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Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Monday, November 22, 1999

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1100)

[*English*]

REGULATORY BUDGET

Mr. Scott Brison (Kings—Hants, PC) moved:

That, in the opinion of this House, the government should implement a “Regulatory Budget”, parallel to the traditional spending budget, which would detail estimates of the total cost of each individual regulation including the government enforcement costs as well as the cost of compliance to individual citizens and businesses; and include a risk/benefit analysis of each regulation, to enable cost/benefit analysis of regulation by parliamentarians.

He said: Mr. Speaker, it is with pleasure that I rise today to debate my private member's Motion No. 207 concerning the introduction of a regulatory budget which would achieve a great deal in a number of realms.

First, there has been a secular decline in the role of the member of parliament over the past 30 years and a reduction in the meaningful role that private members play in conducting and legislating those things that are really important to Canadians. This regulatory budget would go a long way toward restoring some of the traditional authority which members of parliament had back in the days when the estimates were debated on the floor of the House of Commons and before the days when there was such tremendous control and concentration of power, in particular in the PMO and to a certain extent within the cabinet. This would help reverse a certain amount of that. It would also redistribute power that is currently with the bureaucracy and put more of that power in the hands of elected representatives. That would achieve a great good on behalf of Canadians, Canadian parliamentary systems and democracy.

• (1105)

There are two ways the government can change the way Canadians do things. For instance, if a bureaucrat determines that it is in the public interest to have a lawn sprinkler on every lawn in Canada, there are two ways the bureaucrat can achieve that. One way is to whisper in the ear of a cabinet minister that this is a good thing and that the government should buy those lawn sprinklers and distribute them to Canadians, which would entail a tax. Of course, the government would increase taxes, buy the lawn sprinklers and distribute them to Canadians to put on their lawns.

The second way, which is far less transparent and more concealed, would be for the government to introduce a regulation which would force all Canadians to buy lawn sprinklers with their own money and put them on their lawn.

What is the difference? The only difference is that of transparency and accountability, because effectively the same result is achieved with either alternative. Canadians are forced to sacrifice some of their scarce resources in the interest of a public good which is somehow determined by the bureaucracy. Somehow it is determined by big government and by this nanny government state that something is in the interests of Canadians and the government has made a decision that this will be done.

When a bureaucrat believes it is in the public interest that a certain end be achieved, there needs to be transparency and accountability in parliament prior to that change being effected.

Effectively what would occur with a regulatory budget would be that each new regulation introduced by a bureaucrat, before it was actually implemented, would have to pass once a year through a regulatory budget in the Chamber. We would be debating the efficacy or importance of each regulation in the House of Commons in the same way that we debate provisions within the budget.

A regulation is virtually the same as a tax. While we debate tax issues in the House all the time, we rarely debate the regulatory burden that is playing such a significant role in Canada and to a considerable extent is reducing the efficiency and competitiveness of Canadian business and individuals.

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I will give some examples. Between 1973 and 1996 federal government regulations grew significantly. In fact we have seen in recent years, during the 1990s, 650 to 1,000 new regulations introduced every year, requiring 4,000 to 5,000 pages of detailed explanation. Furthermore, in the past 20 years there have been over 100,000 new federal and provincial regulations passed. The average, combining federal and provincial, has been about 4,000 new regulations per year in the past 20 years.

As the number of regulations continues to expand, so do the costs of designing, implementing and administering these regulations. The expenditures on federal regulations over the past 20 years have grown in real dollar terms from \$2 billion to \$2.5 billion, an increase of 26%.

What do these regulations mean to consumers? It is very important to recognize that there are three costs with every regulation. The first two costs, which are borne by the government, are the implementation costs and the enforcement costs. The third cost, the largest cost, which is borne by consumers, is the cost of compliance. These regulations for consumers have cost the average Canadian family about \$11,000 per year, federal and provincial regulations combined. That has been an increase in real terms from about \$10,000 20 years ago. Total compliance costs to the private sector have increased from \$58 billion in 1974 to about \$84 billion in 1995-96. That increase has a significant impact, in particular on small business.

• (1110)

Studies suggest that escalating regulatory costs are responsible in part for our lagging productivity growth in Canada relative to the U.S. and other OECD countries. The 1994 small business working committee set up by the federal government shared these thoughts: "Too many regulations are developed and administered with little consideration given to the impact on the competitiveness of small business. Government must regulate less, simplify paperwork, limit information requirements and get out of the way so that small businesses can focus on creating wealth and jobs".

Unfortunately, Ottawa has abandoned its attempt to make compliance requirements more efficient for business. In their first term the Liberals introduced legislation aimed at allowing companies to propose more cost effective ways of complying with regulatory requirements. However, this legislation was redrafted and ultimately scrapped. It is now necessary to revisit some of these initiatives. We must find ways to encourage more innovative market driven responses to the issue of compliance.

The U.S. is having a similar experience relative to regulations. The cost of complying with American federal regulations has risen to 47% of the federal budget, up from 40% in 1988. There has been an increase in the regulatory burden, both in the U.S. and Canada, with our other trading partners. It is important that we also look at the examples of Japan and European countries in the EU which are

also moving to reform regulatory burden issues within their countries. It is important to view what is being done in other countries with respect to tax issues, social investment issues and regulatory issues.

We are in a very competitive global environment and we cannot afford to sit still in Canada while other countries adopt more innovative approaches to some of these very important competitiveness issues.

The notion of costing regulations, taking those three costs that I mentioned earlier, the two government borne costs and the private sector compliance cost, and combining them with the actual benefit of those regulations would provide parliamentarians with an ability to actually debate in the Chamber the importance or the efficacy of individual regulations.

The benefit of a regulation could be provided through a risk/benefit analysis, the methodology for which is very sophisticated and exists within insurance companies and underwriting agencies. We could use that type of methodology to determine the actual benefits of a regulation in order to compare the benefits to the costs of implementing that regulation.

It is very important to realize that there would be cases with a regulatory budget where the costs of implementation and enforcement would exceed the numeric value number of the benefit, but we would still pass that regulation.

I will give an example, which is not a federal regulation. Some provinces and municipalities have bicycle helmet laws. How could we put a price on the prevention of a head injury to a child? It would be very difficult to quantify that kind of benefit. There would be a political will and the recognition of a social good to passing that regulation, even though the numbers may not add up.

• (1115)

I have been asked questions relative to environmental issues. Some would say that it is difficult to quantify the benefits of environmental policy. I would argue to the contrary, that any economic policy which ignores environmental impact is bad economic policy. We should be taking into account environmental costs with every piece of regulation. If we fail to do so, the economics simply will not work because we will fail to internalize the externalities and to take into account the real cost to individuals, both consumers and non-consumers.

All these things can be taken into account. The bottom line is that elected members of the House would have the power to pass or to vote against individual regulations as part of this budget. This would lead to greater diligence in the bureaucracy in introducing regulations, greater scrutiny both by the bureaucracy and within the elected Chamber of these regulations, and ultimately a more effective and efficient regulatory burden which would provide greater benefit to Canadians and wreak less havoc with Canadian enterprises.

Last week I received a letter from the Canadian Federation of Independent Business. I will read some excerpts from it:

Numerous surveys of our members carried out over the years have consistently identified government red tape as a major problem for small and medium size businesses.

The recent survey of the Canadian Federation of Independent Business found that 60% of over 10,000 respondents identified government regulations and paper burden as serious issues for their businesses. Government regulations and paper burden were ranked as the second most important issues behind the total tax burden and just ahead of employment insurance and government debt reduction.

When asked to identify what government priorities should improve their productivity, 44% of respondents identified easing burdensome government regulations. The survey also found that one out of four respondents said that government fees and penalties needed to be made more equitable. Both responses were ranked in the top five actions the government should take to improve small business productivity. They were directly behind payroll, income taxes and paying down the federal debt.

Paper burden and regulations that are present at the federal, provincial and municipal levels saps productivity and wastes valuable time and money, not only for small and medium size businesses but also for the taxpayer and for government. A past survey carried out by the CFIB found that 40% of Ontario small business owners spend more than six hours per week simply filling out forms.

The cost of red tape to the Canadian economy is staggering, costing tens of billions of dollars annually. Some provinces have already taken steps to reduce red tape with the full support and active involvement of the Canadian Federation of Independent Business. In 1995 the Ontario government set up the red tape commission which has so far removed or amended more than 1,300 regulations. More recently the Ontario government announced its intention to set up a permanent red tape watchdog that will subject all new regulations to a strict business impact test.

This summer the New Brunswick government announced that it was setting up a red tape review committee to eliminate regulations that are a barrier to economic growth and job creation.

Garth White, senior vice-president of national affairs for the CFIB, said in his correspondence to me that the CFIB applauded our initiative and urged the federal government to take swift action to cut unnecessary regulations and red tape which hamper productivity and competitiveness and kills badly needed jobs.

We have the support of the small business community in this regard. If Canadians were aware of this initiative we would have the support of the majority of Canadians who understand quite clearly that a regulation is nothing more than a tax. As such we should be debating in the Chamber the importance and effective-

ness of individual regulations. I look forward to the comments of my hon. colleagues on this important issue.

[*Translation*]

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, it is with pleasure that I rise today to speak to the motion introduced by the hon. member concerning the important matter of regulations.

• (1120)

[*English*]

The motion actually touches on two key issues. The first issue concerns the role of parliamentarians in assessing regulations and making sound judgements as to their value and benefit. The second issue is equally significant. It involves the appropriateness and effectiveness of the existing regulatory governance regime within the Government of Canada.

In his motion the hon. member calls for the establishment of a regulatory budget. In essence this would involve the tabling of detailed cost estimates identifying the total cost of each proposed regulation. Such costs would encompass the government's enforcement costs in addition to those incurred by individual citizens and businesses.

The motion further calls for the submission of a cost benefit analysis pertaining to each regulation. The intent of this information would be to enable parliamentarians to assess the benefits in light of a realistic understanding of the costs. However, it is unclear what purpose the proposals would serve or at what stage in the regulatory process such a budget would be considered.

In a system of government based on the rule of law, the laws and regulations created pursuant to its authority to give structure to society have a far reaching and profound impact on the daily lives of citizens. A well governed society must have both laws and regulations in order to provide the essential framework within which individuals, companies, organizations and governments can function both fairly and efficiently.

Parliament's legislative power is exercised through passing statutes which explicitly set out the authority to make decisions by regulation delegated to the government. Regulations can be made only to the extent authorized by parliament in the enabling legislation. They represent the specifics, the details through which the spirit of the law can be applied in practice.

In approving laws parliament also makes provisions in them for making regulations where they are needed to carry out the purposes of the laws and how such regulation making power should be delegated. However, once a law is passed with delegated authority it is the responsibility of the government of the day to make every effort to ensure that supporting regulations are not unduly burdensome or costly, that Canadians as individuals and as a society are better not worse off as a result, and that Canadians have a say in these issues.

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It must be recognized that not every individual, every group or other interest in society can be expected to agree as to the definition of what better or worse off may mean. In seeking to protect Canadians health, safety or the environment, regulations may be developed that some groups or businesses may find burdensome. Such are the trade-offs with which governments must deal.

In the case of the motion before the House today the first issue to which I referred a few minutes ago was that of parliamentary review and oversight. In the motion the hon. member appears to be seeking the establishment of a mechanism to ensure that regulations do not deviate in practice from the intent of the laws they were created to support.

The hon. member's motion seeks to create a new mechanism where an effective alternative already exists. Regulations flow from the laws passed by parliament and cannot be inconsistent with those laws. Regulations are by definition limited by parliamentary role that grants or denies approval for the legal foundation upon which they rest.

What then of the issue of the cost benefit analysis called for in the motion? Without question regulations impose costs. To the greatest degree possible it is important that such costs be known and minimized at the time regulations are first enacted. However we must also keep in mind the benefits of a specific regulation before it is actually applied.

For example, instruments such as those made under the Canada Business Corporations Act help companies to create wealth and jobs and to take risks by establishing the concept of limited liability. We have bankruptcy regulations which are essential in enabling companies, both large and small, to obtain credit on reasonable terms and exercise the right to repossess goods. Such instruments make it possible for a measure of order and control to be applied to the bankruptcy process as well as to the entire process of credit granting and business financing.

Let me use other examples. Regulating that there must be seatbelts or adequate anchors for baby seats in motor vehicles, regulating some emergency or safety features in our airports, or regulating to protect the health of Canadians through careful drug approval imposes costs which can generally be well documented and quantified.

• (1125)

Who would deny that these regulations also bring significant benefits to our society and our citizens? The fact is that it is often much easier to identify anticipated costs associated with regulations than the benefits they may eventually provide. This suggests that the remedy being proposed by the hon. member to allow for a cost benefit assessment would be very difficult to achieve or have experts agree on. The point is that the benefits are undeniable.

The regulatory budget idea proposed by the hon. member represents a very rigid approach which would do more harm than good. It could result in a cap being placed on a number of new regulations passed, thus depriving Canadians of significant additional benefits in such areas as health, safety and environmental protection.

This brings me to the second key issue relating to the hon. member's motion. I am referring to the capacity of existing federal regulatory law and procedures to serve the best interest of Canadians. All regulations approved by the federal government must meet the federal regulatory policy requirement calling for consultations involving all relevant stakeholders. An example of this consultation process would be active participation by industry in the 1996 regulatory review. This review resulted in almost 1,000 modifications to or revocations of regulatory requirements.

Interestingly enough this comprehensive review of our stock of regulations, undertaken with the active participation of industry, still left some 2,000 regulations in the books, another evidence of industry agreeing that regulations do bring benefits to industry as well.

The regulatory approval process is rigorous. In developing regulations the government considers what burdens may be created by a proposed regulatory change as well as the corresponding social and other potential benefits. The government also examines the results of consultations by officials, noting who was consulted, what views were expressed and what reasons have been presented as to why dissenting views could not be accommodated by the sponsoring department.

The government analyses alternative regulatory solutions to ensure that the most effective and efficient is chosen, and it assesses compliance and enforcement issues. All this information is presented to the public for comment in the regulatory impact analysis statement.

The regulatory policy also helps ensure that proposed regulations or changes do not result in adverse impact on the economy's capacity to generate wealth and employment. Final decisions on regulations are made by a committee of cabinet ministers. Cabinet as a whole is responsible to parliament and therefore to the public for the application of regulations.

The Government of Canada is committed to a regulatory government that demonstrates balance, fairness, transparency and accountability. While the government does not accept the proposition that the action proposed by the hon. member is necessary, it does recognize the need to remain vigilant in ensuring that our regulatory regime is the best we can make it.

We will continue to work toward this goal. We will continue to devote our energies to ensuring that the best possible regulatory decisions are being made in serving the interest of the people of

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Canada and in conformity with the legislative authority conferred by parliament.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, I rise to speak to the Motion No. 207 brought forward by the Tory member of parliament for Kings—Hants.

Like so many other ideas of the fifth place party, when we strip away the veneer we are left with another Red Tory irresponsible socialist nightmare. About the only positive thing I can say about the motion is that it is not votable, so we will not be wasting three hours of parliament's time debating it.

However, if it had been deemed votable, I would have voted against it and encouraged fellow MPs to do the same. I say this not so much for what the motion attempts to accomplish but for what it does not do.

The motion tries to introduce increased accountability into the regulatory process. However, it deals with accountability in terms of costs and forgets about the regulatory process itself.

In that sense the hon. member has put the cart before the horse. Reform's approach, as outlined in our blue book policy, states that the Reform Party supports restrictions on the number and types of orders in council permitted by a government during its term in office. It goes on to state that until we form government Reform Party MPs will strive to make parliamentary committees effective in reviewing any regulation before implementation.

As the official opposition, my Reform Party colleagues and I believe that by changing the regulatory process to make it more accountable we get cost effectiveness.

• (1130)

I will elaborate later on how this is achieved. However, I first want to provide context and background on how the regulatory process works or, more accurately, does not work.

Regulations, or as they are also described statutory instruments or delegated legislation, are passed through order in council or governor in council. As all members know, this is done under the auspices of the minister's authority.

Let us not kid ourselves. They are drafted, vetted and the product of bureaucratic thinkers. There is nothing wrong with this per se. Indeed, with British parliamentary democracies having evolved the way they have, legislative authority must be delegated.

However, as a consequence and with little or no accountability, unelected people are making what are effectively laws. The authority to do this is legitimately contained in every bill that comes before parliament. But that is not where my concern is.

Given that any government bill tabled contains the words "the governor in council may make regulations", the bulk of a bill's legislative intent is not in the legislation itself but in the regulations that follow after a bill's passage. This is where my concern is.

To put it into perspective, think of a government bill. I see the justice minister is in the House, so let us use the government's flawed Firearms Registration Act as an example, otherwise known as Bill C-68. That bill was and is an attack on the fundamental property rights of Canadians. Yet the most offensive part of the bill comes from the potential of governor in council regulations that may be passed at future dates.

The enabling legislation for Bill C-68 contains a regulatory proviso that allows the justice minister to arbitrarily declare any class of firearm prohibited. The firearms can then be confiscated from law-abiding owners.

As for the regulation itself, there is no debate, no vote in parliament and no accountability. Sure there is a weak promise to table any such regulations before the justice committee, but that is a meaningless, token gesture. In fact, the tabling of order in council documents before any parliamentary committee is rarely done. It is even rarer for the government to place draft regulations, along with the bill itself, before a parliamentary committee for consideration.

The point here is that a government bill is a lot like an iceberg; 10% comes in the form of the bill and the other 90% lurks beneath the surface in the form of regulatory authority.

What does my Tory friend offer as a solution to problems of accountability and cost effectiveness? In true Liberal and Red Tory fame, he offers to set up a bureaucracy to watch the bureaucracy, spending money to allegedly save money. When I see and hear that type of impaired logic, I can safely say that Liberal or Tory, same old story.

Am I being overly unfair? Let us look at the record of the red Tory government when it was in power. Does it differ from its Liberal clone on the subject of regulatory accountability? During nine tortuous years in power, did members of the fifth place party do something to make the regulatory process more accountable? Unfortunately, no. Like their Liberal friends before them and in government now, the Tories did nothing. In fact, the statutory measure that would allow for a parliamentary committee to disallow a regulation is still not in place. The Tories could have done it while they were in power and did not.

Of course, their Liberal counterparts are no better and somewhat more hypocritical than the Tories. The Liberals actually pushed for a statutory disallowance procedure while the Tories were in power. Curiously though, now that the Liberals are in power, they are not quite as eager to implement it. Then again, it is not all that

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surprising if one thinks back to the Liberal GST promise, but I digress.

There are numerous reasons why the Liberals will not enact a statutory disallowance procedure. Political opportunists say one thing in opposition and do another thing in government. Arrogance, disrespect for democracy and the list goes on.

In any event, a great deal of what he proposes is contained in the RIAS which accompanies the regulation. The regulatory impact analysis statement deals with much of what the hon. member is trying to do here with the motion before us. I encourage him to actually pick up a copy of the *Canada Gazette* Part II and read through the RIAS for any given regulation. It does offer valuable insight into the impact of a regulation. However, I reiterate that the key to accountability lay elsewhere, not in the financial bottom line but in reform of the process itself.

A regulation should not just be given a parliamentary rubber stamp once the Clerk of the Privy Council has been given a copy, as is the case now. Instead, there should be mandatory review by a parliamentary committee before a regulation comes into force. As a preventive measure, this could be done by tabling draft regulations at second reading or during committee consideration of a bill. If the regulation is found to be flawed, then it would be referred to scrutiny of regulations immediately instead of after the fact.

• (1135)

Once there, if the regulation is still found to be flawed, a statutory disallowance procedure could then be used to strike down the offending regulation. My Liberal friends will say that there is already room in the standing orders, but this procedure is not useful because there is nothing compelling the minister to strike down the offending regulation.

Considering that Britain, Australia and New Zealand all have statutory disallowance procedures, the question is, why do we not? The answer is a refusal by cabinet to act on the issue, a refusal by the executive to relinquish absolute power over the regulatory process.

Sadly, this comes from the profound mistrust that government MPs have for the role of parliament and its members. And, like the motion before us, it also demonstrates a deep misunderstanding of the regulatory process.

In closing, if MPs on both sides want to make regulations more accountable, hence cost effective, this is not the way to go about it.

The House and Canadians would be better served by a regulation making process that increases parliamentary scrutiny. Contrary to what is being proposed here, it does not mean creating another bureaucracy which functions outside of parliament.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to have an opportunity to participate in the debate on M-207.

At the outset, I want to acknowledge the work of the member for Kings—Hants in bringing the motion before the House and to thank him for the work that he has done on a very important matter. Contrary to my colleagues in the Reform Party, I do see a purpose and a point to the debate from the point of view of accountability and open, transparent government.

It should not be a surprise for us to hear Reform members talk in such strong terms against the motion because what this party is really interested in is no government. The least government is the best government from the point of view of Reform members. Anything that comes in the way of that is certainly a negative from their perspective.

I certainly support the spirit of the motion before us. What the member for Kings—Hants is trying to do is to acknowledge the fact that today we have a government by stealth, a government that has basically found a secretive, underhanded way of advancing public policy without the full benefit of parliamentary debate and public scrutiny. I certainly acknowledge the root cause of the motion and appreciate his attempts to address that.

We support the spirit of the motion. We also support that aspect of the motion that deals with the principle of ensuring financial impact assessments on regulations. I support that proposition because it does give us one way to ensure scrutiny and accountability here in this place of elected representatives.

We do, however, have some problems with the member's suggestion for a regulatory budget. We are concerned about that particular aspect of the motion because we know those words have become a flag waving idea by extreme right-wing elements in the United States. If we cut through all the rhetoric of the Reform Party, we will find that it supports that concept as well because it allows it to advance the agenda of reducing government and the whole role and responsibility of government for ensuring a society that is more equitable and based on fairness and justice.

We know that the idea of a regulatory budget has been advanced by some pretty extreme characters in the United States. We think back to Pat Buchanan who, in the 1960s, was advocating such an idea and did so in very open terms. He felt that this kind of idea would create the optimal situation for reducing the role of government. His objective would in fact be zero regulations and a zero budget situation. We are very leery of giving any credence to this kind of idea. We will speak consistently against that approach.

• (1140)

Coming back to what I think is the spirit of the motion before us and the real intentions of the member for Kings—Hants is

accountability with respect to regulations. It ensures that we are able to measure the effectiveness of regulations and hold the government accountable for any endeavours or initiatives that exceed its obligations under existing laws and statutes.

There are many examples where the government has advanced its own agenda and ideas in ways that appear quite contrary to the legislation that has been approved without it being held accountable to parliament. We certainly think that the financial impact assessments of regulations would allow for all of us to have a more open public debate and better scrutiny of public policy. Having financial impact assessments on regulations would be an important tool for all of us.

The member for Kings—Hants mentioned that it will not always be possible to make decisions strictly in terms of a cost benefit analysis. There will be times, if we have all the facts before us, where we will recognize that the costs of enforcing and implementing regulations may far outweigh the cost to our budget and the mechanisms required to enforce those regulations.

We, in the House, would appreciate opportunities to assess the compliance costs of environmental regulations. We on this side of the House would like to see a way to assess the GST compliance costs on small business. We would like to find a way to assess the financial impact of regulations pursued by the government when it comes to patent medicine. We would like to fully understand how a government can proceed with decisions made behind closed doors without the benefit of public scrutiny. We would like to understand how it justifies those decisions in terms of the entire health care system and the Canadian taxpayer as a whole.

I think specifically of the issue we have dealt with in the last few months with respect to the Minister of Industry. In the dead of this summer, he brought forward regulations without warning, without any kind of heads up to the generic drug industry, about the government's plans to make further changes to the notice of compliance regulations which make it harder for generic drug companies to have a foothold in the country and get their products to market. At that time, we raised concerns about the whole process.

I will quote from a letter I wrote to the Minister of Industry on September 9:

Through recently announced amendments, your government has surreptitiously introduced changes that will certainly add to the drug costs faced by Canadians. These changes further entrench the virtual monopoly guaranteed to the international pharmaceutical cartel through the ill-advised Canada Patent Act at the expense of the generic drug industry and the Canadian health system. I am particularly concerned about the arbitrary and undemocratic way in which you have chosen to proceed with these latest amendments to the Patented Medicines Regulations.

I go on to call for the minister to slow down the process to allow for all players in the field to scrutinize the proposed regulations

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and to bring them to parliament to be accountable to this body of elected representatives in terms of cost benefit analysis, in terms of consistency with existing legislation and in terms of consistency with the public's interest in ensuring a more cost effective system where people have access to drugs when they need them.

The government chose to ignore these concerns. It chose to ignore the strong positions presented to it from the Canadian Drug Manufacturers Association. I can cite reams and reams of documents where that organization appealed to the government to slow the process down, hear its input and to truly look at the financial impact for all Canadians and our entire health care system if this was allowed to go through.

• (1145)

The Minister of Industry and the entire cabinet ignored those concerns. They proceeded to ratify those regulations at the beginning of October. It is now a done deal. That is a perfect example of government by stealth and a government that advances its agenda which is tied to the big pharmaceutical corporations and other big industry interests in order to pursue its objectives. That is precisely what needs to be addressed.

This motion provides us with a way to debate and discuss these concerns. In part it goes a long way toward addressing a very serious situation.

Again, I would like to congratulate and thank the member for Kings—Hants for his motion. We support the spirit of it. We support that part of it which deals with financial impact assessments on regulations. We regret that we cannot support the regulatory budget approach. However, given the sentiments in the House for more government accountability to parliament, I believe that this would provide the basis for future motions and legislative work that we can pursue as members in the House of Commons.

The Deputy Speaker: I should advise the House that if the hon. member for Kings—Hants speaks now, he will close the debate.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, again it is a pleasure that I rise to debate Motion No. 207. I appreciate the interventions by the representatives from the other parties.

The Parliamentary Secretary to the Prime Minister raised some concerns relative to my motion and to the notion of a regulatory budget. I want to clarify a couple of things. I should clarify what this motion is not, what we are not representing with the regulatory budget idea.

We are certainly not saying that there will be times that we would be opposed to all regulations. In fact, there are times that we would still support regulations although the government borne

Supply

costs of implementation and compliance and the citizenry borne costs actually exceeded the benefits provided by the regulation.

Earlier I used the example of bicycle helmets. In dealing with a priceless issue in terms of the safety of children against head injuries, it could be very difficult to quantify that. Even if we were to assess some level of cost it could very well be the case that the elected members of parliament would still support that particular regulation.

There are examples where the House would support a regulation even though the cost benefit analysis numbers did not quantitatively support that regulation. It would provide an increase in the role of the member of parliament in evaluating these very important regulations in the same way that we evaluate taxes and other public policies in this chamber, or at least we should be.

The Parliamentary Secretary to the Prime Minister also said that this could result in a cap on regulations. Nowhere does the motion mention there being a cap on regulations. We believe that every regulation should have a sunset clause. Periodically we should be revisiting pieces of governance or regulations to determine their efficacy in the current context. That would make sense. But in no way, shape or form did we ever mention a cap.

The Reform member initially described me as being a socialist. That is the first time I have ever been described as a socialist. I guess that is why we are a centre right party as opposed to a far right party. I guess most Canadians are somewhere in the centre. Certainly the recent polls indicate that more Canadians are closer to where we are than to where the Reform Party is.

• (1150)

In any case, I was surprised that the Reform Party would be opposed to increasing the role of the member of parliament and increasing the accountability of parliament. I assumed on past utterances by the Reform Party that the Reform Party would support greater scrutiny over initiatives by unelected people in the bureaucracy. I guess that is no longer the case. Perhaps hypocrisy is only half a mortal sin, so a party that looks seriously on those kinds of things may not be as constrained as we would have expected.

I was also surprised that the Reform Party would be so opposed to something that has been endorsed by the Canadian Federation of Independent Business. I am frequently surprised by the Reform Party and perhaps eventually when I become less jaded I will become more inured to some of the inconsistencies over there.

I thank the hon. NDP member for her thoughtful intervention. It is obvious that she considered the issue very carefully and gave a qualified approval of the intent of the legislation. I appreciate her intervention today, and on other days as well. She is a very skilled, adroit and thoughtful parliamentarian. She compared this piece of legislation to something that Pat Buchanan was supportive of

sometime ago. Be assured that my intentions with this legislation are far different from what the far right in the U.S. would support, particularly people like Pat Buchanan of the U.S. Reform Party.

If the New Democrats say that I am too far right and the Reform Party says I am a socialist, that probably makes me just right. We like the centre right position. More and more Canadians are becoming increasingly comfortable with where we are at. We certainly expect that enough Canadians in the next federal election will be so comfortable that we will be on the other side of the House implementing this types of visionary legislation that will improve the quality of life for Canadians and the competitiveness of Canadian enterprise as we move bravely into the 21st century.

The Deputy Speaker: The time for the consideration of Private Members' Business has now expired and the order is dropped from the order paper.

Mr. Gar Knutson: Mr. Speaker, I rise on a point of order to ask that we suspend the sitting for six minutes.

SUSPENSION OF SITTING

The Deputy Speaker: Is it the wish of the House to suspend the sitting until 12 o'clock?

Some hon. members: Agreed.

(The sitting of the House was suspended at 11.53 a.m.)

• (1200)

SITTING RESUMED

The House resumed at 12 p.m.

GOVERNMENT ORDERS

[English]

SUPPLY

ALLOTTED DAY—NISGA'A FINAL AGREEMENT

Mr. Derek Lee: Mr. Speaker, there have been discussions among House leaders with respect to speaking times for the debate today and I believe there would be consent for the adoption of the following motion. I move:

That during today's sitting the member proposing a motion on an allotted day shall not speak for more than 20 minutes, following which a period not exceeding 10 minutes shall be made available, if required, to allow members to ask questions and

comment briefly on matters relevant to the speech and to allow responses thereto, and immediately thereafter a representative of each of the recognized parties, other than that of the member proposing the motion, may be recognized to speak for not more than 10 minutes, following which, in each case, a period not exceeding five minutes shall be made available, if required, to allow members to ask questions and comment briefly on matters relevant to the speech and to allow responses thereto.

The Deputy Speaker: Does the hon. parliamentary secretary have the unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Mike Scott (Skeena, Ref.) moved:

That, in the opinion of this House, the federal government should conduct a province-wide referendum in British Columbia on the Nisga'a Final Agreement prior to the consideration of any further stages of Bill C-9, an Act to give effect to the Nisga'a Final Agreement.

He said: Mr. Speaker, I would like to advise the Chair that I will be splitting my time with the hon. member for Calgary Southwest.

I will confine my remarks today on the Nisga'a treaty to process. The reason we moved this motion for debate in the House regarding a referendum in British Columbia on the treaty has to do with the fact that the process that has brought us to this point with the treaty has been wrong. It has been wrong for many years. It has led to a treaty which, right now in British Columbia, enjoys at best questionable support. In our view it does not pass the judgment of the people of British Columbia. Indeed, we do not believe it would pass the judgment of the people of Canada.

I will give the House a bit of background as to what has happened up to this point in time. It has often been said that the Nisga'a leaders for more than 100 years have tried to get a treaty with Canada and with British Columbia. That is in fact the case. There is a lot of documentation which shows that the Nisga'a leaders have tried since before Confederation to have the Government of Canada, and prior to that the Government of Britain, enter into a treaty. They were steadfastly refused for more than 100 years.

It is also true that in 1973, with the Calder decision of the Supreme Court of Canada being a split decision, the Government of Canada became alarmed that the Nisga'a had come close to winning a land claim case in court. At that point the government decided that it would enter into negotiations.

• (1205)

British Columbia refused on the basis that in 1871 when it joined Confederation the terms of that union, which was called the act of union, expressly provided that the federal government would be responsible for all existing and future obligations to aboriginal people, except for the narrow requirement of the province of British Columbia to set aside lands known as reserve lands and to

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have those registered with the land title office and conveyed to the federal government, which B.C. did. British Columbia has about 1,600 such reserve lands that were registered between 1871 and 1926 when the federal government ultimately passed legislation which recognized that B.C. had lived up to its full obligations under the terms of the union.

British Columbia refused to join the discussions regarding treaties, taking the position that Canada was rightfully the body to be negotiating with the Nisga'a and if Canada required land or resources to complete those negotiations Canada would have to come back to British Columbia and make arrangements to compensate, to buy the land and the resources to be conveyed.

In 1991, however, there was a change taking place in British Columbia. The provincial government at that point said it would sit down as a party to the negotiations. It also indicated that it would be prepared to put land on the table as a provincial government on behalf of the people of British Columbia to resolve the outstanding claims. What it also did, the first major flaw in the process that has led us to the great problem we have today, was that it signed a secrecy agreement with the federal government and the Nisga'a negotiators wherein it said that it would be party to negotiations that would take place behind closed doors. The negotiators were all bound by the secrecy agreement not to discuss anything outside the negotiating room. The public of British Columbia for many years was not even aware that these negotiations were taking place and certainly had no idea of the ramifications of the negotiations.

In 1994-95 the Reform Party of Canada found out that these negotiations were taking place. It held a series of public meetings and tried to bring to the attention of the public that this was taking place. It also tried to create some kind of a mechanism for public input. The negotiators for the federal and provincial governments fought the Reform Party of Canada tooth and nail. They did not want to have anything to do with it.

In 1996 an agreement in principle was announced. It was released publicly. At that point the provincial government decided it would have its standing committee on aboriginal affairs travel the province of British Columbia to consult with the public. I attended several of those meetings and I have the minutes of proceedings of all of those meetings. People who showed up to voice concern or express any kind of opposition to any of the principles or any of the facets of the agreement in principle were routinely belittled and their character and motives were called into question. The provincial members, dominated by NDP MLAs, took the position that people who questioned the wisdom of the agreement in principle were not just wrong but were somehow lesser people; evil people, if I can use that term.

The final agreement was released publicly last year. We note that in the final agreement there was no substantive change from the

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agreement in principle, so all the committee work that was done by the B.C. standing committee was obviously just a big PR exercise so the government could say it had consulted with people when in fact it had not.

When the final agreement was released the provincial government spent \$8 million of B.C. taxpayers' money in an effort to sell the agreement. In a highly emotional appeal it routinely belittled again anybody who questioned the agreement, and it routinely indicated that this was a good deal and it would not change one word of the agreement.

• (1210)

We then saw the ratification process take place in the legislature of British Columbia where debate was cut off after less than half of the agreement was debated. Even though the provincial government had promised British Columbians a full debate on the treaty, it guillotined the debate after less than half the treaty was actually debated.

Then we have the federal ratification process. We will recall that the minister of Indian affairs signed the treaty in June of this year, before the legislation or the agreement had even been introduced in parliament. Again we see a perverted process. We now have the Standing Committee on Aboriginal Affairs and Northern Development travelling to British Columbia because, as one Liberal member who was in Terrace last week said: "We are only in B.C. because of a tactic by the Reform Party to hijack parliament. In fact we came here on the white knuckle route. I have not been on a train yet. I have been on every other mode of transportation. This little song and dance is costing the taxpayers \$500,000 directly by the Reform Party". He said that the only reason he was there was because of a tactic of the Reform Party.

In other words, the only reason the Liberal members came to British Columbia, and they made it very plain to the people who were testifying before the committee, which was a stacked committee, was because they were forced into it. They had no real intention of listening to British Columbians.

This is further evidence of the flawed and perverted process that has been used to date to try to ram through a treaty which we do not think enjoys the support of the public of British Columbia. Certainly all of the indications we have are that it does not. This is not a minor matter. This is, as broadcaster Rafe Mair said, a huge change in the social contract of British Columbia.

British Columbians deserve to have the right to vote on this treaty to decide whether the kinds of principles expressed in the deal are principles which they can support, because they will, for sure, be reflected in 50 or more treaties yet to be negotiated. Because of the flawed process that has been used to date, it is absolutely imperative that this parliament in the debate today come to the conclusion that British Columbians have a right to vote in a

referendum, that they have a right to take part in the ratification process, and that they have a right to express their opinions.

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Madam Speaker, the hon. member for Skeena has talked of the importance of consultation on the Nisga'a treaty. I certainly do not think anyone disagrees with that. Some of us would argue that there has been extensive consultation.

I would have thought as well that he would have been concerned with consultation with the Nisga'a people, with the people he represents as the member of parliament for Skeena.

I wonder if the hon. member for Skeena could tell the House when it was that he last had a meeting and not a debate in front television cameras. When was the last time the member for Skeena, who represents the Nass Valley and the Nisga'a people, sat down face to face to have a dialogue with the Nisga'a people on this important treaty?

Mr. Mike Scott: Madam Speaker, I thank the hon. member for the question. I do not know who he means by the Nisga'a people because I talk to the Nisga'a people all the time. I meet the Nisga'a people face to face. The last time I had a face to face meeting with a Nisga'a individual was about a week ago. I met with Frank Barton and talked with him extensively about his concerns over the Nisga'a treaty. There have been many more like Mr. Barton with whom I have met face to face.

I remind the hon. member that not only do I have the responsibility and the privilege of representing the Nisga'a people, I also have the honour and privilege of representing the Gitksan and Gitanyow people, people who say they have never been consulted by the federal government, they have never been consulted by the provincial government, and they have never heard from this member over here or his party.

• (1215)

I would point out that there are many parties to this debate. I would ask the member not to focus on four or five Nisga'a leaders as being the only example that he can raise in the House.

Mr. Randy White (Langley—Abbotsford, Ref.): Madam Speaker, I know where the NDP member is coming from. I think we will probably hear today a lot of rhetorical advances coming from the other parties. I want to get something out on the table in the House through my hon. colleague. It is about the role of opposition parties in the House of Commons.

There are four opposition parties in the House of Commons. When there are obvious concerns, not just by British Columbians but by Canadians about the implementation of such a template agreement, why is it that it is only the Reform Party which is not only standing up in the House of Commons in opposition but also in a critique of the bill on the agreement?

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Mr. Mike Scott: Madam Speaker, the best answer I can give my colleague is to refer him to a book that was written by Thomas Sowell, an American author who wrote a book called *The Vision of the Anointed*. What we have here is a very similar proposition. We have a vision that is expressed through government policy that is adopted by all the other opposition parties in the House. It is a failed vision. It has been a demonstrated failure for over 130 years. My goodness, look at the results that it has represented for aboriginal people on reserves. Look at the dire circumstances that many of these people live in.

These people are so enraptured with this vision that they insulate themselves from the reality of the policy decisions that they make. They refuse to accept the fact that the failure and the abject poverty that many aboriginal people live in is as a direct result of these policies. They continue down the same path without being able to question or even engage in an honest, intellectual debate about what the government ought to do and ought not to do in terms of rectifying the situation and trying to improve things.

That in my view is the failure of the opposition and the government for that matter in this entire debate.

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Madam Speaker, the motion before the House today calls for a referendum of the people of British Columbia. In view of the fact that something like 80% of the cost of this treaty is in fact coming from federal taxpayers from across Canada, if the hon. member is serious about a referendum why is it that he is calling for a referendum just of the people of British Columbia? Why is he not calling for a referendum of the people right across Canada? Of course that would be outrageous because in that case—

Some hon. members: Hear, hear.

Mr. Svend J. Robinson: The Reform Party is applauding. It wants the people of Ontario to be able to tell the people of British Columbia what is best for them. Shame on the Reform Party.

Mr. Mike Scott: Madam Speaker, it is interesting to see the member pirouetting around and changing positions in a heartbeat. On the one hand, he says the people of British Columbia should not be the only ones to have a referendum and then he says they should.

In answer to that question, it is the change to the social contract, the self-government provisions in this treaty, not the cost of it that people should be focused on. That is the real essence of the debate here today. It is the self-government provisions.

Mr. Preston Manning (Leader of the Opposition, Ref.): Madam Speaker, I rise to speak in favour of the motion before the House which calls for the federal government to conduct a province-wide referendum in British Columbia on the Nisga'a final agreement.

On October 26 in the House, I fully expressed my own views on the Nisga'a treaty itself. The focus of today's motion, however, is not so much on the treaty as on the democratic right of the people of British Columbia to register their opinion on this treaty; their support for it or their opposition to it through a province-wide referendum. The point at issue, in other words, is the democratic rights of the people of British Columbia.

• (1220)

The other members of the official opposition today will put forward the main reasons for a referendum. In our judgment, those include economic and financial reasons because this agreement and future agreements modelled on it will have a major financial impact on British Columbians and on other Canadians.

There are, of course, social reasons why this should be subjected to a referendum because this treaty and others modelled after it will have a profound effect, as the member said, on the social and community relations between aboriginals and non-aboriginals throughout the entire province.

There are also constitutional reasons for having a referendum on this issue because the agreement establishes a new order of aboriginal government with jurisdiction over many areas of activity which were formerly the exclusive prerogative of the federal and provincial governments.

I do not want to spend my time on these reasons, important as they are. What I would like to do is to recognize that all the parties in the House, with the exception of the official opposition, have chosen to co-operate with the government in the unseemly task of pushing this treaty through the House with a minimum amount of discussion and a minimum amount of consultation with the people of British Columbia.

Nevertheless, I would like to make some arguments as to why members of the respective parties in the House, regardless of their position on Nisga'a itself, should consider supporting the motion before the House.

The motion tests the commitment of various members and parties to uphold democracy, the democratic rights of British Columbians to affirm or withhold their support for a major piece of legislation with economic, social and constitutional ramifications for the entire province.

How members vote on the motion will tell voters a great deal about the commitment of those members and their parties to democracy, the democratic rights of the people themselves to decide certain major issues rather than have solutions forced upon them.

To be specific, I first appeal to the Bloc members. The Bloc Quebecois members never tire of telling the House about the democratic rights of the people of Quebec to decide their own future on constitutional matters. Surely, if they are that committed

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to democracy and the use of referendums to settle issues democratically, they cannot turn around and deny that same right to the people of British Columbia with respect to a quasi constitutional issue of great importance to them.

I would appeal to members of the New Democratic Party. The New Democratic Party professes to have a special commitment to democracy. It is embodied in the name of the party. In the old days when it was still the CCF, it purported to be the party for the little person, the party that wanted to give ordinary people a voice and a say in the great decisions affecting their lives.

The old CCF supported such measures as greater use of referendums, citizens initiatives and recall, not unlike those that are currently in the platform of the Reform Party.

I would appeal to New Democratic Party members, for the purpose of this motion at least, to return to their democratic roots and regardless of their position on the Nisga'a treaty itself, to give ordinary rank and file British Columbians a chance to express themselves on this matter through a referendum.

I would appeal to the federal Conservative members in this way: It was a Conservative federal government which brought in the Federal Referendum Act of 1992. Section 3 of that act reads:

Where the Governor in Council considers that it is in the public interest to obtain by means of a referendum the opinion of electors on any question relating to the Constitution of Canada, the Governor in Council may, by proclamation, direct that the opinion of electors be obtained by putting the question to the electors of Canada or of one or more provinces specified in the proclamation at a referendum called for that purpose.

Whereas the B.C. referendum legislation requires an actual constitutional amendment to trigger a province-wide referendum, the federal legislation, enacted by a Conservative government, is much more inclusive, permitting a referendum "on any question relating to the Constitution of Canada".

While some members may dispute the official opposition's claim that the whole Nisga'a agreement is a de facto constitutional amendment, no one, regardless of their position on this issue, can deny that it certainly raises questions relating to the Constitution of Canada.

For example, the preamble of the treaty makes reference to section 35 of the Constitution Act, 1982.

• (1225)

The first provision in chapter 2 of the treaty defining the "nature of the agreement" says that the agreement is "a treaty and a land claims agreement within the meaning of sections 25 and 35 of the Constitution Act, 1982". The Nisga'a agreement is described within itself as being by definition a constitutional document.

Section 8 of chapter 2 makes specific reference to the Constitution of Canada itself. Section 9 refers to the Canadian Charter of Rights and Freedoms which is part of the constitution. Section 23 of chapter 2 elaborates on Nisga'a rights as provided for in section 35 of the constitution.

Since the Nisga'a final agreement obviously raises questions relating to the Constitution of Canada and the Conservative Referendum Act of 1992 specifically provided for the use of referendums to obtain expressions of public opinion on such matters, I would therefore appeal to Conservative members to uphold the principles and the spirit of their own referendum act and support the motion before the House.

It is evident to the official opposition that a majority of the members of the Liberal government have simply written off the opinions and interests of British Columbians. The government is at odds with the people of British Columbia on everything from the handling of illegal immigrants, to the collapse of the west coast fishery, to aboriginal issues in general, to the Nisga'a treaty in particular.

We, therefore, do not expect a majority of the government members to have any respect for the democratic rights of the people of British Columbia to express themselves on this issue, even though the provincial Liberal Party in B.C. under Gordon Campbell has explicitly called for a referendum on the Nisga'a treaty in that province.

The motion before the House, however, does provide a specific opportunity for the last remaining Liberal MPs from British Columbia to declare where they stand when the democratic rights of the people of that province conflict with the position and party line of the federal Liberal government.

The people of B.C. expect that when there is a conflict between the Liberal Party line and the position of the electors of B.C. that the position of the electors should prevail.

A majority of the people of British Columbia would therefore expect the following members to support the motion and will be watching with keen interest tomorrow night to see if, in fact, they do. I refer to: the member for Victoria, the member for Richmond, the member for Vancouver South—Burnaby, the member for Vancouver Centre, the member for Vancouver Kingsway, the member for Vancouver Quadra, and the member for Port Moody—Coquitlam—Port Coquitlam.

The eyes of B.C. are upon these members. Will it be the Liberal Party line or the democratic rights of British Columbians? The vote on the motion will tell the story.

I appeal to all members, regardless of their position on the Nisga'a treaty, who profess to value the democratic rights of the people of British Columbia to decide for themselves whether the

Nisga'a agreement is in the interests of aboriginal and non-aboriginal people in that province to support the motion before the House.

I move:

That the motion be amended by inserting after the words "British Columbia on" the words "the ratification of".

The Acting Speaker (Ms. Thibeault): The motion is receivable.

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Madam Speaker, the Leader of the Official Opposition has indicated that he supports a referendum on this Nisga'a treaty. He has also spoken on a number of other occasions about the use of a referenda in a variety of contexts. He said, for example, that on the fundamental issue of freedom of choice on abortion that he supports, personally, a constitutional amendment, as I understand it, to make abortions in Canada illegal, but that he would be prepared to have that issue put to the people of Canada in a referendum. I assume that is the position of other Reform Party members.

• (1230)

I wonder if the leader of the Reform Party could indicate where he draws the line on the use of referenda. Many of us are concerned that if we subject the rights of minorities to a majority referendum, this could lead to a very dangerous abuse of the rights of minorities. I wonder if the Leader of the Official Opposition could indicate where he would draw the line. Is he prepared to use referenda with respect to the most fundamental and basic rights of minorities in the charter of rights? Would he have used referenda with respect to Japanese Canadians during and after World War II? Would he have subjected their rights to a referendum? Would he have subjected the equality rights of gays and lesbians to a referendum?

Just where does the Leader of the Official Opposition draw the line in the use of a referendum with respect to the most basic and fundamental rights of Canadians?

Mr. Preston Manning: Madam Speaker, I thank the hon. member for his question. I am glad he has paid attention to our demands for referendums. I wish he would pay attention to everything we say on this subject because we have answered this question at least a hundred times before.

We believe in the use of a referendum to allow people to express their opinions. We also believe in legal definitions of rights and constitutional provisions for bills of rights which provide some constraint on the other side so that rights cannot be simply trampled by majorities at their whim. We support the use of the courts to uphold those rights.

We are talking about a balance. This country hardly ever resorts to referenda. This is a country which professes to have great respect

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for majority opinion and it hardly ever goes to the public on any issue. Even to make changes in the Constitution of Canada itself as profound as the ones in Meech Lake and the Charlottetown accord took enormous public pressure.

This country is hardly overdosing on referendums. We have had a national referendum on conscription, a national referendum on prohibition and a national referendum on the Charlottetown accord. Canada has had three referendums in 135 years. The country is not overdosing on referendums. There ought to be more occasions where the public gets a chance to have its say. The Nisga'a treaty particularly in its all pervasive effects on British Columbia is one of those instances.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Madam Speaker, my comment is for the Leader of the Opposition. I do not think he answered the question put to him by the member for Burnaby—Douglas.

The member made an argument about why there should be more referendums and why it could be argued we have not overdosed on referendums, to use the member's phrase. However, he did not answer the question as to how he sees the role of referendums when it comes to things which arguably have to do with minority rights.

I wonder if the Leader of the Opposition could address that as he did not in his answer to the member for Burnaby—Douglas.

Mr. Preston Manning: Madam Speaker, I believe I did answer the question at the beginning of my remarks. The Reform Party believes in constitutionally entrenched rights. We include and believe in the use of the courts to uphold those rights. We also believe in the opportunity for people to vote on constitutional amendments. There should be a balance used between the referendum mechanism and constitutionally entrenched rights and use the courts to enforce them. That is how we achieve the balance.

It is our view that this country is going to have to achieve that balance or it is going to get increasing disrespect for the charter of rights and freedoms and the legal mechanisms used to enforce it.

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Madam Speaker, I will be sharing my time with the member for Vancouver Quadra.

I am pleased to respond to the motion by the member for Skeena. The member has asked that the government ignore years of consultation, negotiation and goodwill and extend the uncertainty even longer by sending the Nisga'a final agreement to a procedure heavy referendum in British Columbia.

• (1235)

There is no requirement for a provincial referendum. The three parties to the Nisga'a negotiations agreed on how they would ratify

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the final agreement early on in the process. Honourable governments follow through on commitments negotiated in good faith. To change the rules now would be wrong.

The Nisga'a treaty has been many long years in the making. During this time every issue has been examined in great detail by the experts in the relevant fields. Third party advice has been sought and considered. Provisions have been carefully and painstakingly crafted to achieve the most clarity possible. Negotiations of the Nisga'a final agreement have included one of the most extensive consultation and public information exercises ever conducted in the context of treaty negotiations in Canada.

With the ratification of the Nisga'a treaty, we will resolve this outstanding matter which dates back to the time of Queen Victoria, a solution that is fair, equitable and in accordance with the laws of Canada. True equality recognizes that not all individuals start in the same place.

The reality is that aboriginal peoples' prior presence has given them unique rights as the original inhabitants of this country. The government believes that the aboriginal people of Canada have an inherent right to govern themselves which can be implemented through practical and workable agreements. The existing rights of aboriginal people recognized under section 35 of the constitution have been affirmed again and again by the courts.

I want to re-emphasize to members of the opposition that this is not a constitutional amendment. This is a reaffirmation of rights that have existed since historical times. We are recognizing them in a modern context under the treaty we are talking about. The Nisga'a final agreement recognizes this fact and embodies practical solutions specific to the Nisga'a people. This agreement identifies a Nisga'a land base, resources and a system of government that reflects their cultures and their values.

As my hon. colleagues are aware, the treaty contains reasonable self-government powers that will enable the Nisga'a to manage their internal affairs. They will be able to make their own laws on things like Nisga'a citizenship; language and culture; the administration of their land and other assets; marriage; child and family social and health services; child custody and adoption; and education. It is critical to understand that even where the Nisga'a can make laws, those laws must still operate concurrently with federal and provincial laws.

Nisga'a laws can be challenged—and this is a test of our democracy—under the charter like laws passed by other governments in Canada. That is because the treaty right to self-government is a right to govern in accordance with Canada's charter values.

Our constitution is sensitive to the fact that this country is made up of people with different backgrounds and cultures. It also

guarantees that all individuals will be treated equally under the law. It is this guarantee of equality within society, this diversity within unity which make us distinctly Canadian. I understand that the opposition wants to change the values of Canadians and go more to an American model. Obviously, that is not the wish of Canadians and the governments of Canada.

It is precisely because the Nisga'a treaty was negotiated within the constitution that the rights of those people who are not Nisga'a citizens but who live on or within Nisga'a lands are secure. For example, even though those who reside on or within Nisga'a lands but who are not Nisga'a citizens may receive certain benefits of services from the Nisga'a government, the treaty does not allow the Nisga'a government to tax them. I repeat that it does not allow the Nisga'a government to tax them. Neither does the treaty prevent anyone from accessing their interests on Nisga'a lands.

In addition to these assurances, those who are not Nisga'a citizens but who will live on or within Nisga'a lands will have extra measures to safeguard their interests and opportunities to participate in Nisga'a society.

• (1240)

For example, they will be able to stand for election or vote for elected Nisga'a public institutions such as education and health boards. They will also have special rights to consultation and appeal. These are guaranteed rights which will give them a strong voice in the community they inhabit.

For those who may not believe me, I am pleased to refer to the testimony last week of Mr. Bill Young. He owns a sizeable piece of property surrounded by Nisga'a lands. Mr. Young stated that he of course started with some questions and he is very satisfied with the answers. He believes that he will enjoy ongoing peace with his Nisga'a neighbours.

Members of the Reform Party talk about listening to grassroots people. It is funny how they listen only to the people who oppose the government. As has been said elsewhere, we listen to all sides. That is why there were amendments to the agreement in principle. That is what governments are all about, making decisions and being accountable.

The Nisga'a treaty, achieved after years of complex negotiations, has enabled us to achieve a just and balanced settlement that respects the needs of the Nisga'a people and all Canadians.

Like all Canadians, the Nisga'a people want to be contributors to their communities and their country. This fair and reasonable settlement will finally provide a much better chance for them to do so.

The benefits generated by this treaty are not limited to the Nisga'a nation. This agreement will yield significant long term

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dividends to other British Columbians as well. I can give some examples.

The treaty will finally lay to rest the divisive debates surrounding what we mean by aboriginal rights and how they should apply to the Nisga'a people. It will enable all residents in the region to coexist in harmony fully cognizant of each other's rights and responsibilities. Perhaps most beneficial is that ratification of this treaty will give the business community confidence to invest in the northern corner of the province.

There are numerous other advantages to area residents resulting from this treaty. Chief among them is that there will be millions of dollars in settlement payments invested in the Nass region. Much of the new treaty money is likely to be spent in communities immediately surrounding the land claim area.

Another benefit is that the Nisga'a people will pay taxes in the same manner as other Canadian citizens and will contribute to the cost of running their government. It is estimated that 15 years from now, when transition periods are complete, the Nisga'a contributions from tax and own-source revenues will amount to one-quarter of all government transfers. These arrangements are unprecedented in Canada.

The Nisga'a treaty will be good for the Nisga'a people, the people of British Columbia and all Canadians. Yet there is an even more persuasive argument for supporting the treaty. At the most fundamental level, the treaty signifies our willingness as a society to reconcile historical and cultural differences. It provides an avenue for positive change.

The Nisga'a treaty will enable us not only to honour the past but to move in partnership into the future. This was our government's promise in "Gathering Strength: Canada's Aboriginal Action Plan". We promised to address historic grievances and to develop mechanisms for healing, reconciliation and renewal that would make a measurable difference in the lives of first peoples.

We pledged to resolve longstanding land claims, to improve governance and to address capacity building and accountability issues to prepare aboriginal communities to assume more control over their own affairs.

We committed to defining a new partnership in shaping a common vision that would carry us all forward into the next millennium. The Nisga'a treaty symbolizes this new partnership. It stands as a practical and workable arrangement which supports the core principles espoused in "Gathering Strength: Canada's Aboriginal Action Plan". Mutual respect, recognition and reconciliation; that is what Canada is all about.

I urge all members of the House to move forward with this treaty as soon as possible so we can get on with this new arrangement and partnership with the Nisga'a people in the Nass Valley.

• (1245)

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, I have a comment and a question. In his statement the minister said that we could not have a referendum because it would constitute changing the rules after a long process.

In the Quebec case this is precisely what the government is arguing, to change the rules in the middle of the game. I wonder how the minister squares his position that it is not proper to change the rules here to give people a greater say, yet it is possible to change the rules in the other case. That is my comment.

My question is on the agreement. Even the process described by the minister is essentially an agreement among governments. It has been negotiated between the Nisga'a government, the provincial government and the federal government. People from rank and file Nisga'a to other aboriginals in B.C. and to rank and file other British Columbians have not been involved in this process.

If this treaty is so good, if this agreement produced at the top by governments talking to each other is so good and has so many benefits for all these people who were not involved in the negotiations, if this is so good that it will carry their judgment, why is the minister afraid of putting it before the British Columbian people in a referendum?

Hon. Robert D. Nault: Mr. Speaker, that is a fair and appropriate question as it relates to the difference between this party and the party opposite. I did not run as a member of parliament, and I do not think any of the members on this side did, to take the easy way out whenever there is an issue that needs to be dealt with. Whenever there is a difficult issue of accountability and responsibility, they may as well just put a little computer where the Leader of the Opposition is and have a referendum every time we have a policy decision to make.

My point of view, and I hope the Leader of the Opposition is listening, is that I take my responsibility very seriously. The public at large voted for all members to come into the House of Commons in a democratic fashion, obviously, with the abilities and the rights to do the work that is necessary to make the country work for the betterment of everyone.

When I stand here I represent the people of Kenora—Rainy River. I am not afraid to stand up in front of people in Kenora—Rainy River and tell them that I support the Nisga'a agreement and that I will be supporting it when it comes to the House for a vote. That is the way our democratic process works.

If the member wants to change it he can continue to espouse that, and that is why he is at 9% in the national polls. People do not accept his argument. Maybe he should get off that.

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There is another issue. The member continues to say to the people of British Columbia that the reason we need a referendum is that there is a constitutional change. In fact that is wrong, wrong, wrong. He continues to say it. I understand the reason Reformers stick to process. I would if I were them because so far in this debate I have not been able to get out of the Leader of the Opposition what he would do if he were the Government of Canada as it relates to aboriginal people's rights in section 35.

I have been waiting now for weeks to ask that leader to give me some assurance that he will tell us before the debate is over, if his party were ever to form the government, what it would do relating to aboriginal rights and the kinds of agreements we need to sign for reconciliation of our historic differences.

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, if we are talking about voting machines it is on the government side of the House where members are told what to do. They may as well stay home, frankly, and phone in their votes.

The crux of the debate today is whether or not people believe this treaty will work to the benefit of everyone involved, not just the Nisga'a but everybody.

Let us just look for a moment at the Nisga'a and whether it would work for the benefit of them. If we look at a band with a treaty, the Stony Plain band or the Samson Cree band, the Samson Cree has annual income of close to \$100 million. Yet 85% of the natives on that reserve live in poverty and are on welfare. The Squamish band in my riding has \$31 million in annual income. If we compare the standard of living off reserve with on reserve there is no comparison.

Can the minister name a single reserve in Canada governed by a treaty where the standard of living is as high as it is off reserve?

Hon. Robert D. Nault: Mr. Speaker, that is the exact point we have been trying to make. The abilities of "Gathering Strength" to change the relationship between the Government of Canada and treaty relationships are in order to get out from under the Indian Act. That is what the Nisga'a agreement does.

• (1250)

The hon. member keeps using examples of first nations that are under the Indian Act. That is the point. The Nisga'a people will be outside the Indian Act. They will have property rights. They will be under the charter. All those things are not allowed by the Indian Act.

I just want to give the House one small point because it is very important to the whole debate. The whole debate so far has revolved around process. I hope that leader will somewhere down the line tell us what is his aboriginal policy.

He spoke the other day for two whole hours and danced around like he was doing a pirouette over and over again. He told us about one aboriginal woman, whom he seemed to have met some time in his travels, in two speeches in the House. It is time for him to tell us what his party really believes in.

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, when I approached the Nisga'a treaty I wanted to satisfy myself on one point in particular. Was it a good treaty in terms of the people it was dealing with? I went to the facts and I am astonished by the results I obtained.

This is a very remote area of British Columbia, with a very tiny population: the aboriginal and the even smaller non-aboriginal population. In a period of three years leading up to the treaty 296 public meetings and colloquia were held in that area. If one considers the problems of distance and communications, it is an astonishing record. I do not think city seats could do better.

I also found that it is not simply companies doing business. It is not simply government agencies that impinge on this, but ordinary people. There is a little group called the Nass Valley Residents Association, representing predominantly non-aboriginal people. There were 13 successive meetings with this group. It raised the issues of effect on isolated fee simple titles, continued replacement tenures, access to water, and access to forestry and firewood supplies. These sorts of issues go to grassroots concerns, grassroots democracy.

That is why there were 13 meetings in a row. The people would come back and say they wanted answers. They would get the answers. At the end of the day there were no countervailing claims in the concrete in relation to the Nisga'a treaty. That is a very important fact when we talk of democracy.

On the issue of the referendum the minister has quite properly commented on changing the rules of the game at the end of the day, but I would raise more importantly the constitutional principle that we operate within a constitutional system of government which includes the courts.

The House has had a stern rebuke. One can read the judgment carefully on the rehearing of Marshall and find that it refers to intemperate and ill-informed comments by members of the House in relation to judicial decisions.

How can it seriously be suggested that the federal government should hold a selective referendum in a province that is itself before the courts? With the Attorney General of British Columbia and Attorney General of Canada, a decision by the Supreme Court of British Columbia in the first instance still moot and under appeal, how can we possibly, with proper respect for the courts and proper respect for a constituent province, intervene and hold a

selective federal referendum? It would be more consistent if the Leader of the Opposition had responded to the hon. member for Burnaby—Douglas and said “Yes, I will hold a nationwide referendum. That is what I am proposing”. However he did not do it. The inconsistencies frankly do little credit to the study of constitutional law and show a complete disrespect for the courts with a pending process.

Let me get back into the issue of participatory democracy. I issued four very well documented newsletters to my constituents since the treaty was published. Each contains a 2,000 word summary of legal issues and constitutional issues, and I have asked for responses. Over a period of six, nine and twelve months I have had 3,000 or 4,000 responses of various sorts. People are coming in, phoning me and writing thoughtful letters. As a result I was in touch with the minister, the predecessor of the present minister, to say here are some concerns. Let us take them.

Is this a template? The point we made was no. Every treaty rests on its own particular society which has its own particular social and political facts.

• (1255)

What is right and proper for a remote thinly populated area of the province may not work in the city where there are countervailing interests that will be presented. The template concept must be rejected. Good sociological jurisprudence is when each treaty is considered and negotiated on its own facts. That was in spite of the opposition. It would be some considerable time before the Premier of British Columbia accepted that Nisga’a was not a template but a special treaty negotiated on its own facts.

The second issue is of the so-called constitutionalizing of the treaty. There is a possibility of confusion here. I discussed this point with the then federal Minister of Justice in 1983. He was not the man who drafted the charter of rights but he was the successor. I raised the issue of the effect of applying section 35(1) to future treaties, not the known quantity of already existing treaties. I raised the issue that these were constitutionalized treaties and not in my view constitutional amendments.

Can we clarify and make this assurance clear? In the Nisga’a treaty it is made very clear that the treaty is subject to the constitution and the charter of rights. I went to the predecessor of the present minister and said that there were still concerns and could we not put it in the federal enacting legislation.

If we look at the federal enacting legislation it is clear. It establishes the supremacy of the constitution and the charter of rights. Do not be afraid of changes to sections 91 and 92. Do not be afraid of a third level of government. Do not be afraid. Due process of law applies. The principles of equality before the law and equal protection of the laws are there. They are in the charter and the

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courts can apply them. There is no reason for this fear which is based on misconception and lack of study. It is all there in the Nisga’a treaty.

The issue arises that it is not a template. It is still the first treaty. It is an historic event for people who negotiated in good faith and in good spirit, which shows it is in the absence of countervailing claims re the concrete. The spirit of good neighbourliness of the sort the supreme court and the world court have spoken of is basic to the common law.

What of future treaties? It is clear, and I have had discussions on this with members of the B.C. Liberal Party, which has the same name but is legally separate and distinct from the government. I have spoken to some of the critics who have appeared and attacked the Nisga’a treaty on the basis of a lack of information of the changes being made in the federal enacting legislation which are now there.

It is clear that for future treaties we will re-emphasize they are individual treaties to be negotiated on their own facts. It is also clear that all future treaties must be made expressly and in terms subject to the constitution and the charter of rights.

I believe we may need better fact finding facilities in relation to these treaties. I speak of the federal court with all respect, but I have difficulty in reconciling two judgments at two different levels of the federal court in a cognate but distinct case on the basis of the economic evidence in this area. There needs to be better lawyer-manship by lawyers, the federal justice and other parties presenting the case. The supreme court made this clear at the Marshall rehearing.

There also needs to be perhaps more use of the provincial supreme courts. They are closest to the people. The federal court, and I am not speaking of the Supreme Court of Canada, is a body that often has few local roots or little access to local facts.

Those elements are there. I also think we should take up the suggestion made by members of the Vancouver city council when the treaty process approaches the city of Vancouver and involve elected municipal representatives in the negotiating process. They have a lot of knowledge and a lot of practical wisdom. They can help us in this path to what is an historic process for B.C.

All the rest of Canada has treaties. We have to begin in B.C. It is a learning process and it is a difficult process, but what is the choice? We want to live in peace in British Columbia. We want a society in which people feel safe to invest. We want a society in which people can act in good faith in relation to each other.

• (1300)

We have made clear to the minister that in negotiating treaties we expect good faith and good neighbourliness. If we do not find it, that treaty should put to the bottom of the pile. That is a good principle of operation. The choice is 19 long summers of discontent

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in British Columbia or a process in which everybody is actively engaged, and that I think is the real choice.

I welcome the fact that the predecessor of the minister of Indian affairs made these changes to the federal enacting legislation which I think settle any remaining constitutional doubts. I have no doubt the new minister accepts in full spirit the engagements made by his predecessor. We will build on what we have learned in the process to date.

Mr. Bob Mills (Red Deer, Ref.): Mr. Speaker, I know of the member's great concern for democracy and I know he looks at these issues in great depth. Is he not aware of how this is setting the stage for something that will be much greater than just the Nisga'a treaty itself?

I wonder how he goes back home, as I know he does, and meets his constituents when a recent poll done in his riding showed that 91.45% of his constituents said that there should be a referendum on this treaty. I wonder how he answers them when he says that the government of the day in Ottawa says that there should not be and that he really does not have to listen to them.

I once had a member do that to me in my riding in 1991. He said that he knew what we people thought but that Ottawa knew better, that his party knew better. I wonder if this member does not have a few concerns that some of the members of his constituency might not say the same thing when 91.45% of them said that we should have a referendum on this issue.

Mr. Ted McWhinney: Mr. Speaker, I would wonder whether the hon. member and his poll takers are not smoking pot when they come up with these figures. I am in constant touch with my constituents. I receive hundreds of letters every week and we answer them.

I will tell the member one thing that will restore his faith in democracy. We have only had two mean minded letters that had a John Wayne conception of the aboriginal people and wanted to chase them across the frontier with muskets. The people in my constituency are thoughtful, well educated, reasonable people. They are honest, decent people and they respond to facts.

In response to the Nisga'a treaty, when we explain the facts they come back and they accept the facts. They accept that there will be a large degree of public involvement, even larger than before in Nisga'a with their 296 public meetings. The matters will get to the city. We will have a stronger process for review of countervailing interests where there is a contest between aboriginal and non-aboriginal rights. We should have a third party process and compulsory arbitration if needed.

Those are the things my constituents work for concretely. They do not talk off the tops of their heads. They do not read Zane Grey

or obscure novels from the 19th century. They are moving into the 21st century. We want a peaceful society in British Columbia. We want to get through those 50 treaties on the basis of general equity and general public consensus.

We have the process going and it is working. That is what my constituents are saying to me. They are not prophets of gloom and doom. They are not afraid of the future.

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, I will ask the hon. member a question about the referendum principle. There is a principle at stake that we continue to ignore and that we simply do not address, and that is somehow judging the rights of a minority by having a referendum of the majority. How do we protect minority rights in that context?

• (1305)

Mr. Ted McWhinney: Mr. Speaker, I gave a more narrowly technical legal answer to that in my opening remarks. The facts are before the Supreme Court of British Columbia. There is a challenge based on the issue that a referendum is not being held within British Columbia and it is based on the B.C. provincial constitution. My statement on that was that it was before the courts. The deference that we owe to a court as a co-ordinate institution of government does not allow us to hold a selective referendum in B.C. while that process is there.

I did pick up, though, the comments of the hon. member for Burnaby—Douglas who quite rightly raised the issue with the Leader of the Opposition about going for a nation-wide referendum, and the Leader of the Opposition retreated.

On the large issue, I have been arguing for 20 years for basic changes in the constitutional system. If we want to go the Swiss way, Switzerland is a different society from ours—what was said—the country that built cuckoo clocks but what else. If we want an analogy there, let us do it, but let us do it as part of a comprehensive constitutional reform and not just pluck it out because it happens to suit us for a passing moment.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, as you know, the Standing Committee on Aboriginal Affairs and Northern Development, of which I am a member, has just come back from touring British Columbia.

I will begin by saying that, when this decision was taken in committee—and it had been taken in the House earlier by the government House leader—I immediately accused the Liberals of doing the tango with the Reform Party. There are tangos that can be very graceful, with the two partners following each other's moves perfectly, and there are tangos that can be more difficult; it is, after

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all, a fairly complicated step. On this trip, the Reform-Liberal tango was a forced affair. The two partners found themselves forced to dance with one other and more than once stepped on each other's toes. It was, I think, a painful exercise.

We know what happened. Simply put, the Reform Party invited the Liberals to come along on this tour in British Columbia, and the Liberals had no choice but to agree. Otherwise the Minister of Finance would not have been able to put on his big economic show in London, Ontario.

The first tango was quite a challenge for both partners. There is another one in the works, which will be a far more graceful event, because the two partners are accustomed to each other. I will read part of the motion:

That, in the opinion of this House, the federal government should conduct a province wide referendum in British Columbia. . . prior to [—]

I must admit that Quebec is beginning to know something about referendums decided on by Ottawa. This is paternalism taken to the extreme. How can the federal government tell British Columbia that it is going to hold a referendum in this province?

The leader of the official opposition raises a good point in commenting that the Liberal government is in the process of cooking up all sorts of things relating to a future referendum in Quebec. We heard it last week, and we heard it again today. There is even talk of a motion or bill being introduced before the end of the week. I believe Quebec is capable of deciding its future for itself. Quebec does not need Ottawa to tell it how to proceed.

We are told that the Minister of Intergovernmental Affairs is in the process of looking at the possibility of having the percentage be 60% rather than 50%. What next? It may say "Here is the question to be imposed on Quebecers" and so on.

The Reform Party and the Liberals make a lovely couple dancing to the tune of paternalism taken to the extreme. This country needs to accept the existence of people who are different. I will get back to that later.

As for the question of a constitutional amendment, opponents of the agreement, particular the ones on the Reform side, are saying that this is a constitutional amendment, that it will create another level of government and that consequently, since it will shape the future of British Columbia, a referendum must be held in order to ask all of the people of British Columbia to learn about the issue, take a position, and vote on it.

The problem, in my opinion, is that this is not a constitutional amendment, any more than it was one when the people of the Yukon accepted their land claims and self-government—and this was debated here. There was no referendum, either in Canada or in the Yukon, to find out if there was agreement on that.

• (1310)

Certainly, the aboriginal nations affected hold referendums. The Nisga'a held a referendum, but not the Yukon nations or the James Bay Cree. There was never a call in Quebec to vote or hold a referendum on the future of Quebec in relation to the treaty with the people of James Bay. I am speaking of before 1982, when we did not have the new Constitution. The James Bay treaty dates from 1975. For us, therefore, this is not a constitutional amendment.

Another thing has been raised by our opponents. They claim there was not enough consultation. I have here a few notes on the consultations held. In my opinion, the best consultations do not involve just statistics and reports of what went on. When one is a member of a touring delegation—I had to go, myself—there are many ways of listening to people. A person can just listen to the witnesses or take the opportunity, as well, at mealtime or after hearings, to go and speak with them.

I was not at all impressed by the Reform Party mobilizations in the five cities in British Columbia. A handful of people wanted to prevent witnesses from speaking and parliamentarians from deliberating.

I saw a few in Prince George, very few in Smithers. In Vancouver, there were a few more, because they made an effort. There were some 200 demonstrators outside. These people came in to disrupt the work of the committee for almost one hour on the last day, on the Friday. Unfortunately, this was not a popular initiative among the general public.

If these hearings had been televised in British Columbia, the Reform Party would have sunk to an all-time low. This is not the way to proceed. The way to proceed is to bring in witnesses—these people had the opportunity to send witnesses to the aboriginal affairs committee—and to let them testify. One does not gather people in a room to try to continually interrupt others, which is what went on all week.

I was not impressed, either by the size of the protest or the way these people tried to defend their views which, in my opinion, are undemocratic.

Let me now take a look at the consultation process. I have some figures here. Since 1991, federal and provincial negotiators have held 250 public consultation and information sessions in north-western British Columbia. This is quite impressive. The forestry sector held close to 30 meetings, while the fisheries sector committee held 25. The Nass Valley Residence Association also organized meetings.

About 30 public information meetings, including open houses, fairs, presentations to school boards and chambers of commerce, were held throughout the region. The Kitimat-Skeena regional advisory committee, the Nass Valley Residents Association and the

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Treaty Negotiations Advisory Committee expressed their views to negotiators.

Over 50 consultation meetings took place during the negotiations on the Nisga'a final agreement. Also, the provincial legislature's standing committee on aboriginal affairs held hearings in a number of British Columbia communities. In addition, our own committee held a week of public hearings there. I would remind the House that again this week another thirty or forty people will appear either in person or via videoconferencing.

Furthermore, as I have already said, the British Columbia legislature debated for some 120 hours. This is the longest debate that has ever been held in the history of the Legislative Assembly of British Columbia. So we do not want to hear it said that they are calling for a referendum because they want to consult people. I did consult the people, in the various restaurants and other places we visited in British Columbia, both in the north and in the south of the province. Those people seemed fairly satisfied, and we have proof of that.

As a former union member myself, I can tell the House that, on the last day, representatives of Treasury Board and of unions came to the table to tell us that they had consulted their membership. When unions use the word consult, that means a lot: consultations at the local, regional and provincial levels, usually. CLC President Ken Georgetti told us "We debated the issue, and there was far from unanimity. A number of points did not get past our membership very smoothly, but there has been consultation and there is union agreement on this".

• (1315)

What struck me even more, however, was that many representatives of the economic community and the Vancouver chamber of commerce came to tell us that they had no problem with that, because it would finally resolve the whole issue of uncertainty.

In a few minutes, I will talk to you of the problem of uncertainty, because it is another tactic our adversaries use to say things will be terrible, that it will be the end of the world for British Columbia. I even heard it being likened to Bosnia and Chechnya a few minutes ago.

I do not agree with that. I had given as an example the WTO negotiations, which are to begin this month, and our disputes with our major economic trading partner, the United States. It is usual to have disputes with people, but they are resolved through negotiation.

So, making statements that it will be like the cases of Bosnia and Chechnya is like saying the Americans will drop an atomic bomb on Canada if they are not satisfied with the WTO agreement. I do not think the discussions should be viewed this way. It is not

through litigation or confrontation but rather through negotiation and consultation that this is achieved. And that is what has been done, in my view.

Our opponents keep telling us—and I heard them again this morning—the importance of equality, the great importance of equality. For them, it is pretty simple: everyone should be equal.

I said that at second reading and I repeat it. Quebecers will not agree to being equal to other Canadians. I have showed a schema to a number of witnesses and they agreed. In fact, they said that was the way it is, and I think we have come to an agreement.

How can I go about taking apart the whole argument of equality and uncertainty? I would first like to explain something to the Reformers. We have to start with the question "Do they recognize for the aboriginal peoples?" Do they recognize that there are aboriginal peoples and nations?

We in Quebec have already introduced a motion in the National Assembly to recognize the 11 first nations. But once the first nations are not recognized, because this is what the Reformers are calling for, once the distinct character of Quebec is not recognized, because according to the Reform Party, Prince Edward Island has the same power in Canada as Quebec and Ontario do, then we have many reservations.

Obviously, there is not agreement on complete equality, and once that is the case, the same thing happens that is happening with the Reformers: there is an attempt to frighten people, to tell them that some people have specific rights, but that they do not. We are all too familiar with this scenario.

I for one agree with recognizing aboriginal peoples, just as I would agree that Quebecers represent a distinct nation. Unfortunately, there are not many people in the House who are prepared to allow Quebec that recognition; not even among the Quebec members.

What happens if someone like myself or my party recognizes aboriginal peoples? Automatically, not everyone is equal. They have specific rights. We are seeing quite a few such rights being imposed. The courts themselves are imposing them.

The other day, when we debated the motion on Atlantic fisheries in relation to the Marshall ruling, I listed all the cases that we are losing one after the other. Calder, Sparrow, Delgamuukw are all supreme court rulings that support aboriginals and thus give them specific rights. Today, we as legislators have the opportunity to grant specific rights, and we will do so if we adopt the treaty that is now before us.

If we give specific rights to aboriginals and recognize them as peoples and nations, then we must agree with them on some kind of partnership agreement, and the Nisga'a treaty is a perfect example

of such an agreement. It sets out powers and determines which are Canada's and which will be the Nisga'a's'.

• (1320)

We must put this in an agreement if we want to reconcile everybody's interests and ensure that we will not get all tangled up in laws that contradict one another.

Jurisdictions over areas such as culture or language are often delegated. In this case, we will even have a Nisga'a government and a constitution that will include provisions on citizenship.

There is no doubt that the agreement goes very far. But I remind all those who are listening to us that other agreements have also gone quite far. Negotiations on self-government and Yukon land claims went very, very far. The agreement obviously goes beyond a private citizen joining with the Canadian nation, because this person already has every power. Here we agree to give these people partial powers and to see how it can all be reconciled.

By negotiating a partnership between two nations, between Canadians and the Nisga'a, certainty has been created. The final argument of our opponents has been done away with, that being that supposedly terrible uncertainty will result.

The treaty contains everything relating to natural resources, forestry and fishing. Everything. According to the witnesses I heard, including the biologists, there is no problem because a percentage is given for fisheries. In a given area, the Nisga'a may have 26% of the take, but that 26% is not a set figure. If the fishery resources decrease, it will be 26% of the take at that time. The figure for the next year could be different. It could be more, or it could be less, but it is always 26%.

It seems to me that we have found the way to negotiate between one nation and another, saying "This is the way we will go about things together".

It is important for me to give this explanation, because I have heard all kinds of things said. In my opinion, overall the witnesses were in favour of the agreement. Some came to tell us that they were not, and why not, but I feel that their opposing arguments did not take them far.

As far as this being a constitutional amendment is concerned, I say it is not. As for saying that equality must come first, come what may, I do not agree with that as a Quebecer and I know the Nisga'a do not agree either. As far as creating uncertainty is concerned, I do not agree because the treaty defines with certainty all areas of jurisdiction it has been agreed to hand over to the aboriginal people.

We will not change opinion on the Nisga'a. We have told them we will walk with them. The translation into Nisga'a of "We will walk with the Nisga'a" is:

[Editor's Note: Member spoke in Nisga'a]

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[*Translation*]

We have not changed our viewpoint. We have heard the opinions of certain nations, such as the Gitanyow or the Gitksan. It was in fact the Bloc that offered to mediate to see whether agreement was possible. We are currently looking at various formulae with the Nisga'a as well, but we support the entire matter and the action.

As I was saying at the start of my speech, the Reform motion is outrageously paternalistic. We cannot agree with it. They cannot say to the Nisga'a, 61% of whom accepted the agreement "Now that that's all done, we will water it down in a massive referendum."

People have raised the issue of the majority imposing it on the minority, but there is also the fact that the work was well done. When they talk about nation to nation, there are representatives in parliament. There are representatives in this parliament and there are representatives of the people in the British Columbia legislature. I think these people have done a good job.

We must also bear in mind that 50 more agreements are yet to be negotiated, and it is not true to say the Nisga'a agreement will create a precedent. There may well be passages other nations will pick up, but my experience as critic for aboriginal affairs tells me that there are about as many agreements on self-government as there are nations, because each nation has its point of view.

• (1325)

Many people condemned the whole issue of taxation, because the Nisga'a will waive the tax exemption to which they are entitled. They will start paying taxes in 8 or 12 years.

Many nations told us "We would not have accepted that". Some might say this is a terrible precedent but, in my opinion, that precedent is no worse than what the Yukon nations or the Cree have negotiated. If we must hold a referendum each time a self-government agreement is concluded with a nation, the process will never end.

For these reasons, the Bloc Quebecois will oppose the Reform Party motion, and I tell my Nisga'a friends who are listening, including Joe Gosnell, Harry Nice and Eric Grandison that we will certainly see each other again this week to try to see how we can work out the final details. They can rest assured that the Bloc Quebecois and myself will vote against the Reform Party's motion.

[*English*]

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Mr. Speaker, I would like to respond to a few of the comments made by the Bloc member, much to my absolute disbelief.

I would like to tell the House the exact truth of what happened. I was at that meeting in Victoria with the committee listening to the witnesses.

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The member stated that the Reform Party was blocking, preventing, or stopping the witnesses from speaking. The truth be known that every single witness on that list when I was there got their entire allotted time and more time.

He left us with the notion that he heard words spoken, such as Bosnia and Chechnya. He put that in the context that the Reform Party was this or that. What he is not telling the House is that it was aboriginal people from the Nass Valley who used those words. These were the words of aboriginal witnesses from the Nass Valley who testified before the committee, their words and nobody else's. The House should take note of that. That is the absolute gospel truth.

He also used the words "a paternalistic motion". Imagine that, a paternalistic motion. Can anyone imagine that a vote is paternalistic?

I would like to leave the House with one last thought. The sole purpose in this House of the member who just spoke is to divide this country in two, to create division. That is exactly what the Nisga'a agreement is going to do and that is probably why the Bloc is supporting it. It wants to create division and to divide the country in two. The hon. member has no other reason for sitting in this House. That is why he is here. His party has stated that on the record. It is no wonder the Bloc is supporting the agreement, because it is going to create division.

The unfortunate part is that what has happened with the aboriginal people in Canada over the last 30 to 50 years has not worked. They deserve to have a solution that does work.

An hon. member: What about the Indian Act?

Mr. Gary Lunn: Yes, it does away with the Indian Act and it creates the Indian Act II and will create only more wishes.

The member stated that the Reform Party was stopping or preventing the witnesses. Would the hon. member stand in the House and name one witness that was on the government invited witness list that did not get an opportunity to speak? I do not think he can.

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, the hon. member really does not get it. Yes, some witnesses were prevented from testifying and yes we were forced to adjourn on several occasions. It just so happens that those who forced us to interrupt our discussions were all wearing a Reform Party button, or a T-shirt or big hat with the word "Reform" on it. These are the people who prevented us from holding discussions.

Of course the witnesses were given back the time originally allotted to them, but we were forced to adjourn on a number of

occasions for several minutes. On the Friday, when we were in Victoria, we were forced to adjourn for almost an hour, and it was not Bloc Quebecois people who were in the room to boo the witnesses and members of parliament present.

• (1330)

As for paternalism, that is what it is. If Ottawa decides how a province is to behave, or how the Nisga'a are to behave, that is paternalism. It is just as I said earlier. The government wants to adopt a paternalistic approach with aboriginal peoples, as well as in British Columbia. I said that the Minister of Intergovernmental Affairs wants to do the same in Quebec. It is the same thing, and the same word applies.

As for the expression "nation to nation" and for our wanting to break up Canada, we have been saying for months and for years that we want a partnership agreement, like the one the Nisga'a will sign with the Parliament of Canada and have already signed with British Columbia. We want the same approach.

It is only natural that we would be in favour of the approach taken by the Nisga'a in their quest for autonomy. I say to all first nations in Canada and in Quebec that, should they need the support of the Bloc Quebecois in moving toward autonomy, they can always count on us.

[*English*]

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Mr. Speaker, I want to take what my Reform colleague has said one step further.

The hon. member from the Bloc said clearly that Quebec does not believe in the equality of all Canadians. The Bloc is here to promote separation. The government said that there was a process whereby everybody was actively involved. It now becomes obvious that was not the case. Everyone was not actively involved.

Here we have the Bloc members making it absolutely clear that they support this because it will lead to the separation of groups, and the government is also supporting this.

The *Globe and Mail* put it very well when it said that the government's aboriginal policies would lead to separation, both political and economic. That is why the Bloc supports this. Now the government goes along with it.

The government said very clearly that the minister consulted all sides. It has in fact created the sides. It is responsible for dividing up our society into all of these various groups because of the improper process, because it does not allow the moving toward equality. I think that is the problem. That is probably why the Bloc is doing this.

The government said that the courts are criticizing members of parliament for speaking up and criticizing some court decisions.

Many Canadians are concerned that the courts are dictating legislation. Do the courts have the right to tell members of parliament how they shall speak on an issue like this? I would like the member to answer that. I would also ask him if he agrees with the Minister of Justice who says "We have one law for all but it is flexible in its application"?

The government makes a big point about treating everybody equally, but the Minister of Justice says "We have one law for all but it is flexible in its application". Does the member agree with the government when it makes those statements?

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, the more I listen to the Reformers, the more I come to the conclusion that the problem I pointed out earlier boils down to this: they do not recognize the aboriginal peoples, and they do not recognize Quebecers as a people. They do not recognize that they themselves are part of the Canadian people.

I do not recognize Canadians in the Reform Party. That is not what I saw in British Columbia. Those who booed us and prevented us from speaking were sporting Reform Party T-shirts, hats and buttons. Ordinary people in the street agreed.

As for flexibility, I am in agreement with that. Once it is acknowledged that there are aboriginal peoples, that there is a Quebec people, that devolution of responsibilities is going to be accepted, flexibility is needed. This does not mean getting around the Criminal Code. This is not what it means.

It means that they may have ways of administering justice that differ from ours, the sentencing circles for one. This shows that the aboriginal nations are different. I find that this agreement acknowledges this.

I say to my Reform colleague that I hope he will always manage to understand the importance for Canadians and for Quebecers of recognizing the aboriginal nations.

• (1335)

As long as this is blocked, we will run into the problems we had, people who come to boo us, people who understand nothing more than the fact that everyone must be equal and alike, no one must be one iota different from anyone else. This is not the way I see things, and unluckily for the Minister of Justice, who has said "far more flexibility is needed", I share her opinion.

[*English*]

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Ref.): Mr. Speaker, I, along with the hon. member, were in British Columbia last week at the Nisga'a hearings. Last Tuesday, we were in Smithers and listened to presentations by the Gitanyow Band

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who expressed extreme concern over their land being put into the Nisga'a agreement. The Bloc members at that time seemed to listen with great concern and indicated that they would be prepared to support an amendment to the treaty which would take the questioned land out of the Nisga'a treaty until such time as it was settled.

Obviously they would like the native people to see them as native friendly people so the aboriginal people in Quebec will not be concerned when the next referendum question comes up.

Did the hon. member say that simply to seem friendly to the Gitanyow while he was there or will the Bloc stand by that and support at least an amendment to this treaty?

[*Translation*]

Mr. André Bachand: Mr. Speaker, the hon. member is absolutely right. The Bloc Quebecois are the ones who told the Gitanyow, and even the Gitksan who have joined with the Gitanyow in some proposals. And that will occur this week.

That did not stop me the day after from picking up the phone the next day to call the Nisga'a and asking "How could we accommodate everybody?" It is important to accommodate everybody.

Certainly the Reform Party is trying to find all areas of tension and to focus on them to prevent this bill from passing. We can see what they are doing. But our way is a constructive one and, if necessary, we will sit down with the Gitanyow, the Gitksan and the Nisga'a, and we will eventually come up with a proposal that will be agreeable to everyone, with the additional information that the Nisga'a will have to provide to us on this issue. It is true that witnesses see things from their own perspective, but so do those who will benefit from this bill.

The Bloc Quebecois cannot be criticized for having a constructive approach on this issue and for ensuring that everyone's interests are taken into account. I must, however, condemn those who purposely draw attention to existing tensions, in an attempt to prevent the bill from being passed. The Bloc Quebecois prefers to have a constructive approach rather than a destructive one.

[*English*]

Mr. Garry Breitkreuz: Mr. Speaker, the member neglected to answer the question I posed with regard to a statement the government made with respect to the courts being able to tell members of parliament how to speak on this issue. Does he agree with the government's position that the courts should be able to dictate to us how to speak on these aboriginal affairs?

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, I do not agree with that. In fact, I say so every year when the Indian affairs minister comes before the standing committee. I ask him "Are you not tired of

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letting the courts tell you how to proceed?" It seems to me this government should display greater courage and settle fundamental issues, before the courts force it to change its policies.

I agree with the hon. member that the Liberal government should show much more initiative, to avoid having Canadian courts, and particularly the supreme court, tell us how to proceed.

[English]

Mr. Garry Breitkreuz: I have another brief question, Mr. Speaker. It really puzzles me that the Bloc members would oppose a referendum on this issue. They are very strong on a referendum deciding the separation of Quebec. Why do they oppose a referendum of the people of British Columbia with regard to this issue?

[Translation]

Mr. Claude Bachand: Mr. Speaker, regarding the issue of referendums, it is obvious that the Reform Party will tell us "Since you want a referendum in Quebec, why do you not want one for British Columbia?"

I would ask the hon. member to take a look at the wording of his own motion, which basically asks the federal government to impose a referendum on British Columbia. As Quebecers, we do not want anything imposed on us.

• (1340)

We do not want to have the Minister of Intergovernmental Affairs impose a referendum, impose a percentage to make it a success and impose a question. We believe in the self-determination of peoples, and if Quebecers qualify as a people, they are entitled to hold their own referendum, without Ottawa's intrusion.

That is Bloc Quebecois position.

[English]

Mr. Jim Gouk: Mr. Speaker, I would like to just touch on that referendum question. What is the difference? British Columbians would not have it imposed, they are asking for it.

I point out to the hon. member that I did a scientific poll in my riding on constituents' attitudes with regards to the Nisga'a treaty. Not only did we ask straightforward questions, but also did a lot of other polling at the same time.

One of the things this poll did was identify voter trends within the riding. Of the people who voted NDP provincially in the last election, the NDP government being the one that put this treaty on the table, 70% of those people wanted a referendum on the Nisga'a treaty. A referendum is not being imposed on B.C. B.C. is asking for it.

Will the member join with us in supporting the rights of British Columbians and their demand to have a referendum on this?

[Translation]

Mr. Claude Bachand: Mr. Speaker, I do not want to instruct the members from British Columbia. They know their corner of the country best.

However, I can tell them their provincial colleague, Bill Vander Zalm, of the Reform Party, is not quite on the right track in saying we should buy the Indians "Let us give them \$100,000, get rid of the reserves and that will be the end of that". I think that is a poor approach, and I would say to Mr. Vander Zalm that, if he wants to be elected, if he wants to be a Reformer, this is the right way to go about it, as he does not recognize the aboriginal peoples.

Buying people, telling them that we will assimilate them and saying "Let us pay out \$100,000, and that will be the end of the aboriginal nations", is not the approach to take. That means they know very little about them. That means they know very little about Quebec too.

[English]

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I wish to advise you that I will be dividing my time today with my colleague, the hon. member for Vancouver East.

My colleague, the hon. member for the Yukon, who attended the hearings on this matter, unfortunately is not able to participate in the debate today. She has played a very important and critical role on behalf of New Democrats on this very important issue.

I rise today on behalf of my colleagues in the New Democratic Party to strongly oppose the motion which the Reform Party has brought before the House of Commons. I regard this as a desperate, last minute attempt by the Reform Party to subvert the Nisga'a treaty.

One of the hon. members from the Reform Party has talked about a scientific poll that he did in his constituency on the Nisga'a treaty. The Nisga'a leadership made it very clear on November 4 when they appeared before the Standing Committee on Aboriginal Affairs and Northern Development that there are two treaties being debated in British Columbia today.

According to Chief Joe Gosnell, one of the treaties was actually negotiated in a process lasting several years. This is the treaty referred to by the government and by the other opposition parties other than the Reform Party.

The second treaty, which is now the subject of debate, was what they called the make-believe treaty. This is the treaty described by the Reform Party, by the British Columbia Liberal Party, by a variety of editorialists and by other individuals. If Reform Party members are polling their constituents about a make-believe treaty, a treaty that does not exist, a treaty that has been invented to try to scare British Columbians, it is no wonder they would vote against that treaty.

When the truth comes out, when British Columbians are informed of the actual content of this treaty, as I had the opportunity to do at a public forum in my constituency very recently, they will support the contents of this treaty.

● (1345)

It is no wonder particularly in some of the rural communities of British Columbia that there are British Columbians who are not getting the facts, when we look at where they might get those facts from. There are Reform Party members of parliament who are engaged in a campaign of systematic distortion of the contents of the treaty. What do they say about the treaty? They say it is like apartheid. It is one of the most offensive and appalling distortions of history when the Reform Party talks about this treaty as in any way being akin to apartheid.

I worked for many years, as did a number of members of the House, fighting against apartheid. Indeed Your Honour was in the forefront of that struggle and will recall our visit to South Africa to celebrate the triumph of democracy in South Africa.

Those who understand history will know that if anything, apartheid in fact was at least partly based not on this kind of nation to nation treaty, but on the reserve system in the Indian Act which this treaty would finally rid us of. To talk about apartheid in the context of the Nisga'a treaty is totally dishonest.

We know as well that the media coverage in many of the rural and smaller communities on the Nisga'a treaty has been distorted. It is no wonder when David Black who publishes over 60 community newspapers serving some of those smaller communities gives orders to his editorial writers that they are not allowed to write editorials in support of the Nisga'a treaty. David Black the publisher is forcing his newspapers to tell one story. It is no wonder that kind of distortion takes place.

The Reform Party says that it believes in consultation. Yet the member for Skeena himself has not met in six years with the leadership of the Nisga'a people. He represents that community. He has represented that community since 1993. I defy any member of the Reform Party to stand in the House today and tell me one occasion since 1993 when the member for Skeena has met with the leadership of the Nisga'a people whom he represents. Reform members are phonies when they talk about consultation. The only consultation they believe in is talking to themselves.

There has been extensive consultation with the people of British Columbia on this treaty. Before the 1996 provincial election, an agreement in principle was signed. That agreement in principle was signed and a 13 point mandate for provincial negotiators was presented. Where was the provincial Liberal Party then? Where was the federal Reform Party then? Were they calling for a referendum? No. There was not one word calling for a referendum.

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Not only was the Reform Party silent on any suggestion of a referendum but Mike de Jong, spokesperson for the B.C. Liberal Party, the kissing cousins of the Reform Party on this treaty, said:

I think it would be unfair at this point to inject the referendum card into the ratification process involving the Nisga'a treaty. Those negotiations have been ongoing. . . . To say at literally the eleventh hour that it will now become a component of that ratification process would be, I think, unfair.

Unfair indeed it would be. We in the New Democratic Party say that there has been extensive debate and consultation on this issue, including the longest debate in the history of the B.C. legislature, 116 hours. No bill in the B.C. legislature has ever been debated longer than the Nisga'a bill. There were extensive community hearings. There was the aboriginal affairs committee. There were 116 hours of debate in the B.C. legislature.

The time has come for parliament to respond not just to the historical rights of the Nisga'a people, but to respond to what I believe the majority of British Columbians who were informed of the contents of the treaty actually want. They want fairness and certainty.

● (1350)

It was a Reform Party member of parliament who said, "Uncertainty directly related to the Nisga'a treaty is hurting the economy of northwestern British Columbia". That was said by a Reform Party member of parliament, yet Reform members want a referendum that would drag this out.

Let us say hypothetically that the referendum were to result in a no vote. What then? Would we go back to the drawing table and start the negotiations again? Why would the Nisga'a people negotiate in those circumstances? Why would any aboriginal first nation negotiate in those circumstances? They would say that they would go to the courts. We have seen what happens when we leave it to the Supreme Court of Canada. We saw the chaos which resulted in the east coast fishery. Let us negotiate in good faith as this Nisga'a treaty has done.

My final point is with respect to the notion of a referendum on minority rights. In my view it is profoundly unacceptable and dangerous to suggest that the rights of minorities should be subject to a referendum of a majority. In a democracy we respect minority rights. We elect democratic provincial MLAs and federal members of parliament to reflect the views of their constituents and at the end of the day to respect the rights of minorities, and those should not be subject to the whim of a majority in a referendum vote.

The Reform Party quite clearly does not believe in equality for aboriginal people. That is very clear. We know it does not believe in equality. This motion is all about a last minute, desperate attempt by the Reform Party which is trying desperately to salvage some vestige of credibility as it slips away more and more. We saw it slipping away in the byelection in Saskatoon. It was losing

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support there. Reformers are desperately grasping for power, trying to press the buttons, but the people of British Columbia will say no to that kind of agenda. They are saying no now and they will say no in the next election when that member from the Fraser Valley will be history.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, that was an interesting speech, I am sure.

The member talked about respecting minority rights in this House. I remind him of some of the less honourable aspects of how this House respected minority rights. How about the Japanese during the second world war? How about the Chinese once the railroads were built? How about Indians being separated out from Canadian society and being put into the Indian Act? Where does he think those things arose from? Out of the clear blue sky? They came out of this House.

I wonder if the member thinks Canadian people would have supported them at the time or had they been put to a referendum, might they have had more wisdom than parliamentarians. I suggest they have more wisdom on the Nisga'a treaty. They also rejected the Charlottetown accord which separated people in this country one from another.

I am thankful for the grassroots Canadians who oppose the special interest politics this House stands for so often, particularly through the NDP party.

Mr. Svend J. Robinson: Mr. Speaker, I am delighted the member for Prince Albert has given those examples because that is precisely the danger of the approach of the Reform Party today. What if there had been a referendum on the internment of Japanese Canadians in World War II and afterward? The fact of the matter is that was popular at the time and it was precisely because of those populist whims that the government was prepared to move. If there had been a Reform Party back then, its members would have been standing up saying they wanted a referendum on the issue and they would have trampled the rights of Japanese Canadians.

When we look at the Chinese head tax and the appalling treatment of Chinese Canadians, if there had been a Reform Party back then, its members would have been up there on their hind legs braying "We want a referendum and to hell with minority rights". That is the position of the Reform Party. It does not give a damn about minority rights. It never has and it does not now for the Nisga'a.

• (1355)

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I

am delighted to be part of this vigorous, very historical and important debate.

I would like to ask the member to comment on what I think is the central question concerning the referendum. The Reform Party has argued that we, Canada and British Columbia, ought to have a referendum because there is a constitutional amendment. The member for Burnaby, I believe, was a member of parliament throughout 1980 to 1983 when we were amending the constitution and bringing in the charter. He is very familiar with sections 25 and 35(1). If I recall, he played a role in the standing committee that was drafting some of those provisions.

I think it is particularly important not only because he is a lawyer and has participated in the House on those kinds of discussions, but because he is a member of parliament from British Columbia and represents the people that the other party purports to.

Does he in his view believe at all that there is a constitutional change here in recognition of the Nisga'a treaty? If there is one, would that not necessitate a Canadian referendum?

Mr. Svend J. Robinson: Mr. Speaker, in response to the parliamentary secretary, the fact is that this does not in any way involve an amendment to the constitution of Canada.

Under section 35 of the constitution of Canada, the existing aboriginal treaty rights of first nations in Canada are recognized and affirmed. This treaty is very much within the spirit of section 35. There is no amendment to the constitution of Canada. In fact, it is consistent with the constitution and does not require an amendment under the British Columbia legislation.

The Speaker: That would take up the time for questions and comments. We will now proceed to Statements by Members.

STATEMENTS BY MEMBERS

[Translation]

THE LATE FATHER MARCEL DE LA SABLONNIÈRE

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, Father Marcel de la Sablonnière, or Father Sablon to those who knew him well, died on Saturday at the age of 81.

Born in 1918, Father Sablon was appointed in 1952 to the position of director of the Centre de loisirs Immaculée-Conception, in Montreal, a function he performed wisely and capably for more than 40 years. He saw the potential of sports and recreation to provide a goal for certain troubled youth and to keep others from dropping out of the running. His many achievements included founding the Auberge du P'tit Bonheur in 1962.

Those working directly or indirectly with children will never forget Father de la Sablonnière. At a time when our young people too often tell us they have no leaders, Father Sablon filled this void for many of them, and they will be forever grateful.

Thank you, Father, for your generous efforts to improve the lives of our young Quebecers.

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[English]

PORT OF VANCOUVER

Mr. Dale Johnston (Wetaskiwin, Ref.): Mr. Speaker, the deal ending an eight day work stoppage that paralysed the port of Vancouver was ratified on Friday but the main bone of contention remains unresolved.

While shippers and their customers tally up their losses, the Canadian economy is out \$800 million. In the age of just in time inventory control, valuable international contracts were lost and our reputation as a reliable shipper is in tatters.

Even though it is over, it must not be forgotten. Work disruptions at Canada's busiest port cannot continue to hold third parties hostage. Just as sure as Christmas comes in December, it will happen again.

The Deputy Prime Minister said "We do intend to make sure that this does not happen every year". News flash to the deputy PM: Reformers have been offering a solution to this for six years. Where has he been? Rather than resorting to threats or heavy-handed back to work legislation, Canadians are demanding that a permanent solution be put in place now.

* * *

FRANK FAUBERT

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I would like to join with the hon. member for Scarborough—Rouge River to pay tribute to a man whose sense of public duty might be seen as a model for members of the House.

Frank Faubert died on June 20 of this year. He was born in Scarborough, Ontario. He was proud of his community and served his people with integrity for over 30 years in public life. He held offices as an alderman, controller, a member of the provincial legislature, Scarborough councillor and finally as Scarborough's last mayor. He was fondly known as Mr. Scarborough.

● (1400)

Frank's last political fight was against Scarborough joining the megacity. However, in 1997, after the city was amalgamated, he joined the city council and was elected to that council.

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Frank fought hard for the things he believed in: environmental issues, economic development, the arts community, ethnocultural relations. He was proud of his business card, which was printed in English and Chinese. He is honoured in his community, not only for what he accomplished, but for the person he was: a husband to Marilyn and a proud father of five children, a friendly and approachable neighbour, a wise and knowledgeable politician, a good and decent man.

* * *

NATIONAL AIDS AWARENESS WEEK

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I am pleased to inform the house that November 22-29 marks the ninth annual National AIDS Awareness Week.

The theme of this year's campaign is the myth surrounding HIV and AIDS. By increasing our awareness and reducing our fears, Canadians can fight this disease. Funds will be raised through red ribbon campaigns and other activities to support this vital work.

HIV/AIDS remains a significant national and international issue as the epidemic continues to grow. Young people are increasingly affected.

During National AIDS awareness week, I ask all Canadians to consider how HIV and AIDS affect their lives and the lives of those around them. Please wear the red ribbon to raise awareness of this issue and join me in paying tribute to the hundreds of community organizations and volunteers across the country who make National AIDS Awareness Week a reality.

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[Translation]

CANADIAN FORCES

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, last weekend, before an assembly of approximately 60 Canadian Rangers representing all Nunavik and Lower North Shore patrols, chief of defence staff General Maurice Baril presented a Canadian forces unit commendation to the 2nd Canadian Rangers Patrol Group.

The commendation was in recognition of the unit's humanitarian actions during the avalanche that hit the village of Kangiqsualujuaq on January 1, 1999.

A Canadian forces unit commendation is normally awarded to any Canadian forces formation, unit or sub-unit that has gone above and beyond the call of duty.

Many lives were saved through the efforts of unit members, who bravely ignored their personal safety in this potentially dangerous emergency situation.

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They successfully dug out women, men and children buried under a building that had literally collapsed under the weight of the snow.

Words are not enough to express our deep appreciation for the actions of these brave and determined individuals. What they did is an example to all.

* * *

[*English*]

FARMERS

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, a recent study has found that suicides are a much more common cause of death on farms than accidents.

This year it is worse than ever. Stress help lines in the prairies are reporting increased caseloads. These calls include people who are considering suicide themselves or are concerned that their partner might end their life.

The root cause of increased work for mental health professionals has been directly attributed to the ongoing farm income crisis. What has the government done to correct this tragedy? I think Janice Archdekin, a Saskatchewan farmer, summed it up best when she said “They do not care that people are dying”.

Last year the minister promised that farmers would receive a bankable plan by Christmas. He broke his promise. He failed to deliver. Last week at the Saskatchewan Wheat Pool’s annual meeting the agriculture minister again promised farmers that they would receive their AIDA money by Christmas 1999.

Farmers are not taking the minister’s promises seriously any more. I challenge him to add some credibility to his words and pledge to resign if he breaks his promise like he did one year ago.

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SOCIAL SCIENCES AND HUMANITIES RESEARCH COUNCIL

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, it is with great pleasure that I acknowledge and pay tribute to some of Canada’s outstanding graduate students participating in the Social Sciences and Humanities Research Council’s research showcase in 200 West Block.

Each student in the gallery today represents one of the 20 research networks funded under the major collaborative research initiatives of SSHRC. The students are presenting their own research, as well as research produced by the team to which they belong. Their presentations cover topics such as food security in the Arctic and the social and economic dimension of an aging population, to name but two.

The students would be delighted to meet and talk about their lives and work and discuss their hopes and dreams for the future. I urge all members to visit the SSHRC research showcase in 200 West Block to support and encourage these young Canadians in their research challenges.

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[*Translation*]

GALA DES BÉNÉVOLES

Mr. Jean-Guy Chrétien (Frontenac—Mégantic, BQ): Mr. Speaker, on Saturday, in Lac-Mégantic, some forty volunteers from Granit were honoured at the 12th Gala des bénévoles. Over 400 people responded to the call of the organizing committee.

● (1405)

The gala provided the opportunity to present awards to six great volunteers: Clémence Roy-Campeau, Suzanne Martin, Carole Dodier, Marcel Couture and Yves Gilbert. In addition, Aurèle Dulac was named volunteer of the year.

I join with the organizers of the gala in recognizing the exceptional contribution of all these volunteers to their community. Their work and their involvement speak of remarkable dignity and deep devotion to community solidarity.

My congratulations to the volunteers recognized and my thanks to the organizers of and the participants in this important celebration. Well done, Yvan Plamondon. Well done, Aurèle Dulac.

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LEBANON

Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.): Mr. Speaker, on the occasion of the 56th anniversary of the proclamation of the independence of Lebanon, as the chair of the Lebanon-Canada parliamentary friendship group, I would like to express my solidarity with Lebanon, a friend of Canada.

Specifically, I would like to mention that Lebanon deserves all our support in its economic, social and institutional reconstruction efforts.

It also deserves our support in its efforts to reclaim its unity and complete freedom over all of its territory, through, among other things, the implementation of UN resolution 425 calling for the unconditional withdrawal of Israeli occupation forces from south Lebanon.

Our best wishes go especially to the large Lebanese Canadian community that has enriched Canadian society with its dynamism and its joie de vivre.

* * *

[*English*]

WAYNE GRETZKY

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, “He shoots, he scores!” There are not many statements more

Canadian than that. In more than a century of hockey played in every corner of Canada, no one has shot and scored more than Wayne Gretzky.

Today the great one will be inducted into the Hockey Hall of Fame, but he has already worked his way into the hearts of anyone anywhere who loves the game of hockey, not only because of his unmatched skill and prowess on the ice, but also because of his integrity, his humility and his generosity as a son, a friend, a husband and a dad.

Wayne and the Oilers—what a team that was. The Kings, the Blues and the Rangers came later, but how we cherish those championship years in Edmonton.

I was privileged to meet Wayne, Janet and their kids on October 1 in Edmonton at Wayne Gretzky Day. He is a real, honest to goodness hero. The Hockey Hall of Fame as of today is Wayne's world. No one will ever forget number 99.

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NISGA'A FINAL TREATY

Mr. Ted McWhinney (Vancouver Quadra, Lib.): Mr. Speaker, in a three year run-up to signature of the Nisga'a treaty no fewer than 296 meetings and public consultations were held in the Nisga'a region with chambers of commerce, business people and governmental authorities. But no fewer than 13 meetings were held with a small, predominantly non-aboriginal regional committee representing Nass Valley residents. They addressed a wide range of their concerns: watershed protection, access to water, legal status of isolated fee simple titles and replacement tenures, forestry, mining, fisheries and wildlife.

The process of consultation on the Nisga'a treaty was astonishingly extensive given the remoteness of the region and its sparse population of 6,000 people. This is genuine grassroots participatory democracy in action and it is reflected in the final treaty.

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CHILD POVERTY

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, November 20 was National Child Day and the 10th anniversary of the UN Convention on the Rights of the Child. November 24 is also the 10th anniversary of the unanimous all-party resolution put forward by the then leader of the NDP, Ed Broadbent, to eliminate child poverty.

Here we are 10 years later and what progress is there? Just a few days ago we received a letter from three federal ministers telling us

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that the Government of Canada has taken a consistent approach in its efforts to improve opportunities for children and families. Who are they kidding?

Just last week 34 NGOs cited Canada for systematically violating seven articles of the UN convention. Child poverty has increased 50% since 1989. There has been an unrelenting attack on Canada's poor through EI cuts, the elimination of social housing, broken promises on national child care and denial of the child tax benefit to families on welfare. That is the real record of the Liberals and it has been consistent for sure.

Is it not ironic that the letter we received did not mention one word about the 1989 resolution?

* * *

● (1410)

[Translation]

THE LATE FATHER MARCEL DE LA SABLONNIÈRE

Mr. Bernard Bigras (Rosemont, BQ): Mr. Speaker, we were saddened to learn of the death of Father Marcel de la Sablonnière. "Père Sablon", as he was called informally by everyone who knew him, died on Saturday, at the age of 81.

Père Sablon got involved in amateur sport early on and worked hard to make it accessible to disadvantaged children. Through the determination with which he promoted sport and its virtues for young people, Père Sablon encouraged young people to strive for excellence. During his fundraising campaigns, he would often say "Let us give them a passion and make sure they have a good start". Many owe it to him to have had a good start in life.

For nearly five decades, with generosity and dedication, Père Sablon worked as the director of Montreal's Centre de loisirs Immaculée-Conception. A pioneer in outdoor recreational activities, he helped build centres such as the Auberge du P'tit Bonheur, Camp Jeune-Air and many others.

People will always remember Père Sablon's charisma, ability to bring people together and great foresight.

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NISGA'A TREATY

Mr. Paul DeVillers (Simcoe North, Lib.): Mr. Speaker, Bill C-9, an act to give effect to the Nisga'a Final Agreement, has now been debated in the House of Commons for close to 14 hours. This is not a myth but a reality.

Last week, the Standing Committee on Aboriginal Affairs conducted five days of consultative hearings in British Columbia. That too is the reality.

Another reality is that the Government of Canada recognized the existing rights of aboriginal peoples in the 1982 Constitution Act, following a Canada-wide consultation.

Oral Questions

The Nisga'a treaty, which is to be part of the existing Canadian legal framework, confirms the rights that were recognized in 1982. Also, it is clearly stated in the final agreement that the treaty complies with the Canadian Charter of Rights and Freedoms.

The reality is that this legislation is the result of many years of discussions and negotiations with numerous stakeholders.

The reality is that we must assume our responsibilities and move forward.

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[English]

HUMAN RESOURCES DEVELOPMENT

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, community dollars and staff resources in local employment centres are being shifted to higher populated areas as a result of the new funding formula adopted by HRDC. As a result, communities such as Antigonish and Guysborough in Nova Scotia will be negatively affected.

These new formulas will reduce funding to the very programs that assist individuals, youth, employers and communities in rural Canada. Rural residents will be left with no option but to use electronic communication to access services currently delivered at the local offices. This will result in further delays and complications. The loss of revenues will be felt very severely by the poorest of the poor. Mildly put, this is Robin Hood in reverse.

Clearly the government did not consider the ramifications of its decision and the negative impact it would have on hundreds of rural citizens struggling just to get by. Reallocating government services and resources from rural areas to more populated areas threatens the survival of many communities.

I ask the Liberal government to reconsider its position with regard to its restructuring plans. This is a huge concern to many rural citizens and ignoring the seriousness of this problem will prove that the government cares little and consults less.

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[Translation]

HIGHWAY SAFETY

Mr. Robert Bertrand (Pontiac—Gatineau—Labelle, Lib.): Mr. Speaker, accident prevention and highway safety are of daily concern for all levels of government. Despite the efforts deployed by all governments, far too many people are still falling victim to traffic accidents.

There has, however, been some good news, such as that announced this past Friday by the Minister of Transport in conjunction with the Canadian Council of Motor Transport Administrators concerning a decrease in road fatalities. They are at their lowest level in 43 years.

These results are encouraging, and Transport Canada will continue to work with the provinces in order to make Canada's roads the safest in the world. This is an ambitious objective, but it is attainable.

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[English]

JUSTICE

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, judges gave conditional sentences—that is, no time in jail—for the following recent cases: sexual assault, assault, forcible confinement and threatening bodily harm net a one year conditional sentence.

A wife stabber received two years for attempted murder. The attack took place in a courtroom during divorce proceedings. The sentence shocked people at women's shelters.

A 24 year old was handed a 21 month conditional sentence for marijuana and cocaine trafficking. He lied at the trial and had three prior convictions.

A pedophile received six months.

A 51 year old farmer was convicted of three counts of sexual assault, two of sexual exploitation and one of sexual interference. The offences occurred over four years.

We have the Liberal government to thank for conditional sentencing and Liberal appointed judges for issuing the sentences. So much for justice.

ORAL QUESTION PERIOD

• (1415)

[English]

ABORIGINAL AFFAIRS

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the Nisga'a agreement is an affront to the notion of equality. It inflicts race based discrimination on the Nisga'a. It excludes the Gitksan and Gitanyow bands and rejects their claims to the same resources.

The Nisga'a people have had an opportunity to vote on a deal which affects the entirety of British Columbia but all other aboriginals and non-aboriginals have not.

Why will the government not put the Nisga'a deal to a province-wide referendum in British Columbia?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, we intend to put this deal to more than one vote in the House of Commons and the other place, a vote by elected representatives of the population of British Columbia and in fact all of Canada.

Oral Questions

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the government's idea of democratic government makes a mockery of the very concept.

It uses closure and time allocation to choke off debate in the House. It stacks committees and committee hearings. It disregards results of democratic elections like the Senate elections in Alberta. It denies free votes to its own members in the House and it denies votes to other Canadians through referendums like in the Nisga'a case. How can such a government possibly be pretending to exercise democratic leadership in government when it behaves in that way?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, we are the government because Canadians through our democratic process decided to elect more Liberal members than any other party.

Furthermore, the hon. member wants to do something essentially undemocratic. He wants to do something which he was not asked by Canadians to do, and that is to be the government.

At the same time we listened to the opposition. It wanted to have, as did Liberal members, hearings in British Columbia. It wanted to help choose the witnesses. We readily agreed to that.

We are having debates in the House. We will vote on the results of those debates, so we are democratic in spite of the efforts of the opposition.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, it is that kind of reasoning which led the people of British Columbia to reject the majority of Liberal candidates in the last federal election.

Section 3 of the federal Referendum Act allows for "any question relating to the Constitution of Canada" to be put to the people.

The Nisga'a agreement, particularly in part 2, refers repeatedly to the constitution of Canada, in particular constitution sections 25 and 35. The referendum law is on the books. This issue pertains to it. The mechanism is there. Why will the government not simply use that law?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, it is our position that this agreement does not change the constitution of Canada. Therefore the hon. member's efforts to say that the Referendum Act applies are simply mistaken, to put the best possible colour on the depth of his error.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, the Nisga'a treaty is not only dividing Canadians. It is dividing Liberals as well.

B.C. Liberal leaders are opposing this deal. Gordon Campbell called it "an unacceptable slight to all Canadians", while his predecessor, Gordon Gibson, urged MPs to "say no to a separate government structure for Indians".

The Liberal government here is determined to ram through the Nisga'a deal without letting British Columbians have their say. Why will not the Indian affairs minister just admit that he is afraid of holding a referendum?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I want to read a little referendum that just took place last week in the riding of the member for Skeena.

There was a race for mayor and, as I understand it, the mayor was very much in favour of the Nisga'a deal. There were 3,500 votes cast and Mr. Jack Talstra got 2,056 of them, and he is big supporter of the agreement.

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, they had a referendum in Smithers too and it did not go exactly the way the minister would like.

When the Indian affairs minister introduced the Nisga'a treaty bill in the House he said that he would invoke closure if he just did not happen to like the way the debate was going. Now that is democracy in action. He also said that he would not use a referendum because it is just too complicated for the people of B.C.

Let me ask the minister what part of the bill is a little too complicated for the folks in B.C. to understand. What would that be?

• (1420)

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, let me make it very clear that the government's position is that we take our responsibility very seriously in the House. That is why we were elected, to make choices and decisions for Canadians. We will not take the easy way out by going to referendum every time we have to make a policy for the people of Canada.

Let me say something else to the hon. member. This particular party represents less than 9% of Canadians in the polling just done in the last few weeks. Why is it that we somehow have to accept what it would like Canadians to do and what it would like us to do when the other 91% of Canadians say the government's—

The Speaker: The hon. leader of the Bloc Quebecois.

* * *

[*Translation*]

INTERGOVERNMENTAL AFFAIRS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in an interview last week, the Secretary of State for Science, Research and Development said that the government was getting ready to impose its own rules on Quebec in the event of a referendum. Persistent rumours to this effect are appearing in the newspapers.

Oral Questions

Since this is my first opportunity to question the government about this, will the Deputy Prime Minister tell us whether the government intends to intervene and dictate the rules of the next referendum to Quebec?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, obviously there is absolutely no question of the government doing any such thing.

On October 21, the Premier of Quebec said as follows "When the supreme court has ruled on a question of law, we have no choice but to follow".

The supreme court has ruled that Quebecers have the right never to see their membership in Canada questioned, unless they clearly renounce it. The Government of Canada has always respected this right.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, by his answer, the minister is suggesting that he will intervene, while saying that he will not. He is suggesting that the National Assembly is not capable of enforcing the rules of democracy on its own.

Does he realize that, ultimately, what he wants to do is once again impose the will of nine provinces and the federal government on the National Assembly of Quebec?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, obviously the National Assembly has the right to put whatever question it wishes to Quebecers.

The House of Commons has the responsibility to determine under what clear circumstances it would take the very serious step of negotiating the end of its constitutional responsibilities toward a quarter of the Canadian population by allowing the break-up of Canada.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the federal government seems to want to set the rules of Quebec's referendum process and bases its claims on the requirements of the rules of democracy and on the need for a clear question.

What gives the minister the right to think that the federal government is more credible than Quebec when it comes to formulating a question? Is he basing it on the clarity of the question in the Charlottetown referendum?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the Charlottetown referendum question referred to a signed accord. The accord was complex, and this is one reason Canadians did not approve it—

Some hon. members: Oh, oh.

Hon. Stéphane Dion: —but it was a signed agreement.

The question in 1995 referred to an accord between Quebec and Canada that had not been signed. A single question contained two issues: one on independence and one on remarriage with Canada. That is not a clear question, in the opinion of the vast majority of Quebecers.

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the vast majority of Quebecers are represented by three parties in the Quebec National Assembly.

Before he imposes a referendum question, is the minister aware that all the parties represented in the National Assembly oppose intervention by the federal government on this issue?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, we are obviously not talking about imposing a question in a provincial referendum. The Government of Canada and the House of Commons cannot impose a question in a referendum held by a provincial government.

• (1425)

There are, however, two things. First, the 1995 question was a PQ one. The Liberal Party in the National Assembly did not approve it, and the leader at the time said that the question was misleading. Second, the Government of Canada will never be induced into negotiating the break-up of Canada, the end of Canada for Quebecers, with a misleading question.

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[English]

CHILD POVERTY

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the elimination of child poverty by the year 2000 was to be Canada's noble millennium project. Instead, the government opted for a grab bag of mini projects.

As a result, 1.4 million children are living in poverty today. Why did the government hijack Canada's millennium project?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, in response to the hon. member's question, I would like to remind the House that on Saturday we celebrated National Child Day. It was an important opportunity for us to meet with families, with children and with youth to talk about the issues facing our children and the strategies that we must implement to ensure they have a great future.

I would also like to remind the House that it was a member of our caucus, the member for Ottawa Centre, who introduced a private member's bill for National Child Day. I would like to thank him for this opportunity.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the minister is still avoiding the topic of child poverty altogether, just as the government has been avoiding the plight of poor children.

Oral Questions

That is why we have 1.4 million children living in poverty today. That is the legacy of a Prime Minister who balanced the books but forgot poor kids. Is the government satisfied with that legacy?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, not at all. In fact, Canadians are telling us that they want a vision on how we can increase our support for Canada's children.

In the Speech from the Throne we said we would do it in a number of ways: through tax strategies, through balancing our relationship with the provinces, by increasing the income and the services we provide to our children, by increasing parental benefits, by looking at our laws and by making sure when we are dealing with separation and divorce that children's issues come first.

As an employer the federal government understands the relationship between the workplace and family and we are making sure we have family friendly workplaces.

[Translation]

Mr. André Harvey (Chicoutimi, PC): Mr. Speaker, my question is for the Minister of Finance.

The war against poverty, begun barely ten years ago, has been such a total failure that the mayors of major Canadian cities describe it as a national disaster.

Anti-poverty programs are so confusing that no one can make any sense of them any more. Is the minister giving thought to a single program in collaboration with her provincial counterparts, a single program to assist the disadvantaged, which might be called a guaranteed minimum income?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, on the issue of working with the provinces in support of our children, it is absolutely clear that it will take a whole country to ensure that we have a bright future for Canada's children.

We have begun that discussion in that debate. We have the national child agenda. We are building the national children's benefit. We are on track to do in the next millennium what we have been able to do for Canadian seniors.

[Translation]

Mr. André Harvey (Chicoutimi, PC): There has been talk for six years now of new programs to inject funds, yet the number of poor children has risen from one million to one and one-half million. Food banks are feeding 750,000 persons.

Is this not enough to get the Minister of Finance or the other ministers to act within the framework of the social union? Nobody understands the social union. The only way it could be made understandable would be to make it into a weapon in the fight against poverty.

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, what the hon. member is suggesting is that indeed it will take all of us to focus on the issues facing Canada's children and to build a platform of structures that will help them into the 21st century. He is absolutely right.

In terms of particulars and in terms of taking action, let me tell the hon. member that as a result of the national child benefit, for example, by July 2000 families earning \$20,000 with two children will get more than \$3,700 per year in assistance. They can use that money for issues and needs of their children.

* * *

ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, a couple of minutes ago the Indian affairs minister referred to an election in Terrace. I would like to give him some late breaking news.

● (1430)

On November 20, 1999 a private citizens' referendum on the Nisga'a treaty was held in Smithers, B.C. Residents from Hazelton, Moricetown, Telkwa, Houston, Burns Lake and Smithers all voted in that referendum.

The early indications would suggest that more people voted in the referendum than voted in the municipal elections. And, guess what? Ninety-three per cent of the people who voted said no to the Nisga'a treaty.

Why is the minister consistently ignoring the expressed wishes of British Columbians?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I can understand why the Leader of the Opposition and this member want to talk process. Up to now, we still do not know what the Reform Party's position is on aboriginal rights, aboriginal treaties and things of that nature. I have asked for this for a number of weeks now as we have had this debate.

There are some people in the country who believe that if the Reform Party were ever fortunate enough to lead the country that it would take section 35 out of the constitution.

I want this leader and this member to tell the House and Canadians what their party will do if they change the constitution as it relates to aboriginal affairs.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, what part of equality does this minister not understand?

In the face of the referendums that have taken place, private citizens' referendums in British Columbia, not only in Smithers, but in Ladner, Vancouver, and Prince George, all of the surveys that

Oral Questions

have been done, why is he prepared to ignore the expressed wishes of British Columbians and ram this Nisga'a treaty through the House of Commons without giving the people of British Columbia a chance to vote on it in a referendum?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, as it is difficult to explain to members across the way, let me try one more time.

This particular piece of legislation was debated in 34 communities in British Columbia. The legislature in Victoria had the longest debate in its history on the Nisga'a treaty.

We are now in the process of debating it in the House, but what do these members want to do? They want to have a vote in B.C. in order to get out of telling us what their policy would be on aboriginal government, on treaties and on the relationship with other Canadians.

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[Translation]

AUDIOVISUAL PRODUCTIONS

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, Friday, just as her parliamentary secretary was telling the House that, in the case of the audiovisual production affair, the RCMP must be allowed to do its job without any interference, the Minister of Canadian Heritage was saying outside the House that a major administrative investigation had been launched into Telefilm Canada and production tax credits, as the Bloc Québécois has been demanding since the beginning of this affair.

What finally convinced the minister that we were right and persuaded her to launch this administrative investigation into the government departments and agencies concerned?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, this investigation was launched the same day I read about the allegations in the newspapers.

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, in front of the cameras on Friday, the minister admitted candidly, and she has just admitted here today, that this administrative investigation has been under way for some time now.

This shows that the minister was concealing the truth when she answered our questions in the House.

In the interests of clarification, will the minister tell us in plain English when she called for this investigation, and how long it has been under way?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I have just answered the question. What I said about allegations is that the member made many allegations of criminal fraud in the House.

He has repeated these allegations on at least 10 or 15 occasions. What I told him with respect to his allegations was that, if he had any information, he should pass it on to the RCMP. This is still the case.

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[English]

ABORIGINAL AFFAIRS

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Ref.): Mr. Speaker, a ministerial briefing note to the B.C. minister of agriculture on the impact of the Nisga'a treaty points out that "there is likely to be significant disruptions to individual ranchers within close proximity to first nation communities".

In the South Okanagan there are over 1,000 farms with crown tenures within 10 kilometres of existing native reserves.

The Nisga'a treaty affects all British Columbians. When will the government give all British Columbians a vote by holding a province-wide referendum on the Nisga'a treaty?

• (1435)

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, is that not interesting? This particular issue that the member talked about is only 1,000 kilometres away from where the Nass Valley is. Is it not amazing that these people are going to start fearmongering?

Mr. Speaker, I will tell you what we will do. The first thing the Reform Party needs to do is to go back to the riding, take the Nisga'a treaty itself to an open house and say "Here is the Nisga'a treaty. Let us read paragraph by paragraph and then we'll start having discussions on what the treaty really says" versus this myth treaty that it has been promoting in British Columbia.

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Ref.): Mr. Speaker, that is exactly what we have been doing. That is also what we did during the Charlottetown accord which turned it from 70% acceptance to 70% rejection. Maybe that is why they are afraid of this referendum.

Both the minister and the deputy prime minister have stated that British Columbians have a vote through their members of parliament. I would like to point out to them that a total of 10 B.C. MPs support the Nisga'a treaty and 24 B.C. Reform MPs, backed by constituent input from townhall meetings, polls and scientifically conducted polls, oppose it.

Given that the majority of B.C. MPs are voting against the treaty, will the government accept that as a rejection of the treaty as it is currently written, or will it hold a referendum to confirm—

The Speaker: The hon. minister of Indian affairs.

*Oral Questions***ABORIGINAL AFFAIRS**

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I just got back from visiting British Columbia on Friday, Saturday and Sunday. One of the things I noticed was that the Reformers tried their hardest. I have never seen them work so hard. In a huge metropolitan city like Vancouver, they managed to get a whole 200 people out to say that they were opposed to the Nisga'a deal. When I was in the labour movement, I could do that with one phone call and I would get 500 people out. These people cannot get more than 200 people out in a big city like that. I think that means that the people in British Columbia and Vancouver support the Nisga'a deal.

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[Translation]

NATIONAL PAROLE BOARD

Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, this morning, Michel Vastel, from Quebec City's daily *Le Soleil*, reported some disturbing facts regarding the National Parole Board. Justice Jean-Guy Boilard confirmed that he had satisfactory evidence of totally unacceptable interference.

Does the solicitor general not think that there is something wrong with how the parole board operates, with its whole collection of political appointments and the government's involvement, and that a serious inquiry is in order to shed light on this issue?

[English]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, these allegations appeared in a newspaper this morning. I have asked the chair of the National Parole Board to look into the matter and provide me with more information.

[Translation]

Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, does the Deputy Prime Minister not think it is contrary to the ethics code for the Minister for International Trade to be in regular contact, through his Ottawa and riding offices, with a parole board commissioner, a Ms. Thériault, as seems to be confirmed by cellular phone statements obtained by Montreal police officers?

[English]

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, as I indicated previously, these allegations appeared in the newspaper and I have asked the chair of the National Parole Board to look into this situation and to provide me with more information on the allegations.

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, the Charlottetown accord stated that the constitution should be amended to recognize that the aboriginal peoples of Canada have the inherent right of self-government within Canada.

For the information of the government, the accord was defeated in a Canada-wide referendum, including the majority of aboriginal people who voted. The Nisga'a treaty attempts to do by stealth what a majority of Canadians have already rejected.

Why is the government doing this? Why will it not give British Columbians a vote?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, the hon. member refers to the referendum on Charlottetown. That referendum under the Referendum Act was basically a consultation. If there were a similar referendum held on the Nisga'a matter, it would also be simply a consultation with the responsibility on the government with parliament to take ultimate decisions.

If my hon. friend is really asking for something that is not going to bring about the results he wants. His colleague already said that there are a lot of informal referenda. Why does he want to have the expense of another one?

Mr. Derrek Konrad (Prince Albert, Ref.): Mr. Speaker, a consultation? Would that not be a change for this government, particularly if it involved an x on a ballot?

When political elites like these dreamed up aboriginal self-government in the Charlottetown accord, it was defeated by a majority of Canadians, including a majority of grassroots aboriginals.

• (1440)

The government of the day received a clear message from Canadians. What has changed since then? Why will the government not conduct a referendum on the Nisga'a treaty in B.C.?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I would first like to find out something from the Reform Party members. When they held their townhall meetings, did they ask the people if they understood that the charter applies to the Nisga'a people? I understand they did not. They have been telling the people that it does not.

Did they tell them that the rights of Nisga'a women are unprotected? I understand that is what they have been telling them.

Did they tell them that the treaty provides for taxation without representation? I understand they have been when in fact that is not the case.

Oral Questions

They keep telling people in British Columbia that the Nisga'a treaty is part of the Indian Act. In fact, it is not. If they are not going to tell British Columbians what is really in the treaty, what is the point of having this debate?

* * *

[Translation]

AMATEUR SPORT

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, Valérie Houde-Marchand has just been cut from the national synchronized swim team for standing up for her rights.

Does the Secretary of State for Amateur Sport finally intend to call for an investigation into this, as I suggested in September, in order to finally get to the bottom of the problems raised by Synchro Canada and determine whether they are really so serious and insurmountable as to justify her exclusion from the next Olympics?

Hon. Denis Coderre (Secretary of State (Amateur Sport), Lib.): Mr. Speaker, I believe the Government of Canada has shown its willingness to address this very serious matter right from the start. That is why I initiated a process of mediation right at the beginning, to be followed by arbitration.

I have spoken with Valérie myself, and she said she did not want imposed arbitration. I am in the process of thinking over the possibility of an investigation, but the decision has not been made, and will not be made until such time as I have spoken to both parties.

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MILLENNIUM SCHOLARSHIPS

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the students of Quebec are still waiting to find out whether they will be able to take advantage of the millennium scholarships in the new year.

My question is for the Minister of Human Resources Development. Can she explain her position in this matter to us, and tell us whether the students of Quebec will finally be able to take advantage of the millennium scholarships in January 2000?

Hon. Jane Stewart (Minister of Human Resources Development, Lib): Mr. Speaker, our position has not changed: students need to be in a better financial position. And even the students agree.

To quote the President of the Fédération étudiante universitaire du Québec, "Mr. Legault's responsibility is to help the students who are struggling with heavy debt loads, not to promote failure by hiding behind theoretical debates".

[English]

ABORIGINAL AFFAIRS

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Mr. Speaker, last week, in rejecting a call for a province-wide referendum on the Nisga'a agreement, the minister of Indian affairs said that British Columbians have a vote in the House.

Does that mean that if the majority of members of parliament from B.C. vote against Bill C-9, the minister will take those results as an indication of lack of support for the agreement and withdraw the bill?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, it would be very helpful if the member was not so silly.

Some hon. members: Oh, oh.

The Speaker: Colleagues, I ask you to please not use inflammatory terms.

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Mr. Speaker, I am glad it is very clear to the people of British Columbia what the Minister of aboriginal affairs thinks of them.

We also have the Deputy Prime Minister in the House today saying that a vote in the House would be given to the representatives of the people of British Columbia.

Will the Deputy Prime Minister respect those votes from the representatives of the people of British Columbia in indicating to the government that maybe they should withdraw this bill and try again?

Hon. Herb Gray (Deputy Prime Minister, Lib.): Mr. Speaker, I said that the votes would be by the representatives of the people in British Columbia and all of Canada. Why does the hon. member want division in the country, a division between people of European origin and people of first nations origin, between the people of British Columbia and people in other parts of the country?

● (1445)

Hon. members of the Reform Party should be ashamed of themselves for using the House of Commons to sow division rather than unity. Let us work together for unity for a change.

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HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the health minister has had ample time to review the Klein proposal which is clearly incompatible with the intent of the Canada Health Act. In fact, it appears that the health minister was given a heads up almost four weeks ago by the Alberta government.

Oral Questions

The minister also knows, because he has said so himself, that the best way to ward off the threat of private for profit health care is to ensure that we have the highest quality public health care system. There is clearly a need for that kind of decisive action and urgent attention.

My question again for the minister is what will he do to ward off the destructive Alberta initiative and when will he do it?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I know the hon. member shares my conviction that Canadians support, want and are best served by a system of public health care in this country.

As I said last week, it is the conviction of this government and this minister that we should have a strong public health care system which will guide us in reviewing the Alberta proposal.

Let me also say that this is not to suggest that the status quo is acceptable because it is not. We all know that there are problems in the health care system that have to be resolved. We will examine the proposal against the principles of the public system.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, how can the minister pretend to be the defender of medicare when it is his government that is the architect of its destruction? This is the government that drastically cut transfer payments. This is the government that signed a deal with the Alberta government in 1996 to open up the doors for private health care delivery.

If the minister is really serious, he would act today by terminating that arrangement with Alberta. He would promise, with the help of his colleague the Minister of Finance, to increase transfer payments. He would take tough decisive action today. Will he do that, yes or no?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, as the member knows, just a few months ago in this very House we tabled a budget which increased the transfers to the provinces over the coming five years. It is the single largest investment the government has ever made, signalling the priority that we put on health and health care. In the case of Alberta, that will mean very significant sums this year and for the next four years. We also said on that occasion that as our balance sheet improves, we will do more and we intend to.

Funding is part of it, but also making sure that we have quality care and access to quality care is the priority.

* * *

PESTICIDES

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, Canada's pesticides act is essentially 30 years old.

During committee the multi-stakeholder group advising the minister indicated that draft legislation has been essentially ready for three years. In fact, the executive director of the Pest Management Regulatory Agency, Dr. Franklin stated "A new bill has been drafted. I believe the bill has been ready since 1997. The minister is actively considering the appropriate time for tabling of the amendments".

My question is quite simple. Are we going to update a 30 year act today, tomorrow or ever?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, there may have been draft legislation five years ago, but the advisory committee that is made up of environmentalists, people from the industry and consumers was only created by this minister last year.

I asked that advisory committee to look at proposed legislation to make sure that we got it right. We have to respect environmental concerns. We have to keep in mind the point of view of farmers who are competing with Americans who may have access to materials which they do not. We have to keep mind the point of view of the industry that is manufacturing products to bring to the market. All of these—

The Speaker: The hon. member for Fundy—Royal.

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, last year the environment commissioner indicated that Canada and the Slovak Republic are the only two industrialized countries that do not measure domestic pesticide consumption. In fact, in Canada there is no requirement to produce documentation to describe the potential hazards of pesticides to the environment or human health.

Once the minister determines the appropriate time for tabling legislation, if he ever does, will this new legislation require workplace documentation under the workers safety program, WHMIS, as health, labour and environmental groups are advocating?

• (1450)

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member can be assured that after we have concluded our discussions with all the people involved, including environmentalists and others, we will table legislation that will have as its first purpose to protect public health and to balance the interests that are involved.

* * *

[Translation]

FRANCOPHONE COMMUNITIES

Mr. Réginald Bélair (Timmins—James Bay, Lib.): Mr. Speaker, my question is for the Secretary of State for Western Economic Diversification and for the Francophonie.

Quite recently, Senator Jean-Maurice Simard tabled a report on the development of francophone communities as a basic responsi-

Oral Questions

bility of the Government of Canada. In economic matters, Mr. Simard cites the department of the secretary of state as a model of exemplary leadership. Could he explain how he achieved such results?

Hon. Ronald J. Duhamel (Secretary of State (Western Economic Diversification) (Francophonie), Lib.): Mr. Speaker, the formula is brilliant in its simplicity.

First, we met with community representatives and got dialogue started. Second, we jointly identified their economic development needs and, third, we gave them the tools, mechanisms and programs that would enable them to take control of their future. It is as simple as that.

* * *

[English]

ABORIGINAL AFFAIRS

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I had the pleasure for the last year and a half to travel the country, visit many reserves, see third world conditions of squalor, and to help people with their difficulties. During that time I got to know a great number of aboriginal people.

Those same people from British Columbia are calling me today and asking why they cannot as aboriginals in British Columbia have a say on the Nisga'a agreement. I do not know what to tell them. Maybe the minister could help me. Should it be (a) Liberals are dictators and do not believe in referendums, (b) that they are just ordinary natives and they do not count, or (c) both of the above?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am not aware of any first nation leadership, first nations community, or first nation person who has written the Minister of Indian Affairs and Northern Development saying that they do not believe in the aspirations of the Nisga'a people through the treaty.

* * *

[Translation]

CHILD POVERTY

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, on the eve of the tenth anniversary of the House of Commons resolution to eliminate child poverty, the Liberal government continues to rack up surpluses on the backs of pregnant women, depriving them of important temporary income when they have children.

My question is for the Minister of Human Resources Development. Does the minister realize that, if she really wishes to help children and combat child poverty, she must act quickly? What is she waiting for to announce that income replacement benefits for pregnant women will be increased from 55% to 70%?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, at her press conference on November 18, the member for Québec said that she wanted a balanced approach to the issue of poverty. That is exactly the approach we are taking to help low-income families.

I thank the member for her support.

* * *

[English]

HEALTH

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Minister of Health. Mr. Speaker, you will know that New Democrats are concerned that our medicare system is under attack, both domestically in view of cutbacks and what is happening in Alberta, but also internationally in terms of what may happen at the WTO.

Will the Minister of Health stand in his place today and tell us that he is making it perfectly clear to the Minister for International Trade that under no conditions should health care be on the table at the WTO, that there will be no conditions under which health services will be regarded as a commodity that will be permitted to be entered into Canada from anywhere?

Hon. Pierre S. Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, my colleague the Minister of Health has made it absolutely clear and I also made it absolutely clear last week when I presented our government position for the Seattle round of negotiations. I will repeat it again since the member insists. We will not be negotiating our right to legislate or regulate our health care system. It is a good system and we will keep it.

* * *

CSIS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, the solicitor general continues to dodge the issue of CSIS security breaches. He tells Canadians it is a serious matter, to be patient and wait for a SIRC report. That is cold comfort when we know that the tensions between CSIS, SIRC and the RCMP are causing enormous delays.

• (1455)

Director Elcock's stall tactics and the most recent CSIS fiasco kept the report from SIRC's watchful eye for three weeks. The infamous telephone booth security breach was not reported to parliament for three years.

When will the solicitor general show some semblance of leadership over his department and get rid of the director or at least suspend him?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, the chair of the Security Intelligence Review

Oral Questions

Committee said it best. She said that Canadians should feel confident with CSIS.

What I will do is ask that my hon. colleague let CSIS do its job. Let the process that is in place work.

* * *

ARTS AND CULTURE

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, my question is for the Minister of Canadian Heritage.

As Canada enters the third millennium, our national culture will be increasingly exposed to the forces of globalization. What action is the minister taking to preserve and to protect Canadian culture?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I want to first underscore that the approach we are taking has been embraced both by the Standing Committee on Canadian Heritage and the Standing Committee on Foreign Affairs and International Trade. We are leading the world in seeking a new cultural instrument to ensure that culture is not captured in the aegis of the WTO.

The reason Canada has taken this position and the reason we have worked very hard to bring together like-minded countries from around the world is precisely because we are a country that believes that respect for cultural diversity is part of our constitutional heritage.

* * *

ABORIGINAL AFFAIRS

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, a few minutes ago the minister for aboriginal affairs said that he had not heard from any aboriginal leaders who object to the Nisga'a agreement.

At the aboriginal committee hearings recently, Chief Darlene Vegh, chief of the Gitanyow, testified at the committee. She said these words: "The Nisga'a final agreement is a supreme violation of the Gitanyow and Gitksan laws. The Nisga'a final agreement will force us to defend our land. We believe the Nisga'a final agreement is an invasion of our birthright to our homeland".

What is the minister's response to this aboriginal leader in B.C. when she says, "We believe the Nisga'a final agreement is an invasion of our birthright to our homeland"?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, as I understand, the Gitanyow have said in those hearings and in other places that they support the Nisga'a agreement but their concern is the overlap and we are working on achieving that certainty right now.

[Translation]

SOCIAL HOUSING

Mrs. Pauline Picard (Drummond, BQ): Mr. Speaker, one of the most effective ways to improve the plight of the poor is to build social housing units, because such a measure has a direct impact on poor families and significantly contributes to their quality of life.

How can the government claim to want to fight poverty, considering that, since it took—

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. member for Drummond.

Mrs. Pauline Picard: How can the government claim to want to fight poverty, considering that, since it took office in 1993, it has not invested one penny in the construction of new social housing units in Quebec? Is this acceptable behaviour on the part of a government that claims to care about poverty?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Government of Canada continues to invest close to \$2 billion a year in social housing.

For example, through mortgage insurance, we help build 475,000 units every year. We also invested \$300 million in RRAP, which is specifically designed to help rehabilitate housing units, so as to allow the poor to have a roof over their heads.

Moreover, since we took office, we have built 13,000 affordable housing units under the public and private sector partnership program.

* * *

● (1500)

[English]

CHILD POVERTY

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, we are now just two days away from the 10th anniversary of the unanimous resolution of the House of Commons to eliminate child poverty and still we have heard no answers from the government, not even today.

Canadians are very, very concerned about this issue. I would like to ask the Minister of Finance what he intends to do now, not what has happened in the past, to face up to the horrible reality that as a result of his financial policies child poverty has increased by 50%. What does he intend to do to correct the situation and to deal with child poverty in this country?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, all I can do is implore the hon. member to read and reread the Speech from the Throne in which we set out very clearly a plan of action in support of Canadian children.

Routine Proceedings

There will be issues that come from the tax system. We will be doubling parental benefits. We will work with the provinces to build a platform of income and service supports for children in low income families. We will be looking at our laws, as I said earlier, to make sure that children's issues come first in cases of separation and divorce.

Finally, as an employer, I say again that the federal government will be looking at its workplaces and will make sure that families are respected and reflected in our workplaces here.

* * *

RCMP

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, my question is for the solicitor general, who has constantly reminded the House that his department has an arm's length relationship with the RCMP.

Can he advise us why a recent phone inquiry from my office to the RCMP communications branch was responded to by his political office staff?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, if my hon. colleague wanted an answer he could have informed me of the situation before question period.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of His Excellency Edip Safder Gaydali, Minister of State of the Republic of Turkey Responsible for the Turkish Atomic Energy Authority.

Some hon. members: Hear, hear.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

• (1505)

INTERNATIONAL BOUNDARY WATERS TREATY ACT

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.) moved for leave to introduce Bill C-15, an act to amend the International Boundary Waters Treaty Act.

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

* * *

ACCESS TO INFORMATION ACT

Mr. Roy Bailey (Souris—Moose Mountain, Ref.) moved for leave to introduce Bill C-329, an act to amend the Access to Information Act.

He said: Mr. Speaker, I am very pleased to have my colleague from Yorkton—Melville second this bill.

The bill proposes to amend the Access to Information Act. Basically it would make the books and all the procedures and operations of the Canadian Wheat Board available to people who want to process the information two years after the crop year ends.

People from across western Canada have been crying for this for years.

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

* * *

PETITIONS

YOUNG OFFENDERS ACT

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I have two petitions to present today. The first is from the area of Strathmore, Alberta. The petitioners call upon the government to do something about the Young Offenders Act. There is a list of things which they are asking the government to do. They feel that the government has failed to do anything in the last six years and they want a response.

CHILD PORNOGRAPHY

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I also have a petition containing several hundred names of people from throughout my riding which can be added to the hundreds of thousands of names we already have calling upon this parliament to do something about the decision made in British Columbia regarding child pornography. The petitioners request that the government invoke the notwithstanding clause of the charter of rights and freedoms to put an end to this silliness.

CHILD POVERTY

Mr. John McKay (Scarborough East, Lib.): Mr. Speaker, I have a 36 page petition which calls the attention of the House to the following: that one in every five children lives in poverty; that on November 24, 1989 the House of Commons passed a resolution on this issue; that since 1989 the number of poor children has increased by 60%; and that the year 2000 budget be used to introduce a multi-year plan to improve the well-being of children.

Routine Proceedings

IMMIGRATION

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Mr. Speaker, I have two petitions to table today from the people I represent in Saanich—Gulf Islands and, more importantly, from throughout British Columbia. This petition adds to the 10,000 signatures that have already been tabled on this subject. I also note that in an Angus Reid poll 60% of Canadians called on the government to change our Immigration Act so as to allow refugees who are not genuine to be sent home immediately, without delay.

The petitioners call upon the Government of Canada to change the immigration laws so that people who are obvious abusers of the system can be sent home without delay.

We have about 11,000 signatures on this subject and I would ask the government to take note of these people, along with all of the other people of Canada who are calling for this change.

THE CONSTITUTION

Mr. Gary Lunn (Saanich—Gulf Islands, Ref.): Mr. Speaker, the second petition I am honoured to present on behalf of the constituents of Saanich—Gulf Islands concerns an issue that arose last spring.

The petitioners request that parliament refrain from enacting legislation which would remove references to God or to the supremacy of God from the Canadian constitution or the charter of rights.

CHILDREN'S RIGHTS

Mr. David Iftody (Provencher, Lib.): Mr. Speaker, I am pleased to stand in the House today on behalf of a number of constituents from Edmonton who have asked me to read three petitions. Two of the petitions deal with children who are victims of separation and divorce.

The petitioners call upon the House of Commons to consider the psychological, social and economic needs of the children. They state that both parents ought to have ongoing access to the children in addition to their responsibilities for the welfare of the children.

• (1510)

MARRIAGE

Mr. David Iftody (Provencher, Lib.): Mr. Speaker, I am also pleased to present a petition on behalf of a number of constituents from Edmonton which states that the majority of Canadians understand the concept of marriage as being only the voluntary union of a single, that is unmarried, male and a single, that is unmarried, female, and that it is the duty of parliament to ensure that marriage, as it has been known and understood in Canada, be preserved and protected. Therefore, they ask that the House of Commons and all members pass legislation to that effect.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, I have three petitions to present today.

The first one bears several hundred signatures of residents from Saskatoon—Humboldt who call upon parliament to enact legislation to amend the Marriage Act and the Interpretation Act so as to define in statute that a marriage can only be entered into between a single male and a single female.

ABORTION

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, the second petition I have, also signed by residents of Saskatoon—Humboldt, calls upon parliament to bring in legislation in accordance with the provisions of the Referendum Act, 1992 which would require a binding national referendum to be held at the time of the next election to ask voters whether they are in favour of government funding for medically unnecessary abortions.

Mr. Speaker, it may interest you to know that I have a private member's bill which essentially would have the same result.

TAXATION

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Mr. Speaker, I have a petition signed by thousands and thousands of people, possibly tens of thousands, which calls upon the government not to support a proposal made by the heritage minister to place a 3.5% levy on video distribution. They point out that this would cost consumers \$65 million a year, that the tax would be in addition to the 7% GST, that it would add between 72% and 200% to the amount of tax the federal government collects on the rental of a single video, and that it would increase the cost of renting a video by between 20 cents and 50 cents.

Considering the number of signatures on the petition, I think the government should take this very seriously.

IRAQ

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present another petition from people of the Peterborough area who are still concerned about the situation in Iraq. They point out that the people of Iraq have suffered untold hardship and trauma in the wake of the gulf war and again during the mass bombings. They point out that sanctions, far from helping to destroy the repressive government of Saddam Hussein, have actually strengthened it and destroyed any useful opposition.

The petitioners call upon parliament to strongly appeal to the United Nations, the U.S. and Britain to reject any further military action against Iraq and call for a serious attempt at peace negotiations with Iraq and its neighbours; that in order to build a stable and sustainable society in Iraq, excluding an embargo on military materials, all other sanctions be lifted; and that Canada take a lead

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in the reconstruction of Iraq by providing food, medicine and other supplies for children.

ACCESS TO INFORMATION ACT

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Mr. Speaker, I am very pleased to present to the House 254 pages of signatures from people from the three prairie provinces. What the petitioners are asking for is related to my private member's bill which I introduced today, which is that the federal Access to Information Act should pertain to the Canadian Wheat Board.

THE ENVIRONMENT

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am pleased to present a petition signed by residents of the Grand Bend, Lucan and Dorchester areas. The petition states that the use of the additive MMT in Canadian gasoline presents an environmental problem which affects every man, woman and child in Canada.

The petitioners call upon parliament to set, by the end of this calendar year, national clean fuel standards for gasoline with zero MMT and low sulphur content.

TAXATION

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present a petition which is signed by residents of my constituency of Burnaby—Douglas, as well as others. It notes that the Constitution Act, 1982 guarantees freedom of conscience and religion in the Canadian Charter of Rights and Freedoms. The petition notes that contributing to the Canadian military through payment of income taxes is regarded by the petitioners as an infringement of the freedom of conscience or religion of those citizens who conscientiously object to participating in any way in the military and associated activities. Therefore, they call upon parliament to establish peace tax legislation by passing into law the conscientious objection act which recognizes the right of conscientious objectors to not pay for the military, but to apply that portion of their taxes that was to be used for military purposes toward peaceful, non-military objectives.

* * *

• (1515)

[*Translation*]

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

[*English*]

REQUEST FOR EMERGENCY DEBATE

HEALTH CARE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I rise under Standing Order 52(2) to seek leave to propose an emergency debate on Alberta Premier Ralph Klein's recently declared intentions to challenge the principles of medicare and the delivery of health care under the Canada Health Act.

On Tuesday, November 16, Premier Ralph Klein went on the airwaves and announced his intentions to pursue contracting out to private for profit forces of in patient hospital services.

Although Alberta has a record of privatization in many areas, this announcement on November 16 constituted a fundamental shift, a profound change, a radical departure from Canada's public health system and the principles of the Canada Health Act.

[*Translation*]

The action announced last week by Premier Klein is a threat to the fundamental public nature of Canada's health system.

It is the responsibility of the federal government under the Canada Health Act to address this threat and to ensure that the letter and spirit of the law are maintained.

[*English*]

In presenting my case today for an emergency debate I will state three points. The first has to do with the urgency surrounding this issue. I would simply suggest that the sentiments of Canadians and the comments by the architects of the Canada Health Act suggest to us that there may be a fundamental violation of the Canada Health Act. We need parliament to take prompt action.

Second, Canadians are counting on parliament to speak to this fundamental issue of national identity, a fundamental defining feature of our Canadian identity. Canadians are looking to us to address this very serious issue.

My third point has to do with the fact that in the views of many, Alberta's position actually may be incompatible with the Canada Health Act.

There is a real need to act immediately, especially given the fact that we have chapter 11 of NAFTA and the upcoming negotiations at Seattle around the WTO. At any time any part of our health care system in any part of the country is opened up for involvement by a private sector force, particularly an American private sector force, our entire Canadian system is opened up to that possibility. It is a very dangerous precedent setting move which must be addressed on a timely basis.

Members of parliament need the opportunity to speak out on behalf of their constituents and Canadians everywhere in the face of this threat to the principles of medicare. This is an area around which the government has administrative responsibility. I am talking about an act which was passed in the House in 1984 and clearly outlined the principles of medicare, of universality, of accessibility, of comprehensiveness, of portability and of non-profit administration.

It is also related to the fact that the government may be responsible for some of the threats to medicare and the fact that Alberta moved in the first place. I refer simply to the accord signed by the government in 1996 with Alberta that opened up the door to private health care. I also refer to the very significant reduction in transfer payments by the government to all provincial health care systems.

I think we have a number of important points to make. I think nothing short of an emergency debate is in order today.

The Speaker: I note the hon. member sent the letter to me earlier today in both official languages. I also note that this was her first request for an emergency debate.

That is why I left her a little more room than I usually do in making her case, but in my opinion it does not meet the criteria for an emergency debate at this time.

GOVERNMENT ORDERS

• (1520)

[*English*]

SUPPLY

ALLOTTED DAY—NISGA'A FINAL AGREEMENT

The House resumed consideration of the motion and of the amendment.

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, it was a few months ago that we had a debate in the House on another opposition motion from the Reform Party. Reformers were jumping up and down in the House and demanding that the House of Commons approve a resolution to go to the Supreme Court of Canada to get a constitutional ruling on the Nisga'a treaty. Here we are today with another opposition day motion from the Reform Party. They are jumping up and down today on what? Now they want a referendum.

One thing has become very clear in this debate, that the Reform Party wants anything but negotiation and resolution. It will look at

Supply

anything rather than sit down, negotiate and look for workable solutions such as has happened with the Nisga'a treaty. That has been its agenda.

We need to be very clear that today's debate on the motion from the Reform Party has nothing to do with any principle around this issue. It has to do with a Reform Party agenda to create division. It wants to seize on this issue because it sees it as a political gold mine to create fear, uncertainty, bias and anti-aboriginal sentiment.

Surprise, surprise. It is now lined up with the B.C. Reform Party, the B.C. Liberal Party, and is on its little campaign with Mr. Campbell and Mr. Vander Zalm. What a great alliance. Let us make no mistake that it is really a campaign of political opportunism to systematically, consciously and deliberately conduct a campaign of misinformation, fear and opposition to entitlement of aboriginal rights.

If there were any doubt of that we just had to listen to question period today to hear the questions from Reform members, including those by the leader of the party who said that the Nisga'a treaty was an affront to equality. The Reform leader is dead wrong. He knows it. Everybody knows that this treaty is actually about equality. It is about social justice. It is about restoring rights to aboriginal people.

The motion before us today has nothing to do with democracy. The referendum just happens to be the flavour of the day that the Reform Party wants to use. It has nothing to do with democracy. It is clearly a desperate attempt to derail a 20 year treaty process that has been negotiated in good faith by the Nisga'a people, the representatives of the federal government and the provincial government. It has now resulted in an historic agreement that is just, that is fair, and that is a perfect fit with our constitution.

That is not just my opinion. That is the opinion of business leaders. That is the opinion of labour leaders. That is the opinion of thousands of people and hundreds and hundreds of groups in British Columbia that have come to the same conclusion.

I attended the aboriginal affairs parliamentary committee meeting last Friday in Vancouver. I had the honour to hear some of the witnesses who came before the committee. I heard Mr. Ken Georgetti, president of the Canadian Labour Congress; Mr. Jim Sinclair, president of the British Columbia Federation of Labour; Angie Schira from the British Columbia Federation of Labour; and Mr. John Shields, former president of the British Columbia government employees' union.

• (1525)

They laid out for us was how they as a labour movement had been very involved in talking to their members, the hundreds of thousands of members of the labour movement in British Columbia. They toured the province to get out information, to get feedback and participated in the advisory committee that existed.

Supply

We also heard from some very well known and high profile business leaders in our province, including the head of B.C. Hydro, a former Social Credit cabinet minister. We heard from the chair of Vancouver Board of Trade and from the chair of Canadian National Railway.

Their message was very simple and very clear. They too had observed and participated in the process. They wanted to see this treaty ratified by the House because they understood that it brought about a certainty, an equality and a real partnership in the relationship between aboriginal people, between the Nisga'a people and non-aboriginal people which includes the business community.

They told that committee very strongly in no uncertain terms that they wanted to see this treaty go through because they believed that negotiation and resolution was far preferable to conflict, litigation, and year after year of court battles, lawyers, uncertainty and economic chaos. That came from the business community.

I thought it was a very good hearing, but I have to say that I was also ashamed to be at that hearing. A bunch of people came in, apparently with their leader, Mr. Vander Zalm. He sat there very smugly with a grin on his face as his members hurled out obscenities and all kinds of insults. They were just a bunch of yahoos. Their sole agenda was to disrupt a democratic process and to create fear and uncertainty. Their agenda was the same as the Reform Party's agenda.

It is important for us to know exactly Mr. Vander Zalm's position. He is saying publicly that the treaty will perpetuate the old reservation system of isolated collectives and feudal overtones. Mr. Vander Zalm, like the B.C. Reform Party, like the federal Reform Party, is dead wrong. He knows that he is pedalling information that is a distortion of what is actually going on.

Even today in the *Globe and Mail* the chief negotiator for the federal government has made it clear that the Nisga'a final agreement brings to an end the application of the Indian Act to the Nisga'a and to their lands. The Nisga'a will own Nisga'a lands just as other Canadians hold title to their lands. Through the final agreement all the individual Nisga'a homeowners will receive private property rights to their residential lots. We can clearly see that Mr. Vander Zalm's assertion is dead wrong.

I also note that we heard from Reformers that they wanted a referendum. It is important to note that when B.C. as a province joined the Nisga'a treaty negotiations the government of the day agreed that the province would ratify the treaty in the legislature. There was never any mention of a referendum being raised.

By the way, who was the government in 1990? Surprise, surprise, It was Mr. Vander Zalm's government. It was the Social Credit government that agreed and set the ground rules for the treaty negotiation process.

We have heard that only through a referendum will there be consultation. It has become very clear that a referendum is being used as a smoke screen and a ploy to derail the treaty.

If we want to look at democratic process, if we want to look at consultation, we only have to see what happened in British Columbia and note that this legislation has had the longest debate of any legislation in the history of the province at 116 hours. There were 450 meetings with advisory groups and the public. There were 31 public hearings in 27 communities. There were 20,000 calls to a 1-800 information line and more than 250,000 visits to the provincial aboriginal affairs ministry website.

Anyone who has taken the time to objectively look at what this process has unfolded and to look at the information that has been provided to the public will be very clear that it has been transparent, democratic and open. There has been real debate on the issue.

• (1530)

Instead what we see today is a motion from the Reform Party that is simply frivolous. It is more than frivolous; it is destructive in its intention to sabotage what has been a very good model for a process for coming to a treaty. Not that this treaty will become the template for all other treaties, but the process of negotiation and resolution is something we should abide by.

I want to say to the Reform Party, shame on it for using the guise of a referendum to derail what has been a democratic process. Shame on it for saying that it stands up for equality, yet it is here today to deny the Nisga'a people their equality under the constitution. Shame on the Reform Party for distorting this treaty and for peddling all of its propaganda out to the communities so that people now are totally confused.

The truth must be told. It will be told. This treaty will be ratified.

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Madam Speaker, I rise on a point of order. My apologies to the House for interrupting the question and comment period of the spokesperson for the New Democratic Party, but following discussions between the parties I believe if you were to ask, you would find unanimous consent for the following motion. I move:

That at the conclusion of the present debate on today's opposition motion, all questions necessary to dispose of this motion be deemed put, and a recorded division deemed requested and deferred until Tuesday, November 23, 1999, at the expiry of the time provided for government orders.

The Acting Speaker (Ms. Thibeault): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Supply

The Acting Speaker (Ms. Thibeault): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Madam Speaker, I could not help but hear the absolutely incorrect comments, and that is putting it kindly, by the member from the New Democratic Party.

It is true that the Reform Party stands alone in opposing the Nisga'a treaty. It is not because we are against the Nisga'a people. It is not because we want to keep the Nisga'a people or indeed aboriginal people under the hammerlock of separation and impoverishment that they have been subjected to for more than 100 years. Rather, the Reform Party wants to liberate aboriginal people and make sure they have the same powers, the same equalities and the same rights and responsibilities as non-aboriginal people.

In 1969 the then aboriginal affairs minister who today is our Prime Minister said very clearly that the aboriginal people stood at a fork in the road. They could either pursue a course of separation and marginalization and of being treated differently, which I might add the Nisga'a treaty epitomizes, or they could move forward in the ability for them to live by their own cultural traditions and rights and responsibilities in the context of being equal with other Canadians.

Does the member from the New Democratic Party agree with the white paper on aboriginal affairs put forth by our present Prime Minister in 1969? Does she agree that the rights and responsibilities that exist under the Nisga'a treaty, the right to own land and the benefits from the Nisga'a treaty, are accrued to the aboriginal leadership and not to individual aboriginal people?

Ms. Libby Davies: Madam Speaker, that is the most ridiculous thing I have ever heard, that the Reform Party wants to liberate aboriginal people. I guess talk is pretty cheap.

That is what we just heard from the Reform Party, that it wants to liberate aboriginal people. Every single action I have seen in the House, every single example that is used by the Reform Party when it comes to aboriginal people, has been negative, has been allegations of what it perceives to be corruption, and has been divisive. If that is what the Reform Party calls liberation, I do not want any part of its liberation.

I do not know about the 1969 white paper. I was 16 years old at the time and I do not know what it said.

• (1535)

But I do know that the Nisga'a treaty was negotiated by the Nisga'a people. If we are talking about liberation, then we have to

understand that the representatives of those people sat down at the table, negotiated in good faith and came up with an agreement, while not perfect, is one they could live with. They did that in good faith. To me that is part of a just and democratic process and it is a liberation in terms of assertion of their equality.

I might ask the Reform member why his party's position is so patronizing to the Nisga'a people to assume what they negotiated is somehow not right for them? They are the people who did the negotiating. The member was not at the table. I was not at the table. It was their representatives and they believe that they have treaty. To me that is something they are willing to live with. I think it should be ratified by the House.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ref.): Madam Speaker, the hon. member kept using the words "divisive" and "uncertainty". She said that our calls for a referendum on the issue would cause uncertainty and divisiveness.

My question for her is how on earth could a referendum in which all the citizens could participate and exercise their democratic will, and after which there would be a clear result, possibly create uncertainty? Would that not clarify the matter? Would that not empower the people of British Columbia to determine their destiny on this?

Ms. Libby Davies: Madam Speaker, I believe that it would be a grievous error to submit this treaty and the issue of minority rights to a referendum. Who would vote? The Reform Party is saying that it would be everyone in B.C. Some people may argue that all Canadians should vote.

I believe that democratic expression and the substance of that is what is valued. There are times for referendums. There are times when a referendum can be appropriate. Under our constitution our governments have the mandate and the responsibility to negotiate treaties. That is what was done in this case. That is what has been arrived at and that is what must be approved.

Mr. Gerald Keddy (South Shore, PC): Madam Speaker, I have listened to the debate today. I have spoken on this issue many times, have participated in the debate, have examined and cross-examined witnesses. Having the information before me as a member of parliament, I really do welcome this debate today. Primarily, I welcome this debate for very selfish reasons.

This debate will be on the record, further debates will be on the record and past debates on this issue are on the record. There has been a lot of reference to what has been said, what has not been said, who has said what, when and where. I implore members of parliament and the listening public to see for themselves. They do not have to take my word for what has been said. Look in the records. Check *Hansard*. Look at the record of the committee. See who said what, where and when.

Supply

All one has to do is look at the records to see what has been said by the members for Prince George—Peace River, Prince George—Bulkley Valley, Skeena and Calgary Southwest, and by the Leader of the Official Opposition, have said. They have repeatedly said in the House that the treaty will lead to a fishery based on race, that it will take away the rights of women, that it will affect the constitution of Canada and that it will somehow change the charter of rights and freedoms so that it will not apply to this group. Those statements are patently false.

If anyone wants to listen to the Reform wrecking ball approach to public policy debate, then they should check the record. The record stands. The written word is there for anyone in the country to check.

• (1540)

There have been a number of mistruths said in the House. I want to make a statement about mistruths. I was thinking about this earlier while watching the debate. A mistruth is not necessarily a mistruth if the speaker does not know any different or any better.

If a member of parliament has not done his or her homework, it could be said that her or she has been delinquent in his or her duty as a member of parliament. However, if that member of parliament has done his or her duty as a member of parliament and does know the difference and does know how this treaty applies, and that member stands and deliberately leads the public in a mistruth, then that member is delinquent in his or her duty as a member of parliament. There is a dramatic difference.

Let us talk about this treaty as it applies to Canadians and as it applies to the Nisga'a. Some time ago we entered into a treaty process in Canada in good faith with all parties coming to the table. We allowed first nations to sit down with the provinces and federal government and negotiate the best possible treaty we could work out.

I support this treaty for very selfish reasons. I support it because of the things it addresses, the inequalities and inadequacies of the old Indian Act, which on a good day is a colonial piece of legislation and on a bad day is definitely a racist piece of legislation. What this treaty does for the Nisga'a is it takes them out from under the umbrella of the Indian Act. It forever takes away the right of the Indian Act to govern the Nisga'a.

The Nisga'a will govern themselves. They will govern themselves in a municipal style of government with some rights that are quasi-provincial and some rights that are quasi-federal. I have listened to Reform members of parliament talk about how these changes will have a detrimental effect on the good people of British Columbia and on the Nisga'a themselves.

All anyone has to do is read the Nisga'a final agreement. It is not a secret document. It is a public document. It is there for any and every Canadian who would care to take the time to read it.

I can certainly attest to the fact that I am one Canadian who has read the NFA. It takes a little wading through. Starting at the beginning one asks a lot of questions before getting to the end. However, there is not one question arising from reading that document that cannot be answered.

What it takes is someone who can read the document with an open mind, who can see into the future of the country and can accept some of the basic rules and laws that we all accept as Canadians. We would hope that some day those rules, laws and regulations would be applied to all of us.

The information can be checked off. The Reform Party has stood repeatedly and said there is something wrong with the process. I cannot attest as a new member of parliament to everything that went on in the past regarding the debate of the treaty. I can attest to what has happened since I have been involved as the Progressive Conservative Party critic on this issue.

Certainly we all know, and it is a matter of record, that there was debate in the British Columbia legislature. I have heard two different numbers; one is 116 hours and the other is 120 hours. It should be duly placed on the record that debate in this House on the average for a piece of legislation that is fairly hotly contested may be eight or ten hours, but more often it will probably average five or six hours. We had 116 or, Madam Speaker, if you prefer, 120 hours of debate in British Columbia and somehow that debate was not adequate. It was insufficient. It is kind of like the old adage when one is on a job working. If the first break is not sufficient, thou shalt have a second break of equal length. That is not quite how it works.

• (1545)

We had honest debate and fair debate. Everyone who wanted to speak on this issue had opportunity to speak. The debate collapsed after 120 hours, as it rightfully should.

The motion today is about referendum, about the fact that the majority of Canadians should establish laws and should judge laws for the minority. It is never good, ever in any way, shape or form, to have the majority continually be in charge and make laws that apply always to the minority. If we go to referendum that is exactly what happens.

There has been a referendum. It has gone through democratic debate in the province of British Columbia. It has gone through democratic debate and is continuing to go through democratic debate in the Parliament of Canada.

We have heard many witnesses before committee and we will continue to hear them. I think some 64 witnesses in total will appear before committee.

This process has been a very long process and continues to get longer. As part of that process, there are extremely legitimate views and opinions that deserve and need to be heard. However, let us stop for a second and let us take a handful of the opinions that have been put forth.

One of those ideas and opinions just minutes ago was the fact that we are not going to have fee simple land management. Quite honestly, I have spoken about land ownership until I am blue in the face talking about it. Clearly stated in the NFA is that the Nisga'a will own their property fee simple. We cannot make it any plainer than that.

On the day that this treaty is approved some of the lands that the Nisga'a hold will be fee simple to the Nisga'a government. Some of the lands will transfer fee simple to individuals. The rest of the lands that are owned now without any property ownership system at all can in the future be turned into fee simple and can be held fee simple by the Nisga'a government the same as any municipality holds its property fee simple. It is the same as the province of Nova Scotia where I come from. It holds its crown based property. To allude to it any differently is to mislead the public.

We have debunked the myth of secrecy of negotiation. We have debunked the myth of fee simple land ownership. Let us go back to referendum. Does B.C. have a right to vote but not the rest of Canada? Does Canada have a right to vote but not B.C.? Who decides? Referendums in our constitution are there and can be used for items that change the constitution. That is another myth of this treaty. This does not change the Constitution of Canada. It is affected by the Constitution of Canada and protected by the Constitution of Canada but it does not change the Constitution of Canada.

We can say it a million times, but if individuals have their fingers in their ears they will not hear it. It is important, as long as we are debating the motion, to talk about the real issues, the substantive issues, the issues that concern Canadians and all of those issues which concern Canadians.

• (1550)

I have heard time and time again the official opposition saying that it is not against the treaty process, that it supports the treaty process. Well, this is the treaty process. This is the negotiated process entered into in good faith by three parties that came up with the negotiated solution. Some people gave up items during the debate and the negotiations and some people gained some. It is like any negotiated process, a process of give and take. At the end of it, we reached the best possible agreement we could reach to the advantage of all three parties. That is what we have today with the Nisga'a final agreement. We have the best possible solution reached by people working in good faith.

Individual members of parliament may not like that. They may want to vote against it for some obscure reason that I have not been

Supply

able to identify. If that is the case, they have every right to stand and vote against it, and I support that. However, they should not stand and vote against it on the basis that we do not have fee simple land ownership. They should not stand and vote against it on the basis that the charter of rights and freedoms does not apply. They should not stand and vote against it because they say that the Constitution of Canada will not be effective. Those issues are very clearly laid out in the NFA and dealt with.

I have heard the numbers 14, 15 and 17 areas where the Nisga'a will have greater jurisdiction than the province of British Columbia or the federal government. Let us look at some of those areas. We are talking about areas of environmental regulations. We are talking about areas of family and children's services. This is not a giveaway of unprecedented proportion in Canadian history.

We have said to the Nisga'a that through negotiation they have the right to control family and children's services, which would ordinarily be a provincial right. However, when the members of parliament rail against that, they forget to mention that it very clearly states in the agreement that those rights and privileges have to be as good or exceed existing provincial regulations. Therefore the Nisga'a cannot be less protective of families and children than the Province of British Columbia. They can be more protective if they wish but they cannot be less protective. It is in the agreement.

I have said time and time again that members should read all of the Nisga'a final agreement. They should get their constitutional experts and they should ask for legal opinions. They should talk to the province of British Columbia. They should talk to all of them.

I have listened to the Reform debate on this until I am sick of it. We have an expression at home, and if anyone in the House is a hunter they will recognize it. When the debate has heated up and we have chest pounding, hair pulling, arm waving and squawking, it is like crows on a gut pile. That is exactly what it is like.

We have to get beyond this. We have to talk about the real issues in this treaty. There is a very serious question of overlap. The Gitanyow and the Gitksan are extremely troubled about overlap. Again, it is dealt with in the Nisga'a final agreement. It very clearly states within that agreement how the Nisga'a will deal with overlap. It does not exclude a final settlement coming down in favour of the Gitksan or the Gitanyow, but what it does include is that if the the Nisga'a lose territory because of future land claim settlements, they will be given compensation of some form, either more land or dollars.

The process is there. It allows for arbitration. It allows for joint jurisdiction with other bands, the federal government or the provincial government in some areas. Surely we have reached a stage in the evolution of the political life of the country and the provinces and territories that make it up, that we can embrace this type of legislation.

Supply

• (1555)

Surely we have reached the point in the country where we can look at legislation for what it is worth to the nation and not be against it for what it is worth for a political party. Those are entirely the wrong reasons to be against something.

They should take the politics out of this and talk about the treaty. They should deal with the question of overlap. It is dealt with in the NFA. They should make recommendations if they want to make recommendations, but they should not burn the barn down because they are not happy with the fact that they are not making a good living. They should not just destroy it. They should step away from this wrecking ball approach to public policy debate. They should be constructive by looking at the issues one at a time and deal with them.

We went to British Columbia on committee and I welcomed the opportunity to go there. It was an interesting process in B.C. I have been out there several times so I feel very much at home in British Columbia. I talked to a lot of people on the street and a number of shopkeepers. Maybe these non-scientific polls that were done are a reality, but that was not the opinion I got on the streets in B.C. It was not even close to the opinion.

Unfortunately, the hearings were marred by some protesters. Anyone has the right to protest and that is one of the great things in this nation. However, no one has the right to interfere with involved, informative and insightful debate.

There are many issues and certainly one is the referendum issue. Do we in Canada want to establish public policy with a referendum every time we turn around? Referendums are generally espoused and advanced by people who have already lost the debate. They took part in the process and they have lost the debate so they want one more kick at the can. That is the referendum mentality.

It is unfortunate that we run out of time in the House. Part of that, as I understand it, is because the Reform Party and the Bloc in 1993 really did not do their job as the opposition and allowed debate to be cut off after six or eight hours.

The Acting Speaker (Ms. Thibeault): I am afraid the time has expired.

Mr. Hec Clouthier (Renfrew—Nipissing—Pembroke, Lib.): Madam Speaker, I listened with great interest to my colleague from the South Shore give a rather compelling, thought-provoking dissertation on this particular treaty, but one thing struck me very clearly. It seems to me that the Conservative Party, which is perceived to be a bit right of centre of the political spectrum, is completely at variance with the loyal opposition.

I was wondering if the member from South Shore could fill me in on how members in his party could ever believe that they would ever come together with the Reform Party in some kind of a united alternative when it disagrees with something as fundamental as this.

Would the hon. member for South Shore please inform those members present on all sides of the House why his party's position is so different from the loyal opposition, and especially from the position of the member for Wild Rose who seems to think that the member for South Shore is coming from the wrong side of the boat on this?

• (1600)

Mr. Gerald Keddy: Madam Speaker, sometimes marriage can be a wonderful thing. Sometimes it can be a marriage of convenience. Sometimes it is arranged. Sometimes it ends in divorce. Sometimes it never happens. I appreciate the hon. member's question and I will try to answer it fairly succinctly. It is difficult as I am trying to think of the proper answer to it.

I am a Conservative. I have conservative values. I am a fiscal conservative. That does not mean that when I was born someone cut out my heart and threw it away. One can be conservative and still have a heart. If there are inequalities or injustices in the world one can still stand up for the rights of people who have no one to protect them. One can still look at legislation as it exists and judge it one item at a time.

We do not have to agree with everything the government does, and quite frankly I do not. We need to look at the merits in legislation and approve or disapprove it on its own merit.

Mr. Derrek Konrad (Prince Albert, Ref.): Madam Speaker, the member for South Shore said that the opinion the Reform Party was expressing was not the opinion he heard on the streets of British Columbia. I would like to bring his attention to a couple of facts and some questions which were asked of British Columbians.

The first question was: "Do you believe the public has had adequate opportunity to provide input into the Nisga'a treaty?" There were 7,556 people who responded to that question. Of those 88.75% or 6,706 said no.

The second question was: "Do you believe that the people of B.C. should have the right to vote on the principles of the Nisga'a treaty in a provincial referendum?" The number of responses in total were 7,556. Those who said yes totalled 6,923.

In the few minutes the member for South Shore had to talk to people other than those on the gerrymandered witness list, I wonder what percentage he found, how many thousands of people from British Columbia he talked to, and whether it would add up to 90% disapproval as I have just pointed out to him.

Supply

Mr. Gerald Keddy: Madam Speaker, as I said at the beginning the great thing about this debate is that it is on the record. We can look and see what people have said. We can check it in 10 years time or we can check it tomorrow. It is all on the record.

As far as public input in British Columbia is concerned, I want to ask the hon. member where it stops. At the end of the day somewhere and somehow there has to be an end to the process. We might not all agree with that.

There are compelling reasons to have ongoing public debate, and 120 hours is pretty serious public debate in B.C. Numerous information sessions have been brought to my attention. However, at the end of those sessions we might have a small minority or a small majority of people who are not satisfied with the public debate, are not satisfied with their public officials and want to throw it out and start over. They want to forget the negotiation process, forget everything.

That is like Reformers saying they can get rid of the Indian Act. The Indian Act is protected by the constitution. It is part of the constitution. They cannot do that. That will not happen. It is false to insinuate and to lead people down that trail. They cannot even begin to do it. As far as the people I have talked to in B.C.—

An hon. member: Two.

Mr. Gerald Keddy: There are a few more than two. I was surprised that ordinary men and women on the street were not pulling their hair and cawing. There was hardly any cawing out there at all. People were concerned. They had legitimate questions and they wanted legitimate answers. The trouble is that they have not been receiving legitimate answers.

Mr. Roy Bailey (Souris—Moose Mountain, Ref.): Madam Speaker, I have been listening today to the comments and the back and forth dialogue across the House. Would the hon. member not admit that what we are establishing within the treaty is a brand new level of government? Never before have we had such a level of government created in Canada.

● (1605)

With that said, is it not possible or is it most likely that once the treaty is passed there will be 130 or more across Canada who will want to follow almost the exact wording of this treaty? The treaty is probably the most socially important piece of legislation we will face in the next century.

The member should not stand here and tell me that this is a bunch of nonsense. People from coast to coast want to know where it will go next. Will the government and this member justify six or seven treaties going on in my constituency within the next two years once this one is passed?

Mr. Gerald Keddy: Madam Speaker, that is an excellent question. It absolutely is not a bunch of nonsense. Categorically this is not a bunch of nonsense. This is an extremely important debate.

We are not setting up some type of brand new government. A brand new government would imply that the charter of rights and freedoms does not apply. It would also imply that the constitution of Canada does not apply. Anything in the country that is under the constitution and under the charter of rights and freedoms is acceptable to the laws and the governments of Canada.

It is very clear. It is not patent foolishness at all. It is a few uninformed individuals who care not to look at the facts, who care not to enter upon debate, who want to call down, call names and wave placards every time somebody else has a different opinion. I am frankly tired of it. I am not exhausted but I am tired.

It makes one want to fight that much harder. It get one's blood up. There are issues here we need to discuss. I am willing to stand here as long as the Reform Party of Canada cares to enter into this debate and debate it.

Mr. Myron Thompson (Wild Rose, Ref.): Madam Speaker, I commend the hon. member on his speech. Three-quarters of it was directed at the Reform Party. I thank him for that. I am glad he recognizes us.

The NDP people have done the same in their speeches. They talk about the Reform more than they do about the Nisga'a. I thank them very much for recognizing the Reform. The Liberals are just renowned for that, especially the member for Mississauga West who cannot wait to get up and say something about the Wild Rose guy. Then there is the Bloc party from Quebec that constantly likes to try to conform.

It is wonderful to be the official opposition in a House where nobody likes us. That is good. In 10 short years we got here and the reason we are here is the undemocratic processes that have been taking place for 130 years in the House. The nation was brought to its knees with a \$600 billion debt by the party at that end and that party over there. They are just like brother and sister. Why do they not unite?

Mr. Gerald Keddy: Madam Speaker, I will leave the uniting of brothers and sisters to the Reform Party any day.

Mr. Randy White (Langley—Abbotsford, Ref.): Madam Speaker, I am going to be splitting my time with the member for South Surrey—White Rock—Langley.

In a way as House leader I have witnessed a lot of things on process in the House. I will talk about the process but I find it sad

Supply

the way some of these parties are going on about this important Nisga'a debate. I will talk a bit about what it is to be opposition in the House of Commons and about what it takes to stand up and have a little courage in one's convictions.

The process of debate in the House on this whole issue was not only shortened by time allocation after four and a half hours of our debate time. The total time was around eight hours, but of course the other parties that are supposed to be in opposition here agree with the issue.

• (1610)

That may not seem much to the government but it is to the people we represent. The issue has come up in question period time and time again. Government references the official opposition by saying that all members from British Columbia should speak to the issue as they know what they are talking about. It happens that a majority of them are in this caucus and should have had full opportunity to speak to this issue rather than have debate cut.

After the government eliminates debate time through time allocation we go into committee. The committee on aboriginal affairs did not want to go to British Columbia, so as House leader I basically said that we would not travel in any committee then, that all committees had to come through the House for approval to travel and we would oppose them all. That encouraged the government to travel to British Columbia. That is the only reason it ended up going to British Columbia. Otherwise it was not going.

We said then we wanted to go to a number of communities in British Columbia. No, it did not want to go where the Nisga'a agreement was opposed. After hours of debate we finally got it to go to Victoria, Vancouver, Terrace, Prince Rupert and Smithers. It did not want to go to Smithers because of the opposition that it knew it would hear. It did not want to go to Kamloops so we sawed it off and went to Prince George.

I was sitting in my office and members of the aboriginal affairs committee came in and said that a list of 62 names, all in favour of the Nisga'a agreement, were tabled in that committee. They were voting to bring those names forward as they travel throughout British Columbia to support the Nisga'a agreement. We went back into committee and said there should be better representation, pro and con. That seemed reasonable.

What happened? A small minority of individuals were opposed to it and a vast majority were in favour of it. The vast majority of people in favour of the agreement got to fly to British Columbia at government expense to make presentation as witnesses. Some of them were not even from British Columbia. A minority of people who were opposed were allowed to speak.

We could ask what is the point of going to British Columbia and what is the point of even having witnesses at a committee. Under those circumstances there is not any point, but what the government and people in the country do not understand is that this happens frequently with all committees such as the agriculture committee and the finance committee. All the witnesses are voted on by a majority of government members. People think committees are travelling around the country getting input. The whole thing is staged. By and large the environment committee and all these committees are just staged events by government. That is the problem.

Since we have seen this with the Nisga'a agreement we are now about to change the rules on how committees work because I will no longer put up with this charade. Committees will not travel if that is the way it is to be. We will have to see about debating committee travel in the House if and when they want to travel. That is fine with me. I would sooner have it that way anyway.

They would not allow television. No television cameras could go into the committee meeting because they said the rules were not set up ahead of time. A committee is master of its own destiny and choices. They could have changed it right there but they did not want to allow it.

They are right. This is probably the end of this debate because the government has a majority and can outvote us any time it wants, particularly when there are opposition parties that are more Liberal than on the right side of politics.

What will we do? We will have a referendum next, an opportunity to give people input in British Columbia. They have told us time and time again they want it. The NDP government in British Columbia would not allow it, even though the opposition parties and the majority of people in British Columbia wanted it. Tomorrow night there will be a vote in the House. All the Liberals will stand and say "no referendum".

• (1615)

Why not give the people their say through a referendum? The NDP will stand and vote against the referendum. I do not know where the Bloc stands on a referendum. The Progressive Conservatives, the people who brought referendum legislation into the House of Commons, will not even agree to a referendum.

I ask myself, what does it take to be in opposition in this country when we have a bill such as this which has such ramifications and about which there are many questions?

I have a question about the perpetuity of the financing, the more than \$30 million a year for the rest of our lives, our children's lives, and our children's children's lives. I have a question about that. I thought the permanent financing would come to an end at some point.

Supply

Why should I not have the right to debate? Why should the people in my community not have the right to ask the question: What is \$32 million in perpetuity? How much is that in tax? If this is only one agreement and it is the template for all other agreements and they are all going to have money in perpetuity, should we not ask the questions now instead of later? I did not think there would be benefits in perpetuity, so why can I not have the right to ask the questions?

If anybody in opposition has these questions, do they not have the right to ask them without the slanderous and ridiculous comments of New Democrats, the socialists in the House, and without the comments of the PCs, as few as they are in the House? What is wrong with asking questions in the House of Commons? Why is it that these opposition parties will not even oppose or ask serious questions about these kinds of issues? It is because they are too damn busy calling those who are asking articulate questions racists and bigots. That is their problem. They are afraid that if they stand to ask questions about this they will be labelled by that sort of talk.

I thought we were past that in this day and age. What is wrong with the House of Commons that we have got down to the lowest, dirt level talk, this gutter talk? There is something wrong when members cannot stand to debate an issue, no matter what the issue, without these people trying to make political brownie points by slandering others. It is terrible.

If that is the kind of opposition that people watching this and listening to me today want, those comments which are nothing more than slanderous rhetorical statements, rather than getting down to the real problems that exist in legislation, then we are in serious trouble. This government will be perpetuated along with those who support it.

I am here as an opposition member. I am damn well here to ask questions and I am going to stay here to ask questions. I am not here to side with these people. I am here on behalf of many Canadians to ask questions; logical questions I hope.

Finally, there is one other thing I want to say concerning all of the questions on the Nisga'a agreement. Why is it that when the issue of public schooling and the Catholic school system in Newfoundland came up and there was a referendum in Newfoundland nobody had a problem with that? That was the proper thing to do. The referendum was held, it was brought back to the House and we debated it. No one was then saying that this is an important issue, but we have to push it through because there is a referendum. In fact, the government wanted a debate on it. It did not call time allocation.

One has to wonder what this is all about on all sides of those supporting the Nisga'a agreement, whether it is just rhetorical

politics they are talking about or really trying to get in depth on legislation.

[*Translation*]

The Acting Speaker (Ms. Thibeault): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Regina—Lumsden—Lake Centre, Agriculture; the hon. member for Vancouver East, Poverty; the hon. member for Davenport, Foreign Affairs.

• (1620)

[*English*]

Mr. Gerald Keddy (South Shore, PC): Madam Speaker, the statement that was made about political brownie points was made by the master of political brownie points. There is no lesson to be taken there. There is a lesson given and a lesson received.

Concerning the referendum for religious schools in Newfoundland, I am not absolutely positive, but I believe there was a referendum on that issue because the constitution of Canada had to be changed. That is why there was a referendum.

Mr. Randy White: So? I need one of these lessons from one of these petty politicians from Joe what's his name and the other fellows down there?

There was a referendum in Newfoundland. The members should try to understand that there was a social responsibility. There was an issue that was important to Newfoundlanders and the process was the right process.

I am sure it was wise on behalf of Premier Tobin to hold a referendum. Whether it was entrenched in any agreement, it was the proper thing to do.

The member does not really seem to understand what he is talking about. I was saying that it is the right thing to do in British Columbia, much as it was the right thing to do in Newfoundland, regardless of whether the process is documented in legislation. Surely members on the other side can understand that.

If a referendum was permitted to be in the process in British Columbia, then the people would either say yea or nay and they would confirm either way for those who are attempting to get the agreement in place.

There are overlapping land claims comprising well over 100% of British Columbia's lands. This is the template. It is not just about Nisga'a and the Nass Valley, it is about my community of Abbotsford and Langley. It is about all of the communities of the people who live in British Columbia. If the first agreement is going to be the template, then why are all the people in British Columbia denied a say in the template? That is what this is about.

Supply

I know that Ottawa is a long distance from British Columbia. We have known that for years. The mentality in this place is that we live in the boonies. What we are saying to the House is that we deserve a say. All of our communities deserve a say, not just one isolated area.

Mr. Gerald Keddy: Madam Speaker, I would like to enlarge upon the Newfoundland referendum a bit. The member is talking about these overlays and templates and he is trying to put them on every public policy issue there is.

There was a majority of Newfoundlanders who had religious goals, whether those goals happened to be Catholic or Protestant, who needed the vote on that very important and fundamental issue to Newfoundland. It was not the majority trying to decide something for a minority right, it was the majority deciding for the majority.

Mr. Randy White: Madam Speaker, we can spin it any way we want. The fact of the matter is that the people of British Columbia are asking the House to respect their wishes and hold a referendum. That is what they are asking. These kinds of arguments put forward by someone who obviously has not even read the agreement, much less knows much about what I am talking, is kind of sad. We in British Columbia are asking for a democratic right we believe we should have. All we are doing is asking the government to respect that in the vote tomorrow night.

• (1625)

Ms. Val Meredith (South Surrey—White Rock—Langley, Ref.): Madam Speaker, for the people who are watching the debate, I think it is appropriate that I read the motion so it can be clearly understood. The motion states:

That, in the opinion of this House, the federal government should conduct a province wide referendum in British Columbia on the Nisga'a Final Agreement prior to the consideration of any further stages of Bill C-9, an act to give effect to the Nisga'a Final Agreement.

I do not think that is too much to ask, as my eloquent colleague has stated. A referendum is the desire of the people of British Columbia because of the social implications and the long term implications that this Nisga'a agreement will have on the province of British Columbia and all of the people who live in the province of British Columbia, native and non-native.

British Columbians are concerned. They are concerned about the long term financial commitment. They are concerned about the responsibilities. They are concerned about the template. There are 50-plus agreements yet to be settled. They claim over 100% of the territory of the province of British Columbia. Of course the people of British Columbia are concerned that all of the issues need to be clearly understood.

It is very clear to me from comments made by hon. colleagues from around the country that there is not a clear understanding of what are the implications of the Nisga'a agreement for the people of British Columbia. There are people who support it and there are people who do not support it. All the people of British Columbia are asking is that they be allowed to express their position on this agreement.

During the negotiations that took place over a period of about 10 years the people of British Columbia were excluded because the negotiations were held behind closed doors. There was not an opportunity for the citizens of British Columbia to take part in the process.

When the agreement in principle was made public a couple of years ago, the people of British Columbia asked to take part in that discussion. They asked that there be a referendum. They asked that there be a public consultation process. That was denied them. It was a very controlled exercise in government manipulation, both from a provincial level and from a federal level, manipulating an agreement through the system without being held accountable to the people of British Columbia.

It is not just non-natives who are concerned. There are a lot of natives within the Nisga'a community, the Gitksan and other communities who are concerned because of the way the agreement is written.

All that we have asked is for the government to lay open the agreement to the people of British Columbia and let them respond.

It is interesting that the government in turn tries to tell the House and Canadians who are listening that it is the Reform Party which wants this. Let me assure the House that it is not the Reform Party, it is the people of British Columbia.

Months ago, before the heat of the Musqueam issue and the other issues came up, such as the Marshall decision, I asked them about the Nisga'a agreement and how they wanted it to be handled. I asked if they wanted to have a provincial referendum and 78.66% said yes.

Since other issues have surfaced and this debate has drawn more public attention, an official poll was taken. It was a recognized poll done through the proper means, not a householder poll. Some people would like to say that my householder polls are not legal or official.

I noticed the Minister of Fisheries and Oceans sitting here a minute ago. In his riding this poll showed that 92.21% of the people opposed the Nisga'a treaty. It will be interesting to see if he is going to respect his job to represent the people who elected him to sit in this House and show his opposition, or if he will do as he is told and support the government.

Supply

• (1630)

When we have tried to address this issue with the minister of aboriginal affairs, his responses have been, at the most, in contempt of the people of British Columbia. When I asked him whether a majority of members from British Columbia showing that they did not support the government would be an indication to him that the people of British Columbia, who we represent, did not support the government on this issue, and would he recognize that and withdraw the bill, he made some derogatory comment, which seems to be his normal course.

This is the same man who after the supreme court Marshall decision announced to the country that it applied to logging, minerals and offshore oil and gas reserve. When the supreme court subsequently announced that its decision did not apply to any commodity other than the eel fishery, it said that it would have been nice if people had actually read its judgment before making all sorts of pronouncements about its implication. We would have thought that the minister would have been one of those persons who would have read the court's decision to clearly understand it, or at least have had somebody else read it to him if he was not capable of reading it himself.

It is this kind of contempt that the government has shown to the people of British Columbia, who are asking for nothing more or nothing less than the people of Newfoundland when it asked for a referendum on Term 17, a very serious issue that challenged their social structure and would have changed the way they lived with each other.

The people of British Columbia understand the ramification that this agreement will have on them in years to come. All we are asking is for British Columbians to have the opportunity to go to the polls and mark an X as to whether or not they can support the government's position. All they are asking for is to exercise their democratic right to involve themselves in the governance of our country.

It is very clear from the attitude and actions of the government that it does not respect democracy. It does not respect the will of the people. It does not think Canadians have any right to participate in the debate and in the decisions that are made on their behalf.

We hear ministers and government officials saying that they are in the House of Commons to represent them. We then hear that they do not recognize that representation. Even though the majority of the members of parliament from British Columbia will not support the Nisga'a agreement and the government, it will merrily win support with the majority that it holds from Ontario. The 101-plus members on the government side will make a decision for the people of British Columbia whether they like it or not.

It is interesting how some things never change in the country. It expresses the need for government members and all parlia-

mentarians to really look inside themselves as to why they are here. If they are only here to support a position by a leader or by a dogma, and if they are not here to represent the people who elected them to be their voice in the House of Commons, then they should look inside themselves to see if they really belong here. We are in this place to represent the people who do not have the ability to speak out and who are now being denied the ability to even make a decision and vote on the Nisga'a agreement. They send us to speak on their behalf.

It upsets the people in the House that we speak on behalf of our constituents or that we challenge the sections in this agreement that are not right and are not clear. They do not seem to accept the fact that we want accountability in the spending of taxpayers' dollars. I cannot be here in this place except to give my commitment to the people I represent to speak on their behalf and to make sure their voices are heard in this debate.

• (1635)

I ask the other members in the House to look beyond their party line and to consider what the people of British Columbia are asking for, which is the chance to place their voice in this discussion.

Mrs. Nancy Karetak-Lindell (Nunavut, Lib.): Madam Speaker, when the hon. member was talking about people not feeling represented, I spent a week listening to the very people who were most affected, the Nisga'a people. They said that they had not spoken to their particular member since 1993. As an aboriginal person, I felt that I had to represent people who were not being represented by their own member of parliament.

Over the week that I was in British Columbia, I also heard very many different views presented to us. I do not think anyone of them completely said what they wanted the referendum question to be. I heard many different views of what they thought the referendum question should be.

Who does the hon. member think should write the question and what should the question be in the referendum?

Ms. Val Meredith: Madam Speaker, I think it is quite clear that the government of the day would probably write the question. It seems to want to write all the referendum questions that are being posed in the country.

I think the question can be very clear. It can be "Do you support the Nisga'a agreement?" If the government feels that the people of British Columbia do not know enough about it, perhaps it should look at itself. It is the one that denied British Columbians from being involved in the process.

When an agreement of this nature was being negotiated, the governments of the day, both governments—because I hold the Government of British Columbia equally responsible—should

Supply

have understood from the very beginning that if they wanted it accepted by the people of British Columbia they had to include the people of British Columbia in the negotiations so that there would be an acceptance level there. They failed to do that. If they had done their job properly, the acceptance of the negotiations would probably be there.

It was because of the exclusion of the public in the debate and in the negotiations and of having those negotiations behind closed doors that the uncertainty is there whether they like it or not. The Government of British Columbia and the federal government have to share the responsibility for that situation.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, I had the opportunity to take part in two of the five days of consultation in British Columbia last week. I noted a lot of individuals and groups, including native groups, supported the agreement.

Some aboriginal nations were concerned about issues of overlap. These concerns will no doubt have to be taken into consideration.

What distresses me a lot in the position of the Reform Party is what my colleague, the member for Saint-Jean, tried to get this House to understand. They seem to want, for totally inappropriate reasons, to involve all British Columbians in a referendum the federal government would organize, whereas the provincial government, which represents all of the people of the province, has said and considered that this was not appropriate.

I therefore ask my colleague from the Reform Party why the federal government should meddle in the affairs of British Columbia, impose a referendum and impose a question, when the B.C. government itself does not want to organize such a public consultation?

[*English*]

Ms. Val Meredith: Madam Speaker, I thought I had made it clear that the Government of British Columbia has to assume some of the responsibility. It has denied the people of B.C. a vote.

It is not the federal government that would be imposing a referendum. It is the people of British Columbia who are asking for it to be held. They have asked it of the provincial government which has turned its back on the people of the province. The people of the province ask whomever.

• (1640)

If the province of British Columbia will change its mind and allow a referendum, then so be it. However, if the provincial government still refuses, then the people of British Columbia are asking the federal government to step in and hold a referendum.

Mr. Steve Mahoney (Mississauga West, Lib.): Madam Speaker, I will be sharing my time with the member for Haliburton—Victoria—Brock.

One of the things I find most interesting about the debate is that no one seems prepared to deal with the issues. All we hear is people demanding a referendum.

Ms. Val Meredith: That's the most important thing.

Mr. Steve Mahoney: Well, that may be the issue to the members opposite, but why can we not hear from just one member in this place what they object to.

Ms. Val Meredith: Because you cut the debate short.

Mr. Steve Mahoney: We did not cut the debate. Quite the contrary. I will give some examples.

There have been over 500 public meetings. Someone said that this was behind closed doors and in secret. There have been over 500 public meetings on this issue alone. There have been in excess of 120 hours of debate in the provincial legislature in Victoria.

Mr. Cliff Breitzkreuz: Closure there, too.

Mr. Steve Mahoney: I understand the role of opposition. I spent five years in opposition in the province of Ontario and I can say what the role is not. It is not to create gridlock in spite of a clear democratic decision that has been taken through more consultation than any other issue I can think of since I was elected to this place.

There have been 500 meetings and 120 hours of debate. There has been debate in this place. This is at least the second of third time I have had an opportunity to talk about this issue.

They take the approach that because they are not getting their own way they will stamp their feet and throw a temper tantrum. I heard the House leader for the opposition, who was trying to pretend he was being calm, cool and rational about this, say that perhaps committees will not travel. Who does he think he is?

Should the Canadian people be told that because one party in this place out of five does not agree with the democratically arrived at solution that they can no longer talk to committees and that the finance committee cannot travel? If we want to talk about lack of democracy, that kind of attempted sabotage to the system that the Canadian people have a right to enjoy is totally undemocratic.

What bothered me in the beginning, aside from the tactics, is that I have not heard anyone talking about the issues. Someone over here said that this was about a new form of government and then someone else said that it was not. I think it is. It is called self-government for our native communities.

I think the real question here to anybody who opposes this—and I have no problem with people taking opposing positions—is for them to just tell us why. We want them to tell us what it is that bothers them so that maybe we can debate it. It is a very simple question. Either one is for self-government or opposed to self-government. Yes, it is a new form of government, perhaps a form of government that is so long overdue in the country that it epitomizes why we have all the problems we do have on our reserves.

I recall a debate, and my hon. friend from Nunavut will remember it well, where instead of creating the new territory of Nunavut, the solution was just to give everybody up there a million bucks or something. I think that is what they said.

Mr. Vander Zalm, reborn as the leader of the provincial Reform Party in British Columbia, a man who had to resign in disgrace, is now being the champion. His solution to the Nisga'a treaty is to tear it up and give them all \$250,000. Is that not just incredible?

• (1645)

The paternalistic attitude. They do not say to the Nisga'a people "We understand that for 100 years you have tried to negotiate with Victoria. You have tried to negotiate with Ottawa. We understand the problem out in the community that is false. We are going to deal with the facts". I have not heard the facts debated.

Do they object to the Nisga'a receiving title to the 2,000 hectares of land? Is that the problem? Say so if it is. I think Canadians would like to see somebody with the courage to stand up. It might be something different than courage but I will not go there. They would like to see them stand up and argue that the Nisga'a people are not entitled to that land.

I go back to the newest Reform champion, Mr. Vander Zalm, who has criticized the agreement for perpetuating the old reserve system with no private ownership of land. They want to have a referendum but people in the community like Bill Vander Zalm and others are perpetuating untruths.

Of course there is private ownership of land. The Nisga'a people will be able to register the ownership of their family homes and lots in the British Columbia land system. There it is exactly, fee simple.

Why would people come out and say that there is no private ownership of land? Of the rest of the land that will belong to the entire Nisga'a community, they will be able to divide and sell land for commercial and other purposes. Is that not amazing? What a right in Canada. They can actually sell their land. They can actually have it registered in their name, that it belongs to their families, that they can give it to their children. The Nisga'a treaty gives these people an opportunity to perpetuate the history of their nation. It is one of our first nations.

Is that what the opposition objects to? Is it that it would like not to recognize the first nations? I do not know. I have some quotes that members might be surprised to hear.

Supply

I am surprised at this one because I consider this individual to be a fairly moderate and very intelligent member of the opposition party, the MP for Esquimalt—Juan de Fuca. He said the following in *Hansard* on June 3, 1999, not very long ago: "We have created an institutionalized welfare state for aboriginal people by giving them things".

What does he mean by that? Giving them their rights? Giving them the rights that their people have fought for and negotiated and saying that we are actually going to give them an opportunity through this treaty for economic growth? They can have certain rights over hunting, forestry, fishing, ecotourism and opportunities to grow their community and create jobs for their kids. Is this giving them things? That is such a condescending remark for a member of parliament to make about something as important as that.

This quote is from the member for Athabasca and was in the news in 1995: "The Europeans came to this country 300 years ago and opened it up and settled it and because we didn't kill the Indians and have Indian wars, that doesn't mean we didn't conquer these people. If they weren't in fact conquered, then why did the aboriginal people allow themselves to be herded into little reserves". Goodness gracious, it makes my blood boil. It makes my hair stand up on the back of my neck to hear a Canadian parliamentarian stand up in this place and talk about not killing the Indians but conquering them.

Surely to God history has taught us the wrongs. The way we have treated our aboriginal communities is not something we should be proud of as Canadians. It is not something about which any of us should stand here and say that we did the right thing. We have an opportunity here to right some wrongs.

One of the most important signals this treaty sends is that within the next 10 years, everybody involved in the Nisga'a community will become a taxpayer. The tax exempt status will be gone. That is outstanding in my view. Canadians right across the land need to know that because it is a first. Why not stand here and celebrate it?

• (1650)

I would have a great deal more respect for any members of the opposition who would stand up and tell us the truth about why it is they oppose this instead of pontificating on an absolutely phoney issue such as a referendum.

This is a good deal for all Canadians and it is a good deal for the Nisga'a people.

Mr. Cliff Bretkreuz (Yellowhead, Ref.): Madam Speaker, the member who just spoke talked about opposition from a provincial party to this treaty. He should know that the B.C. Liberals oppose this treaty. I would like to ask the member, why does he suppose that might be?

Supply

Mr. Steve Mahoney: Madam Speaker, I would question the definition of Liberal in British Columbia. Having said that, I have a lot of friends, people I have known over the years in that party. In fact my former executive assistant when I was on the city of Mississauga council is now an executive assistant to the leader. I am a bit in touch with that party. Frankly I do not agree with its position.

We do not get up every day, contrary to what the opposition might try to paint, and say, "I am a Liberal and I am going to do this by rote". We have to have some people who think and disagree. We have it in our own caucus, contrary to the opinions of members opposite.

I guess Mr. Campbell is the leader of the opposition and has to fight the Government of British Columbia any way he can. If the only reason for opposing is to oppose, then I do not think that is effective opposition. Tell us what the problems are with this treaty instead of hiding behind the falsehood of a referendum.

Mr. Garry Breitkreuz (Yorkton—Melville, Ref.): Madam Speaker, the hon. member said, "I am a Liberal and I don't do things by rote". Who on the other side of the House voted against this treaty when some 90% of the people in British Columbia are opposed?

Mr. Steve Mahoney: Madam Speaker, this is the difference. I gave some of the quotes. Unless the Reformers are prepared to stand up and denounce Bill Vander Zalm as being inaccurate or not portraying the truth in this matter, when we look at some of the things that he says, he is not putting it in a truthful way. He pretends that it is a \$487 million payout plus 2,000 square kilometres of land when the truth is that it is half and half. It is \$487 million including the 2,000 square kilometres of land. Something can be twisted around.

I say to Mr. Vander Zalm, I say it to the members of the Reform Party here, and more important, I say it to Canadians, look at the truth of this agreement. It is absolutely unprecedented. It is fair. It gives the Nisga'a people a chance to build on their heritage and to create something for their families in the future.

We are not hearing the facts put out by these—

Mr. Garry Breitkreuz: Madam Speaker, I rise on a point of order. The member did not hear my question. He said that the Liberals do not vote by rote.

The Acting Speaker (Ms. Thibeault): I am afraid that is debate. The hon. member for Mississauga West may wish to conclude.

Mr. Steve Mahoney: Madam Speaker, I would conclude by saying that there is a difference between voting with all of the facts on the table and voting while trying to skewer the reality of what is

in the treaty. Just be honest, tell the people the truth and in my view they will support this.

Mr. John Bryden (Wentworth—Burlington, Lib.): Madam Speaker, I watched the opposition leader, the member for Calgary Southwest as he gave his speech on this issue. He said that the provincial Liberals are against this deal. Then he rhymed off the names of all the federal Liberals. He said that the people of B.C. will be watching how these federal Liberals vote tomorrow night. That is what he said.

• (1655)

What was going on there? Was the member for Calgary Southwest really worried about the justice of this treaty, the propriety of this treaty, or was he trying to gain seats for the Reform Party in the next federal election? It is just Reform politics. It is not an honest debate whatsoever.

Mr. Steve Mahoney: Madam Speaker, I could not agree more. Clearly the Reform members have a hidden agenda. Instead of putting the issues out on the table and telling us what they believe in and what they stand for, they filibuster. There is a lot of hot air. There is nothing of substance in their debate. I say tragically so, because they have an obligation as members of an opposition party to put the issues on the table and to have a debate of substance. It is unfortunate that they have not got a clue how to do that.

Mr. John O'Reilly (Haliburton—Victoria—Brock, Lib.): Madam Speaker, I am honoured and privileged to stand here today having come back from the aboriginal hearings in British Columbia.

We travelled extensively throughout British Columbia, to Terrace, Smithers, Prince George, Victoria and Vancouver in inclement weather and in awfully poor landing conditions on a small aircraft which we renamed. We will not go into that because First Air is a very nice airline but hon. members can figure out what we renamed it. We celebrated when we were actually able to land in Terrace. As beautiful as it is, it is very hard to get into at this time of year.

I want to talk about what happened there. The Reform Party went out to try to whip up a crowd of protesters to show us that this treaty process was terrible and that they want to go back to the Indian Act.

I talked to some people on the streets of Prince George. They had no idea what was going on, other than that finally we were giving back the land to the natives which we had away from them. They asked who had decided the Queen owned it. It was native land. It always has been and it always will be.

It is different to go out there and be spat on and to hear someone say to one of my colleagues from Nunavut "Go back to your reserve". It is sad, sad, sad that the Reform Party would stoop that low.

Supply

Then some guy at a radio station in Vancouver was giving out the room numbers of the members so people could call their rooms and threaten them. My first call of the morning which I thought was a wake-up call was a lunatic saying that if I showed up at the meetings I would be dead meat. Was it not great for members of the Parliament of Canada to be told to go back to the reserve, to be told one would be dead meat and to be spat upon? I found these kind of tactics to be absolutely disgusting. There was even a lower one than that, but I will not talk about it because I do not think the Reform Party wants to hear about it. There was a lower one and I will keep that in my back pocket for another time.

Mr. Roy Bailey: Madam Speaker, I rise on a point of order. Is the hon. member accusing a member of the Reform Party of making these phone calls? That member should be named.

The Acting Speaker (Ms. Thibeault): I would like to tell the member for Souris—Moose Mountain at this point that maybe the hon. member will just wait for questions and comments and at that time he can ask the question.

Mr. John O'Reilly: Madam Speaker, I know that was not a point of order, it was a point of debate.

The fact of the matter is I said that it was Reform Party supporters who came out. One lady who came to me said she was a Reform Party supporter. She was asked by a member of the Reform Party to come out and demonstrate and disrupt the meetings as much as she could.

• (1700)

When I gave over my time to the member for Prince George so that he was able to speak, he thanked me and said I was a gentleman. He did not think he would have enough time to express the views of his constituents. I did not go out there with anything evil on my mind or any hidden agenda. I went out there to hear evidence.

Let me quote the evidence I heard from the B.C. Federation of Labour. It said that provincial leader Gordon Campbell was against a referendum last summer when he said the people of the lower mainland should not be determining the future of the people of the Nass Valley. Suddenly he is now in favour of a referendum because he is a Liberal-Reformer. There is a whole pile of people who are just a bit to the right of Attila the Hun and nobody playing left wing. If one is a hockey player it would be a great place to be a left winger. Vander Zalm and he are in a leadership race for votes. It would appear as though they swim out of a very shallow gene pool when they are vying for votes on the right wing.

The B.C. Federation of Labour also said that it was especially important for the labour movement to discuss the Nisga'a agreement everywhere it could since David Black who publishes 60 community newspapers in B.C. had given instructions to his editors

to publish only editorials opposing the settlement. Is that freedom of the press?

Then we have the other Black. If one is a Reformer I guess two Blacks make a right. The press is skewered, narrow and biased. I challenged the press. I said I would be more than happy to withdraw my comment that members of the press did not report the news in B.C. They try to create the news in B.C. They try to create it when 13 newspapers in my riding publish both sides of the story. Generally the B.C. press is a very sick organization, promoting only bad news concerning the native population.

In 1994 the governor general asked the press to give good news a chance. I challenge the press in B.C. to send me one item which shows something good being said about natives and native agreements, that they are not buying into scare tactics and fearmongering.

One organization on the Reform list, which was agreed to by both parties, brought in by that party was the Fraser Institute or the C.D. Howe Institute in British Columbia. As a rookie in 1994 I went to the Chateau Laurier to hear the Fraser Institute tell us that the present Minister of Finance would destroy the country, that we would never get out of the \$42 billion debt we were in. Everything was doom and gloom and would never work. Obviously two back to back balanced budgets have proven that statement wrong.

In my favour, I did not jump into the canal on the way back. To say that we did not hear evidence to the contrary is just not honest. We heard from Alpha Omega Capital Management which was hired by the member for Delta—South Richmond. There was someone who owned a calculator and asked them to skew the numbers so they would look bad. We listened to this group and asked questions. We received answers that had nothing to do with the truth. If someone is buying the guy who owns the calculator, then there will not be much of a debate.

What evidence did we hear from the B.C. Treaty Commission? The B.C. Treaty Commission conducted hearings all over the place. The one question I asked at every meeting was for it to tell us what it would do to improve the treaty process.

It is a treaty process. It is not the old Indian Lands Act where we take a bunch of people, set them on a reserve somewhere, send a cheque every month and tell them they cannot do anything. One can see that by going to the Sheshatsui reserve in Labrador which has the highest suicide rate in Canada. People have been taken and put 90 miles from nowhere. They are sent a cheque every month and told not to bother us. They have no hope. They have no future. They have no history. They have no caribou to hunt. They have no fish to fish. They have no industry to lean on.

• (1705)

What is it that they want to do with these people? Do they want to go back to that? Is that what they are doing? The treaty process is one that gives people fee simple, the right to own the land they

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build their houses on. Is there something terribly wrong with that? As a real estate agent for 30 years I say that it would be really nice for them to have fee simple as a basic right. Why would that not be a basic right in the Nisga'a agreement? Why would that not be something the Reform Party would adhere to?

What did we hear out there? We heard all kinds of evidence for and against. We had demonstrations by the Reform leader, Mr. Vander Zalm screaming, yelling, calling us names, insulting us, trying to do everything to make us feel as unparliamentary as possible. That was my 13th trip to British Columbia, by the way. I have skied there. I have been at Whistler. I have travelled extensively throughout British Columbia and it is the first time I have met people who were hostile.

I have always found the people of British Columbia to be caring, to be people who used reason and logic. They were basically a very friendly people with a very beautiful province. There I was faced with all this hostility. One of the people yelled out the name of the member for South Shore and said "Keddy, you are next. South Shore, you are next", as if they were going to get him next because he smiled at somebody in the audience. That is how sad it was. That is what we were dealing with out there.

To hear the evidence, to conclude from it, and to be told that I am less than a Canadian for even thinking that I could go out there and make an honest decision is beyond my scope of reason. I say shame on them for whipping up the crowd, for trying to skewer things so that we would not hear evidence, trying to manipulate the witness list and then trying to throw it back on us.

I know I am out of time but I could go on for a long time. No, I do not have notes. I speak from the heart.

Mr. Jay Hill (Prince George—Peace River, Ref.): Madam Speaker, when the hon. member opposite talks about what is sad, I think it is sad when an hon. member of the House would get up to make all those types of accusations as he just did in his remarks and not have absolutely any evidence to back them up.

He made statements such as that he was appalled the Reform Party would stoop so low to these kinds of tactics. He went on at one point to brag about the five minutes he gave up to my hon. colleague, the member for Prince George—Bulkley Valley, during the hearing in Prince George so that my colleague could address a certain witness who was appearing before the committee at a bit more length. He is quite right. My hon. colleague did thank him for that.

What I find appalling is that he obviously stooped to those types of tactics just so he could come into this place, stand before the television cameras and brag about how he gave up five minutes of his time.

I was present as well at the hearing held in Prince George because part of the beautiful city of Prince George is in my riding

as well as in the riding of the member for Prince George—Bulkley Valley. I had the good fortune, or the misfortune I guess is more closer to the truth, to attend that particular hearing. I have a distinctly different view of what transpired and I will go into that in some length when I have the opportunity to speak and set the record straight during my remarks later today.

The hon. member was quoted in the very first hearing held on the Monday of last week in the city of Terrace as saying "We are only in B.C. because of a tactic by the Reform Party to hijack parliament. This little dance and song is costing \$500 directly by the Reform Party".

• (1710)

Mr. Speaker, I would ask you and ask the viewing public at home—

The Deputy Speaker: You had better stick with me.

Mr. Jay Hill: Mr. Speaker, I ask the hon. member through you—and obviously the viewing public will make this judgment—if that sounds like someone who went out to British Columbia for those five hearings on five consecutive days with the intent of listening to British Columbians with an open mind.

Is that the type of comment that could be attributed to someone who went out there to listen with an open mind? I think not and I think the actions of the hon. member and some of his colleagues clearly demonstrated that during the hearings.

Mr. John O'Reilly: Mr. Speaker, I am always interested in the member's comments. He is articulate and carries himself well. He did so out at the meeting. I do not think he asked a question.

I was asked to go as part of the committee. I was also asked to stay home because of a vote that was to take place in the House. I said at that time, and I will say it again, that given the chance to go to Ottawa or British Columbia, no matter how bad the weather is, one bad weather day in British Columbia is better than five good weather days in Ottawa. I was very anxious to go to British Columbia. I went there with no preconceived notion other than from the evidence that I had heard from the Nisga'a and the treaty process in Ottawa.

I felt we did not have to spend \$500, as the member said, but \$500,000 brought on by the Reform Party. I was glad to go. I love British Columbia. I will go back any time. I would go next weekend if I could get away and the Reform Party would pay for it, which it said it would. I went with an open mind. I heard all the evidence. I heard many things.

I wonder if the Reform Party would vote against the hate laws that it just voted against, knowing what it knows now. Would it vote in favour of the Nunavik Act, knowing what it knows now? Would it not look at a treaty negotiated in good faith by the Nisga'a

and debated for the longest debate in the history of the B.C. legislature and think that sends a signal that the treaty is a good thing, that the treaty grants fee simple?

The member talks about the vast regions of B.C. and that someone from Ontario would not know about them. We are talking about 2,000 square acres. My area is 10,000 square acres. I think I have a decent sized riding to be able to speak on rural Canada. I could go on. I would like to ask more questions and receive some, but time does not permit.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Speaker, I would like to begin by notifying the Chair that I am pleased to split my time with my hon. colleague from Esquimalt—Juan de Fuca.

The hon. member across the way who just delivered his speech made some very serious allegations that I found quite disturbing, obviously since they were directed at me, at my party and at my colleagues.

I would like to start by noting that despite the claims to the contrary the reality is that the Liberal government in Ottawa shut down debate in the House of Commons on this piece of legislation after allowing the official opposition only four hours and 12 minutes of debate.

Why do I single out the official opposition other than the fact that obviously I am a member of it? The reality is that in this debate we have the absurd situation where three of the opposition parties are in total agreement with the government. They are not opposing it at all, even though there are things I am sure they could find wrong with the legislation and the treaty. They have to find something that they would oppose. Yet to listen to them in debate, one would think that it was perfect, that the whole situation has been supposedly resolved, that it is a perfect piece of legislation and they have little to do other than to support the government.

• (1715)

In reality, while we have had more debate than that, what is the point of debate or should we even call it debate, if speaker after speaker from the New Democratic Party, the Bloc Quebecois, and the Progressive Conservative Party are basically the mouthpieces for the Liberal government on the bill? How is that a debate? I think the people of Canada realize that it is not a debate.

The only true debate taking place is by the official opposition in the points it is raising. I pointed out to the viewing public that only four hours and 12 minutes so far have been allocated to members of the official opposition to bring forward these points of how the treaty, once implemented, is going to change the landscape of Canada for all time.

The thing that saddens me the most and which was really reinforced when the committee travelled last week to my home

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province of British Columbia is that democracy plays little or no role in this process. In fact, if democracy was ever a part of our political system in Canada, it is certainly nowhere to be found in the debate on the Nisga'a treaty.

I challenge the members, as did my leader when he made his remarks earlier today, that this debate is not so much about the specifics of the treaty. We have had the limited debate the government has allowed on that particular aspect contained in the treaty itself, the pros and cons. Obviously, the government is not listening to the points being brought forward about some of the dire consequences once it is rammed through parliament. The debate today is about the process of holding a referendum on the issue and giving all British Columbians the opportunity to vote either to support or to reject the Nisga'a treaty.

Let us look at the process that took place until now. Hon. members from across the way, and I believe from some of the other so-called opposition parties, have stated that it was Reform that forced the Standing Committee on Aboriginal Affairs and Northern Development to travel to British Columbia. Contrary to the points of view put forward by some of the members across the way, it was not to try and orchestrate some huge protest or to try to demean individuals and their parties. We were hoping against hope that once the committee was in British Columbia it would actually listen to British Columbians about this legislation and treaty. Unfortunately, that did not happen. Unfortunately, the committee chose not to listen. Unfortunately, it chose to prevent people from making presentations.

We tried to get the committee to spend more time in British Columbia. We tried to get it to go to more locations than just the five: Monday in Terrace; Tuesday in Smithers; Wednesday in Prince George; Thursday in Victoria; and Friday in Vancouver. We tried to get the committee into Kamloops but there was no movement by the government. It was opposed to letting the people of Kamloops come forward.

Let us review what took place at the meeting I attended. It is the one I have firsthand knowledge of because I was there. I was in the city of Prince George for that hearing. We started out with seven, possibly eight witnesses. A couple of possible or probable witnesses to appear were listed. All but one were from out of the area, from the lower mainland, from Vancouver, Vancouver Island. As time progressed, people dropped off for various reasons.

• (1720)

It came to the attention of the hon. member for Prince George—Bulkley Valley and myself that we were left with four witnesses that would appear that day. Three were from Vancouver or Vancouver Island. Only one was from Prince George itself.

When the hearings began, my colleague from Prince George—Bulkley Valley and I attempted to raise a point of order with the committee chair. We asked her, that since we had people who had

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dropped off the witness list and that since there were people who had taken time off work to attend that hearing that day who represented groups of local people in Prince George, if the committee in its wisdom could not decide to hear them. We all know that a committee is the master of its own destiny. It can make these decisions. It can change the format. It can change the witnesses if it so decides.

The chairman of the committee ruled that we were not even allowed to put forward that point of order. The government did not want to hear the people from Prince George who had taken time off work to go to that hearing. They were sitting in the audience, prepared to step up to the microphone and put forward their point of view on the treaty.

One group wanted to speak out in favour of a referendum. It has a very special interest in holding a referendum. It was the organization that had spearheaded a local plebiscite in Prince George. It was a voluntary plebiscite in which over 9,000 people participated. Some 9,000 people in northern British Columbia came forward voluntarily to participate even though it had no mandate and even though they knew their vote would probably fall on deaf ears. Nevertheless they came forward. People took the time to come from work or home to cast their ballot and 94% voted against the treaty.

That group, called B.C. in Focus is a non-partisan group. They are not Reformers. Certainly some of them are. Both the hon. member for Prince George—Bulkley Valley and I are here as testament that we have pretty solid support in the city of Prince George so obviously some of those people who belong to B.C. in Focus, that lobby group and citizens group, are obviously reformers. It is not some conspiracy concocted by the Reform Party of Canada. It is an independent group. It was refused the opportunity to put forward its point of view.

The other group was the Central Interior Logging Association. A gentleman whom I know reasonably well, Roy Nagel, is the general manager. That group came with a brief to put forward to the committee. The group asked for permission to do that and was turned away.

Some very unfortunate comments were made, I would agree with my hon. colleague from across the way. On behalf of the citizens and people of Prince George, I would apologize to anyone. The hon. member for Nunavut is present today, and I offer that unconditionally.

I think we have to look beyond the fact that those types of comments were made and look to why they were made. It is the extreme frustration the people of British Columbia are feeling about this process and the treaty. That is the problem. It has been a closed door process from the very beginning. People were shut out yet again when this group came to Prince George. Unfortunately some people voiced their frustration in ways that were not very kind.

Obviously we have to turn a corner here. I call upon all members of all parties to exercise their right to vote in favour of this motion and give the people of British Columbia a referendum on this treaty.

● (1725)

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, the member from Prince George made a statement about something that happened in Prince George which I had no intention of bringing up in the House today. I was there. I was at all the meetings. I would like an answer from the member for Prince George—Peace River. It would have been much more apropos to give the apology in Prince George, in the area the member represents with the people he represents.

Mr. Jay Hill: Mr. Speaker, we could debate all day whether it would have been apropos for me to make an apology. I was not the one who made those comments. I would never make those types of comments. The fact of the matter is as I have said, that I think people were expressing their deep frustration.

The hon. member for South Shore was part of a process of sucking up to the Liberal government during the hearings. That is the reality. I cannot speak about the other four hearings as I was not there, but everyone who was present at the hearing in Prince George saw the type of opposition member that the member for South Shore is. People were quite appalled by the fact that he supported the Liberal government in excluding people from Prince George who had taken time from work, had gone to that hearing and wanted to be heard. He supported the Liberal government in excluding those people and in denying them their democratic right to be heard. It has been pointed out that the committee incurred expenses with taxpayers' money to travel to British Columbia supposedly to listen to British Columbians on this important issue.

Imagine the extent of their frustration and anger. They had taken time off work to put their points of view forward. While sitting there they learned that the committee chair and the committee, supported by members like the member for South Shore, were going to deny them their right to be heard by the committee, yet their tax dollars had been used to fly in an author from Vancouver because he was the only person the committee could find who would support the Nisga'a treaty. It could not find local people so it had to fly in somebody from Vancouver at taxpayers' expense. This author was representing only himself. He was not representing a group. He admitted that during his testimony.

Sadly that frustration bubbled over and some very unkind things were said. As I already said I think the individuals who would have said those things, once they had calmed down, would apologize.

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, I appreciate the member informing us of what took place in Prince

George. I was not aware of exactly what took place. I have to admit that I am really saddened to hear that kind of a report coming from a group of people that claims to be a democracy travelling across the country listening to people. What a farce.

The member knows that I was in his riding and in the riding of the member for Skeena visiting with a lot of grassroots natives. Those people are suffering in squalor. They asked me if they would ever have an opportunity to have a word with the minister. I asked if they had every tried. They have tried thousands of times but they cannot get to the minister. They cannot get through to Indian affairs. They are not listening to the grassroots people, the ones who are hurting the most.

When the Nisga'a matter came up and I became aware of the committee travelling to British Columbia, I alerted some of these people to attend the sessions and try to get a voice. Could the member tell me about Terrace and Prince George? When the committee visited those areas, were grassroots natives trying to have a voice with the committee and if so, what was the result?

• (1730)

Mr. Jay Hill: Mr. Speaker, as my hon. colleague has quite rightly pointed out, there were grassroots native people present who would have liked to have had a chance at the microphone. They were excluded and that was noted in the local paper. It was not only non-aboriginals.

There is a final point I would briefly like to make. A referendum would not only give non-native or non-aboriginal people the right to vote on this. Very clearly it is not just the Nisga'a who deserve a vote, but also the Gitksan, the Gitanyow, other tribes and other Indian bands in the province. They deserve a vote as well. The referendum, were it to be supported by the House and put to the people of British Columbia, would accomplish exactly that.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, I would like to ask for the unanimous consent of the House to divide my time with my colleague from Nanaimo—Cowichan.

The Deputy Speaker: Is there unanimous consent for division of the hon. member's time?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Keith Martin: Mr. Speaker, I am disappointed because my hon. colleague from Nanaimo—Cowichan had a very important intervention to make on behalf of Mr. Ken Conrad of his riding, which would have been very valuable since he was an RCMP officer who worked closely with aboriginal people in Saskatchewan for a very long time.

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We have heard a great many comments from members across the way, comments that were extremely egregious, comments that were extremely false, comments about the B.C. media being biased. This issue is not about stupid political rhetoric, it is about people. This is about the most impoverished people in our society.

I would like to cite some examples from the first nation's aboriginal health task force which put together some information that I think would be very valuable to the House in understanding the scope of what we are dealing with, so that we do not have to listen to the idiotic comments coming from members on the other side which have no constructive basis whatsoever in trying to improve the health and welfare of the aboriginal people of this country.

First, I have some comments from the aboriginal community. Fifty per cent of aboriginal people have a water supply that does not even meet the minimal safe drinking water guidelines within Canada. Of the 613 water systems on reserve, 50% have no treatment facilities. Of the 71,531 homes on reserve outside the Northwest Territories, 20,700 have no indoor plumbing and 16,900 have no sewage system whatsoever. Sixty-eight per cent of aboriginal people were on social assistance in 1990. On reserve unemployment is greater than 30%. Seventy-five per cent of tuberculosis cases were in aboriginal communities, and on and on it goes. That is what we get for spending over \$6 billion on aboriginal services today.

If treaties are so good, then I think it is useful for us to take a look at where they have been employed, east of the Rockies. If treaties are so good, and the Nisga'a treaty is something that the government and other political parties want to pursue, then they must have a good track record and they must improve the health and welfare of aboriginal people. But that is not the case.

If we consider the treaties that have been signed east of the Rockies, if we look at what is happening to people in the trenches, if we look at aboriginal people on and off reserve, we see a deplorable situation. They occupy the lowest social rung in our society today.

Treaties, in their current form, do not work. They do not work because they further the separateness that is embodied in the Nisga'a treaty and the Indian Act. The government was not always so fixed on its current platform. In 1969 the Reform Party would have locked arms and pursued the course which the then government had agreed upon when the then aboriginal affairs minister, our current Prime Minister, produced a white paper.

At that time Prime Minister Trudeau said that aboriginal people stood at a fork in the road and they could do one of two things. They could either pursue the course embodied in the Indian Act of separate development, which has been like a boot on the necks of aboriginal people for more than 100 years, or they could pursue what the current Prime Minister said at that time. He said that it

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was time for aboriginal people to move forward, to own land as individuals, to have equality with non-aboriginals, to have the same opportunities, goals, rights and responsibilities as non-aboriginals, and that it was time for integration, not assimilation.

• (1735)

That is what the current Prime Minister said in 1969 with the support of Prime Minister Trudeau. That is 180 degrees from what he is saying today.

It is the Reform Party that wants to get rid of the Indian Act. It wants to pursue equality and give every aboriginal person the same rights and responsibilities and hope for the future as we have in the House today. The reason we oppose the Nisga'a agreement is not that we are against the Nisga'a people, it is because this treaty is an extension of the separateness and balkanization that is embodied in a 125 year history of separate development that has crushed the ability of aboriginal people to be the best they can become.

Every year \$6 billion is put into aboriginal affairs. Where is that money going? My colleagues from Wild Rose and Skeena have been listening to grassroots aboriginal people who have been telling them that they see money coming into the reserves but they do not know where it goes. They say that their children still lie on cold floors in basements and they still commit suicide because they see no hope. Where is the money going?

The department of Indian affairs was forced in over 150 cases to intervene in the management of aboriginal reserves. That is just the tip of the iceberg. Most often the department does not even want to go to determine what is going on.

At the end of the day, who really gets hurt? Is it the people at the top? It is the people whom the government professes it wants to help. They do not have a say. The grassroots aboriginal people, the man, woman and child who are on the street on and off reserve, do not have a voice. The Nisga'a agreement will not give them that voice because the power will be centred with the people at the top.

We would not want that for ourselves. Why is the government trying to pursue a course that would cement this kind of control at the top without any municipal power for the people and without the people having a say in a meaningful way? Why is the government continuing to support this course which has been proven to be an abysmal failure? I cannot understand it and my colleagues cannot understand it.

At the end of the day, our goals are the same. Not a person in the House wants to see the state of affairs of aboriginals on and off reserve worsen. We all want to see it improve. Our objection is that this is not what the Nisga'a agreement will do. What is worse, it will be a template for other agreements that will be made in British Columbia.

What the rest of the country does not understand is that in conjunction with Delgamuukw there will be an opportunity to open up treaties across the country. If we think we have problems now, imagine what it will be like in the future.

No one is even discussing who will pay for it. In Alberta alone the cost of trying to resolve aboriginal claims is estimated at \$107 billion. Money does not grow on trees. Where is the money going? Would it not be better if we scrapped the Indian Act and made selective investments in aboriginal services so that aboriginal people would have the training, job opportunities and skills required? People, regardless of their race, cannot have pride or self-respect if they are wards of the state.

For men and women to have self-respect and pride, they have to be able to provide for themselves, their families and their communities. That is the only way they will have the pride and self-respect which will enable them to stand on their own two feet.

• (1740)

What Reform wants is what the Prime Minister wanted in 1969, an opportunity for aboriginal people to exercise their traditional rights and responsibilities, to have the same rights and responsibilities as everyone else, to scrap the Indian Act and pursue a course of equality for all peoples.

The money that will go into this agreement and indeed the 50-plus agreements that will take place in B.C. will create a new level of bureaucracy that was agreed upon by former Premier Clark of British Columbia. It will also mean new bureaucracies at the provincial and federal levels.

Rather than putting that money into bureaucracies, why do we not put it into the hard edge of making sure these people have the skills to provide for themselves, their families and their communities?

People cannot have pride and self-respect if they are wards of the state. Over the last 125 years we have created an institutionalized welfare state. If you visit many reserves, Mr. Speaker, you will see this.

During my time working as a physician on and off reserve I went to these reserves. I saw people in the worst possible state of affairs. I have not seen things like that since I worked in Africa.

We should not have that in this country. We should pursue a course that will empower and strengthen individual aboriginal people, rather than the leadership at the top. That is something on which we would work with the government to pursue, but we will oppose the government if it tries to put the strength and the power of this agreement in the hands of a very few while excluding the majority.

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Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have listened with care today to the member for Esquimalt—Juan de Fuca.

I want to ask him questions in two areas. The first concerns his suggestion that this is an agreement that does not respect the rights of the Nisga'a people themselves. I believe that he said that the concerns of the grassroots Nisga'a people were being ignored in this particular process. He talked about control from the top of the Nisga'a leadership.

Perhaps the hon. member is not aware of the fact that there was a vote among the Nisga'a people themselves. I want to remind the hon. member of that. There was a democratic vote among the Nisga'a people to ratify this particular treaty and 71% of those grassroots Nisga'a people voted in support of this treaty.

How on earth can the member suggest that this treaty does not have the support of the grassroots Nisga'a people when they overwhelmingly voted in favour of it? I suspect that the hon. member himself got something less than 71% of the vote in the last federal election. Is he suggesting that somehow his mandate was illegitimate because he did not get 71% of the vote? I ask him that question.

My second very brief question is this. The member understands better than most members of the House the evils of apartheid in South Africa. How could he possibly compare that to the ratification of this Nisga'a treaty, which is supported overwhelmingly by the Nisga'a people and the Nisga'a leadership, which will lead to a sense of pride and self-respect? How could he so degrade and pervert history as to suggest that this has anything to do with apartheid whatsoever?

Mr. Keith Martin: Madam Speaker, I will educate the hon. member on one thing and that is what apartheid means. Apartheid is separate development. That is what the Nisga'a treaty is all about. That is what this process is all about. It is separate development. I suggest that he look in the dictionary to prove that to himself.

With respect to his first comment about what the Nisga'a said, he may be interested to speak to many Nisga'a people who are actually concerned that this is not representing their interests. Many of the Nisga'a people are going along with the flow because they do not see another option. There are Nisga'a people who are saying very clearly to us that they have been excluded from this process, that they are not aware of what is going on and that they are not being told by their leadership what is going on.

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Madam Speaker, I listened very closely to the hon. member for Esquimalt—Juan de Fuca. I know that his party, the Reform Party, is fighting tooth and nail against the Nisga'a bill. I respect the hon. member's views very much. Certainly I think he is

always very sincere in the debates we have in the House. Just as hard as he is fighting now, his party fought very hard against hate motivated crimes. Just this last week, we saw a tragic case in Surrey, British Columbia where a Sikh man was murdered. The Reform Party in the House fought against the Liberals, the NDP and the Conservatives, and now it has voted in favour of increasing sentences for hate motivated crimes.

• (1745)

I think British Columbians and people who live in Vancouver would like to know from this member whether he and his party would vote the same way having seen what happened and having seen this law now work where the sentences were increased to those social misfits who murdered this innocent individual. Would they still vote in the same way on hate motivated crime that this government and all members in the House, except the members of the Reform Party, voted in 1995. Would he still vote the same way and would his party still vote the same way?

Mr. Keith Martin: Madam Speaker, I would first refer the minister to the comment by my colleague from Surrey Central, who is also a Sikh and who made a very eloquent, passionate statement in the House concerning that issue. In our view, the scum who killed that Sikh gentleman should have been put away for a longer time. That is the bottom line. They committed an atrocious act.

What the Reform Party is saying on violent crimes or hate crimes is that if somebody commits a crime against another person because of the colour of their skin, is that really worse than committing a crime, a random act of violence? Is it worse if someone is hurt because of the colour of their skin or their religion, or if somebody happens to be passing by and their head is smashed in? They are both victims and they have both been hurt. They both have families that are hurt. They both bleed equally and both feel the same amount of pain.

The problem is that the judicial system is not supporting the victim. Right now the federal government should be pursuing a course where scum who commit an egregious act will be dealt with in a much stronger way.

Mr. David Iftody (Parliamentary Secretary to Minister of Indian Affairs and Northern Development, Lib.): Madam Speaker, it is a pleasure to be able to conclude the debate this evening on this motion put forward by the Reform Party.

I just returned to the House after a week of public hearings in the beautiful province of British Columbia. I will begin by thanking all those citizens who participated, both directly and indirectly, in that process and for their views, which have been considered in the House and will be considered throughout the debate on this important process.

I stand before the House today not only to show my personal and the government's support for the proposed legislation to ratify the

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Nisga'a final agreement, but also to clarify once and for all the many reasons why a referendum in British Columbia would be the wrong thing to do.

I am here to ask: What Nisga'a treaty are the members of the opposition talking about, the real Nisga'a final agreement before us or the mythical one that they purposely continue to misrepresent?

I do not think we can categorize any of the opposition party members as forward-thinkers, least of all their leader. If they had their way they would subject their version of the Nisga'a final agreement to a British Columbia province-wide referendum. They claim that the treaty will be an amendment to the Canadian constitution and that it therefore triggers a referendum under legislation in effect in British Columbia.

If they had read the final agreement, which my minister has suggested today, went out into the communities with those concerned citizens that they purport to represent and worked page by page and paragraph and paragraph through that treaty, they would have come to no other conclusion than that this was not a constitutional amendment.

This is a good treaty. It is good for the people of Nisga'a. It is good for their neighbours who have said so. It is good for the people of British Columbia and, therefore, I believe for all of us. They would see for themselves that section 8 of the general provisions chapter clearly states that the agreement does not alter the constitution. In fact, we put that in the agreement specifically in anticipation of these questions.

• (1750)

Mr. Dale Johnston: Madam Speaker, I rise on a point of order. I wonder if the member opposite can say that the Reform Party is purposely trying to misrepresent. I would like to—

The Acting Speaker (Ms. Thibeault): We are getting into debate right now. The hon. parliamentary secretary.

Mr. Dale Johnston: Madam Speaker, I am asking if the gentleman across the way is using parliamentary language when he accuses the Reform Party of purposely trying to mislead.

The Acting Speaker (Ms. Thibeault): We are getting very close to the line right now. I will ask the parliamentary secretary to please use his language very judiciously.

Mr. David Iftody: Madam Speaker, I would say that perhaps it was not purposeful, that it was not intentional but that it was perhaps systematic. I think I will go to that safe ground and continue.

Moreover, Bill C-9 affirms this provision of the final agreement and notes that our constitution is the supreme law of Canada. This

agreement does not and cannot alter our constitution. To suggest otherwise is nonsense. The rights contained in the agreement, including the governance rights of the Nisga'a, will be protected by section 35 of the constitution but the protection of these rights does not alter the constitution.

Brian Slattery, professor of law at Osgoode Hall Law School at York University, agrees. He says:

There is nothing in section 35 (or indeed elsewhere in the Constitution Act, 1982) to suggest that such treaties and agreements must be implemented by constitutional amendment in order to take effect or to receive constitutional protection.

Peter Hogg, a recognized constitutional law expert and dean of Osgoode Hall, has also publicly said that in his opinion "it would be undesirable to hold a referendum every time a treaty is entered into with aboriginal people". It is worth repeating that at the beginning of the formation of our country, when the British crown signed treaties on behalf of the King of England there was not a referendum back in England or even a vote for that matter in the House of Commons.

He continues by saying:

These treaties are intended to provide clarity and certainty to aboriginal rights that have been held by aboriginal people since before European settlement. The treaties are long, complicated documents reflecting years of negotiation and much compromise on both sides. It would be very difficult to communicate all the issues in a balanced way in a province-wide referendum.

This was stated by Canada's leading constitutional expert.

How does the opposition party propose to reduce a 500 page legal document to one question? I can just imagine how loaded its over-simplified—and we have seen this after six years in the House—question might look, especially since it appears to be debating a different document than 80% of the rest of us in the House.

What is the point of negotiating treaties at all if the opposition party would have its way?

Mr. Joe Easingwood wrote in the *Victoria Times Colonist* that "considering it has taken some 30 years, plus intense, complex and emotional negotiation to work out this proposed Nisga'a treaty, how can anyone with an ounce of credibility suggest that the issue can be boiled down to a single question on a referendum?"

A referendum is a totally inappropriate way to deal with a large complex package of provisions such as the Nisga'a treaty. And, the people of British Columbia have already had a voice in negotiations. The Nisga'a negotiations included one of the most extensive consultations and public information exercises ever conducted in the context of treaty negotiations in Canada. Approximately 500 meetings were held in relation to the negotiation of the agreement in principle and final agreement.

Supply

• (1755)

Much of the advice from these consultations is reflected in the document before the House. For example, those consulted indicated that they wanted the treaty to represent a final settlement with the Nisga'a people. The final agreement is a full and final settlement of the Nisga'a aboriginal and treaty rights.

Third parties wanted conservation to be a priority in the areas of fisheries and wildlife. The Nisga'a final agreement contains provisions to ensure that federal and provincial ministers retain their overall authority. I will say that again. The federal and provincial ministers retain their overall legislative authority to manage fish and wildlife. Conservation, public health and public safety are identified in the final agreement as top priorities.

There are other provisions contained in the treaty that allow Nisga'a lands to be registered in the British Columbia land title system. We have heard a lot of hollering and yelling about communal systems. This is not true. These provisions are a direct result of third party advice that we have heard, listened to and acted upon.

We also found through consultations that it was important to third parties that the Canadian Charter of Rights and Freedoms and federal laws such as the criminal code continue to apply. Those do as well.

Third parties in advisory committees also indicated that they wanted all citizens to be subject to the same taxation regimes. Through the final agreement, the Nisga'a will pay taxes in the same way other British Columbians do after a transition period of eight years for sales tax and twelve years for income taxes. And the Nisga'a government receives a tax exemption similar to that provided to municipal governments. What could be more fair? Do we not say that we want all people to be equal? Is this not an important provision that the people of British Columbia would accept when we say that for the first time in Canadian history we have a treaty where the first nations people are saying to the federal and provincial crowns that they will pay those taxes the same way anyone else does? I think that is an honourable and very dignified compromise.

In the past, the federal and provincial governments have entered into many agreements and passed many laws that have far more consequences on the majority of Canadians than will the Nisga'a treaty. Let us take the North American Free Trade, the original Free Trade Agreement or the Columbia River Treaty. None of these were subject to a referendum.

Where referendums have been used in the past, they have been in respect of a single, or at least a relatively narrow set of issues. Compare, for example, the complexity of the Nisga'a treaty with the single question that was posed to the people of Quebec in the referendum on separation.

The Nisga'a treaty is complex. It deals with dozens and dozens of different issues. Within each of these issues there are many complex provisions, compromises and specific arrangements. This sort of package is not conducive to an all or nothing consideration demanded in a referendum vote.

Mr. Ken Georgetti of the B.C. Federation of Labour recognizes the ramifications of a referendum. In his words:

The Nisga'a Final Agreement is one of the most important social and economic developments of the last century—A referendum on the Nisga'a Treaty would be analogous to requiring a public sector union to submit its collective agreement to a province-wide vote.

Of course, to all Canadians this is unacceptable.

The real goal for a referendum is to block the treaty.

Leaders from all walks of life recognize that the Nisga'a treaty is the result of more than 20 years of intense negotiations. The treaty represents a delicate balancing of interests and reflects the compromises and trade-offs made by British Columbia, Canada and the Nisga'a people. It is not possible to re-open or attack one portion of the treaty without undermining the entire agreement.

Early on during the negotiations, Canada, British Columbia and the Nisga'a agreed at the negotiation table on a specific process they would use to ratify the final agreement. We are now, thankfully, in the final stages of that process.

• (1800)

The Nisga'a have ratified the treaty. The province of British Columbia has ratified the treaty with the historical debate in the provincial legislature, some 120 hours of debate, the longest in the history of that legislature.

Now it is Canada's turn to go through the ratification process. This government is committed to concluding treaties with Canada's first people. Treaty making is a federal responsibility under subsection 91(24) of the Constitution Act, 1857. The province's involvement is necessary in order to ensure that land and other resources are properly dealt with.

However, the legal reality is that treaty making is a national responsibility that transcends the interests of individual provinces. This is reflected in the fact that the federal government is providing the great majority of money that represents the costs of the treaty. The member for Burnaby—Douglas made that point earlier in the debate today. There is therefore no basis for a provincial referendum in which British Columbians alone would determine whether or not this national endeavour would go forward.

The Nisga'a final agreement represents a fulfilment of more than 20 years of negotiations. The opposition party would have us withdraw our commitment to it. Honourable governments must

Supply

continue to be honourable. They must follow through on agreements negotiated in good faith. Perhaps the opposition does not share this.

The community of Terrace is the closest neighbouring community to the proposed Nisga'a lands. We heard this morning, this afternoon and throughout the debate that the mayor came to the hearings in Terrace. He appeared before us and under cross-examination we asked him if it was only his view to support it because, as the member from Skeena says, he is a Liberal. No, that was not true at all. In fact, his six councillors debated a motion put forward by one of them several months ago whether to ratify or not ratify the treaty. It was unanimously agreed to by the Terrace council. It was unanimously agreed to by grassroots politicians to accept the deal.

Further, Joanne Monaghan, regional chair of the district in the Nisga'a area representing 45,000 people and some 40 to 50 politicians in that catchment area, appeared before the committee too. Again under cross-examination, so that we could be very clear about the intentions of local people and grassroots people, she told us that unequivocally and categorically, having thought about it for years and originally not a supporter of treaties, that she supported it. It was good for her, good for her people, good for the area and good for the Nisga'a people. She believed as well that it was good for British Columbia and Canada.

A referendum would be just plain unfair to the Nisga'a people. When the negotiations commenced and when framework agreements were entered into among the parties, the understanding was that the final agreement would be ratified by votes of the Nisga'a nation, the provincial legislature and parliament. We agreed to that and we will have our vote in parliament. The Nisga'a agreement in principle included this understanding. There has never been any suggestion that the Nisga'a final agreement would be passed outside that process.

Why would we subject the Nisga'a to this process at two minutes before the hour? No treaty or land claim agreement in the history of Canada has ever been subject to a provincial or national referendum. By the time all land claims in British Columbia have been settled 30 to 50 treaties will have been signed. Is the opposition saying that it would subject each one of these agreements to a provincial or national referendum? What nonsense. Reasonable people understand how unfair and how foolish it would be to arbitrarily impose such a hurdle on these first nations people.

Canada is a parliamentary democracy. The federal government is composed of members who are elected and accountable to our voters, including the decision that was made on how the Nisga'a treaty would be ratified. The people of Canada elected this government to do the right thing, and we are doing the right thing. We are honouring the terms of the ratification we made with the Government of British Columbia, the people of British Columbia

and the Nisga'a people. We are honouring the obligations bestowed upon us by the people of Canada who elected us.

● (1805)

Reformers would have Canadians wrongfully believe in their mythical treaty and renege on their word to the Nisga'a people and the Government of British Columbia. What are they really asking us to do? Are they asking us to perpetuate the status quo in continuing uncertainty in British Columbia? The opposition has proven adept at creating myths and continue to fall flat in making its intentions known for clear and viable alternatives to present to the Canadian people.

It is just not fair. We have an agreement that will work. It is one that is fair and equitable. It was negotiated in good faith. We have every intention of keeping our promise to the Nisga'a people, to the mayor of Terrace and to the politicians in that region who support it. We will keep our promise generally with the people of British Columbia through the legislature and through their due process where this was debated. We will keep our promise to the House and the honour and dignity of the House to do the right thing through both substantive and procedural justice so the treaty will come to the floor of the House.

Reform Party members on the other side will be standing alone with the 21st century only 39 or 40 days away on one of the last pieces of business we will do before returning to our ridings throughout Canada. They will wear the badge going into the new millennium as the only party in the House to oppose progress, to oppose peace among Canada and the first nations people, and to oppose moving them from the backwoods and the doorsteps into the front with all Canadians in the 21st century.

On behalf of my colleagues I want to say that we will not have anything to do with it. We are doing the right thing. We will not be on the side of wrong.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Madam Speaker, last week I had the pleasure of participating in the work of the Standing Committee on Aboriginal Affairs and Northern Development with the parliamentary secretary.

I too noted that, contrary to what Reformers are saying, a number of individuals, groups and even other first nations support the Nisga'a agreement, although we should be concerned about problems of overlap that certain nations have drawn to our attention.

I wish to comment on what the parliamentary secretary said, to note that the federal government does not appear to want to hold a referendum, to take the approach proposed by Reformers, because not only does it want to respect the will of the provincial government to consult and take the decisions it sees fit in this regard, but

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also, and particularly, because it wants to respect the decision of the Nisga'a nation, which has itself opted, through a referendum, for the new political status conferred on it by the Nisga'a Final Agreement.

I am therefore very pleased to note the will of the federal government to respect the popular and political will of the Nisga'a nation.

[*English*]

Mr. David Iftody: Madam Speaker, I think it was more of a comment by my distinguished colleague. I thank him for his good work on the committee as we travelled through rural British Columbia. I have great respect for the member. Those watching television right now, including my friend Jeremy from Oakbank, would want to know that the member who just asked the question is an expert in these matters.

We respect the wishes of the people. We have done that with respect to the Nisga'a. They held their own internal process which was outlined in the agreement in principle. They went through that ratification process, voting with members both off and on reserve, as was noted by the member from Burnaby and others today, with an acceptance of 71%. I think that is a good number of to start with.

• (1810)

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Madam Speaker, this member just recently shut down some interventions in the House on behalf of Canadians. I would like to ask him on behalf of my constituents if he agrees with the statement that Mr. Ken Conrad from my riding wanted to make to the aboriginal affairs committee when it travelled to Victoria.

Along with many other Canadians in B.C. he was not allowed to address his concerns. I am told that members such as the one opposite simply mocked the people who had any concerns about Nisga'a. That does not surprise me with the Liberal record on undemocratic methods.

I will ask the hon. member about this comment. Mr. Conrad says that all this is an ill-conceived creation of the federal Liberal and provincial NDP governments. From all that he can gather from discussing these agreements with his native friends, governments made no efforts to reach out to the grassroots natives who must live with this decision. The only people they have consistently consulted with are the persons whom they deem to be leaders of the communities. He suggests that they not use the excuse they can submit their concerns directly to the department of Indian affairs, that it is common knowledge that any adverse communication ends back in the hands of those being criticized. They have failed to communicate with these people directly and have lost their respect in any process which they are currently undertaking.

If this gentleman who has worked with native Canadians for a long time is correct then I am asking the member if this does not bode ill for the future.

Mr. David Iftody: Madam Speaker, I thank the hon. member for the question. The process with respect to the selection of witnesses was done in camera. Although the Reform Party has chosen to put that in the public domain, I will not go there, only to say that I have gone on record on *CBC Newsworld* as commenting that the House leader for the Reform Party, after the selection of witnesses, thanked me for being very fair and reasonable in terms of including a number of people from the riding of the hon. member for Skeena who wanted to be included.

To Mr. Conrad, whom he is allegedly quoting, I suspect some person from his riding, I would say that in fact we did hear from these kinds of people. There was a Mr. Barton who is a Nisga'a person who filed a number of charges in the courts. One of the courts, the court of appeal, heard the case in Kamloops and ruled against him although there were a couple of court cases wherein he brought charges against the Nisga'a people and was found seriously wanting in those charges.

I can report that he would say that if there is anyone who is grassroots it has to be Mr. Barton. We accepted him and embraced him to come before our committee in Terrace. We heard him for about an hour and a half in his testimony and we understood very clearly where he was coming from. I do not accept at all the suggestion or allegation that we are not listening to grassroots people.

The hon. member is quite right. I have spent quite a bit of time in my professional life working with folks from first nations. I think they would be quite surprised indeed to learn that the Reform Party somehow was their spokesperson.

The Acting Speaker (Ms. Thibeault): It being 6.15 p.m. and pursuant to order made earlier today, all questions necessary to dispose of the motion are deemed put and a recorded division deemed requested and deferred until Tuesday, November 23, 1999, at the expiry of the time provided for Government Orders.

ADJOURNMENT PROCEEDINGS

• (1815)

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

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AGRICULTURE

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Madam Speaker, I rise this evening to follow up on a question I raised with the minister concerning agriculture in Saskatchewan.

Farmers are suffering the worst income crisis since the depression. The reason is that the cost of production far exceeds in most cases the costs and revenues they receive when they sell their products. Farmers are feeling very desperate and abandoned by the Liberal government.

We saw in the *Star-Phoenix* and the *Leader-Post* newspapers on Monday, October 25 headline stories, which by the way were during the Saskatoon—Rosetown—Biggar byelection, to the effect that the Minister of Finance said that there will be \$900 million more provided to farmers in western Canada. When I raised the issue in the House of Commons, the Minister of Finance ducked the issue.

We have seen the Liberals, egged on by the Reform Party, cut more agriculture subsidies than has any other country in the world in the last five years. As a matter of fact the Reform Party wanted more cuts to agriculture than we have already witnessed. This has brought a great deal of hardship to our agricultural economy.

In 1995 there was the elimination of the Crow benefit. This was a transportation subsidy provided to farmers in western Canada, not for free but in exchange for billions of dollars of assets, land and mineral rights provided to the railroads so they could use that revenue and those assets to subsidize inland grain transportation to the ports.

The Liberals eliminated the Crow benefit and they supported the CPR in getting rid of all of the very high profit centres. Like the oil business, the pan-Canadian company which is now a CPR subsidiary does not contribute to rail transportation whatsoever. There is Cominco, the mining company. There is the land company from CPR. They have all made hundreds of millions of dollars of profits annually, yet the farmers are continuing to be squeezed by CPR and CNR at the encouragement of this government.

In the newspaper the other day, the minister of government services was quoted as saying "The disaster financial assistance arrangements are a good example of the co-operation and solidarity which characterize so well our Canadian society". This is in reference to yet \$100 million more going to Quebec for the ice storm. He talks about how proud he is to provide this financial help on behalf of the government to help Quebec farmers and others. Yet when it comes to the disaster of mega proportions in western Canada, the Liberal government is nowhere to be seen.

We are trying to find out today from the Minister of Finance if he was playing politics in the Saskatoon—Rosetown—Biggar byelection

when he falsely announced \$900 million more for agricultural aid. Was he misinforming farmers? Was he misleading the electorate in that byelection? What was he doing? Obviously, he did not come forward with the money. Or did he just not understand the hardship that the Liberal government and the Reform Party have inflicted upon western agriculture?

We look forward to having an answer from the Minister of Finance this evening. Will he come clean and tell the people of this country and the people of Saskatchewan why he misled them with respect to agriculture assistance?

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Madam Speaker, while overall the agriculture and food sector is strong and makes a significant contribution to the Canadian economy, the government knows very well that the past year has not been an easy time for many producers.

The updated projections which were released on November 2 were produced jointly with the provinces. The Department of Agriculture and Agri-Food does not produce incorrect or misleading information. The \$325 million upward revision between the July and November projections for 1999 is mainly the result of an increase in NISA payments, cattle and durum wheat receipts, combined with a decrease in operating costs, in particular, pesticide and fertilizer.

The farm income forecasts are not the most important issue here. Numbers are fluid and changing. Whatever the numbers turn out to be, they are just that, numbers. The real subject here is people, not income forecasts.

We know it is an extremely difficult situation for many farm families, particularly in the west. As a government we will respond to the human situation wherever that occurs.

In response to the current income situation, the government moved to the aid of Canadian farmers by introducing the agricultural income disaster assistance program. Through AIDA the Government of Canada is making available almost \$1.1 billion to those farmers facing severe income declines. With provincial participation, the AIDA program would now put \$1.78 billion into farmers' hands. This funding is in addition to the \$1 billion that federal and provincial governments contribute each year to safety net programs.

• (1820)

POVERTY

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, today in the House when I asked the government what action it would take to face up to the horrible reality that child poverty has increased by 50% since 1989 as a result of the finance minister's policy, the only reply of the Minister of Human Resources Development

opment was that I should read the throne speech as evidence of the government's attention. I have read it many times, searched high and low, and it tells us nothing.

I would urge the minister to read the recently released National Council on Welfare report that slams her government for its inaction on poverty. The National Council on Welfare is actually appointed by the government and has produced excellent reports that document over and over the plight of poor children and their parents.

Just think of it. Since the unanimous resolution was passed in the House of Commons in 1989, there are now half a million more poor children in Canada. On every front, government policy is the reason for the growing gap between poor and wealthy Canadians. Whether it is the elimination of the Canada assistance plan in 1996, the elimination of social housing in 1993, or the broken Liberal promises on 150,000 child care spaces, or the cruel and vicious cuts to unemployment insurance that have literally driven women into poverty, the government's record is awful, just awful.

I have spoken many times in parliament about poverty. I have met with many social justice and anti-poverty and housing groups across the country. In fact I travelled across Canada in February and met firsthand with front line housing activists. I met with homeless people and people who are one paycheque away from destitution. I can say they are fed up with the government's pathetic excuses and so am I. I feel quite ill when I hear the typical message box response, the sweet words of concern, while the poor are being hammered and pepper sprayed.

So again I ask the government, when will the Liberal government stop poor bashing? When will we see a real commitment to the 1% solution for a national housing plan? When will the government use its massive resources for people, for a national child care program, for fair taxation, for housing and for healthy kids?

I implore the government, no more professed concerns. We need real substantive action to end the war on the poor. I can already hear the Liberal message box response.

Ms. Carolyn Parrish (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Madam Speaker, I am pleased to review today the Government of Canada's housing policy.

Canada Mortgage and Housing Corporation, our national housing agency, is responsible for carrying out the government's housing policy. The policy involves improving housing affordability, accessibility and choice in housing for Canadians.

I can assure my hon. colleagues that the government understands the importance of helping Canadians meet their housing needs. Our commitment to housing is visible in communities right across the country.

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For example, the Government of Canada contributes \$1.9 billion to support approximately 644,000 community based housing units for seniors, people with disabilities, and low income families. This includes support for non-profit and co-op housing projects in many communities, as well as support for low income aboriginal people in cities and on reserves. My hon. colleagues are probably familiar with such housing in their own ridings.

Through CMHC's mortgage loan insurance, Canadians are able to gain access to affordable financing choices. In the past year, CMHC has helped Canadians gain access to over 475,000 homes with the use of mortgage loan insurance at no cost to the government.

Through its research activities, CMHC encourages innovation in housing design and technology, community planning, housing choice and financing to improve the quality, affordability and choice of housing available in Canada.

The government is well aware that in spite of its significant efforts in the housing field, our country is experiencing a problem with homelessness. We are working in partnership with governments, community organizations and the private sector to find solutions to this extremely complex issue.

Rest assured the government will enthusiastically support the activities of CMHC to ensure that our national housing agency can continue to carry out our housing policies in the most efficient and effective manner possible for the benefit of all Canadians.

● (1825)

FOREIGN AFFAIRS

Hon. Charles Caccia (Davenport, Lib.): Madam Speaker, on May 15, 1998 and again on November 3, 1999, I asked the Minister of Foreign Affairs when he planned to introduce legislation to ban water exports and removals.

Today, the minister introduced Bill C-15, an act to amend the International Boundary Waters Treaty Act. These amendments will only prohibit the removal of boundary water between Canada and the United States.

While these amendments would cover only boundary waters such as the Great Lakes and Columbia River, they would leave out most of our lakes, many water bodies, the entire province of Newfoundland and et cetera.

This is a most frustrating situation considering the fact that we are still waiting for the water export policy as well as for the comprehensive water policy as recommended by the Pearse report 15 years ago.

Then there is the question of the proposed voluntary accord. I wish to congratulate the federal environment minister for taking a

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watershed approach that would ban the removal of water from its natural basin. Clearly, this is more comprehensive than a simple export ban as it makes ecological sense to stop bulk water removal at the source and not only at the border.

However, the Minister of the Environment intends to do so through a federal-provincial voluntary agreement to ban water removal from major drainage basins. I submit this approach ought to be broadened to all Canadian water bodies and not limited to boundary waters. I am saying this for three reasons or at least two.

First, the proposed voluntary accord would be just that, voluntary. It would not legally bind any province to protect our water resources.

Second, the proposed accord would do nothing to prohibit export initiatives undertaken by municipalities, crown agencies, corporations or even private parties. Even if the provinces wanted to ban water removals and exports, it is the federal government that has the constitutional authority to regulate trade.

Understandably, the federal government hopes that a province by province voluntary ban would treat water protection strictly as an environmental issue and that trade lawyers will not see the disguise.

However, water removals and exports are already a trade issue since there is a challenge under NAFTA brought by a water export company against the Government of Canada for compensation because of British Columbia's decision to ban water exports. Through the proposed accord, the federal government is thus asking the provinces to take their own action on banning water exports.

The government's definition of basins as Canadian is weak because basin describes a geographical feature without regard to political boundaries. The concept of basin is problematic for an accord or legislation intended to secure resources management for political institutions. This is an essential concept for any legislation that intends to withstand trade challenges that are exactly intended to transcend political boundaries.

The proposed accord will lead to a patchwork of provincial initiatives, thus making Canada more vulnerable to trade challenges. The legislation tabled today is, it seems to me, too limited in scope to provide protection to most of our water bodies.

It seems quite clear, that a meaningful protection of our water resources requires the federal government to face the reality of international trade agreements. In search of the most effective strategy to protect our water resources from exports, I would recommend: first, to enact federal legislation designed specifically for the purpose of banning bulk transboundary water removals from Canada; and second, to renegotiate international trade agreements to seek an exclusion or waiver of water from such agreements.

I look forward to the parliamentary secretary's comments.

Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Madam Speaker, Canadians are looking to all levels of government to take action now to ensure that Canada's freshwater resources are secure as we pass into the 21st century.

The federal government recognizes the importance of this question. Last February, we announced a three point strategy to prohibit the bulk removal of water from all Canadian water basins.

[*Translation*]

I am pleased to announce that marked progress has been made in connection with the three components of our strategy.

As promised, we have today introduced in parliament some amendments to the International Boundary Waters Treaty Act. The Government of Canada is therefore acting within its jurisdiction.

With these changes, the Minister of Foreign Affairs will have the power to ban the bulk removal of water from boundary water basins. This means that the vast resources of the Great Lakes and other boundary waters—for example, Lakes Champlain and Memphrémagog in my own riding—will be protected from bulk removal of water under the federal legislation.

• (1830)

[*English*]

The international joint commission, responding to the joint Canada-U.S. reference on water uses in the Great Lakes, concluded in its August 1999 interim report that there is no surplus water in the Great Lakes, and recommended, pending the final report due next February, a very cautious approach to bulk removals or diversions of water. This is precisely what the federal government is doing in its strategy and amendments to the act.

We will be providing a formal response to the international joint commission soon, and the federal government has called for a Canada-wide accord to prohibit the bulk removal of water from all Canadian water basins. The Minister of the Environment plans to have the agreement of his provincial and territorial colleagues on the accord within the next weeks.

[*Translation*]

The Government of Canada has shown initiative in this affair.

The Acting Speaker (Ms. Thibeault): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.31 p.m.)

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