on trade''. Another one in *Le Devoir* says: ''MacLaren lance un avertissement aux Américains''. The *Financial Post* says: ''MacLaren lashes out at the U.S. on trade''. ''MacLaren blasts U.S. on trade'', says the Toronto *Star*. ''U.S. risks trade shell, MacLaren warns'' is in the *Gazette*. The list goes on and on.

This government is not lying dead. It is the opposite. We are proactive. We understand that there are problems. The hon. member must understand. When you have trade between Canada and the United States in excess of $270 billion surely you are going to see difficulties in certain aspects of trading with your largest trading partner in the world.

If the member is suggesting we should declare war on the United States, I would suggest to the hon. member that those days have gone by. The answer for all of this is through the international forum, the World Trade Organization, which is going to take place in 1995, through GATT which is now functioning and through the NAFTA agreement which we have in place.

Only through dialogue can we resolve some of those disputes which I might suggest do not account for more than 3 per cent of the total.

[*Translation*]

As for 301, I want to tell the hon. member that the United States never named Canada under Super 301. They have taken measures against Canada under section 301 of the 1974 Trade Act. The current disputes with the United States are covered by the NAFTA dispute settlement mechanism and the general agreement. Canada will make full use of these agreements to protect its interests.

I just want to say to the hon. member that when Minister MacLaren appeared before the House of Commons Committee on Foreign Affairs and International Trade, he said that it is not right for the Americans to use bilateral instruments which could indirectly affect other countries. We continue to defend the interests of Canadians and of industries.

[*English*]

NATIONAL DEFENCE

Mr. Charlie Penson (Peace River): Mr. Speaker, I have asked for time this evening to speak because there is a big problem in the Department of National Defence which is not being addressed.

I have asked several questions of the minister over the past three months that I do not think have been properly dealt with. The federal government moves up to 20,000 households per year, three–quarters of which are military personnel. The cost of these moves is up to $100 million. Once storage, real estate fees, legal charges, mortgage expenses and other benefits are thrown in the tab comes to well over $200 million. You would think that a big customer like the federal government which accounts for

up to 35 per cent of Canada's moving business would pay rates somewhat less than the industry average. Instead, the government pays 23 per cent more than the CBC, Canadian National Railways, Northern Telecom and Canada Post. How can this be?

(1910)

Moves are handled by a four member committee representing National Defence, the RCMP and Supply and Services. This committee has its own bureaucracy of over 105 public servants, many of them located in defence headquarters.

To begin with, what are military men doing handling household moves? These trained military personnel should be doing things like peacekeeping and organizing food aid.

The federal moving business is tendered but it all goes to four major moving van lines. These van lines were convicted of price fixing in 1983 and fined $250,000. They are now under investigation again for various irregularities. The van lines get the government business and then dole it out to their carrier agents. You would think that the government could get better prices by tendering to more than just four companies. But the government's own rules prevent it from doing so.

It requires companies that bid to have exclusive carrier agents in at least seven provinces capable of handling 55 per cent of the government's business.

Such restrictions do not exist in the United States. In the U.S. local moving companies can represent up to three different van lines. These ridiculous restrictions guarantee the government's business to the four van lines, three of which are 100 per cent American owned.

There are move management companies which say they can save the government between $10 million and $25 million on its moves, given the chance to prove themselves. In fact, the previous government disbanded this moving committee and ordered that the two private sector companies be given the chance to administer government moves in a pilot project. But once elected, the present government cancelled this pilot project which seems odd given its stated commitment to ferret out waste and cut costs.

One move management company which could have participated in this pilot project has been doing moves for the House of Commons. This company says that it has saved 35 per cent in current tariff costs. In addition, this company collects its fee not from the government but from the mover. The government's moving committee, the one that was to be disbanded, said that it cost them only $100 to manage each move. My understanding is that the defence department's own audit staff has found the management costs per move to be significantly higher than $100.

I wonder why this audit, which was completed in February, is taking so long to become public? I have raised several points here which I would like to repeat: Military men should not be involved in household moves. Private sector move management companies should be given a chance to prove that they can save the government millions of dollars while providing the same level of service.

The van lines which have been convicted of price fixing in the past and which are under investigation today should not be given a monopoly over government moves.

I am sure the defence department is on a limited budget and has certainly seen restrictions. I know that it could well use this $25 million that is estimated to be saved in these household moves in areas such as better equipment for our peacekeepers.

I would ask the minister and the parliamentary secretary to pursue this.

Mr. Fred Mifflin (Parliamentary Secretary to Minister of National Defence and Minister of Veterans Affairs): Mr. Speaker, I want to cover three areas, the cost savings, the tendering process that the hon. member talked about, and the openness of the process to public scrutiny.

He is right, DND accounts for 75 per cent of all the moves and in the past four years the government tariff has been reduced by 25 per cent, which actually represents savings of about $45 million to the government.

The government tariff has a special clause agreed to by the van line that guarantees the lowest tariff. Although you might have isolated examples of lower cost moves, the fact is that the government is guaranteed the lowest rate by the moving industry.

The cost of a move can be influenced by different factors, such as the distance involved, the volume and weight of the furniture, the time of the year, the destination, et cetera. So making comparisons can be very difficult.

Regarding the tendering process, no carriers in Canada are excluded. The 900 moving companies across Canada are affiliated with and represented by the van lines which bid on the government tenders. All will have an opportunity to share the government business this year.

The current government procedures for dealing with van lines were thoroughly reviewed and endorsed by officers of the Department of Industry and they do not contradict the 1983 prohibition order against members of the moving industry. The member is right. The potential bidders must meet a certain criteria and these criteria have been relaxed somewhat to encourage competition inasmuch as the requirement for the fiscal year 1994–95 called for local representation in at least seven provinces representing 55 per cent of the business done by the interdepartmental committee to meet departmental location requirements. The previous requirement was 85 per cent in all the provinces.

The tender for the fiscal year 1994–95 closed on February 11 this year and the results have been determined. The government is going to realize savings in the millions of dollars as a result of a reduction of over 7 per cent from last year's government tariff. Our officials are continuing to pursue other costs savings initiatives in this area and details of the winning bid will be made available to anybody on request subject of course to considerations of privacy and commercial confidentiality.

I trust that this update is helpful to the hon. member.

The Acting Speaker (Mr. Kilger): It being 7.15 p.m., this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.15 p.m.)

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