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OFFICIAL REPORT
(HANSARD)

Wednesday, October 27, 2004

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, October 27, 2004

The House met at 2 p.m.

Prayers

• (1400)

[*English*]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Peterborough.

[*Members sang the national anthem*]

STATEMENTS BY MEMBERS

[*English*]

CALVIN RUCK

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, I rise today to honour a great Canadian, a true civil rights hero in Nova Scotia, who passed away last week. Calvin Ruck was born in Sydney, Nova Scotia in 1925. He led a remarkable life. He was a labourer at Dominion Steel and Coal Corporation. He worked for CN as a porter and was a small business owner.

Believing deeply in education, he returned to school in 1979 at the age of 54 and received a diploma from the Maritime School of Social Work. Each year the Maritime School of Social Work awards the Dr. Calvin Ruck Scholarship.

He received many honours, including the Order of Canada, the Governor General's Commemorative Medal, and the Harry Jerome Award. He was conferred two honorary degrees from both Dalhousie and King's University.

He was summoned in 1998 to the Senate, serving until his retirement in 2000, only the third African Canadian to enter the upper chamber. His son Martin told me last week that the most amazing thing about his father was his humility. This was a remarkably humble man who made the world better in so many ways.

I hope all members join me in sending our best wishes and condolences to the wife and family of Calvin Ruck.

LOU SOPPIT

Mr. Dale Johnston (Wetaskiwin, CPC): Mr. Speaker, I am proud to recognize the exemplary municipal career of Lou Soppit from the historic Alberta town of Rocky Mountain House.

Lou's 7 years as a councillor and 27 years as mayor make him one of Canada's longest, continuous, elected civic leaders. Lou Soppit is a consensus builder who developed ongoing partnership agreements with neighbouring counties and municipalities. Among his long list of accomplishments are the arena complex, the community trail system, the Native Friendship Centre and the Clearwater Multi-discipline Senior Centre.

He was named a special ambassador for the 2005 centennial and is a recipient of the Queen's Jubilee Medal for outstanding service to Canada and his community.

As proud as he is of the unique history of Rocky Mountain House, the coming together of the fur trade companies, the first nations people, and the explorer David Thompson, Lou denies that he was a voyageur with Thompson's crew in 1799.

I wish to thank Lou for serving the citizens of Rocky Mountain House with such competence and compassion for the past 34 years.

* * *

• (1405)

PERDITA FELICIEN

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, while amateur athletes may fade from limelight, they are certainly not far from the hearts of Canadians.

I rise today to recognize a world class athlete, someone who has accomplished a great deal in the 100 metre hurdles, Perdita Felicien, who is also a constituent. More important, she is a remarkable Canadian.

I watched how she handled herself in Athens after her setback. The way in which she handled herself made us more proud than if she had won a gold medal. I think she truly embodied the spirit of what the Olympics were about and what our Olympians accomplished.

To Perdita, who is a constituent in the riding of Ajax—Pickering, someone who is a great Canadian, who does so much in our community and is such a wonderful role model and incredible spokesperson for the spirit of the Olympics and sport, I thank her for her contribution. I think she deserves to be recognized in the House.

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[*Translation*]

AGRICULTURE

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, I want to acknowledge the contribution of three agricultural leaders in the riding of Compton—Stanstead.

I want to mention the work done by Antoine Doyon, who completed a seven year mandate as president of the Fédération régionale de l'UPA de l'Estrie. This agricultural producer from Saint-Isidore-d'Auckland is involved in the production of grain-fed calves and he is the president of the Fédération des producteurs de veaux du Québec.

I also salute Noël Landry, who is taking over from Mr. Doyon as president of the UPA de l'Estrie. Mr. Landry is a dairy producer from Cookshire and he is the vice-president of the Fédération des producteurs de lait de l'Estrie.

Finally, I want to mention the appointment of Philippe Véronneau, from Coaticook, to the Service de médiation en matière d'endettement agricole. I am proud to tell the House about this farmer, who has over 38 years of experience in the business.

I want to conclude by saying that, like many others, these three high level producers have been hit hard by the mad cow disease crisis.

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[*English*]

RANDOM ACTS OF POETRY

Hon. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I would like to inform the House of the inaugural Random Acts of Poetry Week, which runs from October 25 to October 31.

During this week 27 poets will read poetry in 15 towns and cities throughout the country. The performances will not take place in studios or auditoriums, but rather, wherever the poets feel moved to recite. This could be in public parks, on transit, in barber shops or on the street. The poets will also be distributing books of poetry.

Last Friday I had the privilege of being read a poem by Sheila Stewart, a constituent of mine who is taking part as one of the 27 poets in this event.

Random Acts of Poetry is the brainchild of Wendy Morton, a Victoria based poet. She had the inspiration that poetry would be well received if more people were exposed to it, regardless of the venue. A great deal of credit also goes to abebooks.com, who are sponsors in partnership with the Victoria Read Society.

I encourage all members and Canadians to participate in this week by reading a poem to a friend.

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FISHERIES

Mr. John Duncan (Vancouver Island North, CPC): Mr. Speaker, the Conservative Party British Columbia caucus is demanding that the government restore funding to B.C. and Yukon salmon enhancement programs which include our west coast hatcheries.

The minister denies that the DFO program is being downsized and insists that any changes are a result of independent actions and not at his direction. This shows neither leadership nor ministerial responsibility.

The reality is that several million dollars are being cut from the \$25 million salmon enhancement program. Rural coastal communities are crying foul. DFO is in local damage control but cuts are proceeding. The minister has received letters of protest from individuals, businesses, organizations and municipalities.

This has changed nothing. All that is required to fix this is an unequivocal statement from the minister. When will he do that?

* * *

IMMIGRATION

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, last week the Canadian Council for Refugees released a report entitled "No Faster Way?" and I would like to speak to this report today.

I am concerned with the long periods of time that some refugee families are forced to wait until they are reunited in Canada. Delays processing refugees in Canada, overburdened visa offices, demanding requirements for documentation, and DNA testing all contribute to these long delays and systemic roadblocks.

The Immigration and Refugee Protection Act states that the government should "support the self-sufficiency and the social and economic well-being of refugees by facilitating reunification with their family members".

Indeed, it must be a priority of this government to see that refugee families are reunited in Canada in a timely and efficient manner. It is important that we reaffirm our commitment to achieving the goals set forth us by the Immigration and Refugees Protection Act.

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• (1410)

[*Translation*]

MINISTER OF TRANSPORT

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker,

The one and only reason for the national unity problems in this anglophone country, outside Quebec, is obviously the Quebec issue. This evening, I heard solutions to every problem, except concrete proposals for Quebec's aspirations.

Therefore, when we, as sovereignists, listen to what is being said across the country and when we see how the country is getting bogged down by this process, we can only think that this process is bound to fail.

They looked in the dictionary and came up with a new concept: in order to avoid using the expression "special status", they are calling it asymmetry in an attempt to confuse an increasing number of Canadians. And the pseudo intellectuals who put their heads together thought that this concept could be sold to the rest of the country.

These words are from the current member for Outremont and political lieutenant for the Liberal Party in Quebec.

[English]

HOUSING

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, as noted in the Speech from the Throne, shelter is the foundation upon which healthy communities and individual dignity are built. The government is committed to ensuring that those Canadians who are most in need can access safe and affordable housing.

I would like to inform the House of an initiative that will help communities develop new affordable housing projects. Our national housing agency, Canada Mortgage and Housing Corporation, is inviting community groups and individuals to apply for seed funding.

Introduced in 2003, seed funding helps pay for activities in the early stages of housing project development, including a housing needs analysis and a business plan. Priority will be given to proposals for affordable housing projects, although innovative and community based projects may also be considered.

Interested applicants have until January 10, 2005 to submit an application for funding. Successful applicants will receive a maximum of \$20,000 in seed funding. Delivered through CMHC's partnership centre, the seed funding national proposal call for 2004 is expected to result in over 150 housing—

The Speaker: The hon. member for South Shore—St. Margaret's.

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NATURAL RESOURCES

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, yesterday we heard excuse after excuse from Liberal cabinet ministers as to why they were not fighting for the prosperity of Atlantic Canada. During the election each and every one of them promised that Atlantic Canada would get 100% of the revenue from the offshore oil and gas.

This is not a partisan issue. This is about fairness and about the future of Nova Scotia and Atlantic Canada. It is an absolute insult that the Prime Minister, after winning seats on the promise of 100% of the offshore royalties, now offers only eight years of royalties on existing fields.

Where are Nova Scotia's Liberal MPs on this issue? Nova Scotia has two cabinet ministers, two parliamentary secretaries and two backbenchers in the Liberal Party. Why all the silence and why have they broken their promise to their fellow Nova Scotians?

It should be about the future and the prosperity of Nova Scotia, not about the future and the prosperity of the Liberal Party of Canada.

* * *

AGRICULTURE

Hon. Peter Adams (Peterborough, Lib.): Mr. Speaker, many members of the public believe the BSE crisis is over. Others believe that it was a problem for western Canada alone. Neither of these beliefs is true.

In Peterborough county a thousand families are still suffering from the BSE tragedy and many more are indirectly affected by it. In our

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region the problem is livestock. Before the U.S. border was unfairly closed, there was a brisk cross-border trade in best quality cattle, sheep and bison from Peterborough to the U.S. This has been at a standstill for a year. Livestock have to be fed. Our farmers have animals they cannot sell, but which cost them money every single day.

I urge that every effort be made to continue to persuade the Americans to open their border, as recommended by their own expert panel. I also urge that existing aid programs be accelerated so that farmers get support soon. Finally, I urge support for local and province-wide abattoirs so that our cattle, sheep and other industries can become more self-sustaining.

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● (1415)

CHILD CARE

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, today is Child Care Worker and Early Childhood Educator Appreciation Day. It is a day to recognize and celebrate the valuable contribution child care workers make to the lives of kids, parents and society. However, child care workers need more than appreciation. They need decent wages. They are underpaid and undervalued. That is why we need legislation to ensure a system that is publicly funded, not for profit, affordable and universally accessible.

Next week the government has a clear opportunity at the federal-provincial-territorial meeting of ministers responsible for child care. The federal NDP says to the Liberals, no more broken promises. We want legislation now. We want child care workers to be paid adequately. We demand better for our kids. Put it in legislation and put in the money. No more excuses.

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PARALYMPIC GAMES

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, last month two great Edmontonians achieved their Olympic dreams. I am of course talking about Danielle Peers and Ross Morton, both Paralympians who brought home medals from Athens this summer. I would like to take a moment to congratulate them.

Danielle is a member of Canada's women's wheelchair basketball team. Our team brought home the bronze medal, beating out the United Kingdom. Ross is a member of Canada's men's wheelchair basketball team and returned home with the gold medal after facing tough Aussie competition.

Oral Questions

This is an outstanding achievement on both their parts. I would like to thank them and thank all Canada's Paralympians for the great job they did in Athens.

On behalf of Canada's official opposition, I would like to congratulate them and I look forward to meeting with all of Canada's great Olympians next week when they visit Parliament.

* * *

[Translation]

ANTI-SEMITISM

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, Quebec is a society, a nation founded on tolerance. Each year it welcomes thousands of new citizens from all over the globe. We are able to live together in harmony because we are open-minded and reject hatred.

One of the most poisonous kinds of intolerance is anti-Semitism. Unfortunately, we are seeing its resurgence just about everywhere, and Canada is not exempt from it.

Last week, a Vancouver imam literally called for the massacre of Jews, and the president of the Canadian Islamic Congress, Dr. Mohamed Elmasry said that all Israelis over the age of 18 are legitimate targets of terrorist acts.

The Bloc Québécois strongly condemns these anti-Semitic remarks, and calls for calm and reason. Words such as these are absolutely unacceptable. The Bloc Québécois calls upon all those concerned to act responsibly and to speak out loud and clear against all forms of hate propaganda, against any group identifiable by religion, ethnic origin, sexual orientation or skin colour.

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[English]

2010 WINTER GAMES

Mr. John Reynolds (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, last Thursday the official opposition met with delegates from the organizing committee of the Vancouver 2010 Winter Games. It can be said with confidence that we are as excited about the games as are all of those who have been working so diligently on the project, both before and since Vancouver won the competition to stage them.

I would like to pay tribute to John Furlong, the chief executive officer and his senior team of Catherine Bachand, Terry Wright, Cathy Priestner Allinger and Jeff Chan. The 20 members of the board of directors also deserve our applause.

All members of the official opposition are enthusiastically supporting the concept because the Vancouver 2010 Winter Games will be Canada's games and we know British Columbians will make Canada proud.

John Furlong is an outstanding Canadian and the 2010 games could not be in better hands. His record of public service in sports at all levels serves as a shining example of the meaning of excellent citizenship.

Conservatives across Canada pledge their continuing support for the Vancouver games because we know Vancouver will make

Canada proud and the world impressed. My leader looks forward to opening those games.

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HEALTH

Mr. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, this past weekend I had the honour of speaking at an HIV-AIDS education fundraiser. This fundraiser was organized by Aiding Youth for Life. It is a non-profit grassroots organization aimed at addressing the problems of HIV-AIDS among youth worldwide.

This organization was founded and operated by a group of youth who were motivated to help in the fight against HIV-AIDS while empowering other students to become part of the solution as opposed to part of the problem.

AYL's international student union consists of seven youth run chapters that are comprised of secondary and post-secondary schools in East Africa and North America, representing over 700 individual members. Every summer AYL sends a team of North American university students on a two month internship to East Africa to contribute to their HIV-AIDS awareness campaigns.

I want to recognize the founders of this organization, Ali Kanji and Jessica Shaikh, for their outstanding humanitarian work. They make us very proud. I have no doubt that they will provide strong Canadian leadership at the international level.

ORAL QUESTION PERIOD

● (1420)

[English]

NATURAL RESOURCES

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, the Prime Minister has flagrantly broken his 100% promise to Nova Scotia and Newfoundland and Labrador. Even his own federal Liberal MPs do not believe that he is sticking to his word.

The Liberal member for Humber—St. Barbe—Baie Verte said that he heard the resource royalty promise, and now he is concerned that conditions and strings are being attached.

The Liberal MP for Random—Burin—St. George's has said that he is considering his future over the broken promise.

If the Prime Minister's own Liberal members are not sure they can trust him on this, why should Newfoundland and Labrador? Why should Nova Scotia? Why should anyone?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I had an opportunity to speak to Premier Williams this morning. The suggestion I have made is that our officials should meet. I am very clear in terms of the understanding that we had arrived at, and I am certainly prepared and in fact most desirous of fulfilling that understanding.

To the extent that there are differences of opinion, I believe our officials should meet. We will see what will come from that.

Oral Questions

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, there should be no hedging. The Prime Minister said that it was the premier's deal he had accepted, and he should accept it today. Even provincial Liberals have supported Premier Williams on this and do not believe the Prime Minister.

Former Liberal Premier Grimes said the following, "Get it in writing because the federal track record is promise and not do it at all or find some way to do it differently."

Once again, if members of the Prime Minister's own party do not believe him, why should anyone else believe him? Why does he not sign the deal that he promised on June 5, today?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, there is no doubt when we look at the situation in Newfoundland and Labrador, that in terms of its debt and the fiscal capacity of the province, all of us have an interest in ensuring that Newfoundland and Labrador does well. We have a great window of opportunity, given the current prices of commodities, natural resources and oil, to do just that.

It is my intention to fulfill exactly the agreement that I reached with the premier.

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SPONSORSHIP PROGRAM

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, Newfoundlanders and Labradorians have heard enough of, "I feel your pain". They want the Prime Minister to fulfill his commitments.

On March 10 of this year, the Prime Minister told the House and the member for Roberval in response to a question about the national unity fund, "Mr. Speaker, first, the answer to the question is: none. I have not used it". Now we know he did use it. In fact we know he wrote a letter related to a contract of \$50,000 under the fund to Claude Boulay and Groupe Everest.

Could the Prime Minister explain on this why he so flagrantly misled the House on the facts?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I have on numerous occasions in this House said that I will not comment on daily testimony in front of the commission because it simply leads to misunderstanding. In fact it is very clear from the question of the Leader of the Opposition.

Let me simply say, I stand by my words.

[Translation]

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, I would like to quote from a letter from the present Prime Minister to his friend, Claude Boulay.

My dear Claude,

The services you are offering to my minister strike me as extremely mimely interesting.

This marked the start of a relationship that was to bring over \$50,000 in sponsorship program contracts to Groupe Everest.

Can the Prime Minister still deny what he wrote in 1994 when he was the minister responsible for Canada Economic Development?

[English]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, again, I will not comment on day to day testimony before Justice Gomery because I do not want to make the same kinds of errors the opposition seems intent on doing on almost a day by day basis.

However, I will comment when the opposition makes allegations that are clearly false, and this is one of those cases. The contract in question was selected through a process in which the Prime Minister did not intervene.

• (1425)

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, the facts say otherwise but facts have never been a real concern to the minister.

The Prime Minister has promised to come clean and to fully cooperate with Justice Gomery. Meanwhile, his lawyers are trying to keep documents from Justice Gomery and delay the Prime Minister's appearance.

In the House the Prime Minister ducks questions and has that minister, of sorts, answering his questions. Elsewhere he hides behind his lawyers.

Why is it so hard for the Prime Minister to come clean and tell the whole truth about his role in ad scam?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, let us talk about the facts.

The only reason that hon. member can comment on day to day testimony in front of Gomery is the fact that there is a Gomery commission. The only reason we have a Gomery commission is that the Prime Minister acted swiftly and decisively to establish the Gomery commission. He is not afraid and the government is not afraid of the results from that commission, which is why we are allowing Justice Gomery to do his work and not interfering on a day to day basis. We would urge similar courage on that side of the House.

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[Translation]

TAXATION

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Premier of Quebec and most of the provincial and territorial premiers have said they are disappointed with the results of the federal-provincial conference and are having trouble understanding the Prime Minister's stubborn refusal to satisfy their claims, while the federal government is knee-deep in surpluses.

When the surplus in Ottawa for the current fiscal year is expected to be between \$10 billion and \$12 billion, how can the Prime Minister justify his intransigence toward Quebec and the provinces that will not be receiving anything more than what was offered to them at the health conference?

Oral Questions

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, on the contrary, many of the premiers said they were very satisfied with the agreement we discussed yesterday. There certainly are differences of opinion, just as there are differences of opinion among the provinces.

Nevertheless, I can tell the leader of the Bloc Québécois that this is the most important change with respect to equalization in the country's history. Some \$28 billion to \$33 billion or more will be turned over to the provinces during the next decade. That is additional money, something that has not ever been seen before.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, Jean Charest and finance minister Séguin did indeed look very happy yesterday.

While the federal government is accumulating surpluses in order to invade the jurisdictions of Quebec and the provinces, it is refusing to put the money from those surpluses into equalization, a federal program, where it is needed.

Will the Prime Minister admit that he would be much better advised to use these surpluses to ease the fiscal imbalance faced by Quebec and the provinces, rather than in areas not in his jurisdiction?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, since the leader of the Bloc Québécois has asked the question, this year, that is, 2004-05, Quebec will receive an extra \$477 million, bringing its equalization total to \$4.155 billion.

Next year it will be an extra \$1.1 billion. This money is coming from yesterday's agreement, money that was not there a month ago.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, what the Prime Minister forgot to say is that he has cut \$2 billion from Quebec over the past two years. He forgot to mention that.

The federal government collected \$9.1 billion too much last year and is preparing to do the same this year. Experts predict that the grand total of the surpluses will be between \$10 billion and \$12 billion—at least.

Does the Prime Minister understand that what we are asking him to do is to keep enough money for his own needs and leave the remaining tax fields to Quebec and the provinces, which are severely short of funding to provide services to the public?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the combination of the contributions the Government of Canada is making in new money in health and new money in equalization will add up over the next 10 years to \$74 billion more in funding for the provinces across the country. That is the largest change ever.

It is extremely important to help the provinces meet the requirements that they have to face within their jurisdiction.

At the federal level, we continue to work on the needs of children and families. We work on the needs of cities and communities. We work on the needs of senior citizens—

• (1430)

The Speaker: The hon. member for Saint-Hyacinthe—Bagot.

[Translation]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, if the minister wants to talk about the combination, then let us talk. With the health conference and yesterday's conference combined, for Quebec will get \$800 million in additional funding.

Does the minister realize that the surplus for the last fiscal year and for the coming year will contain \$2 billion in tax overpayments by Quebecers? In all, after the two conferences, the government is giving us a combined total of \$800 million and expects us to be thankful, even though the government has bummed \$2 billion in surplus from Quebec.

Does the Prime Minister realize that the only way to resolve the problem once and for all is to resolve the fiscal imbalance?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, I would point out to the hon. gentleman that one of the premiers, among several yesterday, made the observation that they had made more progress in dealing with the financial relationships within Confederation in the last 22 weeks than they had made in the previous 22 years.

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GOVERNMENT POLICIES

Mr. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, here is what the Prime Minister said during the election:

Since I entered politics I have always kept my promises. I do what I say.

Well it turns out—

Some hon. members: Oh, oh!

The Speaker: The hon. member for Toronto—Danforth has the floor. We will have a little order so we can hear.

Mr. Jack Layton: Mr. Speaker, the hon. members are jumping to conclusions.

As it happens, the Prime Minister has not even kept his promise that he will keep his promises. Let us take a look at the first two first ministers meetings. In the first case, the promise to keep privatization under control was abandoned and Ralph Klein can privatize all he wants. In the second first ministers meeting, the premier is sent home to Newfoundland and Labrador with a broken promise.

When will the Prime Minister break the habit of saying one thing and—

The Speaker: The right hon. Prime Minister.

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, the hon. member makes reference to the health care deal: \$41 billion over the course of the next 10 years, national benchmarks, accountability to Canadians, a home care fund, and money invested in creating new doctors, nurses and paramedics. This was Mr. Romanow of the hon. member's party, or at least at one time. The fact is that Mr. Romanow said that this was an epic-making event in terms of the development of health care, and Mr. Romanow was right.

Oral Questions

Mr. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Prime Minister's party in the last election ran ads showing credit card medicine and yet we see credit card medicine in privatization growing willy-nilly all over the country. That is the promise that he has broken to Canadians.

Only somebody who flies foreign flags on their ships and claims to be a Canadian nationalist could deal with the disconnect between what they do and what they say.

Let us look at the record: child care promise broken, Kyoto promise broken, credit card medicine broken, and now another promise broken to Atlantic Canada.

When will the Prime Minister take some responsibility for his broken promises?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, let us take a look at what those commitments are: the most important equalization deal since the second world war. A meeting on child care and early learning will be held next week among the officials and among the ministers, and long before the OECD report came out, because the government understands the importance of early childhood development and child care.

We will give \$7 billion over a period of 10 years in GST rebates to the cities. We are now sitting down with the cities and the communities to make sure the gas tax flows. The government keeps its commitments.

* * *

SPONSORSHIP PROGRAM

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, in February 2004 the Prime Minister said

Anyone who knows anything that could help shed light in this area—in the government, in the caucus or anywhere in the country, corporations or in the Liberal Party—should come forward and not wait to be compelled to do so as they will.

When will the Prime Minister show the leadership he demands of others by detailing for Canadians what he knows?

• (1435)

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Prime Minister has acted decisively. He ended the sponsorship program. There is the Gomery commission. We are cooperating with it fully. We are providing over 10 million pages of documents, including cabinet documents.

The Prime Minister has said all along that he has no difficulty with appearing before Justice Gomery and participating in the inquiry. We are not afraid of getting to the bottom of this. We want truth in government, which is what Canadians want. I expect that is what the hon. member wants, which is why he ought to support the work of Justice Gomery.

Mr. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, the Prime Minister is developing a growing credibility gap. Now it turns out that the Prime Minister, the guy who initially said that he knew nothing about the sponsorship scandal, was actually in the thick of it with another contract to Claude Boulay of Groupe Everest who worked on his leadership campaign.

When the Prime Minister said that anybody with information should come forward, why did he not release his correspondence with Groupe Everest? Why does he still continue to hide what he knows from Canadians today?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, Canadians chose this minority Parliament and they want us to make it work. They want us to focus on their priorities: on health care, child care, equalization and environmental issues.

I would urge the hon. member opposite, in fact all members of the House, to focus on those priorities and to let Justice Gomery do his work.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, evidence mounts that calls the Prime Minister's word into question.

First there were revelations he intervened to ensure sponsorship thousands flowed to his bagman and now there is a letter showing he directed a fat contract to a leadership supporter. This is in the face of his pledge on national TV that, "I had no idea what was going on here". Then, add yesterday's renegeing on a public promise to Newfoundland and Labrador.

Does the Prime Minister really believe he can continue to hold a position of high trust with his credibility unravelling so badly?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Once again, Mr. Speaker, I have enumerated in this House the three errors that the party opposite has made on this issue by commenting on day to day testimony last week.

Once again, they are making allegations that are false. We should allow Justice Gomery to do his work, not only to get to the truth but to avoid the opposition from losing any more credibility by commenting on day to day testimony and making grievous errors.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the minister's statement is bogus and he knows it. The series of errors and "misstatements" are on the government's side, on the Prime Minister's side. That is the problem and that is why we are asking the questions.

Canadian priorities have to be based on trust. It does not matter what a government says on health care or resource wealth or equalization; if its word is no good, it does not matter what it says.

Why does the Prime Minister not stand up and answer those questions?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, it is not the government that is making those comments and those mistakes on a day to day basis. It is that party.

Oral Questions

I believe that is indicative of the contempt that party has for judicial independence, the type of contempt that was illustrated fully during the election when the member from Abbotsford said, “Well, to heck with the courts, eh. The courts interpret the law and if we don't like that interpretation there's the notwithstanding clause”. Further, he said, “Judges are appointed individuals, not elected, not responsible to anybody but themselves”.

I would ask them to respect Justice Gomery and to respect—

The Speaker: The hon. member for Montmorency—Charlevoix—Haute-Côte-Nord.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, today the papers are publishing only excerpts of a letter from the Prime Minister to Claude Boulay, president of Groupe Everest, which starts by “Dear Claude” and ends with the Prime Minister's usual salutations.

Can the Prime Minister disclose the entire content of the message between the recipient's name “Dear Claude” and the signature “Paul”? That is what we are interested in.

• (1440)

[*English*]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, again, I will not comment on day to day testimony because that would be a mistake from the perspective of respecting judicial independence. Beyond that, the risk is making errors such as the ones the hon. member makes.

I sometimes write letters to other members of Parliament, in fact to members opposite and to other parties. Sometimes I will scratch out the Mr. or the Ms. and write their name but that does not mean I am their friend. That is a common courtesy between civil people and common discourse on an ongoing basis.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, we are not talking about testimony at the Gomery commission, but a letter that appeared in the papers. Remember, it was this same Prime Minister who said he was outraged by the whole sponsorship scandal.

If the Prime Minister still feels the same way, if he is still outraged, the first thing he should do is tell us everything he knows frankly and directly. I am asking him to table, here in this House, the letter to his “dear Claude”. Will he agree that his refusal to table it would suggest he has something to hide?

[*English*]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, if the Prime Minister had anything to hide, he would not have set up the Justice Gomery inquiry. He would not have said from the beginning that he was willing to testify in front of Justice Gomery and provide the facts. He would not have instructed his government to cooperate fully with Justice Gomery and in fact provide over 10 million pages of documents, including cabinet documents.

We are cooperating because the Prime Minister is not afraid of the truth and our government is not afraid of the truth.

[*Translation*]

THE ENVIRONMENT

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, in the report she tabled yesterday, the Commissioner of the Environment and Sustainable Development contends that the Department of Finance cannot tell whether or not the current tax system promotes the implementation of sustainable development in Canada.

Given the commissioner's findings, what is the Minister of Finance waiting for to reconsider, cut back subsidies paid out to polluting sectors and invest more in renewable energies?

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the importance of the environment is very powerfully signalled in the government statement in the Speech from the Throne. It is also signalled by the selection of the current Minister of the Environment to lead that portfolio.

The government is very intent upon moving this forward. For example, we have dedicated a very substantial portion of the proceeds from Petro-Canada to environmental and sustainable development technologies. In a whole variety of ways, both through the tax system and through our expenditures, we intend to make decided progress on the environment.

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, despite what the Minister of Finance says, after the OECD, the environment commissioner is now preparing a damning balance sheet on Canada's tax policy with respect to the sustainable development strategy.

How can the Minister of Finance justify the June 2003 tax measures that will return \$250 million to oil companies, thereby supporting the polluter paid rather than the polluter pays policy?

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, indeed in the fiscal system over the last number of years the balance has been improving between the government's treatment of the petroleum sector compared to the renewable and alternative sectors, for example.

I would point out to the honourable gentleman that we have a very strong recommendation in our platform, which is repeated in the throne speech. Part of the policy of the Government of Canada is to move forward with very significant new investments in alternative and renewable fuels, like wind energy, for example, ethanol and a variety of others.

* * *

NATURAL RESOURCES

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, on June 27, 2004, one day before the election, the Prime Minister told the people of Nova Scotia that they would receive 100% of their offshore royalties. Today the new deal covers the production life of the Sable project and excludes any revenues produced by any future projects.

Oral Questions

Will the Prime Minister commit to keeping his election promise and ensure that Nova Scotia receives 100% of its offshore royalties, no cap, no limit and no exception?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, in the last couple of days I have had some very useful discussions with Premier Hamm and also with Minister Clarke in Nova Scotia. Those discussions are ongoing in a very cooperative and constructive spirit. I expect we will be able to arrive at a very satisfactory conclusion.

• (1445)

Mr. Norman Doyle (St. John's East, CPC): Mr. Speaker, now that the Prime Minister has had 24 hours to reflect on his broken promises to the people of Newfoundland and Labrador, and now that he has had a chance to talk to Premier Williams, would the Prime Minister tell the House if he is willing to stand by the commitment he made to the premier and the people of our province during the federal election campaign?

Or maybe he will bounce this question off the Newfoundland minister who, unfortunately, today has been called the Benedict Arnold of Newfoundland and Labrador.

Some hon. members: Oh, oh!

Hon. R. John Efford (Minister of Natural Resources, Lib.): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order. I am sure the minister appreciates the choral welcome but the Minister of Natural Resources has to be heard and he has the floor.

Hon. R. John Efford: Mr. Speaker, let me say to all hon. members opposite and my colleagues from Newfoundland and Labrador that after 20 years of working for the province of Newfoundland and Labrador, I will take second place to nobody on that side.

Let me say that, on this side from the Prime Minister to all members of the government, the Minister of Finance and myself, we, unlike the other side, want to see Newfoundland grow and prosper and—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Carleton—Mississippi Mills.

* * *

NATIONAL DEFENCE

Mr. Gordon O'Connor (Carleton—Mississippi Mills, CPC): Mr. Speaker, the minister of defence has repeatedly distanced himself from the tragic incident aboard the *Chicoutimi* by pointing a finger at our navy. Every time he is asked a question on submarines, his standard answer is, "The navy made me do it".

Why will the minister not take responsibility for his department's decisions with respect to the procurement of the submarines?

Hon. Bill Graham (Minister of National Defence, Lib.): Mr. Speaker, ministers of the government, particularly defence ministers, take the advice of professionals.

I am proud of the fact that when I said the navy wanted those submarines, we supported the navy in getting those submarines. That is exactly what we should be doing. I do not make strategic decisions for the military. I take its advice. I am proud of that as the defence minister. I hope that the House will support me when I act on behalf of our services when they need our support.

Mr. Gordon O'Connor (Carleton—Mississippi Mills, CPC): Mr. Speaker, the minister of defence assured us that his department took all the appropriate measures to ensure that the submarines were operational and safe. We now learn that the department was aware for some time of difficulties with insulation and electrical wiring.

Will the minister advise the House when the department knew the insulation and wiring needed replacing? Why was it not done before HMCS *Chicoutimi* sailed?

Hon. Bill Graham (Minister of National Defence, Lib.): Mr. Speaker, I want to assure the House and the hon. member that I am not hiding behind the navy when I tell him I have discussed these matters with the navy. It may surprise the hon. member to know it is actually the navy that sails these ships. I know that is a surprise to him.

The navy has told me that it is constantly concerned with the security of its ships and the security of its personnel. It has taken precautions. The navy changes equipment when it has to be changed. The navy has moved when it has had to move and will continue to do so. The navy's primary preoccupation is for the safety of its ships, its fleet and its men. I will continue to support it.

* * *

[*Translation*]

OFFICIAL LANGUAGES

Mr. Pablo Rodriguez (Honoré-Mercier, Lib.): Mr. Speaker, my question is directed to the Minister responsible for Official Languages.

Can the minister tell us what progress the Government of Canada has made in implementing the official languages action plan?

Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence, Lib.): Mr. Speaker, I thank my colleague from Honoré-Mercier for his question and I congratulate him on his election as chair of the House of Commons Standing Committee on Official Languages. I assure him and all of the other committee members of my complete cooperation.

As far as health and early childhood are concerned, the public service action plan is moving along very well. The pace will have to be picked up a bit in other areas. This afternoon we will have the opportunity to hear directly from representatives of the official language minority communities, when they come to give testimony before a number of ministers during the second round of ministerial consultations, as set out in the official plan.

Oral Questions

•(1450)
[English]

FISHERIES AND OCEANS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, yesterday the commissioner of the environment said that when it comes to wild salmon stocks, the government avoids its responsibilities. There is no environmental review of the aquaculture industry, no evaluation of the salmon hatchery program, and no plan for allocating catch levels. The environment minister and cabinet are sanctioning the extinction of the Cultus and Sakinaw Lake salmon by denying them any protection.

Will the minister tell us today when this shortsighted decision will be reversed?

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I had the pleasure of meeting with the Commissioner of the Environment and Sustainable Development on Tuesday morning to discuss these matters with her. I certainly take these concerns seriously.

I can tell the House that in fact the wild salmon policy will be released in a matter of weeks. Following that, there will be consultations this winter to determine the final impact of that policy.

* * *

COMMERCIAL BANKRUPTCIES

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, every year there are nearly 10,000 commercial bankruptcies in this country leaving employees owed nearly \$2 billion in back wages, benefits and pension contributions. The bankruptcy laws in this country are stacked against working people. They rank dead last in terms of priority as to who gets paid with the remaining assets of a bankrupt company. Today Canadian workers have launched a nationwide campaign to reverse this injustice.

Will the Minister of Finance agree with me that the bankruptcy laws in this country need to be changed to put the interests of working Canadians first in priority, not last?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, I am delighted that the hon. member understands how important bankruptcy laws are to the transformation of the Canadian economy and to achieve a high level of competitiveness. They play a very important role.

We are reviewing those laws and we will be paying close attention to the rights of workers and making sure that there is the right balance between the rights of workers in the CCAA and bankruptcy action and those of other creditors.

* * *

TOBACCO INDUSTRY

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, three years ago the premier of British Columbia filed a lawsuit against the tobacco industry. He claimed that mild and light cigarette labels were misleading. Last week the former premier of British Columbia, the current health minister, sided with Imperial Tobacco and asked that a new deal dealing with the same issue be thrown out of the B.C. courts. This is blatant hypocrisy.

Why did the minister sue big tobacco three years ago and then side with it last week?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order. How is the hon. member for Charleswood St. James—Assiniboia going to ask a supplementary question if he cannot hear the answer to the first one? There is so much noise we cannot hear the Minister of Health. He has the floor. We will hear the minister.

Hon. Ujjal Dosanjh: Mr. Speaker, this issue is before the courts. I want to tell the members opposite that we are not there of our own accord. It is Imperial Tobacco that brought us there. We need to make sure that we stand four square behind the public concern against tobacco damage.

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): It is before the courts because you put it there.

The Speaker: The hon. member will want to address his remarks to the Chair.

Mr. Steven Fletcher: Mr. Speaker, I think the minister has been smoking some of that wacky tobaccy. As a New Democrat he is against big tobacco; as a Liberal he is supporting big tobacco in the courts. This is mind-boggling.

I ask the former 2001 NDP premier of British Columbia who is now the 2004 Liberal Minister of Health, why the change of heart? Is it the change of teams?

Some hon. members: Oh, oh!

The Speaker: From all the accolades it is easy to tell that the Parliamentary Secretary to the Minister of Justice, who has the floor, is very popular, but he is the one who is now going to have the right to speak.

•(1455)

Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the federal government does not side with Imperial Tobacco in any way, shape or form. We as a government have made great strides in talking about the harms that tobacco produces. We are out there working with youth convincing them not to participate in tobacco.

The reality in this particular case is that we were brought into the court case in order to defend our position and we are going to do that.

* * *

AGRICULTURE

Ms. Belinda Stronach (Newmarket—Aurora, CPC): Mr. Speaker, my question is for the Minister of International Trade.

Yesterday, the Minister of Agriculture and Agri-Food told the House that the Japanese consider the beef markets of Canada and the United States to be a single integrated North American marketplace. The Japanese obviously understand what we have known all along: the Canadian and American beef and cattle industries are far ahead of the government's ability to regulate them.

If the Japanese get it, why has the government failed to convince the Americans that the industry is integrated and that the border closure hurts both countries?

Hon. Andy Mitchell (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I said yesterday, the Japanese understand the integrated marketplace. We make that point with the Americans. In fact, that is in part why they partially opened the border to meat from cattle under 30 months of age.

We continue to work with the Americans to reopen the border. On September 10 we made a very significant announcement that would allow us to reposition the industry to be profitable with or without a border opening.

Ms. Belinda Stronach (Newmarket—Aurora, CPC): Mr. Speaker, it is great that the U.S. is making progress in its trade disputes. Our cattlemen, farmers and truckers find it especially galling that the U.S. can cut beef deals with other countries far away but not with Canada.

As I have asked before, would the minister publish a record of all interventions with the Americans on BSE, past, present and future so that Canadians can judge the government's efforts?

Hon. Andy Mitchell (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I would suspect that such a record would be a very long document. We have been working diligently with the Americans to see the border reopen. That is why we have a partial reopening. It is why we were able to sign an agreement with China last week.

The hon. member, when talking about what is happening in Asia, conveniently forgets about the agreement we signed. I do not understand why she ignores the positive and simply talks about the negative. It is simply what that party does all the time.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, the decision made yesterday by the Knesset to withdraw from the Gaza Strip is good news, on two conditions: first, Israel must leave the Gaza Strip for good, so that a port and an airport can then be built, and the borders with Egypt reopened; second, negotiations to create a Palestinian state must resume using the 1967 borders.

Will the Minister of Foreign Affairs do his utmost to make this happen?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, the decision made by Israel to pull out of the Gaza Strip and part of the West Bank can only be good news. We are of course very pleased with it. Indeed, yesterday's vote is a positive measure.

Oral Questions

We will continue to support the peace process. Canada has long supported the creation of two states that would live peacefully side by side.

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, ever since the days of Lester B. Pearson, Canada has had a balanced position regarding the painful Israeli-Palestinian conflict and promoted the creation of two viable states, in compliance with the resolutions of the Security Council.

Could the Minister of Foreign Affairs tell us or confirm whether this is still the position of the current Canadian government? Recently, we have had cause to wonder about this.

• (1500)

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, I am delighted to see the hon. member praise the excellent work done by Lester B. Pearson. I can assure the House that the position he put forward has been supported by every government that has led our country since. It was the position of our government in the difficult Middle East situation and it continues to be the position of our government. Our position has not changed. We want the Israelis, the Palestinians and others in that region to be safe.

* * *

ROYAL CANADIAN MOUNTED POLICE

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, in Montreal this morning, provincial and municipal police associations spoke out against the arbitrary decision of the federal government to reduce the RCMP's regional workforce. In the meantime, traffickers continue to terrorize farmers and recruit teenagers.

Will the minister finally reassure us and maintain the detachments whose absence is so cruelly felt?

[English]

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as I think the hon. member is aware, the number of RCMP officers serving in the province of Quebec is not being reduced.

In fact, a very small number of those officers are being redeployed. They are being redeployed for the very reasons that the hon. member has identified, so that we can work more effectively with the local police.

We can work more effectively with the Sûreté so that we can discharge our obligations in the province of Quebec whether it is in relation to organized crime, drug trafficking, gun smuggling or other events that challenge the public safety of Quebecers.

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[Translation]

NATURAL RESOURCES

Mr. Peter MacKay (Central Nova, CPC): Mr. Speaker, Quebecers do not think that.

*Business of the House**[English]*

Last month the Prime Minister promised to fix health care for a generation. That turned out to be 10 years. Now the Prime Minister says he is going to give a 100% fix to the offshore royalties. That turns out to be eight years.

For Nova Scotia that means only the current Sable project will be covered. Future projects such as Deep Panuke will be subject to the same clawback, inconsistent with the Atlantic accord and inconsistent with the Prime Minister's word.

When will the Prime Minister commit to give 100% resources to Nova Scotia? What part of 100% does he not understand?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, I indicated earlier that the government continues to work very hard with the Government of Nova Scotia on these issues.

I have in that regard the very able assistance of the Minister of Fisheries and Oceans. I have the ample cooperation of the provincial minister of energy. We continue to work at it constructively. It might be helpful if the opposition were constructive.

* * *

NATURAL RESOURCES

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, my question is for the Minister of the Environment and relates to a draft agreement that would give the governors of the eight states that border the Great Lakes the power to unilaterally decide on diversions of water from the lakes.

Since 1909 Canada and the United States have exercised shared sovereignty and responsibility for the Great Lakes through the boundary waters treaty.

Would the minister please outline what action he is taking that would ensure U.S. respect for the shared authority approach that has existed since 1909 to ultimately ensure that the ecological integrity of the Great Lakes is preserved?

Hon. Stéphane Dion (Minister of the Environment, Lib.): Mr. Speaker, like the Minister of Foreign Affairs said, the Government of Canada will be monitoring the further development of Annex 2001 in consultation with the governments of Ontario, Quebec and our American colleagues.

Let me say something that will not change. The law of the land in Canada is that we do not allow bulk water removal, period.

* * *

*[Translation]***CANADA POST**

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, André Ouellet squandered \$10,000 a week in lavish spending during the eight years he was the president of Canada Post.

The government tells us that such abuse is no concern of theirs. They would like to give us lessons in transparency. Taxpayers are learning now that they will again be paying a lawyer for Mr. Ouellet's "dippings".

Will the Prime Minister once again hide behind the Gomery commission, or will he call for a government audit of the lavish spending of the minister who emulated him?

Hon. John McCallum (Minister of National Revenue, Lib.): Mr. Speaker, it is clear that the government and others have taken action.

In this case, Mr. Ouellet resigned. Later, on September 21, the chair of the board of directors of Canada Post Corporation wrote Mr. Ouellet once again, asking that he submit receipts. The Canada Revenue Agency is reviewing the activities involving his office.

So, we are taking action.

● (1505)

[English]

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, the Liberals are acting, but they are acting in a way to cover up the facts. How can Canadians see the facts when the facts are being hidden by the government?

The Liberals are saying they are going to do a secret audit. We understand the need for a public audit of André Ouellet. We understand that public money was used and we understand the public interest would be served by a public audit.

Before the election the Prime Minister said he believed in the things we continue to believe in. When did he lose his faith in getting to the bottom of the André Ouellet saga?

Hon. John McCallum (Minister of National Revenue, Lib.): Mr. Speaker, the Deloitte & Touche audit has been made public months ago. The hon. member has asked me to make a tax audit public.

I should inform him that we on this side of the House respect the rule of law. On that side of the House those members question the charter of rights and they question the rule of law. We favour the rule of law in Canada and I will obey the law.

* * *

BUSINESS OF THE HOUSE

The Speaker: It is my duty pursuant to Standing Order 81(14) to inform the House that the motion to be considered tomorrow during consideration of the business of supply is as follows:

[Translation]

That the House regrets the attitude of the Prime Minister of Canada at the first ministers conference on October 26, 2004, and that it call on the federal government to recognize the existence of a fiscal imbalance in Canada and that, to this end, the House ask the Standing Committee on Finance to strike a special subcommittee to propose tangible solutions for addressing the fiscal imbalance, and that its report be tabled no later than June 2, 2005.

This motion, in the name of the hon. member for Saint-Hyacinthe—Bagot, is votable.

[English]

Copies of the motion are available at the table.

The hon. government House leader on a point of order.

POINTS OF ORDER

ORAL QUESTION PERIOD

Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, during question period there was some unparliamentary language and I would like to give the member for Port Moody—Westwood—Port Coquitlam the opportunity to retract the unparliamentary language used.

Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC): Mr. Speaker, during question period I did heckle to the Prime Minister that he was a liar. I did cross the line and I withdraw it.

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I rise on a point of order. In answer to a question during question period I indicated that I met with the Commissioner of the Environment and Sustainable Development yesterday morning. In fact, it was Monday afternoon.

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, I too rise on a point of order. A moment ago in response to a question I put to the Minister of National Revenue, he put on the record that I was asking him to break the laws of the country by calling on him to do a public audit of André Ouellet, the former Liberal appointee and president of Canada Post.

Such is not the case. I would not want a statement of that nature to remain on the record. The fact is that I have simply asked him to call a public audit because it would be in the best interests of Canadians to have a public audit done.

Hon. John McCallum (Minister of National Revenue, Lib.): Mr. Speaker, there were two audits at issue. One is the Deloitte & Touche audit which is already public, so I assumed that the hon. member was not referring to that. The only other audit is a tax audit, as I have said several times, so it was my understanding that he was referring to the tax audit in his question.

The Speaker: It sounds to me as though the hon. members have a disagreement, but I do not see that there appears to have been a question of privilege raised on anything I have heard, so I think we will treat the matter as closed.

ROUTINE PROCEEDINGS

[English]

ORDER IN COUNCIL APPOINTMENTS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to table a number of orders in council recently made by the government.

* * *

• (1510)

INTERPARLIAMENTARY DELEGATIONS

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour, on behalf of the Canada-United States Interparliamentary Group, to present to the House, in both official languages, eight reports: a report on the visit to U.S. Congress on North American market for cattle beef and animal feed, held in Washington, D.C., March 15 to 17; a report on

Routine Proceedings

the Microsoft Government Leaders Forum-Americas held in Redmond, Washington, May 16 to 18; a report on the 45th annual meeting of the Canada-United States Interparliamentary Group held in Coeur d'Alene, Idaho, June 17 to 21; a report on the 2004 International Association of Great Lakes and St. Lawrence Mayors' Conference held in Chicago, Illinois, July 14 to 16; a report on the 2004 annual meeting of the National Conference of State Legislatures: The New Legislative Reality, held in Salt Lake City, Utah, July 19 to 23; a report on the Democratic National Convention, 2004, held in Boston, Massachusetts, July 26 to 29; a report on the auto-tech conference of the Automotive Industry Action Group, AIAG, held in Detroit, Michigan, on August 31; and the report on the Canadian/American Border Trade Alliance conference, held in Washington, D.C., September 12 to 14.

The Speaker: I am sure all hon. members are very glad the hon. member for Medicine Hat finally got home. The hon. parliamentary secretary.

Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation in the sixth conference of Parliamentarians of the Arctic Region, held in Nuuk, Greenland, September 3 to 5.

I would like to very much thank my colleagues from other parties and members of the staff of this delegation. This meeting was part of the work of the Arctic Council which represents eight polar nations and three aboriginal groups around the north.

We note with great interest the development of the University of the Arctic, which will help education in many remote communities in the north. Also, one of the main messages of these meetings is that climate change, meaning global warming, is a very serious problem for all the peoples of the north.

* * *

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Fisheries and Oceans, entitled, "Safe, Secure, Sovereign: Reinventing the Canadian Coast Guard".

* * *

DNA IDENTIFICATION ACT

Mr. Gary Lunn (Saanich—Gulf Islands, CPC) moved for leave to introduce Bill C-240, an act to amend the DNA Identification Act (establishment of indexes).

He said: Mr. Speaker, I am pleased to rise today to reintroduce my private member's bill to amend the DNA Identification Act. My bill is inspired by one of my constituents, Judy Peterson, and her quest to find answers on what happened to her 14-year-old daughter, Lindsey Nicholls, who disappeared in 1993.

Routine Proceedings

This bill would create a DNA database for missing persons and link that database to the crime scene index and the DNA from unidentified bodies in Canada's morgues. A DNA sample costs as little as \$100 to take and could bring closure for many grieving families.

I have heard much talk about the merits of this bill over the last year, but I have not seen a lot of action. I hope that the reintroduction of the bill, which I call "Lindsey's law", will remind MPs of their commitment to finding missing persons and move this issue forward.

As I close, I would like to express my heartfelt appreciation for the former solicitor general and member for Malpeque who fully supported this issue when he was the solicitor general. He has offered his assistance in moving this private member's bill forward.

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

* * *

• (1515)

INCOME TAX ACT

Mr. Rick Casson (Lethbridge, CPC) moved for leave to introduce Bill C-241, an act to amend the Income Tax Act (deduction for volunteer emergency service).

He said: Mr. Speaker, it is a pleasure for me to re-introduce this bill in the House today. It was before the House in the last Parliament.

The bill is an amendment to the Income Tax Act. It would amend the Income Tax Act to allow volunteer emergency responders to deduct \$3,000 from their taxable income from any source in light of their service to Canada. The amendment, as important as it is, would only go a fraction of the way needed to fully recognize the contribution these brave men and women involved in volunteer emergency services deserve from their fellow Canadians.

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

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PETITIONS**CANADIAN FORCES**

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, once more I rise in the chamber to present a petition, this one on behalf of residents of Caledonia, Ontario. It is on the same issue on which I have presenting petitions daily.

The petitioners wish to draw to the attention of the House the fact that the Canadian Forces Housing Agency does provide on-base housing for military families and it does serve a valuable purpose by allowing families to live in a military community and have access to services unique to their needs.

However, it also draws attention to the fact that CFHA is in many instances providing substandard housing, substandard to acceptable living conditions. Also, military families have also seen in the last few years dramatic increases in their rent for this substandard housing.

Therefore, the petitioners from Caledonia, Ontario, call upon Parliament to immediately suspend any future rent increases for accommodation provided by the Canadian Forces Housing Agency

until such time as the Government of Canada makes substantive improvements to the living conditions of housing which is provided for our military families.

MARRIAGE

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions to present. The first petition is on the subject matter of marriage and is signed by a number of Canadians, including from my own riding of Mississauga South.

The petitioners draw to the attention of the House that marriage is the best foundation for families and for raising children and that the institution of marriage as between a man and a woman is being challenged.

The petitioners therefore pray that Parliament will pass legislation to recognize the institution of marriage in all federal laws as being the lifelong union of one man and one woman to the exclusion of all others.

STEM CELL RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): The second petition, Mr. Speaker, is on the subject matter of stem cells.

The petitioners from my riding of Mississauga South draw to the attention of the House that Canadians support ethical stem cell research which has already shown encouraging potential to provide cures and therapies for Canadians and that non-embryonic stem cells, which are also known as adult stem cells, have shown significant research progress without the immune rejection problems or ethical problems associated with embryonic stem cells.

The petitioners therefore call upon Parliament to focus its legislative support on adult stem cell research to find those therapies and cures.

• (1520)

JUSTICE

Mr. Darrel Stinson (Okanagan—Shuswap, CPC): Mr. Speaker, I pleased to present a petition signed by more than 1,600 residents of my riding of Okanagan—Shuswap who are concerned about serious, violent crimes by repeat offenders living at the Vernon halfway house.

The petitioners call upon Parliament to require that Correctional Service Canada take stronger steps to protect law-abiding citizens by ending statutory release, informing the public immediately when a violent offender does not report back on time from day parole or other release into the community and immediately investigate why the Vernon halfway house has the worst record in Canada for its inmates committing violent crimes.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Hon. Dominic LeBlanc (Parliamentary Secretary to the 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.

* * *

MOTION FOR PAPERS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, you will be surprised to see that I am asking that all Notices of Motions for the Production of Papers be also allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

FINANCIAL ADMINISTRATION ACT

The House resumed from October 26 consideration of the motion that Bill C-8, An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act, be read the second time and referred to a committee.

Ms. Françoise Boivin (Gatineau, Lib.): It is with pleasure, and above all conviction, that I rise in support of Bill C-8, introduced for second reading by my honourable colleague, the President of the Treasury Board of Canada.

This bill is evidence of our concrete commitment and support to those whom we all consider the most important resource government possesses for fulfilling its obligations and meeting the needs of the people it serves.

I am referring to the tens of thousands of Canadians who have decided to join the public service and serve the public, which includes themselves. It is my great pleasure to have many of them in my riding of Gatineau.

They, like many of their fellow citizens working in other sectors, have to cope with working environments that are changing more and more rapidly and becoming more and more competitive, complex and demanding.

Whether their area is health, education, economics, the environment, social welfare, justice or community security—areas, among others, of concern to Canadians—there are many and more complex challenges facing federal public servants.

● (1525)

[English]

These challenges require knowledge, skills, abilities, professionalism and a capacity to manage change as never before on the part of our employees. All of that is within the context of an environment characterized by ever faster technological advances as well as an increasingly competitive labour market that comes with its own set of challenges in terms of human resources management, in particular, in the areas of recruitment, training, professional development and retention.

Government Orders

Compounding these challenges are the expectations of a population that is demanding a well managed, highly effective public service where each dollar counts, a public service that is able to quickly adapt its priorities, and above all, meet high standards in terms of accountability, ethics, transparency, openness and accessibility.

However, the list does not stop there. In addition to these challenges, which I would qualify as external, our public servants must deal with major internal changes. Those internal changes have become crucial in meeting the needs and expectations of the Canadian population in an effective and sustainable way. In our country, as in many other countries around the world, governments must modernize their public sectors. In Canada our citizens and Parliament are demanding better information and increased accountability, more integrated services, systematic reallocation of public resources to the most pressing public needs and, of course, maximum return on each dollar invested.

[Translation]

In order to do this, the government needs to strengthen and modernize management, and support it with much more efficient, rapid and intelligent systems and structures for information, planning, monitoring and decision-making.

Thus, in a context of rising expectations and limited resources, the government must significantly improve the way it manages information and resources, implements programs, provides services, and accounts for its expense and results.

In that respect, our government has firmly committed to this end and is actively working on several key initiatives in order to reinforce our public sector management. In particular, we can point to the government restructuring of December 12, 2003, the setting up of a thorough and continuous review of government programs and spending, Bill C-11 on the protection of whistle-blowers, strengthening of controls, results-based management and accountability frameworks, and re-engineering of the ways internal and external services are delivered.

Thus, once again, we have to realize what is at stake and the scale of the changes, challenges and work that must be done. Success will depend very much on the commitment and efforts made by everyone, including public servants. Still, for real success, our employees must have the best tools available and be guided and supported by exemplary leadership at all levels, in all fields and in all departments and agencies of the public service, especially in the central agencies.

[English]

I am proud to support the bill that would give the Public Service human resources management agency of Canada a legislative basis, an agency whose main objective is supporting employees across the public service, an agency whose priority is to modernize and foster excellence in human resources management and leadership, and an agency that is at once a champion of employees and managers, a strategic partner of departments and agencies, an expert in human resources management and an agent of change.

Government Orders

Therefore, as a central agency focused on human resources management, it has a key role to play in supporting the entire public service and helping it to successfully overcome the many challenges facing our employees, employees, who, as I mentioned earlier, constitute the government's most precious resource.

I will echo my colleagues by saying that not only does the bill reflect the government's commitment to strengthening and supporting excellence in human resources management, but it also constitutes a vital instrument that will unquestionably facilitate the agency's work.

[*Translation*]

I had the privilege of hearing most of the speeches on Bill C-8 by members from the various parties here in the House. I would be remiss in not responding to some of the statements heard during the debate on C-8, among others, remarks concerning the government's attitude toward its most important resources, and also the very relevant question about official languages, always asked the same way, from the Bloc Québécois members.

I can state that, with respect to the government's attitude to human resources, everyone agrees that they are our most important resources. I do not think anyone will deny that fact. Any differences are in the methods we use to reach our goals.

Before I came to this House, I spent almost 20 years working in labour relations and staffing, doing workplace assessments, and so on. Perhaps it is what I saw in my former life that makes this issue so important to me. This is not easy to achieve and must be worked at constantly. I am proud to be part of a government and especially to support the President of the Treasury Board, my hon. colleague, who, in every meeting I have had with him, has always made a point of trying to reach this level of excellence. We are seeking a relationship of mutual respect with our employees. This requires constant effort from both parties. It is an ever-changing process.

In terms of official languages, yesterday we heard all sorts of things. My hon. colleague, the member for Repentigny, made a point of quoting the Internet, and sometimes the dictionary, in his speeches. When he is talking about official languages, he might want to quote the Commissioner of Official Languages. I think that would be far more effective than the Internet or the dictionary for criticizing the government.

What I regret sometimes about debates on the issue of official languages is that the impact of Bill C-8 gets distorted. The amendment to the Official Languages Act, in my view, simply specifies that it is the president of the agency, and no longer the Secretary of the Treasury Board, who sends any report prepared under the authority of the Treasury Board to the Commissioner of Official Languages. Furthermore, the bill states very clearly that official languages is one of the agency's responsibilities, and this integration within the agency provides even greater visibility.

What I dislike about the attitude of the members opposite is when they complain that the Commissioner only mentioned things that do not work. I would like to draw their attention to the great successes. I have the pleasure of being on the Standing Committee on Official Languages and I have already attended the two meetings that have been held. Thus, I have perfect attendance at the committee. I had the

pleasure of listening to the Commissioner of Official Languages, who told us that not everything done on this side is bad.

In the showcase of success stories, there is the Leon Leadership Award for 2003-04. The Commissioner of Official Languages, Dr. Adam, tells us about Michel Dorais, the deputy minister of Citizenship and Immigration Canada. Reference is also made to the head of the Public Service Award for Official Languages, and Western Economic Diversification Canada. These are more great things being done in Canada, which the Bloc Québécois often fails to mention, preferring to focus on what is not working.

Among the success stories are Fisheries and Oceans Canada, the Atlantic Canada Opportunities Agency, a partnership in Newfoundland and Labrador, a partnership in Edmonton, and even the United States embassy. Following a study conducted by the Commissioner of Official Languages raising concern about the fact that the United States embassy official website was in English only, the website was made bilingual. Other success stories include a French-language service policy in Saskatchewan, info-health services in French in Manitoba, services in French from the Ontario Provincial Police, even the Centre hospitalier de l'Université de Sherbrooke, a partnership in Nova Scotia, and the list goes on.

I am hearing good things. There is no doubt that other things need improvement. The fact is that everything keeps changing in life. It is important that those watching us, taxpayers, do not get the idea that nothing good is being done in official languages. It is up to us to be vigilant and to ensure that progress continues to be made.

That is what I had to say on Bill C-8. From what I have heard so far, I gather that the vast majority of members in this House will be supporting the bill. That is what matters, in the end, because it will do our public service good and allow it to achieve the level of excellence that this side of the House has never been afraid to achieve, whether others like it or not.

• (1530)

[*English*]

Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, I listened with great interest to my colleague's remarks. I actually have the Official Language Commissioner's report on the desk in my office but I have not read it.

However some time ago I met with the Official Language Commissioner and I listened with interest to the list of good things that have been done. She is quite right when she says that we should also listen to the criticism.

Government Orders

This may be irrelevant and it may be unfair of me to ask this of my colleague, but in my riding, which is a very anglophone riding, we have had for decades now French immersion programs, some of them beginning in kindergarten and going all the way through high school, and some beginning in grade four and going all the way through. In the last few years I have been delighted that we have an école élémentaire française which, in an anglophone community, is for the children of francophone families who live in our community.

I ask my colleague, is that the sort of thing with which the Official Language Commissioner is involved or is that something that is mainly, because it is in the jurisdiction of the province of Ontario, a provincial jurisdiction? Does our language commissioner, who reports to the House of Commons, have a say in the operation of schools of that type?

Ms. Françoise Boivin: Mr. Speaker, the first part of the member's question might be a bit unfair.

I do not tend to call myself a specialist on the official languages. I just sat through two committees, so the full scope of the jurisdiction of the Official Language Commissioner, I would say, since it is part of the education system in provinces, is mostly of provincial jurisdiction. We on this side of the House try to make sure we do not overstep the boundaries on those aspects.

I know that during our committee sessions it was interesting, because some of the member's esteemed colleagues from different areas of Canada were reporting such activities in their own areas, one being Vancouver, the east and so on. It is important, because part of the Government of Canada's mission is to make sure bilingualism reaches as far as it will go.

We hear a lot about article 41 and how the government has to encourage bilingualism. It is something in which we strongly believe. The Official Language Commissioner talks about the official plan. It is always an ongoing process. Yes, things can always be improved and, believe me, I am not saying that they do not need to be improved.

• (1535)

[*Translation*]

Good things are being done as well. My colleague's question reminds me of a question I myself asked the Commissioner of Official Languages. If people are introduced into the official languages system positively, they will have no hesitation accepting it, as my colleague has said. Sometimes repression can come across as one of the worst possible approaches. The commissioner has told me that next year her report is going to include a different approach to the usual success stories, evaluations of the various government bodies, departments, agencies and so on.

In my opinion, it is important to have an overall picture of where things are not going well. Air Canada cannot be the only example, however. The examples I have already given need to be addressed as well.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, we all had an opportunity to see the member of the Liberal Party in action a while ago, during the negotiations between the public servants and the government. The respect she is showing today was missing at that time.

I wonder today if this is not just a desire to be the boss. These are not partners at work, but subordinates. I find that unfortunate for a person who has 20 years experience in labour relations—as she claims—not to acknowledge that point.

As far as official languages are concerned, I have some doubts about how far the hon., member has ventured outside Gatineau, or even outside this House. A person just needs to travel around a bit to realize that the respect of official languages has decreased since the Trudeau era. Fewer people speak both official languages. There are fewer people now in this government providing services in both official languages, than in the Trudeau era.

I would ask the hon. member to tell me what plans she has to even out the ratio.

Ms. Françoise Boivin: Mr. Speaker, as regards the first statement made by the hon. member on the negotiations with public service employees, I am not sure whether he is challenging the work that I used to do before coming to this House. Of course, as a lawyer, we have files and we represent a party. However, I can tell this House that I have always viewed labour relations as a partnership.

The hon. member said that I was lacking respect at the time. I want to tell the distinguished Bloc Québécois member that, on the day that various protests were taking place, I took the time, even though I had a meeting here, to go to my office and meet with a delegation of PSAC members.

These people always felt that I was listening to them in my office and they were not met by some administrative assistant or other person. I have always been very accessible and I still am. I get calls, I talk to people and this is precisely what enables me to put questions to the President of the Treasury Board.

Of course, I am not the lawyer for the government and, therefore, I cannot get involved in the negotiations. However, I find it particularly insulting to be told that the respect was not there at that time, because I have spent my life trying to work with respect for others. Sometimes, there are diverging views and we try to find compromises. This is exactly what the government is doing.

As regards official languages, I want to reassure the hon. member. I did venture outside Gatineau. I travelled a lot in Quebec. Just look at my biography. I also travelled in Canada, but I never pretended that the situation was perfect. I said that some good things were happening in the country.

As a newcomer here, I hear many people, from both sides, say that we are all here to work for the best interests of our fellow Canadians, our constituents. Unfortunately, we always hear negative comments. I am not sure that our constituents are very proud to hear such things.

I was pleased to note the good points mentioned by the Commissioner of Official Languages about the government and about some of the departments and agencies that are doing very well.

Government Orders

● (1540)

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I have a question about official languages for my hon. colleague. As you know, I come from New Brunswick, where there are many francophones. Often people do not realize it, but close to 35% of New Brunswick's population is francophone. So, when it comes to official languages, God knows we are well aware of the situation.

I have a question for my hon. colleague. Perhaps she could comment on the following point. Is she aware of the current situation, whereby francophone and anglophone families are increasingly encouraging their children to learn the other language—French or English? This is happening more frequently. I would ask my colleague to respond to this.

Ms. Françoise Boivin: Indeed, this issue interests me greatly and it interests the Commissioner of Official Languages. In fact, the Commissioner is asking the government to be a little more proactive in this matter and talk to the provinces. We must never forget that education is a provincial jurisdiction.

That said, programs have to be implemented to try, as much as possible, to promote the Official Languages Act and boost bilingualism from coast to coast. The government will certainly be more proactive in this matter—no question.

[*English*]

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

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Government Operations and Estimates.

(Motion agreed to, bill read the second time and referred to a committee)

* * *

● (1545)

TLICHO LAND CLAIMS AND SELF-GOVERNMENT ACT

Hon. Ethel Blondin-Andrew (Minister of State (Northern Development), Lib.) moved that Bill C-14, an act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other acts, be read the second time and referred to a committee.

She said: Mr. Speaker, I am proud today to affirm my support for Bill C-14 at second reading and for the Tlicho agreement at the heart of this proposed legislation.

I, and the Minister of Indian Affairs and Northern Development, share the same commitment and sentiments toward having this bill expeditiously passed through the House and on to the Senate. We are

very committed to getting this through the whole process as quickly as we can.

First, I would like to offer my sincere thanks and heartfelt congratulations to the Tlicho people for achieving this monumental and historic agreement. The product of more than a decade of consultations and negotiations, the agreement between the Tlicho and the governments of Canada and the Northwest Territories was signed more than a year ago.

There are people responsible for realizing this agreement and they bear mentioning: the Grand Chief, Joe Rabesca, along with his chiefs from the various communities in the Tlicho territory; both his negotiating teams, including Mr. John B. Zoe, who is the chief negotiator, as well as Eddy Erasmus, and James Washie, the self-government specialist.

It is the first time that we are embedding a self-government agreement within the body of a claim. It is the second time actually, but it is the first time in the Northwest Territories. This is the work of those individuals, as well as Ted Blondin, who has worked on numerous claims, and the elders that accompany them generally.

Everything is done on a consensus basis and there is seldom a period when the elders are not there along the whole way of the process. Elders like Alexis Arrowmaker, who is the former chief and is well known to many politicians across the country. They have been there to support the negotiator and chiefs along the way.

There have been many such elders. They are not all with us today. It would be remiss for me not to recognize the legal team of Rick Salter, Art Pape, and Rick's son Colin Salter. They have dedicated themselves to providing the best legal advice that is available to the Dogrib team to come up with the most innovative document that addresses so many complicated issues.

The agreement is the product of a comprehensive and collaborative negotiation process among the Tlicho, Canada and the Northwest Territories. This agreement has already been ratified by the territorial legislature in Yellowknife and by the Tlicho. Furthermore, a comprehensive implementation plan is ready, and the Tlicho have already drafted and ratified a constitution.

It would be remiss of me not to say that I am particularly proud, since we have members of the team here today. In particular, we have Mr. Ted Blondin and Bertha Rabesca, who is the first Dogrib lawyer who was called to the bar in recent months. We are very proud of her and the work they have both done. We have them here today with us and we know that others are watching. We are grateful to them for the work that they have done.

Prior to finalizing the agreement, the Tlicho took responsibility for negotiating overlapping agreements with their aboriginal neighbours. These agreements have helped to clarify the boundaries of traditional lands and have improved relationships among aboriginal peoples in the north.

Enacting this legislation will send a clear and positive message across the country that Canada is committed to establishing a new relationship with aboriginal peoples based on mutual respect and recognition.

Government Orders

When Bill C-14 becomes law, some 3,000 Tlicho people will have the power to protect their way of life and control their land, resources and lives.

Under the Tlicho agreement, the Tlicho government will be created. I think it will be recreated because I always felt that the Tlicho always had their own way of governing themselves. Through it, the Tlicho people will own a 39,000 square kilometre block of land between Great Slave Lake and Great Bear Lake, the largest single block of first nations owned land in Canada.

● (1550)

The Tlicho government will receive about \$150 million over 15 years. This will be used as a type of investment fund to promote social, cultural, educational and economic development in the area, as well as an annual share of resource royalties that the government receives from the development in the Mackenzie Valley.

Significantly, Bill C-14 would take the Tlicho people out from under the jurisdiction of the Indian Act. However, all federal legislation of general application, such as the Criminal Code, would continue to apply. Like all Canadians, the Tlicho would also be subject to the Charter of Rights and Freedoms as they are now.

The Tlicho constitution outlines the roles and responsibilities of the Tlicho government and protects the democratic rights and freedoms of all those who reside on Tlicho lands. Non-Tlicho residents, for instance, may be appointed or elected to serve on Tlicho institutions. This says a lot about democracy in Tlicho territory within Canada.

The constitution also ensures that the government is politically and financially accountable to its constituents and that all laws that are enacted are open to legal challenges. Furthermore, the constitution enables anyone affected by Tlicho social programs to participate in decision making processes concerning the management and the delivery of that program.

The Tlicho government would replace four local band councils and the treaty No. 11 council now in the region. Tlicho legislative bodies would regulate daily life and have powers such as tax collection.

When the bill becomes law, the Tlicho will play a greater role in the management of land, water and other resources in most of their traditional territory.

The agreement would enable the Tlicho to exercise greater control over a variety of matters affecting their lives, including education, social services and economic development. Under the terms of the agreement, democratically elected Tlicho community governments would decide on matters related to zoning, business licensing and dozens of other local matters.

Although I am not a member of the Tlicho, I am Dene, I have worked closely and diligently with them over the years as a member of Parliament. It thrills me to see the Tlicho people who have entered into a new phase and giving full expression of their longstanding and historical aspiration for self-government and self-sufficiency, while demonstrating the greatest care and respect for their culture. Bill C-14 would help the Tlicho preserve a priceless heritage.

To succeed in an increasingly complex and rapidly changing economy, northerners must first acquire the broad base of knowledge needed to learn and apply advanced skills. I am convinced that the surest way to instill this knowledge is to hire qualified educators, teach relative curricula and maintain a nurturing environment. Bill C-14 would enable the Tlicho to do all these activities.

The Tlicho have long appreciated the importance of education. For centuries, succeeding generations of elders have passed on the skills and traditions of their ancestors. This profound respect for learning has also enabled the Tlicho to adapt swiftly and survive in a harsh climate and an unforgiving landscape.

When Canadian companies first began to investigate the feasibility of constructing a pipeline along the Mackenzie Valley, Tlicho leaders recognized the project would have a dramatic impact on the way of life of the Dene people. The grand chief at the time said that the people would become strong like two people if they went forward, that they would learn to blend elements of northern and southern cultures and take advantage of new technologies and emerging opportunities.

More than three decades ago, Tlicho Chief Jimmy Bruneau called for new schools in his communities to teach a curriculum that balanced aboriginal and non-aboriginal traditions. In 1971 the Chief Jimmy Bruneau School opened in the Tlicho community of Rae-Edzo. These are a people who have always been progressive, who have always looked at the opportunities and have always found a way to go forward with those opportunities.

● (1555)

Within a few years, Canada's first aboriginal school board had assumed control of primary education in all four Tlicho communities. A regional secondary school was added in 1992 and, true to Tlicho tradition, adults can attend the same classes as children. As a result, the number of adult students has climbed steadily.

The Tlicho-controlled schools have had a significant and positive impact on their communities. Thirty-three years ago only a handful of Tlicho had ever graduated from high school. Today there is a significant increase in the number of high school graduates, while dozens of others pursue degrees and diplomas at colleges and universities across Canada.

The Tlicho understand that classroom education plays a vital role in the survival of their culture and the sustainability of their communities. Education enables them to participate fully in the economy and to develop the professionalism, expertise and leadership needed to realize their full potential.

These investments in bicultural education have paid off handsomely in recent years. The Tlicho indeed have become very strong.

Let us consider for a moment the nature of the agreements that the Tlicho secured with multinational corporations. They have secured with Diavik and BHP Billiton, two diamond mining companies that operate near the Tlicho communities. Right in the impact area is where the Tlicho communities are located. Tlicho negotiators ensured that the benefits will continue to flow long after the mines have closed.

Government Orders

The agreements ensure that the Tlicho receive payments into a scholarship fund and that the companies invest in social and recreational programs. The agreements also grant the Tlicho numerous employment and contract opportunities. To take full advantage of these opportunities, the Tlicho established several band owned companies and founded partnerships with several aboriginal and non-aboriginal groups.

One of these partnerships, I & D Management Services, is a consortium of Inuit and Dene groups. The company is a human resource agency and currently supplies more than 100 employees, including 50 aboriginals, to mine projects in the north. While these jobs are important to the short term health of northern communities, of greater significance is the expertise acquired by I & D Management Services. With this expertise, the company will be well placed to provide services to future projects.

The Tlicho have long been keen to collaborate on projects that benefit their people and respect the environment. A run of the river hydro generating station, for instance, was established years ago on the Snare River. The project, a joint venture with Northwest Territories Power Corporation, supplies 7% of the territory's capacity.

In another instance, this one with the private firm of ATCO Frontec, also enables the Tlicho to acquire the expertise needed to initiate and participate in future projects. The two partners established a new company, Tli Cho Logistics, to provide services to northern mines. Today more than 130 people, including approximately 50 Tlicho, work for Tli Cho Logistics. These numbers may have shifted but they are what we are working with today.

The partnership deal is relatively simple yet uniquely advantageous to both parties. The Tlicho own 51% of Tli Cho Logistics while ATCO Frontec controls 49%. During the first few years, ATCO handled nearly all of the new company's administrative and managerial work. Unskilled jobs went to Tlicho people. During the past few years, though, ATCO has helped the Tlicho acquire the skills needed to manage and administer the company.

This incremental transfer of technical skills benefits both parties. ATCO Frontec gets significant interest in a company likely to generate profits for many years to come. The Tlicho acquire expertise and experience that can readily be applied to other ventures.

Bill C-14 would ensure that the Tlicho can expand their model of building community capacity through partnership and education. The bill would grant them the land, legal status and financial resources they need to realize their full potential.

• (1600)

To make the most of this agreement though, the Tlicho must develop a professional class of managers, lawyers, doctors and teachers, and I think they are doing that. They will also need a whole array of other technical expertise. Rather than hire professionals from outside their community the Tlicho are determined to train, develop and employ their own people.

Today the Tlicho support many of their people in post-secondary institutions. In recent years a growing number of Tlicho have

returned to their communities, eager to put their training and their diplomas and degrees to work. Drawing from Tlicho culture and their formal studies, current and future graduates will assume leadership positions in their communities and will pass on age old lessons to a new generation of young people.

I would like to highlight the hard work of Mrs. Bertha Rabesca who has worked tirelessly on the Tlicho agreement and is the very first Tlicho person to obtain a law degree. I am very proud of her and congratulate her on leading the way for her people in this regard.

Today is a day to celebrate. We have miles to go on this legislation. We have a lot of work to do collectively in the House. I say to my colleagues in the House that this is an innovative piece of work. This is what the real Canada is all about. It is about allowing people to do for themselves and empowering people with a document that they have helped to build and that they have designed. Let this be the way forward for others.

The Akaitcho chiefs from the Northwest Territories were here today to celebrate with the Tlicho. They also are in the process of negotiating land claims. I would like to see the day when not only the Akaitcho but the Deh Cho First Nations, on whose land 40% of the pipeline will go through, along with the Sauleteaux, will see a day such as this for themselves. Our wish for the whole territory is that we complete the agenda of all the claims that are in progress and also the self-government agreements.

Bill C-14 would grant some 3,500 people the power to protect their ancient traditions and control their land, resources and communities. I urge my hon. colleagues to support me and to celebrate with me the work that the Tlicho have done on the way forward for Canada.

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, I have one question for the member. Have some of the women's issues that were highlighted recently in the report from the international community about violence against aboriginal women, land ownership and spousal rights been addressed? Has the agreement addressed some of the issues involving women specifically?

Hon. Ethel Blondin-Andrew: Mr. Speaker, that was a good question because it goes to the root of democracy in any claim agreement.

The Tlicho agreement has a section on gender equality. Although it is implied in that section that Tlicho citizens, including women, would have a larger voice in governance and would be given more opportunities to influence their communities' political agendas and priorities, women are protected under the Charter of Rights and Freedoms. What more could we want than that? Under the charter women are persons and are protected like everyone else.

Government Orders

The other question the member raised was in regard to matrimonial property rights. The Tlichos society is a sharing society. In all the years I have interacted with the Tlichos as a woman, I do not believe I have ever been discriminated against. Many of my relatives are Tlichos. The Tlichos is a working society and a society that shares its collective aspirations for its people. The Tlichos people share with one another. They may have needs but they are just the needs of human beings. If someone is a woman, an infant or a disabled person they have needs that have to be met. This enabling document would give them what they need. It would give them the resources and tools they need to give better expression to full democracy.

• (1605)

[*Translation*]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, naturally, I totally agree with our party's position on the recognition of nations. We are very happy in particular for the Tlichos nation.

I hope that this government will give the Cree nation the same recognition. I remind hon. members that the Cree nation has been in negotiations with this government for quite a while, but the government is playing this game of systematically seeking a court opinion on each claim by the Cree. This is delaying discussions enormously.

This is a nation that is asking for nothing more than what has already been given by the Government of Quebec, that is, recognition of the Cree nation in Quebec. And, on that basis, it is asking the same thing from the federal government, so that it can finally evolve, take charge and build its future. There is great potential among the Cree.

In that context, I ask the Minister of State for Northern Development or her colleague, the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, if the Cree may expect to get the same treatment as the Tlichos in the weeks to come, or a few months at the most.

[*English*]

Hon. Ethel Blondin-Andrew: Mr. Speaker, many kinds of agreements are struck with different groups across the country. If the member is speaking about the James Bay Cree, they long ago settled their claims and are in the various throes of implementation.

Various tables have been created. I played a role on the human resources development table for the James Bay Cree at one point. I know it takes a lot of work. Anyone can settle a claim, but it is what we do in the implementation of that claim that really gives full expression in life to that document. That has been ongoing for a number of years.

Those negotiations and issues that are being negotiated or those programs, services, jurisdictions and resources are only as effective and as innovative as the people who are engaged to do the negotiations.

We know we have people who are dedicated to do that. I know some of the negotiators from the Cree side and from the Quebec side. These people are well-intentioned, they are experts, they are knowledgeable and they are good. We expect positive results on all the negotiations with which we go forward.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, first, I would like to extend my congratulations to the Tlichos. This is a very significant time for them. I know a lot of hard work has been put forth by government and negotiators.

I take a certain exception to what the hon. member had to say about the fact that anyone could settle a land claim. I represent a riding in northern B.C. where a number of claims are outstanding, which is frustrating to both the first nations and the local communities.

For a number of years, while the Nisga'a claim and treaty was going on, there was a lot of fearmongering and scare tactics being put forward by one particular party with respect to what would happen when a claim was settled. Having seen the success of the Nisga'a treaty and knowing that land claims are of great benefit to many parties, does the hon. member feel that the government has proposed any sense of urgency in settling other claims within in B.C. and outside of that? The Tlichos are a wonderful model.

At the same time, I am sensing a great deal of frustration both within and outside of my riding with other parties who cannot seem to get to the table. In particular, I raise the example Tlingit in the far north of B.C., to which the hon. member for Yukon would also be able to attest, who have not been advised by the government and have not given a strong hand in their struggle with the mining project going on there.

Could the hon. member address either of those issues?

• (1610)

Hon. Ethel Blondin-Andrew: Mr. Speaker, it is without a doubt that we share a sense of urgency about the challenges in B.C. on the whole question of land, resources and jurisdiction. We have made significant progress, but we realize that there are certain challenges.

One of the biggest challenges in B.C. is the fact that there is such a multiple grouping of individuals. Even the arrangements that are struck between governments are complicated, especially if the way forward is all have to be in agreement or one group has a veto over another. That can somewhat delay, or hold back or stall the process. We work through those. They are complicated arrangements. They are not simple.

My knowledge is that we are moving forward in three areas and we expect progress. However, we have many challenges that are very unique and some of them are not necessarily under a land question as such.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, I was glad to see my colleague come on side with us in trying to get the Atlin and Tlingit to the table because we have been trying for a number of years.

This is creative and different from other land claims. I know the best lawyers, the three parties, in the land in this area have been working on this for 10 years. Once again it has come up with something very creative and unique to the Tlichos situation. Could the hon. member talk about that?

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Hon. Ethel Blondin-Andrew: Mr. Speaker, there are many things we could speak to about the innovations of the various teams that were engaged. We have unique individuals with very unique skills and talents who have aboriginal background and expertise in government legislation, basically programs, services and resource questions and issues.

What is really unique about this is that in the north it is the first time that we have embedded self-government in a claim. It is the first time that we have been able to allocate one whole block of land, I think it is 39,000 square kilometres. That is very unique. Usually land selection is in blocks separated from one another. This is a whole block of land and this makes it so unique.

The other thing that is really interesting is so many boundaries around this claim area have been resolved by various groups and they have been done with the most excellent negotiation, a lot of hard work and innovation. That was the only way that was resolved. That in and of itself, just on the boundaries, could be contained in a whole book.

Mr. Jim Prentice (Calgary Centre-North, CPC): Mr. Speaker, I rise today to speak to Bill C-14, the Tlicho land claims and self-government act.

I would like at the outset to join my colleague in welcoming the Tlicho dignitaries to the House today. They are indeed a strong community with strong leadership. The questions of which I will speak in my comments relate less to the future direction of the Tlicho and more to the future direction of the government.

As the hon. members opposite are aware, I have a lengthy history in the country as an outspoken advocate in the resolution of both specific and comprehensive claims. In particular, as a private citizen and legal counsel, I served as the negotiator on the tripartite settlement of the Sturgeon Lake treaty land entitlement claim and more recently as a commissioner at the Indian Claims Commission, where I served as co-chair for almost 10 years.

I have been an outspoken advocate on the resolution of claims such as this and I have advocated institutional reform that would see claims resolved through an independent claims tribunal, which has the requisite independence from the federal crown. Through all that time, for nearly 20 years, I have advocated the resolution of claims, but I have also always advocated settlements which are founded on Canada's best long term interests, as well as the best interests of the aboriginal communities concerned.

I regret to say I am unable to support Bill C-14 in its current form. I do not believe that this legislation and the agreement which it brings into law, which is an aboriginal rights agreement pursuant to section 35 of the Canadian Constitution, have been fully negotiated and properly considered from Canada's point of view. The agreement gives rise to a constitutionally protected right. It does not amend the Canadian Constitution, but it does change it in the sense that it gives rise to a section 35 protected right.

I acknowledge that there are many aspects of the Tlicho agreement which are sound and represent a useful step forward in the negotiation of self-government arrangements. Indeed, this arrangement is unique. It is the first of its kind combining a comprehensive land claim with a self-government arrangement.

I would also say that I make no criticism of the lands and resources which have been allocated to the Tlicho under the agreement. I regard the agreement as a generous one. In that respect it will provide the Tlicho with the resources, both financial and otherwise, to build a partnership and a future in our federation.

Unfortunately, these positive aspects of the agreement are lost within a legislative scheme that raises serious national issues. Generally speaking, our concerns arise from the impact which the agreement will have on the governance of the country and the fact that it compromises to some degree Canada's capacity to exercise its international sovereignty.

Our opposition to the agreement is based upon our concerns that the approval of the agreement will impede the future governance of Canada. Furthermore, the passage of the agreement will create a precedent which will significantly erode federal constitutional jurisdiction in the north and also complicate Canada's international authority. In addition, important provisions of the agreement, most notably those pertaining to legislative paramountcy and concurrency and jurisdictional conflict, are internally contradictory and ultimately not decipherable in the agreement itself.

The agreement is the culmination of two separate negotiations. The first is the negotiation of the comprehensive claim which has been carried out pursuant to the federal government's comprehensive claims policy of 1986. In this respect the agreement has some similarities to the Nisga'a agreement. The second is the negotiation of the self-government arrangements which are based upon the 1995 inherent rights policy of the government. In this respect the agreement tracks the Westbank agreement.

The act gives the force of law to the tripartite agreement of August 25, 2003 and it accords that agreement paramountcy over the act itself and over any regulations which are passed pursuant to the act.

• (1615)

It is noteworthy and worth mentioning that the manner in which the agreement and the act have been placed before this Parliament are in effect by way of a notice of ways and means motion. This places Parliament and the House in the difficult position where it is an either all or nothing proposition, either the House effectively approves the legislation adopting the entire 208 page agreement or does not. There is no opportunity for the House to engage in a constructive amendment process.

Although the bill has received little public attention it is almost certainly the most significant such agreement considered by the Canadian government in recent years. The effect of the agreement is to create a third order of aboriginal government with concurrent but paramount authority, jurisdiction over the federal Crown in relation to matters affecting the Tlicho.

Moreover, the resultant Tlicho state is governed by a Tlicho constitution which is arguably paramount to the Canadian charter on the very terms of the constitution itself. The agreement also appears to acknowledge or perhaps confer some degree of international authority upon the Tlicho government. There are a number of provisions in the agreement that I would submit are flawed and debatable from a Canadian public policy perspective.

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I will restrict my comments to four reasons why the agreement, as drafted, is damaging to the long term interests of Canada. First, I will refer to the absence of finality; second, to incursions upon Canada's international autonomy; third, jurisdictional confusion; and fourth, confusion surrounding the application of the charter as a primary instrument of Canadian law.

On the absence of finality, the agreement is a generous one in terms of lands, moneys and resources which are provided. It is worth noting that, as my friend said, the Tlicho lands will comprise as I understand it, the largest contiguous block of first nation owned land in Canada.

Unfortunately, as one who has negotiated specific claims, I am having some trouble understanding what concessions Canada has received in return for this.

Chapter 27.6.1 of the agreement provides that the Tlicho will also receive equivalent benefits to those granted in the future to any other aboriginal group in the Northwest Territories, whether by land claims agreement, self-government agreement, tax power exemption or legislation. In other words, the Tlicho agreement is clearly not a final agreement in the same sense that the Nisga'a agreement could be said to be a final agreement.

With respect to incursions upon Canada's international autonomy, the agreement contains several remarkable sections relating to international matters. I would point out for the benefit of the House that what is remarkable about those provisions is that they are a violation of the federal government's own policy relating to the negotiation of comprehensive claims. That policy states that powers relating to Canadian sovereignty are non-negotiable when the government is negotiating comprehensive claims, self-government arrangements.

Chapter 2.9 of the agreement states that it does not limit the authority of the Tlicho to enter into any international, national, interprovincial or interterritorial agreement which suggests by implication that the Tlicho government does have some authority to enter into such agreements. The agreement, moreover, contains the following remarkable provision which is self-explanatory. I refer to chapter 7.13.2:

Prior to consenting to be bound by an international treaty that may affect a right of the Tlicho Government, the Tlicho First Nation or a Tlicho Citizen, flowing from the Agreement, the Government of Canada shall provide an opportunity for the Tlicho Government to make its views known with respect to the international treaty either separately or through a forum.

The agreement carries on in chapter 7.13.4, "to provide for an arbitration mechanism between the Government of Canada and the Tlicho government in respect of international legal obligations and disputes relating thereto".

Furthermore, the Government of Canada is obligated under chapter 7.13.5 to consult with the Tlicho government before taking positions before an international tribunal in circumstances where the Tlicho government has taken action giving rise to an international legal controversy.

The clear implication of this is that the very jurisdiction that the federal government on its own principles said is non-negotiable has been negotiated and to some degree compromised. So, from the

perspective of Canada, this agreement has compromised the international sovereignty of this country.

• (1620)

With respect to jurisdictional confusion, the provisions of the agreement relating to the future governance of this part of the Northwest Territories are, I would submit, poorly drafted and, in several respects, contradictory.

The intent or the effect of the agreement seems to have been to create a new order of aboriginal government with concurrent, although paramount, authority over the federal Crown in relation to matters concerning the Tlicho. The bill is very clear in making the provisions of the agreement paramount over the statute and over any regulations passed under the statute.

Unfortunately, the agreement itself is not internally consistent. It is contradictory, resulting in confusion regarding the concurrent and the paramount authority of the Government of Canada, the Government of the Northwest Territories and the Tlicho government.

The agreement addresses these interjurisdictional issues in at least three different places and prescribes three different distinct concepts of paramountcy. First, in chapters 7.7.2 through to 7.7.4, there is a hierarchy of authority which essentially flows as follows: first, federal legislation of general application; second, territorial legislation implementing Canada's international agreements; third, Tlicho law; fourth, territorial legislation of general application; and fifth, specific federal legislation relating to the Tlicho.

Yet, in chapter 2.8.3, there is a separate concept of paramountcy in that it makes the settlement legislation paramount over the provisions of any other legislation or the Tlicho laws. Yet the definition of settlement legislation in the statute refers to both territorial legislation and federal legislation.

In other words, this provision seems to create quite a differently hierarchy; namely, the following: first, the agreement; second, federal settlement legislation, which is presumably this bill; third, territorial settlement legislation; and fourth, other legislation for Tlicho laws. This is arguably inconsistent with the concepts outlined in chapters 7.7.2 through to 7.7.4.

Third, in chapter 2.10.7, there is yet another legislative hierarchy which applies in the event of an arbitration relating to jurisdiction or power, and it is entirely different. It outlines the following hierarchy: first, federal laws of overriding national importance; second, federal laws implementing international agreement obligations; third, other federal legislation; fourth, territorial legislation implementing Canada's international obligations; fifth, Tlicho laws; and sixth, other territorial legislation.

Certainly, the general scheme of the legislation is that the powers of the Tlicho government to enact laws are concurrent with those of the Government of Canada and the Government of the Northwest Territories.

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The difficulty, from the provisions I have just outlined, is determining how and when the legislation of the Government of Canada is paramount, and how and when the legislation of the Tlicho government is paramount because there are multiple definitions that apply in the event of conflict. This will not be a good situation in the future as we determine who is responsible for what areas of activity.

Fourth, concerns the application of the charter and, frankly, the adoption of governance structures which may be inconsistent with the charter. The overall scheme created by the bill, the agreement and the Tlicho constitution appears to have implications for the application of the Canadian Charter of Rights and Freedoms to Tlicho citizens. Although both the agreement and the Tlicho constitution speak of consistency with the charter, they do not say that they are bound by the charter.

It is noteworthy that the Tlicho constitution itself is very clear, in chapter 3.1, that the Tlicho constitution, not the Canadian Charter of Rights and Freedoms, is the Tlicho nation's highest law. That is clearly expressed in the Tlicho constitution.

Frankly, the entire legislative scheme is quite unclear as to the constitutional relationship between the Constitution Act of Canada, the charter and the Tlicho constitution.

• (1625)

It creates a category of Canadians called Tlicho citizens, and prescribes an electoral system where only Tlicho citizens may be elected as the chief of the Tlicho community government. In addition, at least 50% of the elected councillors must be Tlicho citizens. To be a Tlicho citizen, one must be properly enrolled and registered, as I understand it, as a status Indian of Canada. The agreement clearly creates a segregated, racially based electoral system which does raise charter implications.

The Conservative Party believes that self-government must occur within the context of the Constitution of Canada. To ensure fairness and equality, the principles of the charter must apply to all Canadian citizens. Other claims such as the Nisga'a are very clear in stating that the charter binds the aboriginal self-government which is created. This document lacks that clarity.

Let me ensure that the record is clear as to my position. The future settlement of outstanding comprehensive claims must be pursued on the basis of a clear framework which balances the rights of aboriginal Canadians with those of the Canadian nation as a whole and, in particular, negotiated settlements must balance the economic and social needs of aboriginal Canadians with Canada's need for certainty and finality of terms.

Self-government agreements must reflect Canada's need for both efficacy and practicality in our institutional structure and constitutional harmony so as not to impede the future governance of Canada.

In our view the agreement has not been adequately considered from this perspective of Canada's overriding federal and international workability. In our view the agreement fails to satisfactorily balance the economic and social needs of the Tlicho on the one hand with Canada's need for certainty, finality of terms and constitutional workability on the other.

We would emphasize that this agreement has not been properly considered in that respect and that it is not in the best interests of Canada to approve a document which is contradictory on its very face, and which exacerbates the jurisdictional confusion in the north and potentially erodes Canada's federal authority and international autonomy.

The way in which the government has placed this statute, with the agreement attached, before Parliament precludes this honourable House from addressing in any significant way the issues which I have dealt with in my comments, real issues of legal significance. The House of Commons lacks the capacity in any meaningful way to address those issues because of the way in which the legislation has been brought forward.

• (1630)

[*Translation*]

The Deputy Speaker: 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 Saint-Bruno—Saint-Hubert, Correctional Services Canada; the hon. member for St. John's South—Mount Pearl, Natural Resources.

[*English*]

Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I was very interested in hearing my hon. colleague's comments.

I too am a lawyer and when the Nisga'a treaty was before the House, I happened to be the chair of the aboriginal affairs committee. I remember at the end of that process, after going through over 400 amendments in this House, none of them were passed. All of them had been put forward by the party opposite's predecessor.

I have listened to the credentials of the hon. member and I am very hopeful that this is not a futile exercise. I will give the member and his new party the benefit of the doubt and say that they are asking questions for clarification. I would be very happy to clarify things. If they are not clarified in the few minutes that we have been afforded in this chamber, there certainly would be ample time to answer all of these concerns.

He mentioned some of the concerns with international legal obligations. If valid, these would be very important concerns. Canada developed section 7.13 of the Tlicho agreement concerning international legal obligations with the participation of the federal Department of Justice and the federal Department of Foreign Affairs and International Trade.

Each agreement is unique and reflects the interests of the parties at the table. Therefore, the text of the Tlicho agreement would not necessarily be a precedent for any other land claim or self-government agreement. Currently, international legal obligation provisions can be found in other agreements, notably the Westbank First Nation self-government agreement, as well as the agreement currently before the House.

The hon. member has raised concerns about the impact of the Tlicho agreement on international treaties and potential future international treaties to be negotiated by our country.

The Tlicho agreement allows Canada to maintain its ability to negotiate, implement and respect international legal obligations in the interests of all Canadians, including aboriginal Canadians. The federal government is solely responsible for representing Canada in international affairs. The federal government is solely responsible.

The ILO, the international legal obligation provisions negotiated in this agreement provide assurance that the Tlicho government will exercise its powers in ways compatible with Canada's obligations and duties. The negotiated provisions minimize the risk of the exercise of an inherent right of self-government in ways that would conflict with federal law and Canada's international legal obligations.

The international legal obligation provisions of the Tlicho agreement are mutually beneficial solutions where the Tlicho are assured that they will have a meaningful voice with respect to decisions that affect them and their rights will not be undermined. In return—

• (1635)

The Deputy Speaker: Order, please. Perhaps the parliamentary secretary could ask her question. We have quite a few people who want to pose questions.

Hon. Sue Barnes: Mr. Speaker, my position on comments is to clarify the issues raised.

The hon. member at any time can ask for a briefing on these particular matters. We certainly would be happy to provide it. There will be ample opportunities for—

The Deputy Speaker: The hon. member for Calgary Centre-North.

Mr. Jim Prentice: Mr. Speaker, I respect my colleague's offer for briefings. I have been taking advantage of the opportunity to receive briefings with respect to this.

One of the most surprising things to me which I believe this House needs to be aware of is that the key principles of the federal government in respect of self-government could not be clearer, that powers relating to Canadian sovereignty and external relations are non-negotiable jurisdictions.

It is easy to see why the government has adopted that position over the last generation. If every first nation in Canada as part of our vibrant federation is to have some degree of international autonomy and each of those represents an incursion upon the authority of the federal crown, it is very easy to see what will happen to our nation.

In this particular agreement it could not be clearer that some element of international authority has been conferred upon the Tlicho. In fact, the agreement contemplates arbitration of those disputes. It clearly mandates or requires consultation by the Government of Canada prior to entering into an international obligation that will in any way affect the right of the Tlicho.

This may seem to be a good thing for the Tlicho leadership, the Tlicho community, but is it a good thing for the governance of the country as a whole? That is fundamentally the question.

I stand to be corrected, but I specifically have asked the principals who were involved in the negotiation of this document if there is any

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other precedent for this in any other self-government agreement or comprehensive claim. I understand that there is not.

[*Translation*]

Mr. Marc Boulianne (Mégantic—L'Érable, BQ): Mr. Speaker, I would like to begin by congratulating my colleague from Abitibi—Baie-James—Nunavik—Eeyou on his interesting speech, particularly the parallel he drew with the Cree. The government needs to take this into account, I believe, and the Bloc has already pointed this out.

I have a comment and a question. The Bloc Québécois is in favour of this bill, of its principle in particular. The dominant feature in this bill is the principle of self-government. Even the minister has just emphasized that this is the way of the future. Moreover, the entire agreement is built on that principle. The Tlicho are a people, and they have expressed their preference as a majority. They want to live in their community, with their own traditions; they want to direct their own economy.

How can my colleague justify his statement that giving a people self-government, the Tlicho for example, can weaken the sovereignty of the Government of Canada?

• (1640)

[*English*]

Mr. Jim Prentice: Mr. Speaker, we are a nation that is governed by the Constitution Act. Under that act all of the rights of Canadian citizens, wherever they live, whether they are aboriginal Canadians or non-aboriginal Canadians, are advanced and protected by the Canadian Charter of Rights and Freedoms. Our future together as a nation must be built upon the universal application of that framework; otherwise we will have a country in which citizens have disparate rights, different kinds of rights, different rights one from the other, which will not result in a universal protection of those rights which are fundamental to Canadian society and set out in the Canadian Charter of Rights and Freedoms.

All aboriginal rights are also recognized under section 35 of the Constitution. It is our position that those rights must be conferred within the four square corners of the Constitution Act and the charter and that this will result in full protection of equality rights, such as women's rights, for both aboriginal and non-aboriginal Canadians.

With respect to the operation of our federal-provincial system of government, the concept upon which this self-government agreement is based is one of concurrency. There is nothing inherently wrong with concurrent legislative authority in the hands of the Government of Canada and the Tlicho First Nation. There is no problem with that.

The difficulty is that any federal state will only operate in an efficient way if there is a manner in which conflicts can be resolved. It is fine to have concurrent jurisdictions, but if one is going to have concurrent jurisdictions, one has to have clear rules of paramountcy. One of the points I am making today about this agreement is that it lacks that. It has several different definitions of paramountcy. It is very difficult to look at this agreement and to understand whose laws are going to be paramount.

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In the case of a situation involving women's rights, for example, which law will govern? If there is an inconsistency between a Tlicho law relating to the rights of a woman in a Tlicho community and what the interpretation of the charter says relative to the rights of women, or what a federal statute says relative to the rights of women, what governs?

What in heaven's name is the solution? The solution has to be to have clear authority dealing with how to resolve the paramountcy. That is what is missing, among other things, from this agreement.

[*Translation*]

The Deputy Speaker: Resuming debate, the hon. member for Louis—Saint-Laurent.

Mr. Bernard Cleary (Louis-Saint-Laurent, BQ): Mr. Speaker, I would point out to the previous Conservative speaker that, with regard to the recognition of rights, we see only what we want to see. For instance, I listened to what he had to say about section 35. The fact is there was no reference to aboriginal rights which were defined in a large number of decisions by the Supreme Court of Canada.

So, all of that can be explained. Everything can be reduced to the lowest common denominator, but the Royal Commission on Aboriginal Peoples, in a comprehension review that cost the government \$52 million, covered all the necessary points. Unfortunately, the commission's report was shelved by the government and I can see that the Conservatives, just like the government, never read it.

What does the hon. member think about the vision we need to have if our aboriginal peoples are to take their rightful place? The research was based on negotiations between equals. We had 10 years of discussions on one agreement, a rather limited focus. All the lawyers worked on this and came to an agreement. I think I know what I am talking about. I have been working on aboriginal issues for 40 years and I have been a negotiator for the first nations for the last 20 years.

All the provisions in this agreement, which were considered by a number of negotiators and lawyers, passed the negotiation test and were approved by people who were not always open to the recognition of native rights.

• (1645)

[*English*]

The Deputy Speaker: We have resumed debate and the member for Louis-Saint-Laurent has the floor. but I think that was actually a question for the member for Calgary Centre-North. Is there consent for the member to answer the question?

Some hon. members: Agreed.

The Deputy Speaker: It will be the last question for the member for Calgary Centre-North.

Mr. Jim Prentice: Mr. Speaker, I do not wish to take up the speaking time of my hon. friend. I am prepared to answer the question, as long as it does not cut into my friend's speaking time.

The Deputy Speaker: Just so we are clear, the time allotted for the member for Louis-Saint-Laurent will start afresh after the answer from the member for Calgary Centre-North.

Mr. Jim Prentice: Mr. Speaker, I will try to address the hon. member's question.

This agreement is really two things. It is a comprehensive claim settlement and it is a self-government agreement.

I think the member will see that the comments that I have addressed to the House relate in the main to the self-government aspects of the agreement.

I think my friend and I are on common ground that agreements such as these have to be negotiated in a climate of respect and that it takes some time to build that. At the end of the day, first nations must have a future in this country which is based upon access to a resource base and opportunities that they can move forward as active and full members of the Canadian federation.

The point I raise is that if we implement in the self-government aspects of the Tlicho agreement provisions which are not workable for the nation as a whole in terms of the functioning of our federal system, we will not advance the interests of either aboriginal Canadians or non-aboriginal Canadians.

Once again, the way in which this proposed legislation has been brought before the House precludes the House, and the combined wisdom that we have in the House, from making improvements to the self-government structure in a way that would result in a superior product for the ongoing governance of Canada. We are losing the opportunity to do that because it has been presented to us as a notice of ways and means motion. It is all or nothing; either take the entire agreement or leave it. I do not think that is in the interests of Canada nor in the interests of democracy.

[*Translation*]

Mr. Bernard Cleary (Louis-Saint-Laurent, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-14, an act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts, acts which are affected by the content of this new social contract.

Before I get to the heart of the matter, I would like to say that I had the pleasure of welcoming the grand chief of the Tlicho nation, Joe Rabesca, to my parliamentary office. With him were his chief negotiator and members of his council. The grand chief explained to me that the Tlicho people had been waiting for 14 months—ever since the agreement was signed—to close this chapter of their history.

He explained with conviction that the Tlicho people want to continue making progress toward Tlicho self-government. I could see in the grand chief's eyes that same spark of pride that I have seen so often in the eyes of many of Quebec's aboriginal chiefs, as a negotiator for the first nations, looking at the reality of their new social contract, after 10 years of difficult negotiations involving the Tlicho First Nation, the Government of the Northwest Territories and the Government of Canada.

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The Tlicho agreement spells out land claims, recognizes and protects harvesting rights, establishes self-government and provides for the necessary funding. I want to assure grand chief Rabesca that—here in the House or in the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources—the Bloc Québécois will support this agreement with all its energy and will make certain that the federal legislation is fully consistent with the agreement. The Tlicho people deserve such support.

The Bloc Québécois is completely in favour of this bill to implement the final agreement on the Tlicho. There are three main reasons for this position.

First, the Bloc Québécois is firmly committed to the idea of the first nations' right to self-government, and this agreement gives effect to that right. For this reason alone, we would have to support the underlying principle of this treaty.

Second, 84% of eligible voters were in favour of the Tlicho agreement in a referendum. The sovereignists can hardly oppose it.

Third, this agreement is an excellent example of self-government.

More generally speaking, the Bloc Québécois is concerned about aboriginal claims for self-government. It acknowledges the aboriginal peoples as distinct peoples with a right to their own cultures, languages, customs and traditions, as well as the right to direct the development of their own identity.

In a word, what we want for Quebeckers we also want for aboriginal peoples.

Bill C-14 is the last stepping stone in giving effect to the tripartite agreement that has been signed. The Tlicho are a people native to Canada whose ancestral lands are in the Northwest Territories. There are some 3,000 members of the Tlicho first nation, which was previously known as the Dogrib.

The Tlicho live on land located between Great Slave Lake and Great Bear Lake, in the heart of the Northwest Territories.

•(1650)

This is the first combined land claim and self-government agreement of its kind in the Northwest Territories.

The Tlicho agreement will bring certainty with respect to the rights, titles and obligations of the Tlicho, who have agreed not to exercise or assert any rights other than Treaty 11 rights and those set out in this agreement.

The Tlicho government will own a 39,000 square kilometre block of land, adjacent to or surrounding the four Tlicho communities, including sub-surface resources.

The Tlicho government will receive about \$152 million over 14 years, as well as an annual share of resource royalties from development in the Mackenzie Valley.

Title to most land within the new community limits will be transferred to the Tlicho community governments. Third party interests with legal tenure will be protected.

The Tlicho government will have prescribed law-making powers on Tlicho lands and over Tlicho citizens off Tlicho lands. There will

be a public community government in each Tlicho community established by territorial legislation.

A community government will have the power to enact laws relating to standard municipal matters. Subject to certain limitations, Tlicho citizens will have harvesting rights throughout the entire region at all times of the year.

A renewable resources board will be established to manage wildlife in Wekeezhii. The Tlicho government will be the custodian of heritage resources on Tlicho lands.

In consultation with government, the Tlicho government can name or rename lakes, rivers, mountains, and other geographic features and locations wholly within Tlicho lands, or in Tlicho communities, and that new name will be recognized as the official name.

The agreement gives the Tlicho the tools to achieve financial independence. The agreement also gives them more power to protect their lifestyle, stimulate economic growth and improve the welfare of their community.

Given the nature of the bill to give effect to the Tlicho agreement, it seems that the role of Parliament is to debate, and accept or reject, the bill. We need not amend this bill. It was duly endorsed by the three parties that negotiated it. In our view, amending this bill would be a show of paternalism that we want no part of.

We wish to reiterate that the Bloc Québécois endorses the key recommendations of the Royal Commission on Aboriginal Peoples, which set out an approach to self-government built on the recognition of Aboriginal governments as a level of government with jurisdiction over questions concerning governance and the welfare of their people.

The entire report was based on recognition of the aboriginal peoples as independent nations occupying a unique place within Canada.

Congratulations to the Tlicho and good luck.

•(1655)

[English]

Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development, Lib.): Madam Speaker, the scope of my colleague's knowledge of the process puts many of us to shame. It is quite extraordinary.

I am familiar with Rae-Edzo and I promise to learn Behchoko. I am familiar with Snail Lake and I promise to try and learn Wekweti, the new names, which my colleague mentioned, that we all have to learn.

Government Orders

Since my colleague is so well informed, I was wondering about the present status of the language of the Tlicho in the Northwest Territories legislature. It is my understanding that legislature functions quite regularly in seven or eight different languages simultaneously, obviously English and French, but five or six others. Does the member know whether at the moment the Dogrib language is regularly used in the simultaneous translation system of the legislature in Yellowknife? I am sure in the future that will be the case.

[*Translation*]

Mr. Bernard Cleary: Madam Speaker, I have not had the opportunity to visit the Tlicho legislature, but I am sure that everything is done in the language of the Tlicho. It is still a very traditional nation. The Tlicho want to base their development on the knowledge of their ancestors, over the most modern territory possible.

Keeping in mind the names of the mining companies who supported the negotiations, as a negotiator myself, I believe that a great spirit of partnership will develop in that new aboriginal territory. It will help the Tlicho and the companies on this land to full develop the businesses they will create, but most of all, it will bring jobs to the native people and allow them to earn a living honourably and leave behind the cycle of social assistance which unfortunately has become a way of life on our reserves.

We should be pleased that such an agreement was reached here, in Canada, because it rekindles the pride the native people have always had and which they have often lost through their contact with new arrivals.

• (1700)

Mr. Robert Carrier (Alfred-Pellan, BQ): Madam Speaker, I thank the hon. member for Louis-Saint-Laurent for his interesting presentation on the Tlicho nation. As he clearly explained, the Bloc Québécois supports this bill.

Personally, I am very proud to see that the government is prepared to recognize the self-government of a people that has its own identity, language and culture. However, I am not so proud of this same government, which illegally influenced the results of the 1995 referendum on Quebec's sovereignty. I hope that this initiative will make all Canadians reflect on the assistance that Canada can bring to various cultures and to their recognition.

In my opinion, no nation can thrive while refusing to recognize the identity of others. We cannot all be identical, live in the same mould and speak the same language. That is not the way to build a nation. When identities are clearly recognized, the result is a unity of thought that is far better than the dominance of a majority.

So, it is my hope that this initiative will convince all Canadians to accept the fact that Quebecers too are different, and that Canada will respect the process and the outcome of a future referendum in Quebec.

Mr. Bernard Cleary: Madam Speaker, I can only hope for what the hon. member is proposing.

Hon. Sue Barnes (London West, Lib.): Madam Speaker, I appreciate the hon. member's speech. He spoke with great sensitivity on the issue of aboriginals and negotiations. This is very important.

[*English*]

In the member's experience, what happens over the time when one goes from a starting position as a negotiator? Is it a situation where we hold the line or is there true negotiation in these processes over a long time? When we look at all the various tables that have to occur, whether it is boundary tables or overlapping agreements, how complex are the negotiations and what are the sentiments of the negotiators who are at the table?

I do not think many Canadians have an understanding of the process, which is different from legislation that comes before the House, the tripartite process. The fact that we have a standing order that introduces this process of a treaty because it has a taxation power, that is why we have to deal with ways and means motions by the rules of the House. How has this come about? Could he give the benefit of his own experience in this type of negotiation to help Canadians understand what would happen and the compromises that occur over time?

• (1705)

[*Translation*]

Mr. Bernard Cleary: Madam Speaker, to answer what I have been asked would be about the equivalent of giving a three-hour university course, but I will try to be briefer than that.

Negotiations, whether on comprehensive land claims or self-government, are extremely important for nations. The first step is for people to be informed about these two concepts. They have made to understand the concepts used.

For some aboriginal people, the concepts involved in a negotiating agreement are not particularly easy to grasp, particularly when there are untranslatable terms, as is very often the case. Some terms, such as negotiation, do not exist in native languages. The action has to be described, and the description depends on the person doing the describing.

The other important element is for people to choose what they want. Often there is not an innate trust in their negotiators. They have been had on so many occasions that they are now very cautious. People want to know what is going on and so they insist that the negotiator explain very clearly what he will be asking for at the negotiating table.

I will skip a bit here, as otherwise this will get too long. So, when we get to the negotiations per se, based on a negotiation plan and a communication plan, an effort is made to get each community involved. If there are 10 communities taking part, then there may be 10 representatives who will follow the whole process along with the negotiator. After that, of course, people have to be kept regularly informed.

So, when the negotiating process has taken 10 years, people think that this is terribly long. We know, however, that often this is not an area in which aboriginal people come with a built-in expertise, so there can be a lot of problems and it can take a lot of time.

I remember an occasion on the Lower North Shore where I often said that we were working for the children of our grandchildren. Now, given the aboriginal approach of living for the moment, such a concept are not easily got across.

Government Orders

The negotiator's job is more than mere negotiation. It involves social animation as well.

Finally, gradually, things get accepted, after information meetings are held. Then the last step is a referendum.

[English]

Mr. Pat Martin (Winnipeg Centre, NDP): Madam Speaker, it is a great pleasure to rise on behalf of the New Democratic Party to speak to Bill C-14. I am especially pleased to represent my party in voicing our views on the bill because it deals with a fundamental issue that is very dear to my heart, and that is the eventual emancipation of the aboriginal people.

The bill would give force and effect to an agreement that was laboriously negotiated among the parties to deal with the self-governance and land claims of the Tlicho people in the Northwest Territories. I am heartened today to hear the views of my colleague from the Bloc Québécois and the views shared by my colleagues in the Liberal Party as they speak in favour of the bill and in favour of the House of Commons recognizing the legitimate aspirations and goals of freedom and self-governance of these people.

Let there be no doubt that the Tlicho people meet all the tests of being recognized, not only as a nation but as a people. They have a language, a rich culture, heritage and tradition. They had and have land and a land base that pre-dates Confederation and pre-dates European contact on this continent by not only hundreds of years but by millenniums.

I am pleased to voice the views of the New Democratic Party that the bill should have speedy passage through the House of Commons at this stage and be sent to committee where I hope it also gets favourable treatment.

However I was disappointed to hear some of the views and criticisms put forward by the representative of the official opposition, the member for Calgary Centre-North. I feel like I am having déjà vu because one of the proudest moments of my career as a member of Parliament to date was being able to advocate and speak on behalf of the Nisga'a deal, which was the only other contemporary or modern day treaty signed in recent history that dealt with self-governance and a land base.

It was our pleasure to see that bill through. It was one of the proudest moments of my career to stand and vote in favour of that bill but we also had to stand 472 extra times because the Reform Party of the day opposed self-governance for aboriginal people. The Reform Party of the day opposed the right to self-determination for aboriginal people. The Reform Party and later the Alliance Party did everything it could to block the Nisga'a deal, mostly using political mischief by moving 472 amendments to the bill which were clearly designed to block, delay and stall.

I am disappointed to see a repeat of this in that we are getting opposition to what should be a unanimously accepted bill. I am not convinced that we as members of the House of Commons should even have a right, frankly, to interfere with the passage of the bill. The bill was negotiated between the Tlicho people, the Government of the Northwest Territories and federal government representatives, and the agreement has been struck.

The bill we are passing today would simply give force and effect to an agreement that has already been made. Therefore it would be an extension of the paternalism that has plagued aboriginal people for any of us here today to start cracking open this agreement to say that we should not be allowing Indians this much land or this much money. That is not our place. It is not for a bunch of white guys in suits to make those rulings.

This has been a long process of very sensitive and delicate negotiations. Agreements were ratified in a laborious and comprehensive way of all the four communities within the traditional area of the Tlicho people. At this point in time they simply need the recognition and the enabling legislation for that agreement to be manifest in full force and effect in the traditional territory of the Tlicho people

• (1710)

It seems to me that Tom Flanagan is still writing aboriginal policy for the Canadian Alliance Party. Progressive Conservatives must be rolling over in their collective graves, if that party is in fact dead, to hear the opposition being put toward the bill today. It is sad.

The mindset among those who are opposed to the emancipation of aboriginal people is a mindset that is found in the title of the book by Mel Smith, a senior advisor on aboriginal affairs for the Canadian Alliance, called *Our Home or Native Land*. In the book he challenges the whole idea of any kind of a land claim by stating that it would create a third order of government that would somehow have primacy over federal government laws. That is complete fearmongering and we heard 20 minutes of that fearmongering today.

The Canadian Alliance would have us believe that somehow this modern day treaty would have primacy on international affairs, that this new first nation would actually be out there representing themselves and having primacy over the federal government. All of that is carefully pointed out in the bill, if anyone would take the time to read the actual contents. There is no question which order of government has primacy. There is no question what relatively minor local bylaws and things the Tlicho people will have authority over.

The taxation rights that are within the bill are what is possibly the most meaningful financial component of the bill. Because taxation is a spending matter, the bill has to be preceded by a ways and means motion. That is parliamentary procedure. There is nothing sinister about a ways and means motion introduced by a minister to precede spending matters. That is the way this place works.

I have had to sit here for seven years now and listen to some pretty extreme views from the Reform Party, then the Canadian Alliance Party, and now we are seeing fairly extreme views in opposition to the bill from the new incarnation, the Conservative Party. I remember the terrible view shared by the aboriginal affairs critic when I first arrived here, who said that living on an Indian reserve was like living on a south sea island being supported by a rich uncle. That was the enlightened viewpoint of the Canadian Alliance of that time.

Government Orders

Other people have said that just because we did not have Indian wars in this country does not mean that they are not a vanquished people, otherwise why would they live on those Godforsaken reserves we have put them on. We can look that up in *Hansard*. Those were the views shared by the Alliance members then and their views do not seem to be much more enlightened today.

I do not think anyone should be standing in the way of a self-government agreement that would actually see a people come out from underneath the tyranny of the Indian Act. We should be celebrating this in the House of Commons today, not finding ways to throw obstacles and barriers in the way.

I do not need to tell anyone that the Indian Act is outdated and paternalistic legislation that is unworthy of any modern democracy. Any time a group of people, such as the Tlicho and the Dogrib Treaty 11 territory, can find their way to come out from under that oppressive document, we should be celebrating that fact.

Those who are not steeped in the issue of aboriginal affairs probably are not aware that the Indian Act essentially strips people's rights away. I heard the hon. member for Calgary Centre-North say that we do not want to put in place a race based set of privileges, as if the Tlicho people will now have extra privileges that other white Canadians do not have. In actual fact, the obnoxious race based issue is the fact that the Indian Act is still dominating and controlling the lives of a million Canadians in the year 2004. That is the real tragedy and that is the race based issue that must be addressed.

• (1715)

We are satisfied that there has been a thorough and comprehensive education and then ratification process of all the parties involved in the land claim and self-government agreement. I know it was an exhaustive tour throughout the territory to reach every last resident within that territory for, first, education, then consultation and finally, ratification of the agreement as we see it today.

Let us not kid ourselves. There was a great deal of give and take in that negotiation process. I do not believe anybody got all that they wanted out of this package, such as is the nature of negotiations. There was a lot of compromise and cooperation.

The only thing we need to know is that all the players, all the people directly affected by this agreement, are comfortable with it. That includes the government of the Northwest Territories, the diamond mines that are resident in that area, owners of the resource properties there, the federal government negotiators and, most important, the representatives the Dogrib Treaty 11 Council.

We find no fault in the bill. We feel it is our duty and our obligation to take that information from the authorities who are directly affected by it and do everything we can to see speedy passage.

We have a window of opportunity here. This could be a very brief minority government. It would be an injustice and terribly unfair if we let this issue slide or if we somehow ground it to a halt to where it could not pass within the timeframe. We might be back in election as early as February or March of next year, God forbid. This is what we are told. That gives us very few sitting days to see Bill C-14 get through this stage in the House of Commons, committee, third

reading, Senate, et cetera. We all know that whole process is fraught with pitfalls when there is political mischief afoot.

We are happy that the Nisga'a people saw social justice within their time. That was a century-long negotiating process where the Nisga'a people first took their grievances down to the parliament buildings in Victoria in a dugout canoe and were turned away at the door of the legislature.

It was a very emotional process, for me at least, as we went through the steps in this House. They were welcomed into the House of Commons by most of the political parties here. The whole process was welcomed and the final treaty was in fact ratified.

These modern-day treaties are difficult to put together because they contain two components, as has been rightfully pointed out. It is not just a land claim. It is a self-governance agreement. With that comes the richness of the idea of self-determination and a recognition of a whole people, the language and culture, the right to make laws and to chart their own destiny. That is what is really exciting and really heartening about this whole process.

Without going into a great deal of technical details, I do not think it is necessary to know what the intentions of the NDP caucus will be in association with the bill. We are satisfied that it meets the tests for which we would look. It is a deal that has been driven by the people it affects and there has been natural justice involved in the consultation and the ratification process. The people have spoken and I believe it is up to us to honour the message they send to us. This is an idea whose time has come and we want to see it recognized and implemented in this session of Parliament.

The bill has the support of the NDP caucus.

• (1720)

Hon. Rob Nicholson (Niagara Falls, CPC): Madam Speaker, I almost do not know quite where to begin. I heard so many things coming from the hon. socialist with which I disagree.

First, the member spoke with such disparaging comments about the speech by the member for Calgary Centre-North. I would challenge anyone else to read the speech by the member of the New Democratic Party and the speech by the member for Calgary Centre-North. There is no comparison in my view, and I think in the view of any fair-minded individual, of the complete and thorough analysis that was undertaken by the member for Calgary Centre-North.

The member said that he did not want to get into specifics. I wonder if he read the 208 page agreement. There is no question, after listening to the member for Calgary Centre-North, that he has read it and has analyzed it. What is interesting though is the hon. socialist questions the right of us to even have a look at this. He said that this was negotiated. Since when has the Canadian Parliament and the House of Commons abdicated its responsibility to make, I would argue, a major constitutional change and then not have this Parliament and this body debate it and have a look at it? We have every right.

Government Orders

He went so far as to say that it would be arrogance for us to open up or have a look at an agreement that has already been negotiated. I do not know who negotiated this on behalf of the Government of Canada. I know for sure that I and none of my colleagues on this side ever gave them a blank cheque to negotiate something of this importance to the country.

I believe he is absolutely wrong. I disagree with and dislike very much his pejorative comments. He asks what right white men in suits have to look at this. I do not like the reference to the fact that we as males have any less right, or somebody who is Caucasian has any less right, to comment on this or any other legislation, treaty or constitutional amendment here. We have every right.

Who else is on his list of people or groups who he does not like and who should not comment on this? He is completely off base. He and his party should have a very careful look at what the member for Calgary Centre-North had to say. He has done a thorough analysis of this and he has raised some very reasonable concerns on this.

I remember the parliamentary secretary saying that we would look at these at second reading, and so we should. Members of the New Democratic Party may decide that they will not be participating in this. If it would be arrogance for them to have a look at any of the details of this agreement, they should absent themselves from the committee. However, on this side we will not do that because of the reasonable and incisive critique by the member for Calgary Centre-North.

• (1725)

Mr. Pat Martin: Madam Speaker, I do not quite understand why he keeps calling me the hon. socialist. I could call him a number of names too. I am not sure if that is parliamentary or not, but it does not really bother me that much. The—

Hon. Rob Nicholson: Madam Speaker, I rise on a point of order. That member kept referring to us as the Canadian Alliance Party. He knows the name of the party is the Conservative Party.

The Acting Speaker (Hon. Jean Augustine): That is not a point of order. The hon. member for Winnipeg Centre.

Mr. Pat Martin: Madam Speaker, I think those guys killed the Progressive Conservatives. They do not seem to be evident in that party at all.

The Tlcho government will have a very defined range of law-making powers. Those are clearly spelled out in the agreement. The primacy as to who has the authority over what matters has been very carefully laid out and thought out by others in the 10-year-long agonizing process, while this group of people negotiated their way out from under the Indian Act.

Ultimately, we should be all work toward the elimination of the Indian Act. It is unworthy of any western democracy. It is an international embarrassment that we still have the Minister of Indian Affairs in complete control over the lives of first nations people, the aboriginal people of the country, without agreements such as this.

I do not know if the hon. member is aware. People cannot avail themselves of the resources on their traditional territory or on their reserve. The Indian Act spells out what things first nations people can use for economic development, such as sand, gravel, mud, moss

and a few things. It does not say anything about gold, oil, gas, ores of any kind, molybdenum. None of those things are cited.

Until an agreement like this is put into force, first nations people have no hope of being able to develop their way out of the third world conditions in which they find themselves, on reserves they were placed on by virtue of the Indian Act.

This is why agreements like this are so heartening and give hope and optimism to generations of aboriginal people. There are other outstanding claims grinding their way through in an agonizingly slow process. We are critical of the federal government for not opening the tables and being more generous at the tables in view of Supreme Court rulings as they pertain to aboriginal title and use of resources, et cetera. In fact the government is not paying any attention to Delgamuukw, Sparrow, Corbiere and any number of recent rulings. The government is bound by policy directives that date from the 1970s when it is at the bargaining table on comprehensive land claims.

When one actually gets to this point, it is almost a miracle if it gets here in spite of all the obstacles thrown in its way, not the least of which is the wholesale opposition to the idea of self-government articulated by the Reform Party, by the Canadian Alliance Party and by some members of the current Conservative Party. They seem to feel that by setting up independent first nations and self-governance, that sets up a third order of government that will somehow compete or have primacy over the legislative authorities of the House of Commons, or provincial legislatures or even municipal by-laws. That is simply not true.

This is tantamount to fearmongering to imply that by passing this bill it will somehow pass something that has primacy over the House of Commons and elected representatives here. We still have all the power, so there is nothing to worry about ultimately. We have afforded this group of aboriginal people to develop their own traditional land and traditional territory and to get out from under the oppression of the Indian Act.

• (1730)

Mr. Jim Prentice (Calgary Centre-North, CPC): Madam Speaker, I might just ask the hon. member, whom my friend has referred to as the hon. socialist, this. If we are to elevate the debate in the House, we have to be somewhat respectful and listen to each other. My friend has raised questions which clearly indicate that he was not listening to what I had to say in the House.

Therefore, let us deal with this document as it relates to international agreements. The point that I made, to which he clearly did not follow or listen, was to take the Kyoto Protocol for example. If the Government of Canada is going to sign the Kyoto Protocol, article 7.13.2 of the agreement obligates the Government of Canada to consult with the Tlcho people before it signs the Kyoto Protocol. Read it. It says, "Prior to consenting to be bound by an international treaty", it will consult. That is the implication of the agreement. Has my friend considered that?

Government Orders

With respect to other matters such as women's rights, the rights of indigenous women in Canadian society, I challenge my friend to read this agreement, to read the Tlicho constitution and to read the Canadian Constitution and tell the House that the rights of women will be protected, that a Tlicho woman will have the same rights as a woman anywhere else in Canadian society. That is not the way this legislative framework reads. That is the point we are making. This has not been fully considered from the perspective of the best interests of Canada.

Mr. Pat Martin: Madam Speaker, in the work I have done with first nations people, I have become sensitive to customs and traditions, and sometimes it is hard to understand from my Anglo Saxon background.

I met with one group of aboriginal women elders. They said that in their home community women are not even allowed to run for chief and council. A number of us shook our heads and said that was shameful. Then one woman said that men are not allowed to vote. In some way over thousands of years in their community they had managed to work out a balance of power situation that worked for them that may not seem suitable to us.

In this situation, I point out that the Charter of Rights and Freedoms continues to apply. No one is undermining the basic human rights which we afford to all citizens. I can accept the hon. member's right to raise these objections. We will deal with it at committee in more depth when we do a clause by clause, line by line analysis of the bill.

I listened to the hon. member's speech. Both its tone and content would lead one to believe that the Conservative Party is opposed to the Tlicho agreement on the basis that it gives away too much.

• (1735)

Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Madam Speaker, I am truly honoured to voice my support for Bill C-14, the Tlicho land claims and self-government act.

This legislation will establish a new and respectful relationship between Canada and the Tlicho. I am also confident that the agreement this bill brings into force will foster economic and social development in the Tlicho communities, which are progressive communities.

I visited them in the north over a year ago. I met with leaders and saw some of the development. I also visited some of the diamond mines. On the human resources development aspect, we have an increase of aboriginal skills in the workforce which is good for all people in Canada and the economy of one of our northern territories.

The Tlicho are Dene people who live in four communities to the north and west of Yellowknife. They are an ancient people who have thrived in the north's harsh climate through a mix of adaptation, determination and cooperation.

For more than 10 years the Tlicho have been involved in a comprehensive process of negotiation and consultation. We know that this process is one that is not always easy, but it is a testament to the three parties involved that they have come before this House looking for the final ratification by one of the parties.

The agreement at the core of Bill C-14 is the fruit of a long and important process. I think the level of the debate here is important. We need to help those who are seeking answers, but at the same time I am very confident that we have those answers.

This legislation comes at an auspicious time in Canada's history. Clearly, there is a new will among government leaders to resolve longstanding aboriginal issues. To address these issues effectively, the Prime Minister has restructured the top echelons of government, establishing a Privy Council Office secretariat and a cabinet committee, as well as appointing a parliamentary secretary, all devoted to the aboriginal affairs portfolio. Certainly this Parliament, this House and the other place, continue to be charged with this very important work.

A few months ago Ottawa hosted the historic Canada-Aboriginal Peoples Round Table. During the round table, representatives of dozens of governments, agencies and organizations from across Canada held focused and productive discussions. The success of these discussions inspired the parties to continue to collaborate on a range of aboriginal issues at several sectoral tables.

To track progress made on the issues, the Prime Minister pledged to introduce an annual report card in Parliament. I think this is another measurement. It is not Parliament, but it is another parallel process which has the ability to include many people, many experts from the aboriginal community.

While we recognize that aboriginal issues such as housing, health and economic development are complex and multifaceted, the government's overarching goal is clear. The goal is to ensure that aboriginal peoples are able to participate fully and equally in Canadian society.

Accessing the mainstream economy, for instance, has long been difficult for many aboriginal communities. These communities face significant obstacles, such as underdeveloped infrastructure, limited access to venture capital and a lack of entrepreneurial expertise. Delivering effective social services and providing relevant education have also been challenging.

Some of these communities have met that challenge and will continue and actually do better in the future.

[*Translation*]

Nevertheless, in recent years, a growing number of aboriginal communities have found innovative ways of overcoming these obstacles. Generally, their solutions involve partnerships with governments, private business and other communities.

[*English*]

For example, the Tlicho have leveraged a series of partnerships to make their communities more prosperous, progressive and sustainable. Today the Tlicho operate numerous joint ventures in a range of economic sectors. They run their own schools and deliver social services through an agreement with the Government of the Northwest Territories.

I remember my colleague asking a question about the Government of the Northwest Territories and whether this language was one that was used. I believe it is used. In fact, it is one of the seven or eight languages that are officially used in the Government of the Northwest Territories.

The Government of the Northwest Territories unanimously ratified this agreement. I remember being there over a year ago and talking to some members of that territorial government. They were encouraged and excited about the prosperity and economic development that this would bring to their region.

Now we are here. They want to strike a new deal with the people of Canada, a deal that will put them once again firmly in control of their own destiny. For centuries the Tlicho were a self-sufficient people in charge of their own affairs. Given the remote location of their communities, there was little contact with southerners. All of that changed though when plans got underway to develop oil and gas reserves in the north.

• (1740)

[*Translation*]

Recognizing that their traditional lifestyle was threatened, the Tlicho chiefs embarked on an ambitious project to help their people face an uncertain future. Instead of fearing the unknown, the Tlicho have seen an opportunity to better understand both the culture of the north and that of the south. This new philosophy has inspired Chief Jimmy Bruneau to coin a phrase describing the Tlicho people as being as strong as two peoples.

[*English*]

These were not just words. In the early 1970s a Tlicho school was built in the village of Rae to teach a bicultural curriculum. Lessons were based on both aboriginal and non-aboriginal traditions. A few years later the Tlicho took another progressive step by establishing a development company to sponsor private businesses. Rather than focus on profits, these businesses trained and employed Tlicho people. We have to celebrate the innovation, the thoughtfulness and the planning that this type of step brought to a community.

Twenty years later when diamonds were discovered on traditional Tlicho lands, the wisdom of Chief Bruneau's approach quickly became apparent. Seeing the diamond mines as a valuable opportunity for the Tlicho, they drew on the bicultural education of their students and the entrepreneurial expertise they had acquired through band owned companies to make the development of this resource work for them.

[*Translation*]

So, the Tlicho negotiated with the Diavik and BHP Billiton mining companies impact and benefit agreements providing for access to jobs, contracts, training programs and scholarships.

[*English*]

The Tlicho people have also invested in sustaining their vision of being a modern people who remain rooted in their traditions. Revenues from Diavik and BHP Billiton have been invested in Tlicho communities, in youth groups, in sports programs, in beautification projects and physical infrastructure.

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Alongside these progressive ventures, they have continued to support traditional activities such as trails of our ancestors, an annual 10 day canoe trip. The trip, led by the Tlicho elders, involves up to 200 participants each year. People of all ages paddle and camp together on traditional waterways and lands. They fish and hunt together, renewing their age old connection to the land that is now providing for them in new ways.

Bill C-14 honours this connection by granting the Tlicho people ownership and control of their traditional lands. The legislation before us represents a momentous opportunity not only for the Tlicho but also for Canada. It will effectively give the Tlicho people access to the resources they need to sustain their communities. Bill C-14 is also an opportunity for the government to send a clear message to aboriginal people across the country that we are serious about working with them to support their vision of a better future for their families and their communities.

Clearly, finalizing land claims and self-government agreements represent major strides toward these goals. These agreements enable aboriginal communities to contribute to the economy in ways that honour their traditions, languages and cultures. For evidence of the value of these agreements we need look no further than Nunavut or the Nisga'a nation.

I said earlier in the House that I was involved in the Nisga'a nation agreement. It was the first embedded agreement of self-government and land claims. This is the second. It really is an honour and a special moment to be a participant in both of these. There have been other agreements, but I feel that we are creating history in this chamber. These are not words; these are not picking apart the legalities. These agreements are building a country. They are a vision of the future that engages in partnership with respect, cooperation and compromise.

The Tlicho people did not get everything they wanted in this agreement. Perhaps they did not get everything that Canada or the territory originally put on the table. Agreements like this are real negotiations after education and consultation. Compromises are made over time. At the end of the day, this agreement, with all of its vast boundaries, has overlapping agreements that were done in a manner with which all the neighbours are happy. That is not true of every agreement that has been brought before the House. This is a vast boundary and to my knowledge all the neighbours are happy.

Those negotiations were done in good faith. We can talk about that process and implementation in this chamber. Like an international treaty, this is a ratification process. These negotiations with the Tlicho were done in good faith and with clean hands. The Government of Canada has laid these negotiations before this chamber. The Tlicho people voted in their communities with an outstanding outcome. It was better than the outcome of my election and probably better than the election of some other people in this place. It was a true representation and ratified by the people most affected.

Government Orders

The respected financial services firm of Grant Thornton conducted a thorough review of recent developments in British Columbia: agreements in principle, court decisions and government policies. The study concluded that treaties deliver a large net positive financial and economic benefit for all residents of British Columbia.

We could probably extrapolate that. When certainty is given through agreements, economic ability to move forward is also given because of the consequences of not really knowing a boundary, a resource, the process of government, the people we are dealing with, or who has the jurisdiction. These tables have been put into an agreement which has been ratified two ways now. We are the third party here.

• (1745)

We are in a special position. We will debate the bill in this chamber, but then it will move to committee. I, as parliamentary secretary, together with members of our government will help other people who have concerns to understand. Sometimes at the end of the day, maybe that understanding will not be there. However, we will make our best effort to push for that understanding because it is in the best interests of Canadians to move these ratifications forward and to complete our task.

It should come as no surprise that there is only one economy and the more aboriginal people who participate in and contribute to the economy, the better off all Canadians will be.

The Tlicho people have been preparing to implement this agreement for up to 10 years. They have completed related accords with their aboriginal neighbours, secured the support of the territorial legislature in Yellowknife, and drafted and ratified a constitution. They have demonstrated a remarkable ability to negotiate mutually beneficial deals with partners from both the private and public sectors. It is now our turn to recognize these considerable accomplishments by establishing in law this new and respectful relationship with the Tlicho.

I sincerely urge all of my hon. colleagues to support Bill C-14. There will be time for them to make inquiries. There will be a way that we can strive to provide the answers they seek. However, I hope we all do this in the good faith that is needed to take this forward for the benefit of all Canadians.

• (1750)

Mrs. Lynne Yelich (Blackstrap, CPC): Madam Speaker, I listened to the parliamentary secretary and I have many questions.

Canadians really do believe in self-government for aboriginals. Our party actually had policy pointing to self-government. We agree that this is a step in the right direction.

However, can the parliamentary secretary give us something with which to compare self-government? Would it be like a municipal or a provincial government? Will we have a government that is equal to our Canadian government, if they have to deal with international agreements? I would like to hear, first of all, an explanation of what level of government.

In our province right now our aboriginal people will be looking at the agreement and thinking that they too should be looking at an agreement like that because they want an MRI on their reserve.

However, an MRI is not allowed because it would violate the Canada Health Act. How will our aboriginal people handle situations like that when it comes to things that violate the Canada Health Act or other acts? I would like to hear from the parliamentary secretary.

Hon. Sue Barnes: Madam Speaker, over the course of time we will be able to discuss many questions and I am prepared to speak privately with any members who are not satisfied with the answers in the House.

The Tlicho bill has two main features. It gives effect and force of law to the Tlicho agreement and the tax treatment agreement. I should also mention that it makes related and consequential amendments to other federal acts, namely the Mackenzie Valley Resource Management Act, the Access to Information Act, the Northwest Territories Act, the Northwest Territories Waters Act, the Canada Lands Surveys Act, the Canadian Environmental Assessment Act, the Lobbyists Registration Act, the Payments in Lieu of Taxes Act and the Privacy Act, just to name a few. It covers many different areas.

The hon. member would know that there are four main communities within the territory and these governments would have elections. There is a methodology that the new government of the Tlicho would take over from those community governments that already exist.

I am sure the hon. member knows that currently the residents in this area are covered under the Charter of Rights and Freedoms and there are specific provisions in the agreement that say that the charter will apply. When that charter applies, it means that it applies as equally to a member in the community of Tlicho as it does to myself. Therefore, we have equal protection afforded under that piece.

Within the areas of this agreement, in regard to which legislation is concurrent or which legislation has the higher priority, federal laws do. In fact, with respect to international treaties, there are many sections in this bill, and I could go through them and I am sure I will be going through them with my hon. colleague, the critic for the official opposition. I look forward to that exercise because we do have the answers, but I do not denigrate from the questions being asked.

We look forward to this opportunity because the Tlicho community wants to say to all of Canada that it wants to join Canada in the way that celebrates its heritage, celebrates its culture and celebrates its contribution. In self-government, as the hon. member understands, is that ability to meld the two together and go from an economic perspective.

I have heard the phrase from the hon. member's party on the question of the Tlicho agreement that it creates a third order of government. It is important that I spend a moment on that question. There is no Supreme Court of Canada recognition of a third order of government. Agreements are negotiated within Canada's existing constitutional framework and are not negotiated as a third order of government.

Government Orders

The Tlicho agreement addresses the aboriginal rights of the Tlicho and the rights set out in the agreement will be protected under section 35.1 of the Constitution Act, 1982. Section 35.1 of the Constitution Act, 1982 recognizes and affirms existing aboriginal and treaty rights. Court cases like *Delgamuukw* have clarified the nature of aboriginal rights and the protection that section 35 provides; however, they have not defined the full scope of the rights.

Moreover, the courts have continued to encourage a resolution of the issues through negotiation. That is what we have done here rather than litigation. We could fill our courts for a long time at great expense to everybody or we could come to the table, and negotiate fair and equitable agreements that recognize the inherent rights of the original inhabitants of our land. The Tlicho agreement has been negotiated to achieve a constitutional objective that is enshrined in section 35.1.

I hope that begins to address some of these concerns. I feel very comfortable with this, but I would also be very happy to engage any member in this chamber who does not have that same level of comfort. I know that the process in this chamber provides us that time.

• (1755)

Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC): Madam Speaker, I would like to know if the member can assure us that federal powers will prevail in relation to a clause which says that the Tlicho government has the power to enact laws in relation to fish harvest licensing, the use of water for aquaculture and other activities, fish harvest limits, fishery openings and fish gear.

We all saw the fiasco that took place on the Fraser River this year. Fingers were pointed at the different groups involved. Some said that the problems were caused because of agreements or whatever. If in any part of a river one group or another has control and the federal government cannot assert its jurisdiction, that is asking for trouble.

I am more perturbed by another clause which says that the local government will have control or prohibition of transport, sale, possession, manufacture or use of weapons or dangerous goods. Surely to God the government is not going to give up control of the manufacture of weapons in this day and age in any area, regardless of who is in charge of that territory or province. Hopefully the federal laws will prevail, but the big question is whether they will or not in relation to this agreement.

In these two areas, and I am sure there are more, we have very grave concerns.

Hon. Sue Barnes: Madam Speaker, the hon. member has asked me quite a large breadth of questions. I certainly will not be able to supply the answers in a couple of minutes.

The Tlicho agreement, I can assure the member, has sections that deal with land and water management. It has sections that deal with the hon. member's questions on gender equality, access, wildlife harvesting and management, trees, plants and forest resources, water rights and water management, subsurface resources, national parks and protected areas, heritage resources, economic measures, taxation, the idea of a Tlicho government and Tlicho community governments. There are financial arrangements, ministerial powers, transitional timelines and regulations.

All of these areas have been negotiated. If the hon. member is serious about understanding parts of this, we could go through it with him. We will have that opportunity.

The law-making powers are important to the member and I am going to try to address that for him right now. He is asking about the relationship between Tlicho laws and federal laws and maybe even the territorial laws. The law-making powers of the Tlicho government will be exercised concurrently with the law-making powers of Canada and the territorial government. Within that there needs to be some further explanation.

This concurrent exercise of law-making authorities helps to avoid legal vacuums if the Tlicho government does not exercise its negotiated law-making authority. The Tlicho agreement provides that if there is a conflict between a federal law of general application and a Tlicho law, the federal law will prevail. That is very clear in this agreement.

• (1800)

Mr. Jeremy Harrison (Desnethé—Missinippi—Churchill River, CPC): Madam Speaker, I will be splitting my time with the hon. member for Okanagan—Coquihalla.

I rise today to speak to Bill C-14, the Tlicho treaty. Madam Speaker, as this is my maiden speech in the House of Commons, I hope you will indulge me as I pay tribute to my constituents and my riding of Desnethé—Missinippi—Churchill River.

Desnethé—Missinippi—Churchill River covers more than half the geographic area of Saskatchewan, approximately 58% of the province's land mass. It is an enormous area, slightly larger than the country of Germany and a bit smaller than the country of France. I would like to sincerely thank the constituents of Desnethé—Missinippi—Churchill River and give them my commitment that I will do the very best job that I can on their behalf in Ottawa.

It is difficult to determine exactly, but I think my riding contains more first nations than any other riding in the country. There are over 30 first nations in my riding. It is also difficult to determine such things, but with over 60% of my riding's population being of aboriginal descent, I represent if not the most, then close to the most number of people of aboriginal descent of any member of Parliament.

I grew up in northern Saskatchewan. My home community is Meadow Lake. Many of my closest friends are aboriginal. As a law student my primary area of study was on the law surrounding first nations legal issues. I believe my background and experiences have given me some insights to allow me to speak to this issue with at least some understanding, based on practical experience and theoretical knowledge as well.

Before delving into the nuts and bolts of the treaty, I think it prudent to first give some background and context to the agreement that is before the House. Bill C-14 ratifies the Tlicho agreement signed August 25, 2003 between the Tlicho and the governments of Canada and the Northwest Territories.

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The bill will give the Tlicho people ownership of approximately 39,000 square kilometres between Great Slave Lake and Great Bear Lake in the Northwest Territories. Under the terms of the bill the Tlicho also acquire participatory regulatory authority over a much larger area. The bill is unique in that it is both a comprehensive land claim settlement and a self-government agreement. The agreement is precedent setting in both respects and will guide future claim settlements and self-government provisions across the north.

It should be noted as well that although the act itself is relatively short, it would bring into force the tripartite agreement of August 25, 2003 and would accord this agreement paramountcy over the act itself. In other words, approval of the act would bring into law the very complex provisions set out in the 208 page agreement, as well as the shorter tax treatment agreement.

My hon. colleague from Calgary Centre-North has already pointed out in a very able way the general reasons behind my party's opposition to the bill. Generally speaking, our concerns arise from the impact that the agreement would have on general issues of governance, more specifically on the country's ability to exercise our international sovereignty.

We are also wary that the agreement would erode federal constitutional jurisdiction in the north and unduly complicate federal jurisdiction with regard to international agreements entered into by Canada. In addition, important provisions of the agreement, most notably those pertaining to legislative concurrency, paramountcy and jurisdictional conflict are internally contradictory and in many ways indecipherable.

I also have concerns that the agreement gives the Tlicho constitution a superior position in law to that of the Charter of Rights and Freedoms. The Tlicho constitution is intended to be consistent with the charter, but a close reading shows that the citizens or persons to whom Tlicho laws apply will have rights and freedoms "no less than those set out in the Canadian Charter of Rights and Freedoms", a position of legal superiority.

Another area of concern I have with this treaty is the absence of finality. One of the points the agreement attempts to stress is that the agreement is indeed a final agreement, but article 27.6.1 shows that this is actually not the case. This article provides that the Tlicho would receive equivalent benefits to those granted in the future to any other aboriginal group in the Northwest Territories, whether by land claims agreements, self-government agreement, tax power exemption or legislation. This agreement is not really a final agreement at all.

●(1805)

I also have concerns about the remarkable provisions in the agreement dealing with international matters. Article 2.9 of the agreement states that it does not limit the authority for the Tlicho to enter into "international, national, interprovincial and interterritorial agreements". This makes it clear, by implication, that the Tlicho government has the authority to enter into international agreements, an almost unprecedented situation for a non-state actor in any nation on the planet.

Further to this, article 7.13.2 of the agreement states as follows:

Prior to consenting to be bound by an international treaty that may affect a right of the Tlicho Government, the Tlicho First Nation or a Tlicho Citizen, flowing from the Agreement, the Government of Canada shall provide an opportunity for the Tlicho Government to make its views known with respect to the international treaty either separately or through a forum.

This provision in essence creates a duty in law to consult. What is not made clear is what would happen if the Tlicho government made a determination that it is not in support of the relevant international treaty. Will the government be forced to make changes to the international agreement? This is a question to which there is no clear answer in the treaty. No clear answer has been provided by the government as well.

A further area of concern to me is with regard to the issues of jurisdictional confusion engendered by the agreement.

The act is clear in making the provisions of the agreement paramount over the act itself and over many regulations passed under the act. Unfortunately, the agreement itself appears to be internally contradictory, resulting in confusion regarding the concurrent and paramount authority of the Government of Canada, the Government of the Northwest Territories and the Tlicho government.

The agreement addresses these interjurisdictional issues in at least three places and prescribes three distinct paramountcy provisions. Articles 7.7.2 through 7.7.4 prescribe the following hierarchy of authority: one, federal legislation of general application; two, territorial legislation implementing Canadian international agreements; three, Tlicho laws; four, territorial legislation of general application; and five, specific federal legislation.

In other words, Tlicho laws prevail over territorial laws and also over federal laws of specific application passed by this House, thereby rendering legislation passed by Parliament subordinate to laws passed by the Tlicho.

Article 2.8.3 introduces yet another concept of paramountcy in that it makes the settlement legislation paramount over the provisions of any other legislation or Tlicho laws. Yet the definition of settlement legislation refers to both territorial legislation and federal legislation.

In this hierarchy, the agreement is paramount over federal settlement legislation, territorial settlement legislation and Tlicho laws, creating a situation of apparent inconsistency with articles 7.7.2 and 7.7.4.

A third legislative hierarchy is prescribed in article 2.10.7 that applies in the event of arbitration. This provision indicates the following hierarchy: one, federal laws of overriding national importance; two, federal laws implementing international agreement obligations; three, other federal legislation; four, territorial legislation implementing international Canadian obligations; five, Tlicho laws; six, other territorial legislation.

The general scheme of article 7.7.1 is that the Tlicho government has the power to enact laws that are concurrent with those of the Government of Canada and the Government of the Northwest territories.

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The problem, which I think is very apparent on a close reading of this agreement, is that there seem to be multiple definitions of how to determine paramountcy in the event of conflict.

For these reasons, I will be voting against the bill.

• (1810)

Hon. Keith Martin (Parliamentary Secretary to the Minister of National Defence, Lib.): Madam Speaker, I want to congratulate the member on his speech. I wish him well here in this House of the people. He knows better than most people in this House the profoundly tragic problems that aboriginal people endure in our country.

In my little experience in treating aboriginal people in some of the remotest areas of our country, I saw conditions the likes of which I only saw when I worked in Africa. They are basically third world conditions in Canada. It struck me that, as the member said, the system we have been working on for so long has not worked.

What we have here is a bill which we hope enables aboriginal people to take control of their system, to move away from an archaic Indian Act that impedes the ability of aboriginal people to maintain control over their lives and the lives of their loved ones.

I ask the member, in his experience, what would he recommend that we need in this bill to enable accountability? Or is he satisfied with the accountability in the system that ensures that aboriginal leaders are accountable to the members of their bands?

Mr. Jeremy Harrison: Madam Speaker, I have been to incredibly remote areas in my own riding that are in conditions of absolute poverty. It is unbelievable to see conditions like that in this country.

I am glad the hon. member brought up the issue of accountability and how he sees that as being important to the future of aboriginal peoples. I could not agree more. Accountability is something that is an absolute cornerstone and it has to be given much more emphasis by the government than it has.

When I talk about accountability, I do not mean accountability to bureaucrats in Ottawa, the people in the Department of Indian Affairs. The chiefs and councils must be accountable to the people they represent. The people on the reserve must be able to hold their public officials to account, to open the books and to have transparent financing of money that flows through the chiefs and council, because right now that just is not the case.

Almost every day I get a call to either my riding office or my Ottawa office from somebody on a reserve telling a horror story of a chief or a council member, or whoever it may be, hoarding money, which was intended for the benefit of all people on the reserve, and using it to buy a new truck or something else. The horror stories we hear are truly unbelievable.

It is incumbent upon the government, not just in this agreement but with regard to aboriginal governments right across the country, to bring in real accountability mechanisms, not to bureaucrats in Ottawa but to the people on the reserves. The local governments must be accountable to the people they represent.

Mr. Roger Valley (Kenora, Lib.): Madam Speaker, I have a question for the member for Desnethé—Missinippi—Churchill River.

I believe at the very start of his statement I heard him comment that he felt he represented the largest aboriginal population in Canada. I heard him claim that he had the most communities. I would like him to repeat that because I am sure there must be some kind of mistake. Maybe he can clarify it with his research, but I believe there are a lot of other ridings that have larger populations and more communities. Could I have some clarification, please?

• (1815)

Mr. Jeremy Harrison: Madam Speaker, what I said was that I think I represent more first nations. There are more first nations in my riding than any other in the country. My riding has over 30 first nations governments and 108 reserves, which are fairly large numbers. As I said, it is difficult to determine such things but I represent, if not the highest number of people of aboriginal descent, than close to the most. Approximately 60% of my riding are people of aboriginal descent.

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Madam Speaker, I congratulate the member for Desnethé—Missinippi—Churchill River for his tremendous presentation.

I think all of us in the House will agree that his youthfulness will not be a detriment but in fact an asset to him, as will the fact that he has a large population of aboriginal people within his constituency for whom he has a heart and with whom he has lived in close proximity. As he brings this experience plus his legal understanding to bear, we will all learn from what he has to offer.

The record in the House clearly shows that the Conservative Party of Canada has in the past supported, not just the notion of self-government agreements but self-government agreements themselves. I would refer to our not too distant past when we endorsed and encouraged other members in the House to support the West Bank agreement. We are also on record as wanting to proceed with caution in any type of legislation, not just self-government legislation but any type of legislation.

I would like to read the first phrase of Bill C-14. It is sobering force to realize what we are talking about. It is quite simple in how the bill is brought forward. If passed the bill will give effect to a lands claim and self-government agreement. A claim, in and of itself, does not mean that all the attributes of that claim should have full force, whether it is a claim of an individual citizen, a province, the federal government or aboriginal group. If the bill is passed everything they claim will become reality. That is why we need to approach this in a sobering fashion.

I congratulate the people who worked on the self-government agreement. We congratulate the notion of raising one's own revenues and the notion of hydro power development, and that the Tlicho people would one day even see self-sufficiency on their own lands and to actually at some point be able to add into the electrical grid in the Northwest Territories. Those things are all very commendable.

I congratulate the writers of the bill, which is relatively simple. It has 14 sections. It can be managed in terms of trying to get our heads around it and trying to grasp it.

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However there are problems that must be addressed, such as the fact that there is no finality to this particular deal. If other self-government agreements were to take place that appeared, in the eyes of the Tlicho people, to be more generous, however they might want to define it or for which this particular bill provides, then the whole thing could open up again. They would automatically assume unto themselves elements that may be more generous in other acts which could follow this one. That could lead to a devastating economic spiral and a precedent that I say we should not countenance in terms of this type of legislation. The aspect that there is no finality to this agreement is extremely problematic.

The question of international jurisdiction is one that cannot be ignored. There cannot be any question about who has international jurisdiction in our country.

[*Translation*]

Our Constitution is very clear. We have areas of federal, provincial and individual jurisdiction. Our Constitution is quite clear and yet we still have problems.

As we saw yesterday and again today, the disagreement between the Prime Minister of Canada and the Premier of Newfoundland is linked to only one provision of the Constitution, the only dealing with equalization. The problem however is so serious that it put a stop to a first ministers meeting. All of that because of one small provision in our Constitution.

•(1820)

Therefore, we do not need another level of government meddling in foreign affairs.

International relations have become very complex. In fact, we are now in a dispute with another European country, which is claiming one of our islands in northern Canada, and we have yet to resolve this issue.

Can you imagine the problem with a bill like this that is vague about foreign affairs!

[*English*]

It is too big a risk to have a cloud hanging over an area as important as international jurisdiction. In, supposedly, some of the simplest areas of demarcation between federal and provincial jurisdictions, we already see great complexities, discussions that rage on by the hour and by the days and weeks in this House between the provinces and the federal government. To suggest that we should put another level of jurisdiction into this constitutional morass is simply untenable.

I have nothing against the good people who want to see this agreement go ahead. I am pleased that this agreement removes much of the jurisdiction of the Indian Act. We are all agreed that the act no longer serves and it can even be questioned whether it ever did truly served the aboriginal people.

There are positives here but the negatives are too big to ignore. I want to see the Tlicho people move on to prosperity, to independent living and to acquire their aspirations. We all want to see that happen.

Whether we are talking about prosperity or about poverty, those two conditions do not exist by accident. Prosperity happens to an individual or to a group of people when certain principles are applied. Poverty reigns when certain principles are not followed. We want to see the principles that have been applied to Canadians applied to these people because over the years Canadians, relatively speaking, to the rest of the world we have prosperity.

Certainly we are not free of problems but compared to the rest of the world we are a prosperous country. That did not happen just by accident. We do not have to feel guilty about that. Certain principles were in place that allowed individuals to move ahead, to be innovative, to pursue an education, to pursue enterprise, to become innovative and to actually create wealth for themselves.

We want to see the same principles applied here, which is why we have concerns with some of the elements in the bill. We would like to work with the government to see those addressed so that the aspirations of these good people can be achieved.

Hon. Sue Barnes (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Madam Speaker, a couple of times today I heard a concern about certainty being achieved with the Tlicho agreement and whether the Tlicho citizens will be surrendering their aboriginal and Treaty 11 rights?

The simple answer is that an alternative to the traditional surrender technique is used in this agreement. The Government of Canada created a new technique for achieving certainty with respect to land and resources. Rather than accede, release and surrender aboriginal rights, the Tlicho agreement applies a non-assertion technique whereby the Tlicho agree not to assert any land rights other than those agreed to in the Tlicho agreement.

Should the courts determine that an assertable land right exists that is not in the Tlicho agreement, the Tlicho agree to release this right to the crown. This fall back release ensures that the agreement achieves a final settlement on land rights. That is as certain as we can get.

This fall back release technique applies only to the land rights however. For non-land rights, for example various self-government rights, the Tlicho agree to only exercise those non-land rights set out in the agreement. However the Tlicho can seek recognition of non-land rights. If such a right is agreed to by the parties or confirmed by the courts, this then can be added to and exercised through the agreement.

When there is certainty in the land rights and there is only action through the courts on non-land rights, which must then be agreed to, what further certainty could the member want? What else would be expected of the Tlicho at this stage in a modern treaty?

What would the member have these three parties to this agreement do that is different than has been done? This is a very important issue. He has raised it as a problem. I want to know what his problem is and what solution he would offer.

•(1825)

Mr. Stockwell Day: Madam Speaker, I would suggest some solutions are out there if the member would look at agreements or parts of agreements that we have approved. The Nisga'a agreement has a way of dealing with this under section 35 and it does not compromise that section. There are ways in which we can agree to that. There are other agreements which have been brought forward that offer answers to the kinds of questions we have posed.

What the member is talking about is opening up again an unpredictable array of court challenges which, as the member well knows, can go on interminably at a cost that can run up to astronomic amounts. She does admit in the whole area of assertion or non-assertion that this is a relatively new approach. Why move into this area of uncertainty when areas of certainty can be applied and have been applied before?

Hon. Diane Marleau (Parliamentary Secretary to the President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Madam Speaker, I have heard a bit of this debate. First, the thing that struck me just now is the hon. member mentioned something about approving the Nisga'a agreement. I was not of the opinion that the hon. member's party approved that agreement.

Second, if this agreement clearly improves the lives of the people, why not allow them the chance? I heard the long speech about we are rich, we are lucky and we have done so well. Why do we not allow them the same chance we have had and from which we have benefited?

It may not be perfect. Nothing will ever be perfect. Let us move ahead, but let us especially let the people move ahead themselves. Please support this agreement. It is very important to them.

Mr. Stockwell Day: Madam Speaker, I am sure the member was listening and perhaps I did not speak slowly enough, but when I was responding to the other member—

Some hon. members: Oh, oh!

Mr. Stockwell Day: I am saying that in a positive sense. Sometimes I speak too quickly. When I responded to the question from the member over there, I said very clearly that there were other agreements or parts of agreements that we accepted. There have been times when we have been unable to embrace a certain agreement, though we have identified certain parts of it that have been effective.

Please let us not have the member suggest that when we are unable to embrace legislation that it is because we have rejected it in its entirety. In fact we have not. I have named other agreements where we looked at certain sections and we said there was a way to approach this.

I hope I have made myself clear. Perhaps I went over that too quickly for the member.

The member also said something else. It is fine to stand here and give a heartfelt plea and say that the only determinant to whether legislation is good or not is if it helps or improves the lives of people. My personal revenue flow on the property I own would be greatly improved if I built a hotel on it. However, there are certain

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jurisdictional conflicts to that. I cannot build a hotel on the land the I own at this time, but it would help my revenue flow.

To simply to get up and give a heartfelt expression that if it improves lives, everything I said is directed toward improving the lives of people.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

•(1830)

[*Translation*]

CORRECTIONAL SERVICES CANADA

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Madam Speaker, last week, I had the pleasure of asking a question in this House on the fate of the 6,000 correctional officers who have been without a collective agreement since June 2002.

They have had 80 negotiation sessions. They are currently at the conciliation stage, but the process has been suspended because the conciliator is not available to meet with them before November.

When I asked my question, I was told that the CSN was in the process of learning how things worked. The CSN is one of the largest labour unions in Quebec. The response was quite arrogant and unfounded.

As we know, correctional officers have the right to strike but the entire work force provides essential services. They work under very special conditions and do very difficult work. They encounter verbal, physical and psychological violence and abuse on a daily basis.

Penitentiaries are also places where infectious and contagious diseases are prevalent, diseases such HIV, hepatitis A, B and C, as well as tuberculosis. Inmates, who have exchanged bodily fluids with correctional officers, cannot be tested without their consent.

And as I said, it is a very violent environment. For example, among the 2,600 inmates in maximum security, there were five murders in one year. That is a murder rate 100 times greater than average.

It is also an environment with a great deal of harassment. It lends itself to harassment from the inmates. The stress is constant; aggression is a necessary part of the work. The negative environment has an obvious impact.

Proportionately speaking, the incidence of violence is greater in prisons than in the general population.

This level of violence and this atmosphere in which anything can happen combine to add to the stress of the correctional officers. There is twice as much depression among correctional officers as in the general public, that is, 22% instead of 11%.

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A survey of 2,432 Canadian correctional officers, including 710 in Quebec, showed a very clear association between the level of work-related stress and years of service. Thus, 34% of officers with 15 or more years of service thought their work was stressful, while only 14% of officers with less than two years' experience thought so.

Contrary to observations in the work force as a whole, where the more experience and skill one acquires, the less stressful the job, in the world of corrections, it is exactly the opposite. They say the last years are the most difficult.

Special working conditions require a special collective agreement. That was the original justification for the correctional officers having their own union. Their main demand is a pension plan where 25 years of service at age 50 would bring 70% of salary.

Far be it from me to do their negotiating for them. Far be it from me to imagine we can reach an agreement, but I just wanted to make members aware of the necessity to negotiate special conditions.

I would like to ask once again what positive steps the President of the Treasury Board intends to take so that the corrections officers get a properly negotiated collective agreement?

• (1835)

Hon. Diane Marleau (Parliamentary Secretary to the President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Madam Speaker, it is true that these people work very hard and we really appreciate it.

[*English*]

The collective agreement for the Correctional Service CX group expired on May 31, 2002. The 5,500 employees in this bargaining unit are represented by the Union of Canadian Correctional Officers, Syndicat des agents correctionnels du Canada.

Negotiations started when the bargaining agent served notice to bargain in March of 2002. Although the parties have met about 75 days at the bargaining table to negotiate the renewal of the collective agreement, several major issues remain in dispute.

[*Translation*]

On several occasions during the negotiations, the employer suggested that the two sides might benefit from the services of a conciliation officer, but the bargaining agent always ruled out that option.

Finally, on March 3, 2004, the employer asked the Public Service Labour Relations Board to appoint a conciliation officer to help the two sides settle outstanding issues. Despite the fact that the bargaining agent was opposed to this request, which he deemed to be premature, the Public Service Labour Relations Board appointed a conciliation officer on June 7, 2004.

[*English*]

The employer's representatives made sure they were available to meet the schedule set by the conciliation officer. Our bargaining team met with him and the bargaining agent on August 17 and 18 as well as on September 8 and 9 and worked diligently with him to find a solution to the issues in dispute.

The parties are currently scheduled to meet again on November 15 and 16 of this year and I am hopeful that these sessions will allow the parties the opportunity to resolve their outstanding issues.

Treasury Board's ultimate goal in the collective bargaining process is to reach a negotiated settlement that is acceptable to the employer and to our employees as well as to the Canadian taxpayer.

[*Translation*]

Mrs. Carole Lavallée: Madam Speaker, to say that I am disappointed by the reply is an understatement: I am extremely disappointed. I did not expect a chronology of events. That, I could have provided myself.

I did not get an answer to my questions as to what the President of the Treasury Board intends to do and what concrete efforts he intends to make to reach a negotiated settlement. Perhaps the answer lies in an expression containing three words, namely "nothing at all", because this is what we understand right now. The President of the Treasury Board plans to make no effort whatsoever to reach a negotiated settlement.

Moreover, I am sure that CSN people would be very pleased to be told by the President of the Treasury Board how to sign a collective agreement.

I put my question again to the parliamentary secretary: what specific action does the President of the Treasury Board intend to take to reach a negotiated settlement with correctional officers?

• (1840)

Hon. Diane Marleau: Madam Speaker, in the bargaining process, we have to let the people talk to each other. We have to begin by encouraging them to talk to each other. As I said in my speech, they are supposed to meet again in November, and we really want to see them succeed.

They are supposed to meet on November 15 and 16. We want to allow this meeting to take place and we shall continue to encourage them to reach a decision that will be good for the Canadian taxpayer, for the employees, and for the Government of Canada as their employer.

[*English*]

NATURAL RESOURCES

Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC): Madam Speaker, last week I asked a question of the Minister of Natural Resources, which was responded to by the Minister of Finance, about negotiations with Newfoundland and Labrador in relation to a promised deal by the Prime Minister as it concerned offshore revenues.

The response from the minister was a little hazy. Instead of saying the deal is done, which everyone thought at the time, he said there were negotiations with the minister of finance, a great fellow by the way, Loyola Sullivan, my local MHA and hockey playing partner, who had done a magnificent job on this. The minister left an element of doubt. We in the House thought the deal that the Prime Minister had promised was progressing suitably.

Let me give a bit of history. Leading into the election our leader promised to give Newfoundland and Labrador, if we were elected, 100% of its share of the offshore revenues. There would be no clawback and equalization would continue until we were a contributing province, which is common sense. The Prime Minister promised the same thing. In fact, in the deal which Mr. Williams was offered, the Prime Minister said that there were different provisions. Let me quote what the Prime Minister said on June 6:

I had a discussion...with the premier this morning, and I have made it very clear that the proposal that he has put forth is a proposal that we accept.

The Minister of Natural Resources, in a letter circulated to his constituents, said "the Prime Minister has given me the responsibility of finalizing the deal on the Atlantic accord as soon as possible. That will bring Newfoundland and Labrador 100% of its offshore oil royalties without affecting the provinces equalization payments".

The deal was offered Sunday, two days before the imposed deadline, as promised by the Prime Minister. He promised Premier Williams the deal would be done by October 25.

On October 24, for the very first time, despite a litany of letters and phone calls from the province, the first response in writing from the federal government was two days before the official deadline with all kinds of little provisos put in: caps, sunset clauses, the fiscal capacity of other provinces, et cetera. It was very complicated. Of course, it was rejected, as we know, by the Premier of Newfoundland and Labrador and, more importantly, by the people of Newfoundland and Labrador. The rest is history.

The Minister of Natural Resources was summoned, briefed thoroughly, and ran down to the province to sell the government's deal that he did not understand, but saying in the process, "Take it or leave it. This is it, no changes". However, in response to a question two days ago he said:

—this government is allowing 100% revenues and 100% equalization.

If that is the case, the deal would be signed right away. We would accept it, I say to my colleague, the parliamentary secretary, who will be responding.

The parliamentary secretary is going to talk about the process, what is going on and whatever. What I want him to tell us tonight is that there is an agreement. I want him to tell us that the deal we offered on this side was the best deal, was the catalyst, and that the government has agreed to that deal. I want him to tell us that the government is going to call the Premier of Newfoundland and Labrador and say, "We made a mistake. We should have responded in writing. We will correct past mistakes. We will meet tomorrow. We will sign the deal Newfoundland and Labrador wants, a deal like the opposition promised, and a deal like the Prime Minister promised originally". If he says that, I will not even come back with my supplementary question.

• (1845)

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, let us hope we do not have to call upon the hon. member for a supplementary.

I want to put some context around this discussion. At the present time Newfoundland and Labrador receives about \$679 million from

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the federal government, representing about \$1,313 per person. With the enhancements and equalizations separate from this particular accord that we are talking about, there will be a further \$87 million in additional payments, and I do not have a per person allocation there.

We are talking about a situation in Newfoundland where there are legitimate grievances, frankly. Newfoundland has lost, over the last 10 years or so, about 10% of its population, and its population is aging. I think the average is going to be about 47, where the rest of Canada it is about 43. Younger people earn money; older people do not earn money.

We agree that Newfoundland is in a difficult situation and we have responded. The Prime Minister has responded in a fashion which gave Newfoundland everything that it asked for in the discussions it had during the election period.

As the hon. member knows, we have increased equalization funding by \$33 billion over the next 10 years, a significant portion of which will benefit Newfoundland. In the context of these meetings we have also provided the government of Newfoundland and Labrador with greater benefits around the economic growth that is funded through its offshore revenues. This is represented by a long series of negotiations and discussions. The difficulty here is the desire on the part of the federal government to treat all provinces equally and fairly.

The idea is that Canadians should have the same quality of access to their health and social services regardless of where they live. We agree with that and that is a constitutional principle that we adhere to. The way in which we implement it is through the equalization program.

The idea here is to transfer money to the less prosperous provinces in accordance with a formula after a measurement of fiscal capacity. That means that as a province becomes more prosperous, its equalization payments decline. That is the problem here for Newfoundland and Labrador. Because of its offshore revenues, it is in fact becoming more prosperous.

It is important to note that both Newfoundland and Labrador and Nova Scotia currently receive special offset payments to support the development of their offshore resources and increase their own source revenues. They are getting more revenues out of their offshore resources.

In fact, the existing offshore arrangements have allowed Newfoundland and Labrador to keep 95% of the money that is generated. Newfoundland collected something in the order of about \$660 million in offshore revenues over the last while. Equalization brought it down by \$640 million, but because of this special accord, the revenues were then replaced by \$635 million pursuant to the accord. So Newfoundland, over that period of time, has only lost about \$5 million and therefore retained about 95% of its money.

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We are proposing that 100% of its offshore revenues be subject to no such provision. The caveat that we have is that its fiscal capacity should not exceed that of Ontario in any given year. Without such a limit the per capita revenues would not continue to greatly exceed those of other equalization receiving provinces, but also those of Ontario. This would simply not be fair to the other provinces because it would be asking them to disproportionately fund another province's development.

One can understand that as a matter of simple fairness, one province cannot continue to receive equalization payments and have a special side deal. Everyone understands that one cannot ask the taxpayers of Ontario to provide equalization payments to a province whose per capita fiscal capacity is higher than Ontario's.

I trust that my hon. colleagues would agree that the new framework to increase stabilization and equalization is consistent with the overall principles of fairness, equity and transparency.

• (1850)

Mr. Loyola Hearn: Madam Speaker, I guess this indicates to the member that I was not satisfied with his answer. I wish I did not respect the member so much, I think he is a fine gentleman, because I would like to go after him on this one. However, he does not have a clue of what he is talking about.

We are talking about a province that is considered to be a have not province, a province rich in resources whose resources have been raped and pillaged over the years for the benefit of others. Now we have a major offshore development. We are not looking for sympathy. We are looking to hold onto the revenues generated from our own resources until we reach the point where the revenues will be ours.

Equalization only kicks in when we reach the fiscal capacity of the average of five, it should be ten, Canadian provinces. We want to be a contributing partner. We have the resources to do so. We are being

hamstrung and we are being penny anted by a penny ante government.

All we want is fairness. All we want is what is ours. All we want is for the Liberals to deliver on what the Prime Minister promised.

Hon. John McKay: Madam Speaker, I too am quite fond of the hon. member opposite and respect him greatly, but it seems to me that he wants to make a suck and blow argument, and that does not work either in this chamber or anywhere else.

We are not offering him sympathy. We are offering him a considerable amount of money. That amount of money was negotiated between the Prime Minister and the premier, and apparently it is not acceptable to the premier.

The offers which have been made in good faith by the Prime Minister and the Minister of Finance on behalf of the Government of Canada are the result of a complex and detailed set of negotiations among all of the parties. They directly address the concerns expressed by this hon. member and others, that equalization payments provide additional payments to ensure that these provinces will effectively be able to retain 100% of their offshore gas and oil revenues.

These arrangements are much more generous than what other provinces receive. We would not want to create inequities among the provinces for the fear that these provincial governments would not be able to address the legitimate needs of their constituents.

[*Translation*]

The Acting Speaker (Hon. Jean Augustine): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:53 p.m.)

Ms. Marleau 865

ADJOURNMENT PROCEEDINGS

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Ms. Marleau 866

Natural Resources

Mr. Heam 866

Mr. McKay 867

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