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Chair

Mr. Barry Devolin

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• (1530)

[English]

The Chair (Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC)): Maybe we can get started.

Before I introduce our witnesses, I just wanted to say to the committee members that we have two or three pieces of committee business that we need to deal with today. So I would like to stop the main part of the meeting at about 5:20 so that we have about ten minutes between 5:20 and 5:30 to deal with a couple of motions that we have, and a couple of other minor pieces of business.

Without further ado, I would like to welcome Ronnie Campbell and Frank Barrett, from the Office of the Auditor General of Canada. I understand that you have one presentation that's about ten minutes long. If you would like to begin that, we will do our questioning afterwards.

Mr. Ronnie Campbell (Assistant Auditor General, Office of the Auditor General of Canada): Thank you, Mr. Chair.

Thank you for this opportunity to present the results of our audit of the Inuvialuit Final Agreement, chapter 3 of the Auditor General's October 2007 report. As you mentioned, I am accompanied by Mr. Frank Barrett, the principal responsible for this audit.

The Inuvialuit Final Agreement is one of Canada's first comprehensive land claim agreements. When it was signed in 1984, it was the first such agreement signed north of the 60th parallel, and only the third comprehensive land claim agreement finalized in Canada. As with all comprehensive land claim agreements, it is protected by the Constitution.

Land claim agreements are not designed to end relations between governments and aboriginal groups; they are designed to change those relationships. Modern comprehensive land claim agreements are complex. They address, among other things, the roles, responsibilities, and obligations of each party. Some of these obligations entail specific, one-time activities, while others involve changing processes, such as environmental reviews and federal contracting practices.

The principal objectives of the Inuvialuit Final Agreement are: to preserve Inuvialuit cultural identity and values within a changing northern society; to enable the Inuvialuit to be equal and meaningful participants in the northern and national economy and society; and to protect and preserve Arctic wildlife, the environment, and biological productivity.

[Translation]

The Final Inuvialuit Agreement includes more than 80 provisions that obligate the federal government to undertake certain actions or activities. More than three quarters of these obligations are ongoing, such as regular participation on boards and committees. We audited federal activities related to 29 of Canada's obligations that we deemed important for fulfilling the agreement.

We also examined how Indian and Northern Affairs Canada, the lead federal organization, planned for, carried out and monitored the implementation of Canada's obligations under the agreement. Finally, we assessed whether, or how, the department monitored and reported on the extent to which the agreement's principles were realized.

We found that, although the Final Inuvialuit Agreement is constitutionally protected, the federal government has not met some of its significant obligations. This is often because it has not established the necessary processes and procedures or identified who was responsible for taking various actions. For example, it has not yet established a process to remove restrictions on use, called encumbrances, from 13 parcels of Inuvialuit land. Removing them would transfer control and use of the land to the Inuvialuit.

We also found that federal organizations have not respected some of their contracting obligations under the agreement. For more than a decade, government contracting policies did not reflect specific agreement obligations to inform the Inuvialuit of federal contracts related to the Inuvialuit Settlement Region. In addition, departments still do not monitor their contracting practices within the region; they cannot provide assurances that current contracting obligations under the agreement are being met.

• (1535)

[English]

Some of the obligations are being met. Canada has paid almost \$170 million and transferred approximately 91,000 square kilometres to the Inuvialuit in accordance with the agreement. Moreover, federal organizations have collaborated with joint management boards and committees established under the agreement. They have also provided advice to environmental screening and review bodies when requested to do so.

Mr. Chair, we found that 23 years after the agreement came into effect, Indian and Northern Affairs Canada still has not developed a strategy for implementing it. The department never formally identified federal obligations under the agreement or determined which federal departments were responsible for which obligations. It has not developed a plan to ensure that federal obligations are met. The department does not have a strategic approach to identify and implement Canada's obligations, nor does it monitor how Canada fulfills them.

We also found that Indian and Northern Affairs Canada—the federal lead—has taken no action to ensure that progress towards achieving the principles of the agreement is monitored. As a result, the department does not have a comprehensive picture of progress made in meeting the three fundamental goals of the agreement. During the audit, officials stated that they do not view this as the department's responsibility.

In 2003 we made similar observations about the department's approach to agreements with the Gwich'in and the Inuit. It is disappointing that Indian and Northern Affairs Canada has continued to focus only on specific obligations and has not worked in partnership with the Inuvialuit toward the goals of the agreement.

We made six recommendations in our audit of the Inuvialuit Final Agreement, including the need for INAC to develop a strategic approach to implementing Canada's obligations under the agreement, and, in cooperation with the Inuvialuit and territorial governments, develop performance indicators and measure progress in meeting the principles of the agreement.

The department has agreed with all of our recommendations. When it responded to these recommendations, the Department of Indian Affairs and Northern Development made various commitments with specific timeframes. Our previous work on aboriginal issues shows that sustained management attention is necessary to ensure that government departments meet their obligations.

Mr. Chair, the committee may wish to invite the Department of Indian Affairs and Northern Development to table its action plan and explain what changes have been put in place to ensure that it lives up to its commitments. For example, it would be important for the department to clarify its role and responsibility with respect to monitoring the achievement of land claims and communicating to staff the importance of meeting federal obligations.

Mr. Chair, that concludes my opening statement. We would be pleased to answer the committee's questions.

● (1540)

The Chair: Thank you, Mr. Campbell.

The first round of questioning will be for seven minutes, followed by rounds of five minutes.

Ms. Karetak-Lindell, if you'd like to lead off, please.

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Thank you very much.

Thank you, Mr. Campbell. It's good to see you again.

I'm going to try to be as specific as I can about the Inuvialuit land claims agreement, but I'll be partly putting it together with the other

agreements, commenting first on my personal experience with the Nunavut land claims agreement, which I'm a beneficiary of. If people do not feel that land claims agreements are going to be implemented properly, it's very discouraging for other people across Canada to want to enter into a land claims agreement, just from a personal perspective.

In your recommendations you are asking for a strategic approach to implementing obligations. Could you be a little more specific in noting what type of strategic approach you would recommend that would not only deal with this agreement but in general set an example for the other land claims agreements that we know are saying the same thing, that they don't see an implementation policy that would see all the parties fulfill their obligations.

Mr. Ronnie Campbell: Thank you.

In our view, a strategic approach to implementing a land claims agreement such as this would include, among other things, at least having an inventory of what those obligations are, having a list of what those obligations are in relation to the federal government, and also identifying who among government is responsible for each of those particular obligations. I think also there need to be timeframes in place, and a willingness to measure progress, not only progress against the specific obligations within the land claims agreement, but also a commitment to measuring progress towards the overall goals, because, as we mentioned, in previous audits of land claims there was a certain degree of commitment towards some of the specifics but without much attention being paid to whether or not the overall fundamental goals of the agreement were actually being met. So I think a strategic plan would include many, if not all, of those components.

Ms. Nancy Karetak-Lindell: Thank you.

You made six recommendations, but in the ones you've highlighted, have you thought about what the performance indicators would be and how you came to those indicators?

Mr. Ronnie Campbell: Thank you.

I think it's important at the outset to make the point that whatever those performance indicators might be, they would need to be developed in consultation and collaboration with the other parties to the agreement. It's for the parties of the agreement to think through how they would actually measure the overall progress toward the fundamental goals of the agreement.

Some of the seeds of that can be found in the specific obligations and tasks within the agreement, but also in the overall fundamental goals that speak to economic and environmental issues and cultural values of the Inuvialuit. So those would have to be developed by the parties in terms of where they think they want to go and how they would measure those things. But no attempt has been made to even begin that work, and we would encourage the parties to get together and come up with those measures.

The Chair: There are about three minutes left.

Mr. Russell.

Mr. Todd Russell (Labrador, Lib.): Thank you, Mr. Chair.

Good afternoon to both of you.

Certainly the implementation of land claims is an ongoing challenge. In Labrador, we just signed a land claim in 2005. I think they're working through some of it, but they're already starting to find the implementation process quite cumbersome and slow. That certainly has an impact upon one's progress.

What I found stunning about the report more than anything else were a few sentences saying that the standard of living of the Inuvialuit or the beneficiaries of the claim has actually lessened, that they have fallen behind other northerners—and God forbid if we make comparisons to the rest of Canada.

It's my understanding that land claims are intended to ameliorate the conditions of a specific people and enhance their conditions through a number of obligatory arrangements that are constitutionally protected. I certainly believe in land claims. I think they're fundamentally good things for the country and for aboriginal people. But how can this happen? How can a land claim that was signed over 20 years ago with such hope and promise, the first one north of 60...? How do you qualify that statement? Can you put some more meat around it for me? How do you measure the quality of life and whether they have fallen behind? I find it remarkable that after 23 years, with an agreement that was supposed to hold so much promise, people are actually falling further behind.

• (1545)

Mr. Ronnie Campbell: Thank you.

Yes, the economic measures review is mandated in the Inuvialuit Final Agreement. So it's not a might-do or a could-do; it's a must-do. Not only that, but it's a must-do every five years.

So when we undertook the audit, we honestly looked at that kind of obligation and initially presumed we would find that had been acted upon and they'd be working on the next one. The department participated in the first economic measures review. It is their finding that the economic objectives have not been adequately met and that the gap is widening.

What is really discouraging is not so much that they haven't moved on to doing it every five years, but that they haven't acted on the findings of that first economic review. As I said, it's mandated in the report in the Inuvialuit Final Agreement, but the government hasn't taken action on it.

The Chair: Thank you.

Before I move to Mr. Lemay, I want to point out that we have some special guests here today from the Pacific Peoples' Partnership, who are visiting Ottawa today. They are looking at some climate change issues, and in particular how they affect indigenous people.

I hope you enjoy your visit with us today. We'll try not to mix it up too much here and make a bad impression on you. Welcome, and thank you for coming to our committee.

Mr. Lemay.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Thank you, Mr. Chair.

Thank you for being here, gentlemen. There is one thing I would like to understand. What led the Auditor General, to examine this Inuvialuit agreement? I would like to know what happened to cause the office of the Auditor General to become involved.

Mr. Ronnie Campbell: Thank you.

[*English*]

On the importance of the issue, these are agreements signed between the Government of Canada and other parties, including aboriginal groups. In this case it's the Inuvialuit Regional Corporation.

When we choose to undertake audits, the importance of the subject matter is one of the factors that sway those decisions. This is a very important agreement, and certainly very important from the point of view of the Inuvialuit. These are constitutionally protected agreements, and we would have believed and hoped that the government would have implemented this one more fully.

[*Translation*]

Mr. Marc Lemay: I have read the report. It says that negotiations began in 1974, that they continued, and that there was finally a signed understanding, an agreement, in 1984. Now, 23 years later, we hear that there are deficiencies. I do not want to get involved in petty politics and I do not want to blame one government or the other; we must stop the same thing from happening again.

Today, Bill C-30 was tabled. It deal with land claims and so on, and we will be studying it in a few weeks, a month perhaps. We will be studying it. I read your report, and I wonder how we committee members can make sure that a similar thing never happens again. What are your recommendations? I have read them, I like the Auditor General a lot, but I find that she is not pointed enough. I would like you to tell us what to do so that we do not go back to square one. At the moment, there are several land agreements. We are not just negotiating a number of them; some have been signed and we are in the process of evaluating whether others are working.

What do we do to make sure that everyone does what they are supposed to do when they are supposed to do it? Can we make sure? Should people appear before the committee more frequently? Should the Auditor General get involved more frequently? I would like to hear what you have to say. I do not want to be blaming the Conservatives or the Liberals, that is not the point. This is the implementation of the treaty we are talking about. What is it that did not work?

• (1550)

[*English*]

Mr. Ronnie Campbell: Thank you. There's a lot in that question, and I'll try to put the points together in some kind of order.

It's important to appreciate that a lot of energy goes into negotiating to get to the point where the agreements are signed, not only on the part of the government, but from the aboriginal organizations and groups involved. Very often only a small number of people are willing and able to take the lead in those issues. It's very draining and takes a long time and a lot of effort.

Some of that effort must be sustained in the implementation. It appears to us, in the work we have done, that the energy dissipates on the part of the government after the agreement is signed. There's the big signature and the big event, and then people go off to chase after other priorities. Often people further down in the department are responsible for the day-to-day implementation of those agreements. "Sustained management attention" is a phrase we use frequently now in relation to how the government addresses some of those issues.

On top of that, when they sign a land claim agreement there really should be a plan and timelines. As you know, what gets measured gets noticed, and what's noticed gets managed. So having a plan and some meaningful reporting to all the parties is hugely important. But sustaining that effort is probably the biggest thing on the part of government.

[*Translation*]

Mr. Marc Lemay: Do I have any time left? My colleague Mr. Lévesque represents all of Nunavik that is in Quebec. In the second round, it will be Mr. Lévesque. I prefer him to ask the next questions.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): I have listened to your report, sir, and read it, and I find it really worrying. We know, for example, that a memorandum of understanding has been signed with Nunavik. I wonder if we should not go off to the Auditor General and ask her to look into that agreement to see if the mistakes made here are being repeated. I do not know if you can do that or whether perhaps we should refer the matter to her. After having seen this, one really wonders whether will have the same problem with Bill C-21 that we will be studying soon and in which there are no guarantees that the Indian Act will be henceforth be subject to the Canadian Charter of Rights and Freedoms.

• (1555)

[*English*]

Mr. Ronnie Campbell: Thank you.

I don't know enough, Mr. Chairman, about the northern Quebec agreement to know whether the member's talking about the recent signature, the recent amendments that were signed to it. Certainly that's an agreement that was initially signed in the 1970s. When parliamentary committees ask the Auditor General to look into subjects, I know that she always pays attention to what members of Parliament have to say, particularly when it comes from a committee.

There are a number of agreements across the north. There are four of them. The member mentioned the one in Labrador. There's a Nunavut land claim, the northern Quebec agreement, and the Inuvialuit one. We chose to audit the Inuvialuit one for a number of reasons, but that's not to say there aren't good reasons also to do the other ones.

The one in northern Quebec would probably require us to coordinate or collaborate with the Auditor General of Quebec, I

would think, on that type of agreement. But certainly if a request were made to the Auditor General, I'm sure she would consider it.

The Chair: Thank you. Maybe you can continue in the next round, Monsieur Lévesque.

Mr. Bevington, welcome to our committee today. You have seven minutes.

Mr. Dennis Bevington (Western Arctic, NDP): Thank you, Mr. Chair. I'm pleased to be here.

Certainly as my riding is the home of the Inuvialuit, I'm very pleased to have an opportunity to speak to your report and to some of the issues in it.

This, of course, is the third time the Auditor General has come out with this kind of decision, a report on implementation of comprehensive claim agreements. I don't know whether it's had that much impact in getting things done. I note in here that the implementation committee you talk about was first structured in 1986 and met eight times within 12 years. They've since put up a new committee, in 1999. It's met more often, but.... Was there any sense that progress was being made through that committee? Did you have any recommendations about making that committee work better?

Mr. Ronnie Campbell: No, we didn't have any specific recommendations in relation to that, but we did talk to the Inuvialuit Regional Corporation. Certainly our auditors visited all but one of the Inuvialuit communities during the course of our audit.

In response to the question of what the committee might do, I would offer the suggestion of having the department come and speak to their action plan. Further to the member's questions, perhaps you could invite members who represent the Inuvialuit to come and give their perspectives, because they may have specifics that they would offer to the committee that might be a lot more practical than what we might have.

Mr. Dennis Bevington: I note in these three objectives that you give the highest marks, really, to the third objective, which is to protect and preserve Arctic wildlife, the environment, and biological productivity.

Right now the minister of INAC has proposed a special representative to review the productivity of the environmental assessment process and the regulatory process in the north. I assume that would include the Inuvialuit.

The real problem you identified in here was the failure of the Department of Indian Affairs and Northern Development to make appointments in good course on those boards. Is that one of the major failings in the system?

Mr. Ronnie Campbell: I think Mr. Barrett will respond to that one.

Mr. Frank Barrett (Principal, Office of the Auditor General of Canada): Mr. Chairman, I'm very happy to respond to that question.

In terms of the wildlife issues, our one concern was with respect to the appointments to boards. We heard about this through the course of the audit. When we examined it in detail, however, we did find that the departmental officials were making recommendations in a timely manner, either to the government or to the minister, depending on the recommendation. The concern was in the actual processing and appointing at the political level, which we didn't look at. We looked at what the administration recommended and then we would see when the appointment was made.

• (1600)

Mr. Dennis Bevington: One of the major failings in getting these appointments was in the minister's office through the political process. That's similar to all the rest of our boards in the Northwest Territories and the MacKenzie Valley Resource Management Act, as well. I see the Inuvialuit are not any different in that regard.

When you speak about the economic opportunities within the claim for the Inuvialuit, would you say that there has been success in the Inuvialuit pursuing contracting with the federal government through the region? How would you qualify that in comparison to other areas, if you have any other experience in other areas? Has it been successful or not successful?

Mr. Ronnie Campbell: Mr. Chairman, the access of the Inuvialuit to government contracting has not been a success in this report. That's not to say that there isn't healthy economic activity accounting beyond this particular agreement. One of the provisions in the agreement required the government to inform the Inuvialuit of contracts that were being let in that region. As the audit report points out, for over ten years that wasn't happening. The government's records are not good enough to be able to give us assurance that's happening in all cases now. They were of a view that it was, but the auditors found ones that had slipped through the cracks. There's a lot of room for improvement there.

Mr. Dennis Bevington: I'm trying to understand whether this is a common element that has run through other examinations you've made of comprehensive claims, or is this specifically towards the Inuvialuit claim? Do you have any information in that regard?

Mr. Ronnie Campbell: The specifics relate only to this agreement, but it speaks to a broader issue, Mr. Chair, that when the Government of Canada negotiates a land claim agreement, it can often obligate other parts of government to behave in a certain way. It's really important that when we sign a land claims agreement that communication happens and Public Works and Treasury Board are informed, so that people know what has been agreed to by the Government of Canada and how that must affect their behaviour.

It took some time for the Treasury Board policy to catch up with the reality of the agreement, and it's taken even longer for behaviour of departments, including Public Works, to catch up with that. I think that's one thing that is really important. When the Government of Canada signs an agreement, it has to make sure that all the different parts of government know how that affects them.

Mr. Dennis Bevington: The other thing about your report—

The Chair: You have 15 seconds, Mr. Bevington.

Mr. Dennis Bevington: The other thing about your report is that you refer consistently to INAC. We don't get any further into the bureaucratic maze than that in your report. Is there any way we could

identify the responsible elements within INAC that should have done the planning and notification?

Mr. Frank Barrett: There were six departments in the report. Specifically with respect to INAC, right now, as the department is organized, the majority of the responsibility for implementing the agreement rests with the implementation branch. We did a fair bit of work within that branch. Mind you, we generally will not speak beyond the department level because they could choose to organize and move it around in the department, as they would see appropriate.

The Chair: Thanks, Mr. Bevington, Mr. Barrett.

Mr. Bruinooge, for seven minutes.

Mr. Rod Bruinooge (Winnipeg South, CPC): Thank you, Mr. Chair.

I'd like to thank you both for this important audit. Clearly, it indicates a lot of areas where the federal government needs to continue to work to make this agreement work for the people in that region.

It reminds me, as a parliamentarian, that not only do we have to endeavour to sign these important land claims agreements, but of course implementation is by far the most important part. It reminds me of the days of being an entrepreneur. The idea is the easiest part, but implementation of the idea is always the challenge.

I'd like to ask a few specific questions. First, when was the audit actually done? What period of time did the audit occur over?

• (1605)

Mr. Frank Barrett: Mr. Chair, we began our audit in approximately April 2006, and completed the substantive examination work by May 2007.

Mr. Rod Bruinooge: How did the audit actually unfold? I imagine most of it occurred within the department itself, but were there also a number of meetings and various trips to the region itself?

Mr. Frank Barrett: Certainly there were, Mr. Chair. We visited Inuvik and the Inuvialuit Regional Corporation at least three times, I believe, over the course of the audit. We visited five of the six communities that were included within the audit itself. A fair bit of the audit examination work in the files was done in Yellowknife, where INAC has a regional office. As well, we met with officials of the Department of Fisheries and Oceans, Environment Canada, and the territorial government to obtain some context in Yellowknife. Of course, there was a lot of work done in Ottawa and Gatineau.

Mr. Rod Bruinooge: Did you have a particular focus? Of all those nodes you said you looked at, was there a particular focus on which you spent most of the audit's time?

Mr. Ronnie Campbell: Yes, the focus of the audit was to understand the agreement, first of all. So we talked with Inuvialuit and we talked with Indian and Northern Affairs officials. Then we selected, I believe, 29 of the significant obligations and simply audited the extent to which the federal government had met its obligations.

Mr. Rod Bruinooge: One of the items you raised I felt was quite interesting. It was on page 10 of the report, paragraph 3.24, where you commented how numerous assets, and a couple of land plots as well, were transferred in error to the Inuvialuit, and that the territorial government was in fact being billed by the Inuvialuit. Could you maybe talk a bit about that particular case? I find that to be quite interesting.

Mr. Frank Barrett: Certainly.

One of the aspects we did find in the course of the audit was that in the original transfer of land, there were some errors. The way these were described to us, and the easiest visual of them I can provide you, is that when they were looking at the communities, they drew donuts around the communities and said, well, this land continues to belong to the territorial government, but the land around it will be part of the settlement for the Inuvialuit. Of course, as one official put it to us, they drew the donuts too small, so you then had sewage lagoons and other properties outside the area of territorial control being transferred to the Inuvialuit. There was then an awkward situation where the territorial officials would have to be going onto the land claim area and accessing their buildings and facilities that were actually part of the land claims settlement area. That's where disputes emerged about rental charges, etc.

Mr. Rod Bruinooge: So how were these disputes launched initially? Was it simply by communication between the two parties, or did they go to court at all to begin levying these charges?

Mr. Frank Barrett: To my knowledge, they did not go to court. There certainly is a reasonably thick paper trail of correspondence back and forth and concerns that have been expressed. I believe there's a provision in the agreement saying that extra costs to the territorial government arising out of a land claim agreement would be borne or supported by the federal government. The question centred around whether this was considered one of those costs or not. That's why INAC was very much involved in the discussion.

• (1610)

Mr. Rod Bruinooge: In the responses of the departmental officials you spoke to, was there any indication of a compensation payment being made for these bills that the territorial government is getting from Inuvialuit?

Mr. Frank Barrett: My understanding to the end of our audit was that the correspondence was quite clear that the federal government did not intend to absorb the costs or see them as legitimate costs. So to my knowledge there was no reaching of an agreement in terms of compensation.

Mr. Rod Bruinooge: Is there is a process for the settlement of this outstanding issue?

Mr. Frank Barrett: I have not heard of one.

Mr. Rod Bruinooge: No? Okay.

As I said, I had a lot of interest in that one case because it particularly highlighted some of the issues just dealing with cross-jurisdictional government when land claims like this are being settled.

One of your recommendations that is particularly interesting to me is of course coming up with an implementation plan. Going back to my entrepreneurial reference, you need the business plan.

Maybe I'll leave it there, because it sounds as though I'm out of time.

The Chair: Yes. Thank you, Mr. Bruinooge.

Now we're going to begin our second round, which is five minutes.

Mr. Russell.

Mr. Todd Russell: If I have some time, I'll share it with my colleague Ms. Karetak-Lindell.

These agreements are really tough for aboriginal people to sign as well because of the finality that comes with them, the sense that you give up undefined rights for some defined rights and privileges, forever and ever, and this is the way it's going to be.

There has been a lot of litigation around implementation and what the agreement meant or didn't mean. With the James Bay and Northern Quebec Agreement, there's been litigation on top of litigation with the Cree people. There have been some disputes as well under this particular agreement that you've highlighted.

Do you assess how much of an impact or what type of impact these disputes are having on the lack of progress that's being made? When you get bogged down in what this or that clause means or the usefulness of a particular part of the agreement, are there a lot of disputes between the Inuvialuit, or the IRC, and the various levels of government; and was there any assessment done on maybe what type of impact? It drains resources—human, financial, and otherwise.

Secondly, is there any possibility of opening up these types of agreements? I'm not sure if there is not. The one thing I'm sort of edging towards is the whole impact of climate change and the type of stress and the challenges that many of these northern communities are going to face as a result of climate change, which wasn't contemplated, I don't believe, back 23 years ago to the same extent.

So I have two questions: What impact are the disputes having; and is there any room for opening up these types of agreements to account for circumstances that weren't seen a quarter of a century ago?

Mr. Ronnie Campbell: I think the first part of the question, in terms of the impact on the Inuvialuit, would be better answered by representatives of the Inuvialuit Regional Corporation. But I think it's fair to say that from what we've observed, the ongoing disagreements and pushing and trying to get things implemented causes frustration. As the member correctly points out, it seems to be draining in people. They seem to be having the same discussions and arguments every few months or every year.

As most members will be aware, we're talking about a very small number of people in the Inuvialuit region, so there isn't a massive staff to be able to deal with those things. So I think it has a big impact on the Inuvialuit and their ability to get on and do other things. It takes their time.

That said, I think that question would be much better answered and more completely answered by representatives of the Inuvialuit.

As to the second part of the question, about whether or not they could be opened up, I'm not a lawyer, I'll confess. The fact that they're constitutionally protected probably suggests that's a big hill to climb, but it would also suggest to me that the expectation was that they would be implemented, and fully implemented. When you create an agreement of that nature, the expectation is that you'll implement it fully and completely.

On the question of climate change, the member says 23 years ago it wasn't contemplated. A lot more recently than that, people were having difficulty getting their minds around just what the impacts would be. I think the north has to deal with many of those issues, and whether they would be through different vehicles as opposed to this agreement would be for others to decide.

• (1615)

Mr. Todd Russell: Thank you.

The Chair: Ms. Karetak-Lindell, one minute.

Ms. Nancy Karetak-Lindell: Maybe I'll continue it in the next round.

I'm a little concerned about a point made, also on page 10, that INAC has not developed a process for actively seeking alternative lands to achieve a land exchange. I think that would be one of the main fundamental purposes of a land claims agreement, that there be certainty around exchanges of land—which lands are in the settlement, at what level, whether it's surface rights and all that. The land component has to be a key issue that I would naively think would be one of the areas they would be the strongest in, how to quickly exchange land. If there were a different case, like Parks Canada deciding not to take Nelson Head, how do you exchange that for another piece of land, and whose responsibility is it to clean up, if needed?

Mr. Ronnie Campbell: I totally agree. It's a land claim agreement, and I think you can see from the cases where errors were made how difficult if not impossible it has been for the department to correct its own errors. I think that speaks to the question.

The Chair: Right, thank you.

Mr. Albrecht, five minutes please.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Thank you, Mr. Chair, and thank you to our witnesses for being here today.

I want to clarify. My NDP colleague commented that this is the third audit of land claims agreements. I simply want to verify that this is the first audit of this particular one. I wanted to correct and identify that.

At this committee, one of the primary focuses that I think we've discussed at various times, although we haven't done a complete study, is the whole issue of economic development opportunity for aboriginal people. Certainly it keeps floating to the top as one of the key factors in advancing the cause of all aboriginal peoples in Canada.

I want to turn to page 18 of your report, where you refer specifically, in paragraph 3.49, that there was a framework developed by INAC in 1994 to evaluate economic progress, but it hasn't been used at all. Then in your next paragraph you refer to the

fact that 17 months later there still was no reply or action by INAC, and then in paragraph 3.51 that INAC still has not followed through on any of these commitments, that no one is monitoring the progress toward economic objectives.

That's bad enough on its own, in isolation, but then I turn to the notes given to us by the Library of Parliament researchers, and they point out that the \$169 million that is payable over 14 years includes a \$10 million economic development fund. So the question that obviously pops into my mind is what's happened with that \$10 million? Is it still sitting on the table for use when these plans finally get put into place, or has it disappeared?

Mr. Frank Barrett: Mr. Chair, my understanding is that the \$10 million economic development fund was provided from INAC to I believe a subsidiary of the Inuvialuit Regional Corporation when the agreement was signed. There is also a string of payments, as you know, controlling \$152 million as well. But that was turned over to the IRC.

Mr. Harold Albrecht: At this point, as a member of this committee, I would have no way of knowing whether that money has been all used up or whether some of it is still available, in spite of the fact that, according to your report, there's really no framework even in place.

Mr. Frank Barrett: That was beyond the scope of our audit.

Mr. Harold Albrecht: That concerns me as a taxpayer, obviously. I think it's something that should concern all of us.

Obviously, as we look at this long term of inactivity or inaction on the part of all stripes of government, there's enough blame to go around. We could talk about blame and all of that, but as regrettable as the mistakes of the past are, I think the key thing we can all agree on here is that we need to move forward, not only in terms of this agreement but other agreements that are being signed.

If we were to ask INAC to focus on one key objective in terms of getting to work and implementing this—you've given us six overall—what would the main focus be? Secondly, does INAC actually have adequate resources to implement that focus, if we were to identify it?

• (1620)

Mr. Ronnie Campbell: These are excellent questions, Mr. Chair.

I do believe that INAC senior officials would be much better placed to answer some of those questions as to whether or not they have adequate resources and how they allocate these resources.

Certainly I think the implementation of those agreements needs to be the higher priority within the department. The Government of Canada has signed on to the agreements, so it should be a high priority.

I don't think there's any one thing other than a really simple approach: know what you've got to do; put the resources to it; do it; measure to make sure you're making progress; and take corrective action as you go. And some of those things are simply not in it.

Mr. Harold Albrecht: On page 33, in the recommendations you made, I am flipping back again to this economic development question because I do really believe this is key in all aboriginal communities and other communities as well.

Earlier you referred to the fact that the scope of your audit extended from April 2006 to May 2007, and here in the response INAC is already acting in February 2007. Is that to imply that just on their own they suddenly began to take action on this, or were they already getting some markers indicating that this was going to be a focus of your report?

Mr. Ronnie Campbell: Mr. Chair, they knew we were here, and I would never want to understate the effect of having an audit in the building.

Perhaps I could just take a second and point out to members something that I think is quite important and would be worthy of further exploration with the Department of Indian Affairs, and that is, in paragraph 3.83 on page 27, during the course of our audit, certainly departmental officials.... This is relating to the obligations of the agreement. The officials were certainly telling us that they were reluctant to monitor and report progress towards achieving the principles for several reasons, and the main one being that they didn't think that was their responsibility. When you go to the recommendations—we got to the end of the audit and we made the recommendation that they should do just that—they've agreed with that recommendation. So perhaps we've had an effect.

I really think there would be value in having, perhaps, both the Inuvialuit folks and certainly the department here, particularly the department, to get an action plan and dates, and not to put too fine a point on it, to hold their feet to the fire.

The Chair: Thank you, Mr. Campbell and Mr. Albrecht.

Monsieur Lévesque, cinq minutes.

[Translation]

Mr. Yvon Lévesque: Gentlemen, without wishing to assign blame to any political party whatsoever, you are telling us that you audited an agreement that has been in place for 23 years. In paragraph 7 of the document you tabled today, we can read, and I quote:

For more than a decade, government contracting policies did not reflect specific agreement obligations to inform the Inuvialuit of federal contracts related to the Inuvialuit Settlement Region.

Who are the losers, the Inuvialuit or the government? After 23 years, you have listed all the mistakes that beset these agreements. You also mention that, in 2003, you mentioned similar concerns in an agreement with the Gwich'in and the Inuit. You state that it is disappointing to note that the Department of Indian and Northern Affairs still focuses its effort on only some obligations.

I would like to remind you that the federal government is involved with Nunavik. The Naskapis of Kawawachikamach, who are from Nunavik, send reports to the government each year both on their finances and their activities. Bill C-44 was amended by Bill C-21. I have to insist on this question. Given that several departments are able to act and get involved at the same time, would it be possible to send these agreements to the office of the Auditor General of Canada in order to correct deficiencies if required? That would perhaps help with the implementation of these agreements.

• (1625)

[English]

Mr. Ronnie Campbell: Certainly, Mr. Chairman, if that's the wish of the committee, I'm sure the Auditor General would pay full attention to that. There may be value, however, in any future hearings that your committee may have, in asking the department to elaborate in terms of the weaknesses that we've observed in relation to the implementation of this agreement, to get some assurance from the department that those weaknesses don't also reside in the other agreements. So there may be a quicker way for the committee to get at some of those issues at least.

[Translation]

Mr. Yvon Lévesque: After our discussions, we realize that it seems much more difficult..Given your understanding of the deficiencies or weaknesses in various agreements, and your experience in the matter, surely you would be able to detect them in the new agreements we are signing today. In my opinion, you are the best qualified people to do it at the moment.

Mr. Ronnie Campbell: Possibly, but we are very busy.

[English]

We have, obviously, a full slate of work, but as I mentioned, when the Auditor General receives a request from a committee, although often we're not able to respond to it immediately because everyone is busy on other audits, we take those requests very seriously.

The Chair: Mr. Storseth, you have five minutes.

Mr. Brian Storseth (Westlock—St. Paul, CPC): Thank you very much, Mr. Chair.

I want to thank you gentlemen for coming forward today representing the Auditor General's Office and doing an excellent job in this audit.

Going about reading this, it's a little bit surprising. I'm still a rookie member of Parliament. I understand that in 1998 the Auditor General conducted its first large audit of the department. In 2001 you followed up and once again recommended that there be an acceleration of the implementation process. Here again in 2007 we have an audit that shows, quite frankly, that the implementation has been an abysmal failure to this point. That's what I read out of this.

Could you suggest to us some of the main issues that you see out of this that our government has to clean up from its predecessors?

Mr. Ronnie Campbell: Mr. Chairman, the issues are pretty clear in the report. I certainly wouldn't go beyond that. We've boiled it down to what we think the major issues are: government has signed those agreements; people expect them to implement them and implement them fully; and they need to put the resources to it and to measure their own progress to make sure they're on course.

One of the members alluded to the fact that the difficult part may already have been done, in terms of finding an agreement that works for all the parties. Now it's all written on paper, and I would just say get on with it and keep measuring until you know you have gotten there.

Mr. Brian Storseth: I appreciate that, but one of the things we need to do, with the help of the Auditor General's office—you've been looking at this—is get down to the nuts and bolts of what's going on. Is this a problem, as my colleague said, of insufficient resources, or is it a problem of the Government of Canada not getting value for the resources it has put out there?

I read in paragraph 3.22: "INAC also inadvertently transferred a section of the airport runway in Sachs Harbour, which belonged to Transport Canada." The following paragraph says: "Although 23 years have elapsed since the agreement came into existence, INAC has yet to resolve this error."

In your investigation of this, have you been able to identify one aspect of the department, or an individual within the department, or a position within the department that is substantially the cause for the continual failure of the implementation of this?

Mr. Frank Barrett: Perhaps I could address the question, Mr. Chair, in this way. In paragraph 3.5 we note that there are today 21 comprehensive land claims agreements, and that the department is organized with approximately 25 staff—approximately one person per agreement—on the implementation side.

Earlier we were speaking to the negotiation side. There, you have interdepartmental committees; you have a whole apparatus to negotiate and implement agreements.

Perhaps there is something to be said there.

If we could put a bit of positive spin on it, I would note that on the wildlife side, in environmental screening committees and some of those areas, what you saw was departmental officials who very much had goals that were aligned with those of the Inuvialuit. They were interested in protecting the environment, in protecting the wildlife, and in seeing development done in a responsible way. What you saw was committees that were working very effectively.

There might be some fruit, Mr. Chair, in looking at the shared objectives and goals.

• (1630)

Mr. Brian Storseth: I appreciate your trying to take a positive step in this, but I sit here and think about the Inuvialuit. They can't see this as a very positive process at all. I quite frankly find it very disturbing, as a member of Parliament, to see that this is how we implement our land claims.

Once again I have to ask you: is there one aspect of the department that is really falling down on this, apart from the constant cry of lack of resources for it? Is there one aspect that has really fallen down? We sit here, and you talk about the department needing an action plan. After 20 years, one would hope they would have an action plan with some timelines that they could address on this.

Mr. Ronnie Campbell: Mr. Chairman, I would totally agree with the member's comments that 20-plus years later you'd expect that there would have been a plan and that much of the plan would have been implemented successfully. I totally agree.

If you have the chance to have senior officials from the department here, they'll obviously put things in context. On one hand, they'll talk about the many other things the department has to respond to, the crises that come up. At the same time, this is an

agreement that's been signed by the Government of Canada, and people would expect it to be implemented.

The Chair: Thanks, Mr. Storseth.

We'll have Mr. Bevington for five minutes.

Mr. Dennis Bevington: Thank you, Mr. Chair.

I feel that we haven't found any solution here yet. I'm a little bit concerned that INAC seems to be operating in a vacuum from instructions. This is the third report on these implementation processes.

We've seen also major conferences on implementation. We have one group in the courts right now over implementation. This suggests to me that it may be necessary for the committee to bring forward people from the department who are responsible for this process to lay out their goals and objectives and their methods for achieving some of the things that have to be done.

I just wanted to touch a bit on the first goal you had listed here: preserve Inuvialuit culture, identity, and values within a changing northern society. I know that the agreement here pre-dated a lot of the self-government work, so the self-government arrangements and the self-government work has come into the agreement. You don't report at all on the efforts towards achieving self-government, that being one of the major goals of the agreement.

Mr. Ronnie Campbell: Mr. Chairman, no, we don't talk about self-government in the context of this report, because as members will know, that's currently a matter of negotiation. They're still in those discussions with government.

As auditors, we wouldn't want to interfere with how those things are being negotiated. As auditors, we will feel much more comfortable auditing the extent to which people have met their obligations. The self-government discussion is an ongoing one.

Mr. Dennis Bevington: Within the goal of preserving culture, identity, and values within a changing northern society, you don't really identify where this agreement hasn't gone or should go. You don't really talk to that very much within this report. Yet it's in the report. Maybe you could clarify that a little bit.

Mr. Ronnie Campbell: Yes, Mr. Chairman, I'll try.

Within the agreement, you have the three broad objectives: cultural values, economic issues, and environmental-related issues. When you look at the specific obligations and activities within the details of the agreement, most relate to economic issues and the environment.

I honestly believe that the Inuvialuit would be better placed to speak to this, but certainly, the way it was explained to us was that if the economic, wildlife, and environmental issues advanced the way they were foreseen in the agreement, that in itself would impact upon cultural values and the maintenance of those. Again, I'd be hesitant to speak on behalf of the Inuvialuit on that kind of issue.

There is a disconnect or an absence of a number of specific obligations within the agreement that relate to culture.

•(1635)

The Chair: We'll go to Mr. Storseth.

Mr. Brian Storseth: Thank you very much, Mr. Chair.

I'll be sharing my time with the parliamentary secretary.

Mr. Campbell, Mr. Barrett, I want to clarify and ask this once again. Other than the Inuvialuit, has anybody else been adversely affected by this? Has anybody in the department or in any aspect of the department, to your knowledge, had any consequences because of the lack of implementation and the lack action that has occurred on this file over the last 23 years?

Mr. Ronnie Campbell: Mr. Chairman, not that I'm aware of, no.

Mr. Brian Storseth: Thank you.

Mr. Rod Bruinooge: I will go back to another line of questioning that Mr. Albrecht was starting in relation to economic review.

There are a number of areas where I think the government tries to bring economic benefits to communities, whether it be in non-aboriginal or aboriginal communities. But as I have learned over the years, it's difficult to make economies occur where economics don't naturally predispose those areas to a good economy, if you know what I'm trying to say.

My question would be, would government maybe have signed onto something that it couldn't achieve? For instance, is government being blamed for not being able to deliver economic benefits in an area where perhaps it's impossible to deliver economic benefits? You know the point I'm trying to get at. Did the Government of Canada sign on to something that it couldn't have achieved? Is that part of your assessment?

Mr. Ronnie Campbell: I recognize that in certain regions of the country it's much more difficult to get some things done than in other areas of the country.

There is economic activity going on. Again, I would refer you to the Inuvialuit to speak to that. But I don't think the expectation is that the government would deliver an economy. I think the expectation in the agreement is that there would be an economic review every five years, and there would be recommendations that would come out of that review, and, where possible, the parties would work together to try to implement those recommendations.

Where that would have led, if the review had been acted on, I don't know. It might have led to a better economy, but who knows? One wouldn't know until they at least do the things they were supposed to do under the agreement.

I don't think anyone would suggest that implementing all of those recommendations would lead to any kind of guarantee, but I think people would have expected the recommendations to be acted on.

Mr. Rod Bruinooge: In regard to the region that is directly off the coast, I'm not entirely sure if there are oil and gas resources there, and this is something I haven't, to be honest, looked into. But is that resource base available to the Inuvialuit?

Mr. Frank Barrett: Yes, there is a lot of economic activity up in that region in the Beaufort Sea right now, completely surrounding the Inuvialuit settlement region, because of the Mackenzie Valley

Pipeline discussions and the exploration that's going on up there now. I can tell you on a personal note that hotels are often full.

Mr. Rod Bruinooge: And are those benefits flowing through to the Inuvialuit? Are they achieving the economic benefit from this exploration?

•(1640)

Mr. Frank Barrett: That would be a question better placed to the Inuvialuit. I know they are active within Inuvik.

Mr. Rod Bruinooge: That wasn't part of your audit, to assess if those benefits were flowing through?

Mr. Ronnie Campbell: Mr. Chairman, I would like to just elaborate on the answer.

One of the analyses or explanations that were provided to us by representatives of the Inuvialuit Regional Corporation was that there is a hope and an expectation of significant economic activity in that area in the future. Already there are the beginnings of activity.

Their hope, as expressed to us, was that had the government implemented the contracting provisions of the agreement in the way the agreement calls for, if nothing else it would have helped build up the capacity of some of those potential contractors so that when the next wave of economic activity came through there would be established companies and trained personnel—technicians and the like—there in a position to take advantage of it.

Mr. Rod Bruinooge: How much time do I have left?

The Chair: None.

Mr. Rod Bruinooge: Okay.

The Chair: Ms. Neville.

Hon. Anita Neville (Winnipeg South Centre, Lib.): Thank you very much.

Thank you, again, for coming here today. A lot has been covered already.

I want to read you something that Ms. Fraser said at the Standing Committee on Public Accounts in June 2006. They were doing a review of comprehensive land claims at that time. I think there's some applicability. She said:

You have to be looking at the overall objectives, not simply limiting yourself to that action.

At the time, there was actually a disagreement with the department. They said in their response that they were not tasked with the objective, but rather that their responsibility was to meet the activities that had been specified. After that, the minister changed the position of the department. But I think it's still not clear to us if it's fully accepted that the department should be trying to attain the overall objective and that it doesn't just have a responsibility to do the actions that are listed.

Then I went to your report, and under number 392, at the conclusion—and I'm going to ask questions after—you said:

...we concluded that although the Inuvialuit Final Agreement has existed for 23 years, INAC has yet to demonstrate the leadership and the commitment necessary to meet federal obligations and achieve the objectives of the agreement.

What did the minister change when she said, "After that, the minister changed the position of the department"? What changes are you aware of?

And in your experience you do a lot of management audits, organizational audits. What's required to show leadership in a department? Is it the interests of the bureaucrats who are there? Is it the attitude, the will of the bureaucrats? Is it the political will of the minister of the day? How do we reconcile all this?

Mr. Ronnie Campbell: Those are excellent questions. I'll try to make sure I remember all the points you made.

In relation to the comment that Madam Fraser made in the quote you mentioned, the change was on the department's website in terms of what they're about and what they do. I can't remember the specific part of the website, but they did make a change in how they expressed themselves about what they do. We were encouraged by that at the time.

I would point out to members that there was a change then, and there was a change in the course of this audit. As I mentioned earlier, during the course of the audit departmental officials were saying, "We don't see that as our responsibility, and that's not something we really want to do". When we got to the end of the audit, they agreed to the recommendations.

Without being overly subtle, I would encourage the committee to perhaps avail themselves of senior management and ask them for some kind of assurance, and even ask them to provide you with a status report every few months. I've seen this with some committees. If you don't like the status report, then maybe that's an opportunity to bring them back.

In terms of what is required to make it a priority in a department, these are constitutionally protected agreements, so it shouldn't be at the whim of who's particularly interested in it. We've signed the agreements. They're constitutionally protected. They should be implemented. At the risk of being a bit blunt, I would communicate it as a priority. Put it in people's performance assessments, their personal appraisals, and measure them against it.

• (1645)

Hon. Anita Neville: Thank you.

In all agreements going forward now, should there be a clearly structured implementation plan? Would that be a recommendation of your department, or of the Auditor General?

Mr. Ronnie Campbell: They already have that.

Mr. Frank Barrett: Yes. In 1986 the policy was changed within the department to require that there be an implementation plan for land claim agreements.

Hon. Anita Neville: But it's not making a difference.

Mr. Frank Barrett: This agreement does predate that policy. But I do take your point: a policy does not guarantee implementation.

Hon. Anita Neville: I guess what I'm thinking of is what can this committee do to ensure the implementation in the full sense and to be true to the spirit of these agreements, to ensure that it's happening? I'm not sure, but if you have any suggestions, I think we would all welcome them.

Mr. Ronnie Campbell: At the risk of being repetitive, again, I think certainly have an implementation plan, have an objective measurement periodically—I mean an objective measurement that

involves all the parties—then report the results of that, but be transparent about it.

Hon. Anita Neville: Regular accountability is what you're saying—on all of the signed agreements?

Mr. Ronnie Campbell: Yes.

The Chair: Thank you.

Before I go to Mr. Albrecht, I was just going to say, I had said at the beginning that we would break at 5:20 p.m. to spend ten minutes on business. If we happen to run out of questions before 5:20, we'll just do it immediately thereafter.

Mr. Albrecht.

Mr. Harold Albrecht: Thank you, Mr. Chair. I'll try to be very brief in my question.

There are certainly a lot of negative vibes to our meeting today, and I think all of us agree it's regrettable that we have this kind of a report that indicates such a high level of inactivity on an agreement that not only has potentially a lot of economic costs in terms of the millions of dollars, but also has the economic costs to the aboriginal people who could have benefited. I want to acknowledge that, and I hope we've learned a lot from this negativity.

I want to try, if we can, to look for something positive here. Maybe there's not much to find, but I will ask you, as you did your audit, were there certain parts of this that you could say yes, they had it right, it was great? Then, the second part of that would be, how could we replicate that success as we try to implement that in other areas where there's been dismal failure?

Mr. Ronnie Campbell: Thank you.

As Mr. Barrett pointed out, in some areas, in relation to environment and wildlife, all the parties seem to get it. They seem to be working together enthusiastically without any reluctance, and that side works. Now, what's the magic formula that has those individuals doing those particular things? I don't know, but that side I think works and it works well, and it involves departments other than the Department of Indian Affairs. It includes the likes of Parks Canada and other departments as well.

Mr. Harold Albrecht: I guess that brings me to another question, then. You mentioned the lack of communication between departments. I think in a business, if you want to call it that, the size of the Government of Canada, that's always going to be a challenge. Do you have specific recommendations as to how we could improve that interdepartmental communication, other than grabbing people by the scruff of the neck and saying "Get talking"?

Mr. Ronnie Campbell: Yes, certainly at the signing of any of those agreements there are across government owners of various policies, and in the case we talked about in this particular audit, we are talking about contracting. So at the time when contracting provisions are being implemented into a land claim agreement, then if it's the Department of Indian Affairs that's taking the lead in the negotiations, they have to be talking to Treasury Board. Treasury Board owns that contracting policy, and Treasury Board needs to know when there are specific provisions that affect how people are to behave. They need to know that and to get that into the policy and make sure it's communicated. To the extent there are other instruments that are affected, those things should be automatic and they should be done at the time the agreement is signed.

Mr. Harold Albrecht: So it takes more than simply sending an inter-office memo?

• (1650)

Mr. Ronnie Campbell: That's correct.

Mr. Harold Albrecht: Thank you.

The Chair: That's it, Mr. Albrecht?

Monsieur Lemay or Monsieur Lévesque, do you have any more questions?

[*Translation*]

Mr. Marc Lemay: No, thank you.

[*English*]

The Chair: Mr. Bevington.

Mr. Dennis Bevington: I think what I've heard is that one of the individuals engaged in the implementation process in this department received an award for the work he did. So I think there's a culture here that has to be dealt with. You refer to it quite a bit in your audit report, where you speak to their failure to recognize their responsibilities, and their ongoing obstinance in understanding the spirit and intent of the agreements. I think there has to be some

leadership there in this department to change that. I would hope that in some way this could be achieved, either through your report or through the work of this committee.

The Chair: Ms. Karetak-Lindell, do you have one more question?

Ms. Nancy Karetak-Lindell: It's more of a comment as we're winding up.

We take the Auditor General reports very seriously. They're the impetus for getting something going. I was saying to Anita that you can't keep expecting young aboriginal people to have hope for the future. Let's say someone who was 25 years old when this was being signed felt that his life and his family's lives were going to improve, but now he's almost 50 and still waiting. It sets a very dim picture for all of us, and does not give much encouragement for others to even seek to conclude land claims agreements.

I think it is incumbent upon all of us as members of Parliament, and everyone who is involved in the implementation of these land claims agreements, no matter which ones they are, to fulfill them. All parties are responsible. As you say, these are constitutionally protected agreements. If the Constitution can't protect Canadians, what else will?

This is a very serious report that we're hearing, and it's not just about this agreement; it is unfortunately setting a trend for all the other agreements. These are the same complaints we're hearing about the Nunavut agreement, which was signed after 1986 when we hoped that things were changing for the better.

The Chair: I appreciate that, Ms. Karetak-Lindell.

Mr. Barrett and Mr. Campbell, thank you for appearing before us today. We appreciate the information you brought. Hopefully we will be able to use it in a productive manner.

[*Proceedings continue in camera*]

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