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Monday, May 12, 2008

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, May 12, 2008

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

CLIMATE CHANGE ACCOUNTABILITY ACT

The House proceeded to the consideration of Bill C-377, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change, as reported (with amendments) from the committee.

• (1105)

[*Translation*]

SPEAKER'S RULING

The Speaker: There are four motions in amendment standing on the notice paper for the report stage of Bill C-377, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change.

[*English*]

The Chair does not ordinarily provide reasons for its selection of report stage motions in amendment. However, in light of the point of order raised on Thursday, May 8, 2008 by the hon. member for Windsor—Tecumseh and the subsequent intervention of the hon. deputy government House leader, I would like to convey to the House the reasoning involved in considering these motions.

In his submission, the hon. member for Windsor—Tecumseh described the particular circumstances surrounding the committee consideration of Bill C-377.

During its consideration of the bill, the Standing Committee on Environment and Sustainable Development presented three separate reports. In the first of these reports, presented on April 14, 2008, the committee described procedural difficulties it had encountered in the course of its study of Bill C-377 and recommended some action that the House might wish to take.

On April 29, 2008, in its second report relating to this bill, the committee reported Bill C-377 with eight amendments. On the same day, the committee presented a third report. This report explained that having begun its clause by clause study on March 3, 2008, prolonged debate on clause 10 of the bill resulted in an impasse; and that as no further progress seemed possible, the committee turned to

the consideration of a motion, the effect of which was to deem adopted the remaining parts of the bill and to agree that the bill be reported to the House without further debate or amendment. This motion was adopted on division by the committee.

The hon. member for Windsor—Tecumseh also referred to previous Speaker's rulings where motions in amendment at report stage were selected on the basis that members involved did not have the opportunity to present motions during the committee consideration stage. Specifically, he cited a ruling given on January 28, 2003, regarding Bill C-13, An Act respecting assisted human reproduction, and a ruling given on November 6, 2001, regarding Bill C-10, An Act respecting the national marine conservation areas of Canada.

In his intervention on Friday, May 9, 2008, the hon. deputy government House leader also reviewed the sequence of events surrounding the committee consideration of the bill and referred to the two rulings just cited. He went on to argue that, in his view, the committee's decision to report the bill back to the House prior to the May 7, 2008 deadline represents a conscious decision of the majority of the committee not to make full usage of the time remaining and thus to forego further opportunities to propose amendments at the committee stage. On this basis, he concluded that the motions at report stage should not be selected.

Four report stage motions have been submitted. These motions are identical to committee amendments which were not considered due to the impasse, as described in the committee's report and the adoption by the committee of the motion to report the bill. The motions relate to clauses of the bill which were deemed carried at the committee stage, quite clearly as a way out of the impasse.

[*Translation*]

The Chair is now faced with the matter of selection. The note accompanying S. O. 76(5) reads, in part: "*The Speaker ... will normally only select motions which were not or could not be presented [in committee].*"

[*English*]

Having carefully reviewed the sequence of events and the submissions made by the hon. member for Windsor—Tecumseh and the hon. deputy government House leader, the Chair is of the opinion that we are facing very exceptional circumstances. The committee recognized that the impasse was significant and wanted to bring that situation to the attention of the House. It did so in a report which states in part:

Given the impasse, the Committee opted not to consider the remaining clauses and parts of the Bill...

Private Members' Business

Therefore, I am satisfied that these motions could not be presented during the committee consideration of the bill, and accordingly I have selected them for debate at report stage. Accordingly, Motions Nos. 1 to 4 will be grouped for debate and voted upon according to the voting pattern available at the Table.

● (1110)

[Translation]

I shall now propose motions numbered 1 to 4 to the House.

[English]

MOTIONS IN AMENDMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP) moved:

Motion No. 1

That Bill C-377, in Clause 2, be amended by adding after line 15 on page 2 the following:

““greenhouse gases” means the following substances, as they appear on the List of Toxic Substances in Schedule 1 of the Canadian Environmental Protection Act, 1999:

- (a) carbon dioxide, which has the molecular formula CO₂;
- (b) methane, which has the molecular formula CH₄;
- (c) nitrous oxide, which has the molecular formula N₂O;
- (d) hydrofluorocarbons that have the molecular formula C_nH_xF_(2n+2-x) in which 0 < n < 6;
- (e) the following perfluorocarbons:
 - (i) those that have the molecular formula C_nF_{2n+2} in which 0 < n < 7, and
 - (ii) octafluorocyclobutane, which has the molecular formula C₄F₈; and
 - (f) sulphur hexafluoride, which has the molecular formula SF₆.”

Motion No. 2

That Bill C-377, in Clause 13, be amended by replacing lines 28 to 43 on page 8 and lines 1 to 12 on page 9 with the following:

“the National Round Table on the Environment and the Economy established by section 3 of the National Round Table on the Environment and the Economy Act shall perform the following with respect to the statement:

- (a) undertake research and gather information and analyses on the statement in the context of sustainable development; and
- (b) advise the Minister on issues that are within its purpose, as set out in section 4 of the National Round Table on the Environment and the Economy Act, including the following, to the extent that they are within that purpose:
 - (i) the likelihood that each of the proposed measures will achieve the emission reductions projected in the statement,
 - (ii) the likelihood that the proposed measures will enable Canada to meet its commitment under section 5 and meet the interim Canadian greenhouse gas emission targets referred to in section 6, and
 - (iii) any other matters that the National Round Table on the Environment and the Economy considers relevant.

(2) The Minister shall

- (a) within three days after receiving the advice referred to in paragraph (1)(b):
 - (i) publish it in any manner that the Minister considers appropriate, and
 - (ii) submit it to the Speakers of the Senate and the House of Commons and the Speakers shall table it in their respective Houses on any of the first three days on which that House is sitting after the day on which the Speaker receives the advice; and
- (b) within 10 days after receiving the advice, publish a notice in the Canada Gazette setting out how the advice was published and how a copy of the publication may be obtained.”

Motion No. 3

That Bill C-377 be amended by adding after line 12 on page 9 the following new clause

“13.1 (1) At least once every two years after this Act comes into force, the Commissioner shall prepare a report that includes

- (a) an analysis of Canada’s progress in implementing the measures proposed in the statement referred to in subsection 10(2);

- (b) an analysis of Canada’s progress in meeting its commitment under section 5 and the interim Canadian greenhouse gas emission targets referred to in section 6; and

- (c) any observations and recommendations on any matter that the Commissioner considers relevant.

(2) The Commissioner shall publish the report in any manner the Commissioner considers appropriate within the period referred to in subsection (1).

(3) The Commissioner shall submit the report to the Speaker of the House of Commons on or before the day it is published, and the Speaker shall table the report in the House on any of the first three days on which that House is sitting after the Speaker receives it.”

Motion No. 4

That Bill C-377 be amended by adding after line 12 on page 9 the following new clause:

“NATIONAL ROUND TABLE ON THE ENVIRONMENT AND THE ECONOMY

13.2 (1) Within 180 days after the Minister prepares the target plan under subsection 6(1) or prepares a revised target plan under subsection 6(2), the National Round Table on the Environment and the Economy established by section 3 of the National Round Table on the Environment and the Economy Act shall perform the following with respect to the target plan or revised target plan:

- (a) undertake research and gather information and analyses on the target plan or revised target plan in the context of sustainable development; and

- (b) advise the Minister on issues that are within its purpose, as set out in section 4 of the National Round Table on the Environment and the Economy Act, including the following, to the extent that they are within that purpose:

- (i) the quality and completeness of the scientific, economic and technological evidence and analyses used to establish each target in the target plan or revised target plan, and

- (ii) any other matters that the National Round Table considers relevant.

(2) The Minister shall

- (a) within three days after receiving the advice referred to in paragraph (1)(b):

- (i) publish it in any manner that the Minister considers appropriate, and

- (ii) submit it to the Speakers of the Senate and the House of Commons and the Speakers shall table it in their respective Houses on any of the first three days on which that House is sitting after the day on which the Speaker receives the advice; and

- (b) within 10 days after receiving the advice, publish a notice in the Canada Gazette setting out how the advice was published and how a copy of the publication may be obtained.”

Mr. Nathan Cullen: Mr. Speaker, I thank you for your wise ruling today and ask you to accept our accolades.

The reason this is important for us as parliamentarians is that what took place at the Standing Committee on Environment and Sustainable Development is something that all parliamentarians, regardless of political stripe or interest, should resist. The government's unwillingness to accept a private member's piece of legislation meant that it used a tactic that has never been known in the recorded history of this place: that of filibustering, in a sense, a private member's bill.

As was noted in a Speaker's ruling some weeks prior to this, the committees in this place must learn to function and govern themselves in an appropriate way. They must learn to conduct the will of Parliament and the will of Canadians who have sent us to this place to advocate on their behalf for good things to happen.

Private Members' Business

Bill C-377, with the four amendments that I will be addressing today, does exactly that. For the first time in Canadian law, the targets relating to climate change, the greenhouse gas emissions for this country, will be legislated into law, thereby prohibiting any government, this one or any future government, from resisting the will of Canadians, from resisting the inclination that we must do the right thing when it comes to climate change.

As for these amendments, the irony, I suppose, which my colleagues are well aware of although I am not sure that all government members are, is that when we ran into this impasse in committee, this filibuster presented by the Conservatives, it was around clause 10, which is a clause for accountability and transparency when dealing with greenhouse gases. That is all the clause said. This part of the bill said that the government must tell Canadians what it has done, what the record has been on climate change, where the successes and failures have been, and then also tell Canadians what the plans are and have that accountable to Canadians. That is where we hit the roadblock.

This is obviously ironic coming from the Conservatives, who spent a great deal of time and effort in the last Parliament and then in the lead-up to this one in their campaign, talking about transparency and accountability. When it came to facing a bill on the environment, on climate change, which is top of mind for Canadians, in the very section that says the government must be transparent and accountable the government chose to delay and deny the reality of what we are faced with.

The fact is that Canada as a nation, as an economy, is far off track with our own commitments, our international commitments, but also far off track with what the rest of the developed world is doing, which is to find a way to make our economy more efficient, to produce more green collar jobs, and to allow Canadians to feel assured about our environment's future and not have to continue to face the threat of irreversible climate change, which we are already seeing.

It is a moral question that the government has been unable to face. It is a question of ethics that the government is unwilling to consider. In its two and a half long years in the House, following up on the 13 long years in government of the previous regime—too many—the government has been unable to effectively address the issue of climate change.

New Democrats, under the leadership of the member for Toronto—Danforth, have finally presented a reasonable, considered piece of legislation that will allow the country to move forward on this critical issue.

The actual amendments dealing with this bill are I think quite instructive. This bill, like all bills by the time they reach their final stages and final processes, originated some two years ago. The final four amendments to this bill deal with lessons learned over two years. They are lessons learned at the special legislative committee on the clean air and climate change act. That act was a flawed government bill that the NDP rewrote and for which it presented the best thinking on issues related to the environment at the time.

This was learned from events with respect to Bill C-288, when the government found a way to again try to put the kibosh on what was happening. We learned again from this bill.

Mr. Speaker, please correct me if I am wrong procedurally, but I have just been handed a note about splitting my time with the member for Outremont.

● (1115)

The Acting Speaker (Mr. Royal Galipeau): The hon. member has 10 minutes, of which there are 5 minutes left. There is nothing to share according to this schedule.

Mr. Nathan Cullen: Mr. Speaker, I apologize to the member for Outremont. We will provide time for him to illuminate us in another official language.

Let me get to the four definitions. As the government spent day after day and week after week delaying the committee, Canadians stood by with growing concern about this bill being unable to pass.

The first amendment deals with the actual definition of greenhouse gases, which has been amended through changes we have made to the Canadian Environmental Protection Act, 1999. This is a change in the bill that has been learned over time and is correct even by the government's own standards. I would expect the government to support this amendment, unless of course it chooses to stand on ideological principles only and vote against it.

The second will switch the role of who it is that will be guiding and looking over the shoulder of government. This is a role we clearly have defined as much needed. The commissioner of the environment appeared before us and made recommendations, which at least the opposition parties have adopted, to give the role to the National Round Table on the Environment and the Economy so that it can verify with some final seriousness that what the government is proposing to do with climate change will actually happen.

What a remarkable breath of fresh air this will present for Canadians. The spin and the doublespeak that have been so consistent from the government when it comes to climate change will in effect be against the law, because the government's plans will be verified by the national round table, which is made up of a group of Canadian experts on issues of the economy and the environment.

The third role is to allow for a new role for the commissioner of the environment. The commissioner of the environment exists within the Auditor General's office. Again, this will provide the commissioner with a means to look back on what the government says it has done, the commitments it has made, and to verify whether those things happened or did not.

When I came to the House in 2004, there had been for too long a perception in the Canadian public that in issues related to climate change we were doing okay. My colleagues will remember it as well. The perception was that maybe we were not great, but we were not awful. Only when we started to open the books, and report after report came in about Canada's actual greenhouse gas levels, did Canadians and parliamentarians become increasingly concerned and then downright angry. International agreements that we had signed and committed to had been broken.

Private Members' Business

What Canada had put its signature to and its good name and reputation, which were earned over years and years, were suddenly in jeopardy. The world looked upon us as maybe not being an honest broker in the environmental global community, as maybe making commitments that we were not intending to keep.

This amendment and this bill would prevent that and would begin to recover and repair Canada's international reputation. Could anything be more critical to us in this place than to start to perform with authenticity and in such a way that we can hold our heads up with pride at international meetings and at future protocol meetings under the United Nations? This is what the amendment would do. Again I encourage all members in this House to support it.

Finally, the fourth amendment, which is as important as the rest, would allow the national round table to provide a more concrete advisory position to the minister of the environment, to guide his or her hand, if we will. One thing we have learned is that minister of the environment after minister of the environment has been in desperate need of adult supervision, of somebody looking over and making sure that as much time is spent on the policy as the politics. That is what Bill C-377 does. It should pass.

• (1120)

The Acting Speaker (Mr. Royal Galipeau): I thank the hon. member for Skeena—Bulkley Valley. The sequence is as follows: the first MP to be recognized will be the hon. member for Lac-Saint-Louis, followed by the hon. member for Cambridge, then the hon. member for Rosemont—La Petite-Patrie, and then the hon. member for Outremont.

The hon. member for Lac-Saint-Louis now has the floor.

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, it gives me great pleasure to speak to the bill as a member of the environment committee. I have participated in all aspects of the committee hearings on the bill, including the very unfortunate and frustrating filibuster that occurred at committee for I do not remember how many hours, it was so long.

The point that was repeatedly made by the government members on the committee, throughout the period of the filibuster, was that the bill was too general and vague, that it set targets but did not specify the specific measures that would be taken to reach those targets, and that the bill did not enumerate the financial consequences of meeting those targets. The government repeated these points ad nauseam.

It is true that the bill is not the most detailed piece of legislation that has ever come to the floor of the House of Commons. However, we have to remember that it is a private member's bill, even though it is sponsored by the leader of the NDP. It is, after all, a private member's bill, and anyone who has been in the House long enough understands that private members' bills are drafted with the resources available. In other words, with the resources of an individual MP's office and with some of the resources of the legislative office of the House of Commons.

A private member's bill is not drafted with the benefit of the hundreds of experts that reside in government departments here in Ottawa, so to expect that the level of detail would be anything similar to that which should be included in a government bill is rather naive. To then claim, later on in the process out of the blue,

like the government did, that it could not support the bill because there is not enough detail, after it allowed the bill to get to a certain stage in committee, is, in my view, bad faith.

One will have to remember that going into the committee process, the government's objections to the bill were not raised at the steering committee level. They were not raised through the first part of the committee process when amendments were voted on. They were only raised at a certain point, out of the blue, and that is an act of bad faith, I must say.

It is not a very detailed bill. Of course, the NDP members do not have to worry as much about detail because no doubt they do not expect to form the government at the next election. However, the party is obviously alerting the government to a problem, alerting parliamentarians to a problem, and that in itself has some merit.

I would like to get back to the point the government made that the bill does not have enough detail. It is ironic that when it suits the government's purpose, it does not worry about detail. In the last election campaign, it said it would provide thousands of child care spaces. It never got into the details in its election campaign. It never got into the details and it never met those objectives. It did not care about details back then when it came time to promising something that it thought would result in the party obtaining more votes during the last election.

The other interesting point, when it comes to this concern for details, is that the Prime Minister and the government do not seem to care about a very important detail that has been brought to the attention of Canadians by *Globe and Mail* columnist Jeffrey Simpson, which is that the government cannot meet its own climate change objective. It cannot reduce greenhouse gases by 20% by the year 2020 over 2006 levels precisely because the government of Alberta will not be controlling its greenhouse gases.

• (1125)

Let me quote from a column that Mr. Simpson wrote not long ago. He said:

Just as a square peg cannot be squeezed into a round hole, so Canada cannot meet its greenhouse gas reduction targets, even the limited ones of the Harper government, if Alberta does not change direction. Any child can do the arithmetic. Alberta accounts for about 35 per cent of Canada's emissions. Premier Ed Stelmach's government plans to allow emissions to increase by 15 to 20 per cent to 2020. The Harper government, by contrast, is committing Canada to an overall emissions reduction of 20 per cent by that date. If the largest polluting province's emissions are rising, the rest of the country just can't take that many emissions out of the economy to reach the Harper target. Worse. The Stelmach government's policy calls for a 14 per cent Alberta reduction by 2050, whereas the Harper government's national target for 2050 is—

The Acting Speaker (Mr. Royal Galipeau): Order. The hon. member for Lac-Saint-Louis is aware that he cannot do indirectly what he cannot do directly. Members of this House are to be referred to by title or by the name of their riding.

The other thing is, when the Speaker stands, you sit. Please do not do this again.

The hon. member for Lac-Saint-Louis now has the floor.

Mr. Francis Scarpaleggia: I apologize if I may have offended the Speaker in some manner.

If I may continue, the article continued:

Private Members' Business

Worse. The Stelmach government's policy calls for a 14 per cent Alberta reduction by 2050, whereas the [Conservatives'] government national target for 2050 is 50 to 60 per cent. It's the square peg into the round hole again.

There is a problem here. The government is promising one thing, but it will not delve into the details. It will not explain to Canadians that what it is proposing cannot be achieved.

The government is forgetting another detail. The Auditor General said last week that perhaps we should be looking, as a liability, at some of the costs to the government of not reaching the Kyoto target. We should do perhaps like what the government of New Zealand has done. It expects that by 2012 it will probably have to purchase some carbon credits on the international market and this foreseen cost should be somehow factored into the government's balance sheet. Somehow the government does not care about those details. It only cares about details when they are to its benefit.

When there are major national challenges facing governments, whichever government we are speaking about, whichever country we are speaking about, it is important to set targets, long term targets if need be. If we worry about crossing every *t* and dotting every *i* before we start to act, we will never progress. We will be stuck in neutral forever. I will use an example that I have used before.

Back in 1960, when the United States knew that it had to accelerate the pace of its space program, it set an objective 10 years hence. The objective, of course, was to go to the moon by 1970. The scientists at NASA did not know specifically in detail about how the US was going to get there, but they were inspired. They knew they could do it. They had faith and they moved forward.

This bill attempts to set targets, even though it has not laid out the specific road map for getting there. Unless the government starts taking targets seriously and starts to put together a credible plan, not a plan that is going to be contradicted by the actions of the Alberta government but a credible plan for reaching some targets that have obtained consensus at the international level, then we are never going to solve this problem.

In the final analysis, maybe the government has no real intention of making progress on climate change.

• (1130)

The Acting Speaker (Mr. Royal Galipeau): I want to thank the hon. member for Lac-Saint-Louis. I want to assure him that he has not offended me, but I do have to be rigorous in how I apply the rules of the House.

The hon. member for Cambridge has the floor.

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I am pleased to rise in the House today on behalf of my riding of Cambridge to debate this private member's bill, Bill C-377, the climate change accountability act.

We agree with the NDP that real actions are necessary to tackle climate change. We agree that the time of inaction is over and we recognize that Canadians did so in the last election. However, we are convinced that this is a poorly written piece of legislation and, therefore, is not part of the solution but could in fact be part of a bigger problem.

The medium and long term targets, which Bill C-377 calls for, would be difficult to achieve without causing significant disruption to the country's economy. The witnesses who appeared at committee and even the sponsor of this bill, the member for Toronto—Danforth himself, leader of the NDP, agreed that his party had failed to cost out its own bill. This is simply irresponsible.

We believe we can in fact protect the environment without destroying the economy. We are not prepared, nor should any member of this House be prepared, to blindly adopt targets that could put at risk the well-being of Canadians and the country's ability to participate in the necessary global solutions going forward.

Even at the most simplistic level this bill would result in much higher gas prices at the pumps and, ironically, the first person to rise in the House to challenge and demand that the government take action on the rising gasoline prices is none other than the member for Toronto—Danforth, the sponsor of the bill.

Is the sponsor of this bill prepared to tell the House how much Canadians will have to pay for gasoline under this bill? No, he is not or he would have. Is he prepared to tell how many jobs will be lost in the automotive and other manufacturing sectors in Ontario as a result of the poorly contrived plan to basically bludgeon the Canadian economy into reducing greenhouse gases? He is also not prepared to do that or he would have.

The NDP appears intent on crippling Alberta's oil and gas industry, and driving Ontario further into recession, just like it did provincially in the early 1990s. The NDP does not realize that our ability to fight climate change requires a strong economy. It requires both a plan to attack climate change and to keep the economic fundamentals strong so we can continue to do so. We cannot move forward with a bill that would shut down the economy. This government will not impose that on Canadians.

Financially speaking, the results of years of inaction on climate change has left Canada in a deep hole in terms of reducing gases. We must climb out of that hole but we cannot destroy the country to catch up overnight for the Liberals' decade of inaction.

Between 1990 and 2005, Canada's greenhouse emissions increased from 596 megatonnes to almost 750 megatonnes per year. Without further action on greenhouse gases, they could grow to over 900 megatonnes by 2020 and approach 1,500 megatonnes by 2050. That is double today's current levels.

On March 10 of this year, the government announced further details on its turning the corner plan in order to do what previous governments failed to get done. Our plan will get real reductions at manageable costs. By 2020, under the turning the corner plan of this government, emissions in Canada will be some 20% lower than 2006 levels, and that is good. By 2025, emissions will be some 25% below. That is great news. However, by 2050, under this government's emissions plan, we will be 60% to 70% lower, not double but lower, and that is fantastic.

Private Members' Business

•(1135)

By any comparison the turning the corner targets will lead to the most significant actions of any G-8 member between now and 2050. Unlike the NDP, the government did not just pick these targets and numbers out of thin air simply because they sounded impressive to Canadians and possibly could gain a vote. As a government that takes responsibility seriously and speaks the truth to Canadians, we designed an approach that would restore Canada's leadership on this most important global environmental issue of our time without crippling our economy or mortgaging the economic future of our children to pay for indecision, poorly written legislation and inaction of the past.

We have ensured that Canadians know what the trade-offs will be under our turning the corner plan. Through the publication of detailed analysis of the emissions and economic impacts of our plan, that is a measure of accountability which it seems the promoters of Bill C-377 have not only failed but have chosen not to assume. Maybe it is because they already know that Bill C-377 would impose punitive penalties on Canadians and would cripple the Canadian economy.

The fact is that Bill C-377 requires a rate of reduction of greenhouse gas emissions for Canada that is three to four times higher than what the analysis of turning the corner shows can be managed by the Canadian economy. This is unprecedented and frankly, completely irresponsible. If members wish to look at the Soviet Union, they will see examples of economies that attempted to do half of this and collapsed in their attempts.

This is a short-sighted publicity motivated bill. It attempts to substitute unrealistic rhetoric, and apparently is sponsored by the Liberals who are famous for such things, for sound economic, public and environmental policy. What Canada and the world need are an approach to climate change that recognizes the importance of keeping the economy strong and the citizens educated and employed. It is only on the basis of a strong economy and innovation by the citizens that the technological breakthroughs and investments essential to address climate change can become possible.

To the contrary, Bill C-377 seems likely to impose a crippling burden on the Canadian economy in the short term and clearly will not allow us to reduce greenhouse gases as our economy falters in the long term.

This government truly desires to work with all parties to find the right solution for Canada and for Canadians. We are committed to achieve real and concrete results and we do not simply want to throw around numbers without appropriately weighing the consequences of what is being proposed.

The member for Toronto—Danforth wants the House to adopt this bill in the absence of any information regarding its impact on the economy. This government cannot do that in all responsibility. This government believes that Canadians have the right to know the economic impact of this bill.

This government is already on the right path and we have made it clear that we are committed to delivering solutions. We take that commitment very seriously. In establishing targets, the government

is taking into account what impacts they will have on all sectors of the economy. Bill C-377 does not do that and therefore is irresponsible.

In closing, I cannot support a bill that is irresponsible in its costing and does not take the future impacts on the Canadian economy, Canada and the people of this country. I cannot support it at this stage.

•(1140)

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I am very pleased to speak today to Bill C-377, An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change. From the outset, I want to say to this House that we are in favour of all the proposed amendments to Bill C-377 under consideration this morning.

It is somewhat paradoxical today to speak after having heard the speech by the hon. member from the Conservative Party. I was listening to him a few minutes ago and he seemed to be saying that the Kyoto protocol was nothing more than a socialist conspiracy that has now become a communist conspiracy worthy of the former Soviet Union. That is what the hon. member just said here in this House. This is an inappropriate response to such an important issue that will affect future generations.

I heard the member tell us today that the implementation of Kyoto and Bill C-377 would result in higher gas prices at the pumps. As though today the price of gas at the pumps is \$1.40 or \$1.50 because of Kyoto. That is basically what the member is claiming. In reality, in recent years, the Canadian economy has been built on an economic base primarily located in Alberta and based on the oil industry. More than \$66 billion of our taxes have been invested, through tax incentives, in an industry to help it rake in huge profits.

This morning, the member told us that implementing Bill C-377 would cripple Canada's oil and gas industry. That is completely ridiculous, especially if we think about the profits this industry has made year after year.

Bill C-377 sets clear targets for the second and third reduction phases in 2020 and 2050. Why is there a reduction target of 25% below the 1990 level by 2020? Unlike what the member claimed this morning, these figures were not pulled out of a hat. They were chosen simply because the Intergovernmental Panel on Climate Change has said that in the coming years, the average temperature must not increase more than 2°C above what it was during the pre-industrial era. These figures and targets were not pulled out of a hat, as the Conservative member said. These same experts believe that industrialized countries will have to reduce emissions by 25% to 40% compared to 1990 levels.

Thus, the 25% target set out in the bill is essential if we want to escape the worst when it comes to climate change. What we have seen in recent weeks is just the tip of the iceberg if we decide, here in Parliament, to reject Bill C-377. We must go further and limit the temperature increase to 2°C. This is key.

What is the government proposing? First, it is proposing reductions in intensity, not absolute reductions. That means that greenhouse gas emissions reduction will take increasing production in the coming years into account. Basically, the government is proposing increases, not reductions.

● (1145)

The Minister of the Environment's plan sets 2006 as the base year. That is totally unacceptable. It conflicts with the essential reference set out in the Kyoto protocol—the base year, 1990, which has not yet been renegotiated, not even in Bali during the climate change conference. Not only is this unacceptable internationally, it is unacceptable for Quebec companies that have made an effort based on the 1990 baseline. They have succeeded in reducing their greenhouse gas emissions by more than 10%, particularly in the manufacturing sector, and they want access to a carbon credit exchange. That is the second reason why the plan is unacceptable.

The plan proposed today, however, maintains 1990 as the base year, and insists on absolute emissions reduction targets, not intensity targets.

Clause 6 of the bill specifies that interim plans are to be produced every five years. Why is that so important? Because experience has shown that without accountability or monitoring with respect to Canada's international commitment, emissions rise considerably. In fact, greenhouse gas emissions have risen by over 30% since 1990.

That is why we need interim plans. Why else do we need interim plans? We need them to avoid what is happening right now, with the UN investigating Canada for failure to fulfill its commitments. Why is that so important to Quebecers? Because Canada is in danger of being cut off from the most important tools available to achieve greenhouse gas emissions reduction targets: international emissions trading markets.

What are people saying in Canada and around the world? The UN said that if its investigation finds Canada to be in violation, we risk—and Quebec businesses risk—losing access to international markets. Thus, Quebec businesses will be penalized for this failure to meet the greenhouse gas reduction targets set out in the Kyoto protocol—particularly the very real and calculated increases in the rest of Canada.

There is another consequence related to this failure to meet the Kyoto targets—particularly in the rest of Canada: Quebec businesses could be forced to pay an export tax. This means that if Canada is found to be in violation of an international agreement, Quebec businesses might have to pay a tax. What does this mean? Once again, this means that the manufacturing sector will be penalized, which will affect Quebec, because the federal government is clueless when it comes to supporting the Quebec manufacturing industry.

We have successfully amended the bill in committee—and I am sure we will do the same here in the House—to ensure that the territorial approach will be considered in meeting the reduction targets set out in the bill during the second and third reduction periods. What does this mean? I will read clause 7.

— each province may take any measure that it considers appropriate to limit greenhouse gas emissions.

Private Members' Business

What does this mean? In Canada, the tendency is toward a three-pronged approach that would allow us to do what Europe did, when 15 independent countries—15 at the time, in 1997—reached an agreement on joint—but varied—reduction targets among the members of the European Union. This ensures that the energy policies of each country can be considered.

Basically, with Bill C-377, we have obtained this important recognition for Quebec so it can contribute to the international effort. That is why we wholeheartedly support not only the amendments we are debating here today, but also Bill C-377.

● (1150)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Skeena—Bulkley Valley has been looking forward to hearing from the hon. member for Outremont, who now has the floor.

Mr. Thomas Mulcair (Outremont, NDP): What an introduction, Mr. Speaker.

I am very pleased to speak about Bill C-377. We know from the Interpretation Act and case law that a piece of legislation includes its title, which also helps to explain its objective and scope. When we read the title, we immediately know what topic the legislation covers. In this case we have the Act to ensure Canada assumes its responsibilities in preventing dangerous climate change.

I think that is the best place to begin because I listened to what has been said, as did my Bloc Québécois colleague, whom I would like to warmly thank for his comments on this important bill. I, too, was stunned to hear the litany of foolish remarks that came from the Conservative bench. It proves the extent to which the Conservatives are experts in the art of disinformation, as well as showing that they know absolutely nothing about climate change and its impact on future generations.

[*English*]

I took careful note of the words of the Conservative from Cambridge who spoke a bit earlier. He had the temerity to evoke future impacts of Bill C-377 while failing to realize the paradox of his words. The bill in question seeks to alleviate the consequences of Conservative and Liberal inaction on future generations. Future impact is the subject that we are dealing with.

However, we should never underestimate the extent to which the Conservatives are capable of focusing in on issues and explaining them in a way that will play to their base.

Here are some of the words that he spoke before. This bill would destroy the economy and put at risk the well-being of Canadians. We can hear him explaining to Canadians that they will be shivering in the dark if ever we played the role that we must play on the international stage in matters of climate change. Then they always pull the same rabbit out of their hat. They point, correctly, to the Liberal inaction over 13 years. On that, they will get no quarrel from us.

Private Members' Business

However, the incompetence of the Liberal Party of Canada does not, in any way, justify the Conservatives sending the bill to future generations for their continued indolence, inaction and mismanagement on the economy, on the environment and now on climate change. The real reason the Conservatives will do nothing on climate change is that they have put all their economic eggs in one basket: the tar sands.

Talk about destabilizing the economy for future generations. The result of that has been a soaring Canadian dollar. In turn, that has made it increasingly difficult, in particular, for our manufacturing and forestry sectors just in Ontario. Hundreds of thousands of jobs have been lost in Quebec since the Conservatives came to power.

[*Translation*]

Since the Conservatives came to power, 116,000 well-paying jobs have been lost in the manufacturing industry. The very party that boasts of not meddling in the economy, yet is giving the oil sands sector a free ride by not requiring compliance with the Kyoto protocol, which Canada signed, is destabilizing the rest of the balanced economy we have built in Canada since the second world war. The very people who claim they do not want or like the government to play a role in the economy are doing just that.

Unlike other countries—Norway is an excellent example—that set aside a portion of the wealth that comes from a non-renewable resource such as oil, or the oil sands in our case—Norway has set aside over \$300 billion for future generations—the imbeciles in the Conservative government are sticking future generations with the bill. Not only are they not setting aside any money for the future, but they are adding insult to injury by standing up in the House today and saying, “Look, there is no point in this. You are going to destroy the economy if you ask us to make good on our international commitments to fight climate change.” That is what is so scandalous about the Conservatives' position.

The Conservatives are great moralizers. Our generation has a moral duty to future generations, but the Conservatives do not care. They are unmoved. To them, what counts is their political base. They are short-sighted. If we look again at countries that are models in this area, such as Germany and Denmark, they have seized the opportunity presented by the need for economic change to build a structure that is creating jobs in the economy of the future, the green economy, which recognizes that we have a duty when it comes to the environment because it is simply not sustainable to go on as we have been doing. But this is not a big deal for the Conservatives. What counts is their own short-term gains. What they are saying is calculated to put people off and scare them at the same time. Here again, they are taking a page from the Americans' book. What better way to prevent people from asking the right questions than to tell them they should be afraid.

The remarks of the member for Cambridge are unworthy of a member who claims to be thinking of future generations. Claiming that respecting the environment, respecting the Kyoto protocol and respecting our international obligations will destroy the economy is pure folly. It shows the extent to which the Conservatives are misleading the public. Our duty is to have a credible, structured, positive dialogue and to hold out hope for the future. Bill C-377 gives that hope.

Building a balanced, mixed economy, which they are destroying, was an enormous challenge for a country of our size, but we managed to do it. Over the course of just a few years, not only have the Conservatives destroyed the environment but they are tearing apart this balanced economy, which has been built with great effort and determination since World War II. They are putting all their eggs in the tar sands basket and wiping out jobs in the manufacturing sector. There is no vision for the future and no willingness or courage to do what remains to be done.

● (1155)

[*English*]

It was an extraordinary revelation listening to the comments by the member for Cambridge because those things are usually just hinted at by Conservatives during partisan rallies. It was extraordinary to hear the member for Cambridge stand before this House earlier today and use scare tactics on the Canadian public when he said that respecting our international obligations was something that would destroy the economy. Word for word he said that it would destroy the Canadian economy, and they have the nerve to talk about future impacts.

The changes that are being operated on the world climate right now, because of the irresponsibility of people like the Conservative Party and their allies before them in the Liberal Party, it is the Conservative Liberal Alliance party, and I will let members work out the acronym, and the dose of climate change and of greenhouse gases that they are inflicting on Canadians and future generations is something that needs to be countered.

[*Translation*]

Future generations will take us to task. First they will look at the Liberals' inaction, mismanagement and incompetence over 13 years. I know something about that because I was Quebec's environment minister when the current Leader of the Opposition was Minister of the Environment, and their inaction was scandalous.

However, there is no excuse for the Conservatives to continue that inaction. Future generations will hold them accountable, as will the voters in the next federal election.

Government Orders

• (1200)

[English]

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, we have just witnessed more bafflegab from the NDP. Canadians know that the NDP will never form government in Canada so it can continue to make promise after promise without ever having to deliver on those promises. It can also afford to bash Albertans and the jobs it generates for this country because it does not hold any seats there and it never will.

This climate change accountability act is a bill that is so poorly drafted that nothing less than a total rewrite could salvage it. However, a total rewrite of Bill C-377 is not what Canadians are asking for and it is not the solution to addressing the challenges of climate change.

Canadians and the international community want to see this government take action, not Liberal rhetoric, to reduce greenhouse gas emissions, action that was sorely missing during 13 long years of Liberal indifference toward the environment.

Our government recognizes that the time for endless studies and argument is over, which is why our government introduced its turning the corner action plan in April 2007. That plan will see absolute greenhouse gas emission reductions of 20% by the year 2020 for the first time ever in Canada.

Our targets are among the toughest in the world, and what is remarkable is that we are the only country to tackle greenhouse gases and air pollutants together. I will explain why that is important.

Air pollution has the most immediate short term impact on the health of Canadians. My daughter suffers from asthma and around June and July of every year, when the pollens come up, she suffers from asthma. Those events in her life are sometimes quite a struggle. Millions of Canadians suffer from pollution related diseases. Our government is not only tackling greenhouse gas emissions, we are also addressing the issue of air pollution and that is why it is important to connect those two.

Under the capable leadership of our Prime Minister, we have put our money where our mouth is. Since October 2006, our government has invested almost \$9 billion in programs and initiatives designed to reduce greenhouse gas emissions and air pollution that will not only benefit the environment but improve the health of all Canadians.

We are putting in place a regulatory framework with mandatory and enforceable targets that will ensure reductions in greenhouse emissions in the industrial sector. For the first time ever in Canada, we actually have targets that will be regulated.

This will be the first time a Canadian federal government has ever taken such action. Previous Liberal governments had the opportunity to take that action. They talked a big game but when it came to actually delivering they failed Canadians miserably.

The bill states that its purpose is to ensure that Canada contributes fully to the stabilization of greenhouse gas concentrations in the atmosphere. Without a doubt, our Conservative government agrees that Canada needs to take further action to tackle this complex challenge and we are committed to doing just that, however, this bill would not help us to achieve those objectives.

The major issue is that this bill has targets that are unachievable and unrealistic. In fact, if the Liberals were honest they would accept that because for nine years, since the Kyoto accord was signed, they had an opportunity to implement targets that were enforceable and mandatory. Did they get it done? No. It was an abject failure of leadership on the part of the previous Liberal government.

I know I will have a few more minutes to speak later on this but this is about being responsible and addressing the environment in Canada. We as a Conservative government are getting it done. Shame on the Liberals.

• (1205)

The Acting Speaker (Mr. Royal Galipeau): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

When we return to the study of Bill C-377, there will be five minutes left for the hon. member for Abbotsford.

GOVERNMENT ORDERS

[Translation]

The House resumed consideration of Bill C-30, An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts, as reported (with amendments) from the committee.

The Acting Speaker (Mr. Royal Galipeau): There being no motions at report stage on this bill, the House will now proceed, without debate, to the putting of the question on the motion to concur in the bill at report stage.

[English]

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC) moved that the bill, as amended, be concurred in.

[Translation]

The Acting Speaker (Mr. Royal Galipeau): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

The Acting Speaker (Mr. Royal Galipeau): When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

[English]

Hon. Chuck Strahl moved that the bill be read the third time and passed.

He said: Mr. Speaker, I share the members' enthusiasm for Bill C-30, the specific claims tribunal act. The legislation represents a significant step forward in the relationship between Canada and first nations.

Government Orders

A specific claim is a grievance related to Canada's obligations under historic treaties, or the way it managed first nation land and other assets. Resolving these claims benefits not only first nations, but all Canadians. Resolved claims bring certainty regarding land and resource ownership, allowing first nations and all potential investors to go forward with confidence.

Settled claims help to create strong, prosperous first nation communities that generate social and economic benefits that spill over into neighbouring communities, creating even greater prosperity for all Canadians.

[*Translation*]

Settled claims help to create strong, prosperous first nation communities that generate social and economic benefits that spill over into neighbouring communities, creating even greater prosperity for all Canadians.

[*English*]

As my hon. colleagues know all too well, the processes now in place to negotiate and resolve specific claims are unacceptably slow. Bill C-30 is the first element in the government's plan to overhaul the specific claims process and to restore confidence in the integrity and effectiveness of the process.

Bill C-30 proposes to establish the specific claims tribunal, an independent tribunal empowered to settle specific claims. The tribunal can make binding decisions on specific claims that have been rejected for negotiation, or when negotiations fail or after three years of unsuccessful negotiations.

Bill C-30 proposes to establish specific deadlines and mechanisms to ensure that claims are settled in a fair, open and timely fashion. The tribunal will make final decisions on the legitimacy of claims and on appropriate levels of financial compensation. It can award settlements of up to \$150 million per claim and decisions will be binding and not subject to appeal, although they will be subject to judicial review. This will all be overseen by federally appointed superior court judges, who will serve on the tribunal.

To hold the specific claims tribunal accountable to Canadians, the proposed legislation requires the tribunal chairperson to prepare annual reports to Parliament, complete with financial statements. In addition, the minister of Indian affairs and northern development must conduct a review of the legislation within five years and table the results in Parliament. This review will address everything from the tribunal's mandate and structure to its operations and achievements. Because this is all borne out of a partnership, first nations will be involved in the review, as amended by the standing committee in the House of Commons.

Bill C-30 includes several provisions to protect the interests of all Canadians. The tribunal cannot award land, for instance. It can only award cash settlements, even when land is the principal subject of the specific claim. First nations are free, however, to use moneys awarded by the tribunal to purchase land from willing sellers. When the tribunal decides a claim related to land, the first nation interest in that land would be released so that title would be cleared.

I emphasize that in no way does the proposed legislation diminish the government's commitment to negotiate specific claims. Nego-

tiated settlements are always preferable because they are the product of collaboration, mutual respect and informed conciliation. Bill C-30 would support negotiations by articulating a clear, direct path toward settlement.

Bill C-30 is the product of a lengthy consultative and collaborative process that involved key stakeholders. The bill itself was developed jointly with the Assembly of First Nations. There is no doubt that these exchanges added considerable value to the proposed legislation. In fact, many of the witnesses who testified during the review of Bill C-30 by the Standing Committee on Aboriginal Affairs and Northern Development remarked on the positive elements of this joint Canada-AFN collaborative effort.

The following is a quote from the testimony from Chief Lawrence Joseph of the Federation of Saskatchewan Indian Nations. He stated:

I...have served in the government for 30 years and also as a chief for 10 years, and I have never seen this high-level type of commitment from government to actually do something jointly with first nations in a very strategic and structured way. I applaud that.

Others applaud it as well. The national chief of the Assembly of First Nations shares this view. During his testimony, National Chief Fontaine made these remarks. He stated:

Bill C-30 represents a tremendous collaborative effort between first nations and the federal government at achieving agreement on the design, composition, and mandate of an independent specific claims tribunal.

The standing committee heard from many witnesses supporting Bill C-30 and the process that led to its creation. It is important to recognize, though, that representations from stakeholders over the years were important not only to the development of the proposed legislation, but also the implementation of the larger action plan on specific claims.

The plan includes several components such as dedicated funding for settlements, increased access to mediation and improved negotiation processes. In fact, government and first nations officials have worked tirelessly to refine and implement the plan ever since the Prime Minister and the national chief of the AFN announced it 11 months ago.

A joint task force helped develop the legislation now before us, in an agreement between the national chief and myself to collaborate on issues not explicitly addressed in the legislation, such as additions to reserve and claims valued in excess of \$150 million. In other words, we continue to work on other things at the same time. Each of these components takes into account years of feedback from first nations groups.

Government Orders

• (1210)

This comprehensive action plan is designed to deliver meaningful, measurable results. The time it takes to process new claims will be cut in half. While it will take some years to eliminate the current backlog, the total number of claims in the system will decrease steadily. Given that unresolved claims often impede social and economic development, I fully expect that the increase in settled claims will usher in a new era of prosperity for many first nations communities. Our Conservative government knows that this will benefit all Canadians, aboriginal and non-aboriginal alike.

I will cite one more excerpt from National Chief Fontaine's testimony to the standing committee. In this quote Mr. Fontaine talks about why he was so keen to help develop the legislation. He said:

We thought we would finally be able to bring about a fair and just resolution to the many outstanding claims....We were talking about an opportunity not just to settle these claims but to revitalize first nations economies in many parts of the country.... So we're talking about bringing about some major changes that will benefit and improve the lives of our people...

[*Translation*]

Bill C-30 paves the way for a new era, one that features greater collaboration between first nations and the Government of Canada. The proposed legislation will help create the legal certainty that first nations need to strengthen their communities and bring Canadians together in common purpose.

[*English*]

Bill C-30 paves the way for a new era, one that features greater collaboration between first nations and the Government of Canada. The proposed legislation will help create the legal certainty that first nations need to strengthen their communities and bring Canadians together in common purpose.

For all these reasons, Bill C-30 richly deserves the support of all members of the House. I encourage my hon. colleagues to vote in favour of this important legislation now before us.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, I listened with interest to the speech of the Minister of Indian Affairs. By his own admission, although not verbalized today, the easier claims to resolve would be covered within the legislation, “the picking off of the proverbial low hanging fruit”, to adopt the minister's phrase.

With respect to the difficult claims that have been filed or registered by Six Nations of the Grand River territory in my riding and in the riding of the member for Cambridge, claims that are well in excess of the \$150 million, it is my understanding that no such claim of that ilk would be covered in the legislation.

What does the minister propose to do with respect to the difficult claims, particularly those filed by Six Nations of the Grand River territory?

• (1215)

Hon. Chuck Strahl: Mr. Speaker, I referred earlier the “low hanging fruit”, the claims that had been hanging around far too long in my opinion and in the opinion of our government, claims that should have been settled ages ago. We make no apologies for settling a record number of specific claims in the last year, by negotiation, because it was the right thing to do. Why they languished for so long is a mystery to me. By being aggressive and by targeting those, so

the irritants were off the table, was the right thing to do. I make no apologies for that.

It is true that the bill addresses claims of under \$150 million. There are some bigger claims. For example, last year I signed an agreement in principle with the Big Stone Cree in northern Alberta. It was a \$300 million deal and involved 140,000 acres of land. It involved transfers of schools and all kinds of things. Big settlements like those affect the fiscal capacity of the country and must have a mandate from cabinet.

Whether claims are in Six Nations territory or others, they need a mandate from cabinet if they are in excess of \$150 million. We have made some significant progress. For the first time, we have a couple of offers on the table in Six Nations territory to address both the Welland Canal issue and another greater one. It is about \$125 million claim.

We are intent on settling claims where Canada has a legal exposure. We want to get them done because it is the right thing to do. It is justice at last, but it also takes that irritant off the table to allow us all to get on with our lives with some certainty.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I listened carefully to part of the minister's speech. My apologies, but I was on the road, returning from my riding. I did not think that we were going to be talking about Bill C-30 today, but I will be ready to debate it later. I went through Maniwaki. My riding abuts Pontiac, which is the riding represented by the minister's colleague, the Minister of Transport, Infrastructure and Communities. I have a question.

As the Bloc critic for aboriginal affairs and northern development, I am a member of the committee that will be studying this bill. This is a very interesting and important bill. It may enable the government to process a backlog of over 800 files—I stopped counting at about 750.

I do have a very important question. Will the government, which the minister represents, commit to implementing this bill as soon as it is passed? I would like the minister to comment on that. If the bill were to be passed this week—which is likely—how long does the minister think it would take to implement it so that first nations can work with the specific claims tribunal?

Hon. Chuck Strahl: Mr. Speaker, I would like to thank the member for his question. The government has made it clear that it is committed to implementing this bill immediately. The money is already in the budget plan. The Prime Minister and the chief of the Assembly of First Nations have already made the announcement. The commitment is there, and we are ready to get to work right away. The plan is detailed. The money is there. I know that the Prime Minister, the Conservative government and—I believe—all members of the House are ready for a completely different kind of tribunal for specific claims.

Government Orders

• (1220)

[English]

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, the committee went through extensive consultations with various first nations organizations around this piece of legislation. There were concerns raised. Given the nature of the bill which requires a royal recommendation, we were very limited in terms of the types of amendments we could make. It is also my understanding that the government was not very open to any substantive amendments. There were a couple of issues raised that were substantive in nature.

One is that there is only monetary compensation being provided to the claimant organizations. There is no provision on behalf of the tribunal to award lands. I am wondering why that particular provision is in there. Why could the government not be open to a more comprehensive approach to settle these specific claims that includes lands as well as moneys?

The second issue deals with the release provisions in this bill. One can only raise a specific claim on a certain basis, such as the loss of lands, the expropriation of lands and things of that nature. One cannot raise a claim based on aboriginal rights, the loss of language or the loss of cultural activity so to speak. When one releases the government from any future claims, one releases it for all of those things for which one cannot claim against the government in the first place, according to this piece of legislation. It reminds of the Indian residential schools agreement. The government was demanding that one could only be compensated for physical and sexual abuse but had to release the government from any legal liabilities for culture and language.

I am just wondering on those two particular questions why the government chose to move in that direction.

Hon. Chuck Strahl: Mr. Speaker, those are good questions, obviously. They came up at committee. There was extensive consultation.

This legislation was put together in a collaborative way with the Assembly of First Nations. The legislation went through an extensive clause by clause drafting process working with the Assembly of First Nations to make the bill as good as possible. That being said, the committee has made some suggestions and some amendments and we will proceed with those.

It is true that the bill does not include land. The federal government has never included land in a specific claims process. The main reason is we do not own land. Primarily land is owned either in fee simple in the private sector or by provinces under Crown land in the way the Constitution and our country has come together.

I mentioned the Big Stone Cree settlement where the province wants to get involved. The provinces have an option to get involved in this if they would like to. If they feel it is in the best interests for certainty and their own legal obligations, they may well want to get involved. It is their prerogative. We cannot order that to happen under the legislation.

We deal in money. This in turn will allow maximum flexibility for the first nations who may decide to purchase land to add to a reserve, but we do not have the land base with which to barter. We deal with the money side of it and deal with our legal exposure that way.

It is important to note that there are other venues to deal with other issues, for example, on loss of language or cultural issues. This is not meant to be a comprehensive treaty negotiation. It is a specific claims bill and it is very specific on certain obligations. There may be other obligations, but there are other venues to pursue them.

• (1225)

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, I am pleased to speak to Bill C-30, an important bill addressing the concerns of first nations in this country. The official opposition will indeed be supporting this bill, but we will be supporting this bill in recognition that it came forward as a compromise between the government and the Assembly of First Nations. The bill is not perfect. We heard from an extensive number of witnesses who have concerns, and with the government's record with aboriginal people, we understand their concerns.

A legislative tribunal is not a new idea nor a new approach. The Leader of the official opposition called for a specific claims tribunal in his run for the leadership of the Liberal Party. He commented, I believe, if we are to do the job properly, there should be no such threshold and that all specific claims should come under the mandate of a new body". He went on to say, "I also believe that, if we are really going to make a new start, the members of the new body should only be appointed after consultation with first nations organizations".

We know that the Assembly of First Nations is happy with this bill, but we also know that it is very much a compromise. The specific claims tribunal is an idea 60 years in the making. In fact, in July 1947 a special joint committee of the Senate and the House of Commons reported:

That a Commission, in the nature of the Claims Commission, be set up with the least possible delay to inquire into the terms of the Indian treaties... and to appraise and settle in a just and equitable manner any claims or grievances thereunder.

A process was put in place in 1973 and since then, almost 1,300 claims have been submitted to Canada. We all know that today there is still an enormous backlog and we hope, as do all members of this House, that this bill will substantially reduce it. The claims are far too high. In 1996 the Royal Commission on Aboriginal Peoples recommended an independent lands and treaties tribunal. I underline the word "lands" as well. Over the next decade, attempts were made to fix the system, including a joint first nations-Canada task force which led to legislation which, as we all know, was not implemented.

Each political party is in agreement that the current process needs to be improved. We hope the bill will reduce the backlogs of specific claims. They are, as we know, lawful obligations. According to the AFN's first nations perspectives on the specific claims policy and resolution process submission to the Senate committee on aboriginal affairs in November 2006:

They arise from breaches by the Crown of its lawful fiduciary and statutory obligations in respect of honouring treaty rights, managing reserve lands and other assets, and carrying out promises to create reserves.

Government Orders

This legislation is an important first step toward creating an independent tribunal to help resolve the backlog of specific claims.

As we have heard, the legislation puts forth four key elements: the creation of an independent tribunal; more transparent arrangements for financial contributions for dedicated funding for settlements; practical measures to ensure faster processing of claims; and better access to mediation once the new tribunal is in place.

The tribunal will have authority to make binding decisions on the validity of claims and compensations issues in respect to claims that are up to a value of \$150 million. For claims already in the backlog, Canada would have to complete a preliminary assessment of these claims within six months of coming into force to identify those that qualify for assessments and sort them for faster processing. It is important that we understand the criteria of that assessment process.

● (1230)

For claims that are complete, Canada would then have up to three more years to make a decision to accept or reject the claims. For claims submitted to Canada after coming into force, the three year limit for assessment begins on the date that the first nation submits its complete claim to Canada. Under the legislation, if Canada fails to meet either of those timelines, the first nations would have the option to refer the claim to the tribunal for a binding decision.

Some have said that the scope of the tribunal is far too limited. We heard my colleague say that the tribunal did not have jurisdiction over claims valued over \$150 million, punitive damages, cultural and spiritual losses or non-financial compensation, such as lands.

A number of issues that could not be agreed on or were not addressed in the legislation itself were dealt with in the political accord signed by the Assembly of First Nations and the Government of Canada. The measures in the political accord include first nations participation in appointments to the tribunal, the reacquisition of lands and additions to reserves, and claims that are excluded by the monetary cap.

Once again, the bill is a compromise.

In an answer to a question regarding the appointment process, University of Manitoba professor and advisor to the Assembly of First Nations, Bryan Schwartz, is quoted as saying:

...ideally I would have preferred to see some sort of formalized statutorily established joint appointment process.

Many witnesses wanted to see the political accord included in the legislation but, unfortunately, we were told that was a non-negotiable. We often heard witnesses speak to the importance of the monetary cap and the fact that it should be lifted or increased. We also heard witnesses refer to the land issue, as we have heard before, as being of great importance. We heard these were non-negotiable. We were told that these amendments would have been out of the scope of the bill and that they would have potentially delayed the bill or killed it, once again, delaying any progress on specific claims.

We would have liked to have seen the government include these measures in the legislation but we will need to hold the government to account to ensure that the measures set out in the accord are implemented and honoured.

As Chief Edward John from British Columbia said:

My hope is that the political accord becomes a living and breathing document during the initial five-year term of this tribunal. It should be perhaps revisited and renegotiated at the conclusion of the five years, when the bill has been reviewed as well.

Our party, in cooperation with the other opposition parties, passed an amendment to include first nations in the bill that do not have reserve lands. In Quebec and Labrador, five historic first nations do not have reserve lands. They should not be disqualified from the bill so we worked to ensure they would not be.

British Columbia regional chief, Shawn Atleo, in his submission to the committee, indicated his support for the bill but also acknowledged that this bill was only a first step. He stated:

In moving forward, on reform of the specific claims process, there are a few remaining issues that are not yet resolved. ...all of which are set out in the political agreement. As long as the commitments these two documents embody are lived up to by the government—in particular, the commitments embodied in the political agreement—we feel that the work that was carried out as a part of this joint process stands as a work in progress model for how first nations should be engaged in issues that have the potential to affect us.

He went on to say that “work on claims over \$150 million that are outside of the cap are going to be very key”.

He urged the government to get on with the important work as quickly as possible because this was about us working together and it was about bridging gaps of misunderstanding.

Grand chief, Ed John, echoed Chief Atleo's comments in saying:

...this process should be seen as an ongoing new mechanism for engaging first nations people in the development of legislation in the future.

Throughout the committee process, we heard the concern about the lack of consultation.

● (1235)

Prior to coming here, I was part of a meeting that re-echoed the issue of consultation. This was a collaborative process with the AFN but it was not a consultation between the government and the aboriginal peoples as we know it to be and as it should be. However, this was the first time the government had some meaningful discussions with the AFN on an important issue, but I would reiterate that it was not consultation as we know it.

Organizations, such as the British Columbia specific claims committee, were concerned about the restrictive time frame in the introduction of the bill because there was no opportunity to take the draft legislation and the political accord “directly to the communities for their vital feedback and valuable input”.

The AFNQL also felt that in the rush to have things accomplished, Canada neglected one crucial element and that was the duty to consult with those first nations that would be directly impacted by this bill and its related measures.

Government Orders

We welcomed the collaboration with the AFN and the opportunity to hear witnesses before the committee but that was not consultation between the government and first nations. Because the bill was done in collaboration with the Assembly of First Nations, the government felt that it did not have the obligation to consult.

Yes, the bill's process for first nations communities is voluntary but the government tried to blame the AFN for not consulting with its own communities. That in fact happened in committee and it was not up to the AFN. It was the government's responsibility to consult.

In numerous meetings, we heard the government question witnesses on whether or not the AFN had consulted with them prior to the introduction of the bill, citing the funds given to them for regional dialogue. The AFN did not undergo regional dialogue with first nations communities across the country but it is important to note that the government should not confuse the notion of its legal obligations and its duty to consult.

We saw the government unilaterally introduce Bill C-21. We heard the concerns about the process for Bill C-47. It is essential that the government work with first nations rather than to impose measures upon them without consultation. It must also not attempt to pass on its duty and it must not play politics with the issue.

I want to reiterate the concerns around the bill and talk about clause 15 where the tribunal cannot receive claims based on events that are less than 15 years old. However, it is possible to notice that new claims are being created by the actions or inactions of federal officials regarding their management of the indigenous lands today.

I want to note that clause 15(4) and clause 20(1)(b) of the bill would limit the tribunal from awarding compensation in excess of \$150 million. I have spoken to that before but it is worth noting that in Quebec it can identify at least four specific claims potentially are over \$150 million. I will speak to the Okanagan in a minute. We need answers on how these will be addressed.

Clause 16 of the bill would give the minister the discretion to set minimum standards for claims submissions as well as allowable format. This power could potentially be used to stonewall claims submissions and prevent them from being accepted.

We know the national chief will be involved in an advisory capacity in the appointment of judges to the tribunal, as mentioned in the political accord, but there is no explanation of how it will work, which is deeply disappointing. Moreover, the accord, as we have heard before, is not enforceable and we question its future.

Representations have also been made that other organizations that protect first nations should be involved in the consultation process.

We heard concerns about the fact that the tribunal hearings would only take place before one tribunal member. If the position of the tribunal member is biased or whatever, there is no recourse or avenue for appeal according to this bill.

Through questions and comments and before the committee, we heard that the tribunal could only give pecuniary compensation and could not give an award for any harm or loss that is not pecuniary in nature, including the loss of something that is cultural or spiritual in nature.

According to the structure of the tribunal, we heard that there could be a risk of federal conflict of interest during the pre-submission phase for the initial three years review and the subsequent three-year negotiating period. We also heard that the decisions of the tribunal would not be binding on other levels of government. Provincial and territorial governments would participate only on a voluntary basis. I think we need to move forward on that.

We also heard from women's groups that the strategy does not include strengthening the role of aboriginal women as it relates to land claims. I accept responsibility for that because one of the things we did not do in the committee process was ask whether there had been a gender based analysis done on the bill. I think all of us, as members of the committee, were remiss in that.

We recognize the importance of the bill but we also question the government's commitment to reducing the logjam of land claims and finding fair, just and reasonable settlements. It has been over two years since we have seen the conflict at Caledonia and yet the government has not been willing to take action. A mediator has been appointed. I have been to Caledonia and have met with both first nations and community members. Their frustration is growing at the lack of willingness and lack of participation by the government in a real effort to resolve some of the very serious resolutions to the Caledonia situation.

At the outset of the legislative process for Bill C-30, the Okanagan Band received a rejection for its land claim worth over \$150 million. The claim is estimated to be at roughly \$750 million. This legislation offers the band no recourse. What will the government do for it? We have no indication of what will happen to a claim of that sort that has been rejected and not addressed.

● (1240)

We need to see real commitment. We need to see real leadership. We need to see the government work with the specific communities, as well as all communities, with outstanding grievances, to bring an end to the despair that we know aboriginal people face across the country, not only with land claims but with housing, education, infrastructure, water, health, economic development and human rights for first nations, including the signing of the declaration on the rights of indigenous peoples, which has not been signed, which is not being honoured by the government, and which is an overlay of the whole issue of specific claims.

We saw the government scrap the Kelowna accord when it came to office. The government ignored the will of aboriginal leaders, provincial and territorial leaders and others who were involved in the 18 month process. As I have heard some of my colleagues say over and over again, the accord offered real hope for first nations, Inuit and Métis peoples, and they tell the stories in their communities of those who cannot speak English but understand the word Kelowna and what hope it offered for them, their communities and their children.

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The government destroyed that hope and showed a profound disrespect for aboriginal Canadians in that process. Instead of working with aboriginal peoples, it has tended to act unilaterally on so many initiatives. Conditions are worse today than they were a year ago and we are about to see a second day of action because of the government's actions. The bottom line is we need to see real action, real leadership, no cherry-picking and no spin.

The specific claims legislation is an important step, but there is so much more we must do as parliamentarians to ensure that first nations people, along with Inuit and Métis people, have the same opportunities that all Canadians do in this country.

• (1245)

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I will just leave the political side stories for another day. This is an important bill and I am pleased with the support for the bill.

It is important to remember that the process on the specific claims is entirely voluntarily. The first nations do not have to use this process if they do not want to. If they would like to continue negotiations, they are welcome to. If they want to use the courts, they are welcome to. If they want to use this claim process, they could use that as well, but because it is not compulsory, the duty to consult is different.

If it were something that said, "We are now legislating on behalf of all first nations and they have to do this process", then the duty to consult would be different. Therefore, what we set up was an agreement with the Assembly of First Nations to do regional consultations, which it did. It prepared comprehensive materials which it distributed, and while it is not a duty to consult in the way the member mentions, it is because there is not a compulsory or mandatory part of relations with the government. It is just an option that is given if first nations so desire.

My question for the member is on the selection of the judges who will serve on the tribunal. She mentioned that she felt there should be a larger role. Just for clarification, because these tribunal judges are selected from the current roster, does she think there should be a greater role in the selection of judges generally for the Assembly of First Nations, or just an increased role for the selection of sitting judges to sit on the tribunal?

Hon. Anita Neville: Mr. Speaker, before I answer the minister's question, I would like to comment on the matter of the responsibility to consult.

The minister distinguishes between the need to consult in a voluntary matter and if it were mandatory. I am struck by the irony of the fact that he chooses to engage in a collaborative process with a voluntary activity that first nations people will be involved in, yet an issue that is mandatory has no consultation process at all. I am just struck by the hypocrisy of that.

Speaking in terms of the appointment process, I think it would have been preferable if the aboriginal leadership had an opportunity to have a meaningful say in the appointment process of the judges appointed to the tribunal. That is what I am speaking to.

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, over the past many number of months, in fact almost since the day the Kelowna accord was signed, there seems to be some kind of doubt that this project would have gone a long way to reconciliation.

I want to ask the hon. member this question. If getting all the provinces and territories together, getting all the aboriginal first nations groups together, and getting the federal government at the table making that kind of commitment, was this not a positive step and a turning point, indeed, in our relations with native people in this country?

Hon. Anita Neville: Mr. Speaker, I want to assure the House that this was not a put up question.

The process leading up to and the conclusion of the Kelowna accord was a pivotal time, a landmark time in the relations between aboriginal peoples and the Government of Canada of the day.

We have to recognize that it was an 18 month process. There were several round table discussions on each of the areas that Kelowna addressed, whether it was housing, education or water. It was a consultation process that brought in members of first nations, Métis and Inuit peoples across the country along with government officials from the federal, provincial and territorial governments. It was not a one day event. It was an 18 month process of discussion. How can we best meet the needs of these communities in a holistic, integrated way?

The fact that the parliamentary secretary across the way takes cheap shots and says it was nothing more than a press release shows the profound disrespect, and I hope not his government, to the process, to all of those who were involved in the development of the Kelowna accord.

It was an important process. It was an important happening. I want to underline that this was not an agreement between the first nations and the provinces and a political party. It was an agreement with the Government of Canada. Had this accord been honoured, many more children would have received an education. Many more people would have received health care.

• (1250)

Mr. Rob Clarke: Where is it? We want to see it. It is finished and we want to see it.

Hon. Anita Neville: The member opposite does not understand the traditions of dealing with first nations and aboriginal peoples in addressing it.

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Just to clarify, Mr. Speaker, I am from Muskeg Lake Cree Nation, and I would like to see the Kelowna accord, please. Can I see the signed copy, please?.

Some hon. members: Good question.

Hon. Anita Neville: Members opposite say that was a good question, Mr. Speaker. I would say it was a disrespectful question.

Government Orders

I would tell the member opposite to go back and view the TV coverage and the coverage that went on at Kelowna. It took place in front of millions of Canadians. It took place with all of the leadership of this country agreeing to the progress aspired to for aboriginal Canadians, be they Métis, Inuit, or first nations.

I am astounded that somebody, whom I would assume understands the oral traditions of his community, would stand up and say, "Show me your document". I say to the hon. member, he should go back, get out the video of what went on at Kelowna that day and go into the archives and look at the 18 months of work that was done. I hear people across the way ridiculing. I want them to say that face to face to aboriginal people who participated in that. I also want to see them marching on the day of action.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I would like to tell my colleague who just spoke that if he asks me the question at a later time, I would be pleased to answer it.

This morning I travelled some 580 kilometres from my riding to Ottawa. We are in Algonquin territory here. I was thinking about how I would broach the subject of Bill C-30, which we will discuss during the next few hours. I do not often congratulate a minister in the House, but today, it must be done.

I would like to congratulate the minister who succeeded in bringing Bill C-30 this far. Everyone worked hard, including my colleague from Winnipeg South Centre, who just spoke and is the Indian affairs critic for her party; my other Liberal colleague from Nunavut as well as my NDP and Bloc colleagues, to ensure that this bill respects the wishes of first nations.

Numerous groups repeatedly told us that first nations want us to listen to them. They want decisions and agreements to be respected. If those are not respected, they want legal recourse so that a court would resolve the dispute between first nations and the federal government.

We must be honest and speak only the truth here in this House. For far too long now, the federal government was both judge and judged in first nations claims. It was the federal government that decided when the negotiations would begin and end, and what aspects they would focus on. First nations peoples were consulted very little or not at all. When the government decided that perhaps the issue should be resolved, it set the parameters for the schedule, the meetings and the central focus of the claim. This way of doing things went on for too long. Since 1947—we are not talking about last week—that is, for more than 50 years, first nations peoples have been asking the federal government to stop being both judge and judged in their comprehensive and specific land claims.

For those watching at home, that is what is happening with Bill C-30. This bill is important for a number of reasons. The first important point for the Bloc Québécois and me is that the tribunal would become independent. In committee, on several occasions, a number of first nations people asked us if it would be possible to appeal a decision rendered by the tribunal. First of all, I have always opposed that idea and I did not want to make it possible to appeal those decisions, so as to prevent the federal government from once again appealing such cases when it was not happy with the decision

handed down, thereby delaying the payment of money owing to first nations peoples.

Everyone must understand one thing: first nations peoples have specific claims and have the right—they were here before us—to receive payment for the damages they have suffered.

● (1255)

I will give an example that everyone can understand. In an aboriginal community near my riding, at some point, Ontario Northland—whether it was this company, Canadian National or Canadian Pacific does not matter because this happened all over Canada—decided that the railroad would cut right through the middle of a reserve. The communities living on these reserves or lands that belonged to them were never compensated.

I understand and respect the minister when he says that the federal government cannot give them land because there is none or it is so far away that it would be pointless. Thus, they are trying to find a way to compensate them.

When the value of the strip of land on which the railway runs is established, it is possible to determine the loss to the First Nations and the compensation owed by the federal government. It was the federal government that authorized the railway companies—in the 1800s and early 1900s—to build a railway through their land. Therefore, the federal government must compensate the first nations.

This is a good bill and we will vote for it. The Bloc Québécois supports this bill, which the first nations have been awaiting for 60 years. It is about time that this goes through and that the matter is settled. That is why we will be voting for this bill.

This bill may have some small deficiencies, but overall, the first nations are satisfied. Without being partisan in the least, the government must recognize that, without the cooperation of the opposition parties in a minority government, this bill would not be before the House today. We are in agreement on it.

I hope that I will not hear in this Chamber that the Bloc Québécois has never done anything, is never able to do anything and never will do anything. I can say one thing for certain: with respect to Bill C-30, the Bloc Québécois has played a very active role with the other opposition parties to amend it, to ensure that it fulfills the obligations undertaken and, above all, to ensure that the first nations' claims are taken into account.

I know that some first nations would have liked the limit to be increased by \$150 million. I examined all the claims, some of which are specific claims. We need to explain this clearly to the public. We are not talking about land, giving land back, expropriating land or evicting people from their land. We are talking about specific claims. Earlier, I mentioned a railway line that ran through an aboriginal community. In Quebec, there may well be claims pertaining to a hydro line running through a community. The first nations of Quebec will have to invite the Government of Quebec to get involved in cases that might give rise to specific claims.

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Let us look at the specific claims that are pending. In Alberta, there are 33; in British Columbia, 306; in Manitoba, 25; in New Brunswick, 12. In Quebec, 68 specific claims have not yet been settled; in Ontario, 111. These numbers are important, and so are the dates of some of these claims. As hard as it is to believe, a number of these specific claims date back more than 20 years. This made no sense, and something had to be done.

That is why this bill was introduced in Parliament. I hope—and that is what I asked the minister—that it can be implemented very quickly, because it is an extremely important bill.

● (1300)

Of course, it will not make up for the lost land. It cannot award land. However, it can at least award financial compensation.

It is easy to understand. I will give another example. When a dam is built to hold back water, the land is flooded. As much as the federal government may want to, it cannot give the land back because it no longer exists; it is flooded. What is flooding the land worth? What is the flooded parcel of land worth? We know the land was probably flooded to regulate the flow of a river or to build a hydro dam, etc. This is part of a number of specific claims.

I can understand and appreciate the minister's response. He answered the opposition member's question quite honestly. The federal government cannot give the land back because it does not have it. The government can be involved, it can help and ensure that a province can give some of the territory back to the first nations. To do so, there should be a debate on that. For now, what is important is that we take a step forward, as they say.

Since 1973, of the 1,297 specific claims submitted, 513 have been settled. Again, this is since 1973, not 1960 or 1947 or 1950. For most of these specific claims an average settlement of between \$15,000 and \$1.25 million was awarded. As one might imagine, some claims might be worth a lot more than that. Just consider Caledonia or southern Ontario. Obviously any highway that was built on Mohawk territory—Highway 406, 405 or 401—is worth a lot more. I am talking about billions of dollars. We can continue to debate the situation and the specific claims in other forums.

For now, what is important is that more than 780 files could start to be submitted to the tribunal as soon as this House adopts this bill. That is what the minister and the representative from the Assembly of First Nations told us in committee.

I would like to talk about the tribunal, because it was not clear. I know that the first nations would have liked to play a part in selecting the judges. I have been a lawyer for 30 years, and honestly, I do not know of any lobby groups or groups of any kind that participate in the selection of judges. The goal is to find independent-minded judges. I can understand that judges need a team of researchers so that they are able to make informed decisions. The judges that will sit on the specific claims tribunal must have access to all the necessary expertise, including the experience elders can provide. In fact, elders will probably be called upon to appear before the tribunal to explain, for example, that they have been in a particular location for 200 or 250 years, that they trap in a particular area, and so on.

However, the Bloc was uncompromising when it came to participation in the appointment, selection and designation of the judges who will sit on the tribunal. I think that it is very dangerous to open the doors to different lobbies—with all due respect to my colleagues opposite—whether they are police officers, the military or gay rights groups that may want more gay judges. We would open the doors to almost anyone. It did not make any sense.

That is not to say that our aboriginal brothers' claims do not deserve special attention.

● (1305)

That is not what I am saying. I am saying that superior court judges will be appointed. I also worked on Bill C-31, which concerns the appointment of superior court judges. It is extremely important that the department do its job in order to provide information and explain that when a specific claim reaches the superior court, the judge cannot deal with it overnight, saying "Hurry up. Give me your evidence. Send it to me in writing and I will hand down a decision." No, the judges who hear these cases must be prepared to take as much time as is necessary.

They will have to take as much time as they need to hand down a decision after hearing all the parties. In my opinion, in a forum such as the specific claims tribunal that will be created, an independent presiding judge who does not owe anyone anything, who does not owe his appointment to a lobby group, is far more neutral when handing down a decision. That is the first thing I wanted to say. There were different opinions on this issue, and I am prepared to discuss it with the first nations that wanted to have a say on this. I will not compromise on this issue. I believe that that part of the bill will remain unchanged, and that is a good thing.

Second, there is the limit of \$150 million. We were asked to raise this limit. In my opinion, a limit of \$150 million will be sufficient for a great many specific claims. I would say that it will be sufficient for about 80% of claims. At least 50 of the 800 claims are for far more than \$150 million, but other claims are for \$15,000, \$20,000, \$1 million or \$25 million. The limit for specific claims is \$150 million. That is very attractive.

What is also attractive is that the government has allocated a certain amount of money. I hope that this is not an empty promise. I want to remind the minister and the government that in committee, we were told that the government had earmarked \$250 million a year for the next 10 years. If my calculations are correct, that amounts to \$2.5 billion. The government will have to include that amount in all its upcoming budgets to send a message to the first nations that once the tribunal has handed down a decision, the federal government will pay compensation without delay.

Government Orders

The third issue I want to discuss is the idea that a decision is final and cannot be appealed. I was in litigation for 30 years and, at that time, we had the possibility of going to the Court of Appeal and, if we were not satisfied, to the Supreme Court for very specific cases such as interpretation of the Criminal Code or the Charter of Rights and Freedoms. What seemed important to us here is that the tribunal can rule that a decision is final and cannot be appealed.

Why a final decision that cannot be appealed? I have said it, and I will not shy away from it. Many settlements have been delayed because the government was judge and judged, it set the limits itself and so on. I would be worried that if we had a level of appeal, the government would use it to appeal a case and therefore delay the settlement.

I see that I have approximately 30 seconds left, so I will quickly say that this is a very interesting bill. I will finish by saying that it is about time we were presented with a bill prepared in collaboration—again, in collaboration—with first nations. There is nothing better.

During the week, we will be studying one or two bills, but the debates will be different. Before us now, we have a bill prepared in collaboration with the first nations, and the Bloc Québécois will be supporting this bill.

● (1310)

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am pleased to speak to Bill C-30, which is a major step forward in terms of how the government will be handling specific claims. The New Democrats will be supporting the bill as amended.

There are a couple of things I want to cover in my speech. There were a number of very legitimate concerns raised in committee. One would hope that as this legislation unfolds and arrives at its review period any difficulties with this legislation will be addressed.

A number of members have talked about specific elements of the bill. I want to put a historical context around this piece of legislation.

The sad truth is that this legislation is far overdue. In the years from 1927 to 1951 the Indian Act actually prohibited bands from using their funds to make claims against the government. That was the start of a long sad and sorry history. It went on until 1947 when a special joint committee of the Senate and the House of Commons was struck to look at establishing a claims commission. There was the very controversial 1969 white paper which failed and was withdrawn. The Calder decision confirmed that aboriginal peoples had the historic occupation of the land and gave rise to legal rights on the land that survived European settlement. This information is from a Library of Parliament document. Then there were various iterations of a specific claims policy that either died on the order paper or failed in some other respect. We have a long-standing problem of not dealing in an honourable way with specific claims.

On the department's website is an overview of the specific claims action plan. It is stated fairly well. It said:

Specific claims deal with past grievances of First Nations. These grievances relate to Canada's obligations under historic treaties or the way it managed First Nation funds or other assets, including reserve land.

Since 1973, the Government of Canada has a policy and process in place to resolve these claims through negotiations rather than through the courts.

Those negotiations were often bogged down in literally years of back and forth, whether it was research, whether it was finally getting the government to the place where it would actually accept the claim, whether it ended up at the commission only to have the government disregard its recommendations. People spent many years in a frustrating process that did not actually see any outcomes.

During the committee hearings we heard from a number of first nations from coast to coast. A number of concerns were raised. Some of them included what they call the cap, the \$150 million limit on claims, the tribunal appointment process and the lack of recognition of a nation to nation status. A number of nations raised this.

I might point out that when we sign a treaty with another country, we think of it as a nation to nation process but when it comes to signing treaties with first nations, that premise of a nation to nation status seems to go by the wayside. I will come back to address the consultation process in more detail and the fact that reserve creation is a problem that is not adequately dealt with in the specific claims process.

One reason for supporting the bill is simply that the current system is so deeply broken and flawed that it is unworkable. The NDP will support the current bill because it sets time limits to see a faster and more expedited process, which should hopefully result in some justice for first nations.

I was talking about the historical context. There is an important number which members of the House and people watching would be interested in. There was a brief prepared for the committee by Alan Pratt, who is a barrister and solicitor. He went back to 1963 and said:

I will provide the Committee with a rather astonishing fact. In 1963, as you may know, the federal government of the day introduced a Bill which, like the present one, would have created a binding tribunal, to be called the Indian Claims Commission. The Committee will be aware that this Bill did not receive the force of law. Some 45 years later Parliament is still attempting to create the first binding tribunal in Canada, other than the courts, with jurisdiction to address specific land claims.

● (1315)

The astonishing fact to which I refer is not that a tribunal was proposed in 1963 nor that 45 years have passed without achieving the creation of a tribunal (although to many people both acts are startling in themselves), but that in 1963 the Department of Indian Affairs assessed the total cost of settling all outstanding claims in Canada (both comprehensive and specific) at \$17,400,000. Most of this was estimated to settle aboriginal title claims in British Columbia, Yukon and Quebec.

Further on he said:

I refer to the 1963 estimate partly to make the point that the cost of settling claims does nothing over time but increase, and increase dramatically.

He mentioned some numbers on how much it would cost. Before taking account of inflation, this estimate was off by a factor of about 1,000, or in other words, 100,000%.

Government Orders

His point was that if governments in 1963 and further on had come to the table in good faith and looked at the honour of the Crown, its fiduciary responsibility, these claims could have been settled in a way that would have been fairer to first nations and to the Canadian people. Costs have now escalated and some estimate it is going to cost billions of dollars to settle these claims. The longer we delay, the more costly it becomes.

When we are talking about costs, we are not just talking about money. We are also talking about the cost to a people suffering from the decimation of their language and their culture, and the social problems facing many reserves. I would expect that the settlement of specific claims would help move forward and preserve language and culture. The sad part of the bill is that there is no recognition around how treaties have not honoured the protection of language, culture and other social aspects.

The matter of consultation has come up a number of times. Article 10 of the UN Declaration on the Rights of Indigenous Peoples states:

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

With respect to consultation, Bill C-30 is certainly a good step forward. It is a positive move in the right direction in that it was drafted in conjunction with the Assembly of First Nations. It is a good first step, but it certainly does not meet the broader test of consultation.

I heard the minister talk earlier about this being a voluntary process, so it is up to individuals to decide whether or not they want to engage in it. However, if people choose not to engage in a specific claims process, their other option is litigation. Litigation is costly, time consuming and has a huge impact on the ability of our first nations to manage their affairs. Once they are involved in the litigation process, they cannot be involved in any other aspect on that specific claim. The NDP suggested that perhaps a particular point of law or a particular aspect of a specific claim could be carved off and go to litigation while the rest of the claim proceeded. That was ruled as an unacceptable amendment.

Let me get back to consultation. The Auditor General and others have talked about the fact that many first nations and many court decisions have encouraged the government to develop an adequate consultation process. The current Conservative government and previous Liberal governments have failed to move forward on developing a consultation process that would meet the tests laid out in court cases.

The Assembly of First Nations could not discuss this legislation with other first nations prior to its being tabled in the House because of confidentiality, which makes perfect sense. Our hands were tied at committee with the number of amendments we could propose because we could not fundamentally change the intent of the bill. A number of amendments were proposed, but they were ruled out of order by the chair. Even if they had been ruled in order, they would have subsequently been ruled out of order on the floor of the House.

● (1320)

When we are talking about consultation, what we really need to do is look at how consultation happens coast to coast to coast. We need

to look at how by the time we get a piece of legislation in the House of Commons, it actually reflects the views of people from coast to coast to coast. In this consultation process, the Assembly of First Nations certainly has member nations from coast to coast to coast, but other organizations were excluded, such as the Native Women's Association, the Assembly of First Nations from Quebec and Labrador and other representative groups. There was no mechanism to include them at the table in this consultative process.

What we have is a bill that perhaps does not reflect all of the needs. It is a good reminder to us that first nations are not a homogeneous group of people. First nations have different traditions, different cultures, different language groups, different social customs. It is important when legislation is being developed that some effort is made to reflect those differences from one coast to the other and to the north. Although this process was a good first step, I would urge the government to come to the table and work with representative first nations groups across this country to develop a truly representative consultative process.

One of the other issues that came up was around the transition. According to the department website as of December 31, 2007 a significant number of claims are already in the system. For example, claims under review, there are 607; claims under negotiation, there are 132; and there are also a number of claims that have been concluded or are active in litigation or in the current process. The total number of claims comes to 1,374. There are probably many other claims that are not represented in that number because they are not quite into the process.

One of the questions I raised continuously during the hearings in the committee was around the transitional process. A number of first nations presented briefs. It was not always testimony that came before the committee. Sometimes when a question was asked, people agreed there were some concerns around the transitional process.

In a brief submitted by the Snuneymuxw First Nation, which is in my riding of Nanaimo—Cowichan, it talked about fairness and said that it had submitted a very significant specific claim in February 1993 involving breaches of lawful obligation by the Government of Canada which led to the unlawful purported taking of a 79 acre reserve on Vancouver Island, in Nanaimo, British Columbia:

We have waited over 10 years before the claim was accepted for negotiation on November 26, 2003. There have been over four years of negotiations between the SFN [Snuneymuxw First Nation] and Canada since that time. No settlement has been reached, nor does an agreement seem likely in the near future. Several differences have emerged over the proper legal approach to quantifying damages. These differences have resulted in a wide gulf between the parties.

There is much more detail and I have limited time so I will not read the entire brief, but it went on to say:

We respectfully submit that it is unfair to require Aboriginal Nations who have already put in more than three years at the negotiation table to request permission from the Minister to access the Tribunal.

Government Orders

Again, there were some amendments proposed around this, but they fundamentally changed the scope of the bill and they were ruled out of order. In this particular case, and this is not unusual, there are first nations that have been in the process for years and years. There is a process where, if they do not submit any additional information, they can be fast tracked into a tribunal process but they still could end up with a number of other claimants that have either already been in the system or are new to the system. The argument that I was making around this issue is that for people who have actually got to the negotiation stage and have been negotiating for years, there should be some way to recognize the lengthy period of time they have already been waiting for some settlement of their claim. Unfortunately, that was not possible. As the process unfolds and people pay very close attention to it, and I expect the aboriginal affairs committee will continue to pay close attention to this bill, that adequate resources or perhaps some changes might be made to reflect any problems that arise in that process.

● (1325)

In addition, the member opposite mentioned the problems that were raised by the Okanagan Indian Band, whose claim has now been rejected, but there was another piece of it that I think is quite critical. There were two pieces. One is the cap over \$150 million, but the other piece was around the reserve creation. The brief for the committee stated:

It is important to note that the unanimous Supreme Court of Canada in *Wewaykum* concluded that Canada owed First Nations in British Columbia fiduciary duty during the reserve creation process (which stretched over a period in excess of 60 years). Clearly breaches of fiduciary duty arising during the reserve creation process should form the basis of a valid Specific Claim.

The minister did issue a “comfort letter” around paragraph 14(1) (c), which said not to worry about it, that the question would be clarified and it was not a problem, but there is of course a concern in British Columbia in particular. Over half of the specific claims are from British Columbia, so this has a significant impact on the province that I live in, and part of the concern is that B.C.'s portion of the backlog will be reduced by the wholesale rejection of reserve creation specific claims.

In the case of *Wewaykum*, part of the problem is that although this decision has come down, there are some concerns around the legal interpretations so people still are unclear about the impact of this decision overall on the reserve creation process.

One of the things that also has been mentioned is mediation: that one of the intents of this piece of legislation is to reach negotiated settlements. Certainly what we heard about it is that mediation is an important aspect of this.

Again, the specific claims action plan from INAC's website talks about the fact that certainly mediation is part of what would be considered, and the current body has a mediation role, but in the future it is unclear what resources will be put in place for that. If mediation is going to be a viable alternative that could help expedite the process, we would expect adequate resources to be put in place. Again I want to refer to Alan Pratt's submission. He says:

The preamble to the Bill states that “resolving specific claims will promote reconciliation between First Nations and the Crown and the development and self-sufficiency of First Nations.” One cannot disagree with this objective. However, the Bill itself establishes a Tribunal whose mandate and procedure is described in almost

purely litigious terms. The Tribunal itself is an adjudicative body and is not given any “reconciliation” function.

Elements of this legislation are outlined in the political accord, which has again been referred to, but there are elements of the intent of this legislation and the supporting accord that are left far too vague. If mediation is to be viable, adequate resources need to be put in place to ensure that all parties have access to mediation and that the government is actually willing to come to the table in mediation.

Of course what we have had in other cases in land claims agreements and treaties where mediation has been part of the clause that people could use is that the government has refused to come to the table. Of course I am talking about the previous Liberal government, and I am not sure about the current government's track record, but if mediation is going to be viable, there need to be resources, a focus and an intention, and a body needs to be set up that has the mandate to actually look at that.

I talked briefly about the political accord. It is an important parallel document. Again, as I raised in committee, what we have often seen is that as governments change, political accords get tossed. I am very disappointed that there was not some way to enshrine this.

In conclusion, I want to add that it is very important to ensure that elders are included in taking a look at the rules of how the tribunal will operate in providing advice and guidance. In many first nations communities, it is the elders who continue to provide advice and guidance to the chiefs and councils and the rest of the community. The elders need to be an important part of this function. As well, the government needs to commit adequate resources so that all of the timeframes can be met.

● (1330)

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, I thank my colleague for her considered words and also for her work in collaboration with other committee members. I believe it spans all parties to say that we did make diligent efforts to move this through committee in an expedited fashion to bring it back to the House for final debate and see it ratified.

Also, there was much discussion in the committee surrounding this bill but other bills as well, in that if we are going to deal with issues affecting aboriginal people we must deal with aboriginal people but we also must deal with issues in a holistic fashion. This bill may be one piece of the puzzle. It may not be perfect, but it is one piece of the puzzle as we move forward.

We have to talk about the other factors that affect the issues of reconciliation and the issues in making sure that aboriginal people find their true place in Canadian society. I would like the hon. member to comment about how important it is to have a holistic picture as we move forward when it comes to reconciling aboriginal Canadians with the Canadian federation in general about the issues of health, education, economic development and proper infrastructure.

Government Orders

Then I want to ask a more specific question on the bill itself. We probably will have a new piece of legislation, a new act that will come into force at some particular date. It is one thing to have a new act, but this is about implementation. It is about how we move forward with the implementation process. It is about setting some specific timelines to implement the mechanics of this legislation.

In committee, the minister said that the government is going to put new resources into this and is going to charge the department with getting the resources in place, but I would like to ask the member a question. Has there been any evidence that the department is putting new resources in place, increasing its personnel and improving its processes to make sure that what is supposed to happen in the bill actually happens?

• (1335)

Ms. Jean Crowder: Mr. Speaker, the member for Labrador asks a very good question and I thank him for his good work on committee. He has raised some very valid points in committee and again today on the floor of the House.

The issue around reconciliation is a much larger issue. It relates to the comments I made around consultation. What we have failed to realize and what we have failed to negotiate around is that nation to nation status. If we came to the table with the intention to recognize nation to nation status and, for example, develop a consultation process on a nation to nation basis, many of the conversations that we have around these particular pieces of legislation would be moot, because they would actually be developed in a respectful way that recognizes, again, the honour of the Crown and the fiduciary duty of the Crown.

With regard to implementation, that is a major concern. I read off the numbers earlier. There are hundreds and hundreds of claims in the current system. That does not even count those waiting to come on board. Without significant resources committed, it simply will be impossible to expedite these claims, and there has not been any evidence of this commitment.

I would urge the government to actually come out and commit. Of course, part of the problem with the bill is that it outlines some of the mechanics but does not tie up any money. Without those kinds of resources, both in research, with first nations in terms of the research, and in the process itself, it simply will not work.

I am hopeful that in a year's time we will not be having a conversation around the fact that this has not moved forward and has not been expediting things because adequate resources have not been allocated. I might add that these resources cannot come from other areas such as housing, education, water or child welfare services. They cannot be reallocated.

In the recent Auditor General's report, she talks about the fact that in regard to child protection services money is being taken from other programs and other priority areas because there simply is not enough in child protection. That cannot happen. It must be new money that is not taken from other programs.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, my colleague from Nanaimo—Cowichan works very hard at committee to raise the issue of fairness for first nations, and this is just one more aspect that she is working on.

We share Vancouver Island and we have many different first nations bands within our ridings. I have met with many of the chiefs, councils and people in my riding. What they have told me over and over again is that they have been left out of the equation for far too long. Their resources have been given away to logging and mining companies. Their territorial waters have been encroached on by fish farms. They have not seen the benefits of the resources that surround them.

Therefore, I want to ask my colleague to perhaps underline the importance of settling these specific claims, so that first nations can move forward with their treaty negotiations in a way that helps them access some of those resources that they have been left without for far too long.

Ms. Jean Crowder: Mr. Speaker, that is a great question from the member for Vancouver Island North. In fact, one of the aspects of this bill is that first nations cannot actually file a claim with the specific claims process for 15 years. One concern that has been raised is that in those 15 years their land can be developed, given away, sold or whatever. That is an important factor in this as well. As we know, a lot can happen over that period of time.

However, with regard to the fact that the specific claims process will provide some certainty, it provides certainty for first nations and also for the non-aboriginal community. Therefore, part of the hope in moving forward with a specific claims process that actually is more expeditious is that it will allow things like economic development to move forward with first nations. It will allow things like revenue sharing to moving forward for first nations. It will allow first nations to have access to the resources on their own lands. The hope is that it would actually benefit the first nations communities in enhancing their living conditions.

• (1340)

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, I would like to ask the member opposite, who I know has at least some passing familiarity with claims filed by the Six Nations of the Grand River Territory, if she is not frustrated, as I am, at the relatively limited scope of the legislation that we are discussing.

The reality is that several land claims have been filed or registered by the Six Nations of the Grand River Territory. The most famous, so to speak, has become known colloquially as "Caledonia". It is actually Douglas Creek Estates. This is a site that was initially occupied or reclaimed or protested on, call it what we will, in February 2006. Negotiations started about three months after that and they continue. This is now two years down the line with no end in sight, quite frankly, and other claims are being negotiated as well.

Simply put, is the member troubled by the limited nature of the legislation? Would that the government had seen fit to broaden the scope or the ambit of the legislation so that all claims would be covered.

Ms. Jean Crowder: Mr. Speaker, the \$150 million cap is a part of this legislation that is deeply troubling, in part because there is no process outlined for how that will be dealt with.

Government Orders

In terms of the Six Nations, there are a couple of issues. One is that again there is no recognition of the nation to nation status. Also, this claim goes back to 1763 with a royal proclamation. That is where it is grounded, as well as in the two row wampum, which recognized that parallel nation to nation process.

This piece of legislation simply does not deal with the particular Six Nations issues around the Grand River or Caledonia. Again, this calls for the need to put in place the process that recognizes these much larger claims, and a process around comprehensive claims as well, which we have not even touched because that is outside the scope of the specific claims legislation. However, the comprehensive land claims process itself is not moving forward in a way that is going to meet the needs of people.

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, I am very pleased to rise today to speak to Bill C-30 in its final hour of debate. I represent a riding that has many first nations and I am proud to be here and represent their voice on this issue.

As a parliamentarian, I have had the opportunity to hear the speeches from the first hour of debate and hear the minister and witnesses at committee as well. I have been made aware, as most parliamentarians have, that the federal government is very proud of the working relationship between the Assembly of First Nations and itself on the bill. However, I have chosen to oppose the bill, and I will use my time to speak to the reasons for that decision.

One of the primary considerations in my riding has been about the land. I represent a northern riding in Manitoba, which reflects about two-thirds of the province. In fact, we have enormous resource development in our riding. I just received another headline from Manitoba about the impacts of the hydro development.

Many Manitobans are well aware that hydro development has been going on since about 1959, when developing hydro first started. Therefore, we saw the real impacts of resource development in northern Manitoba, primarily over the last 40 to 50 years, which has had a significant impact on the livelihoods of first nations in my riding.

We hear today about the continuing issues around hydro development. York Factory was responding to the replacement of the turbines at one of the dams. Last week I was at Fox Lake First Nation in northern Manitoba, which is situated where the next proposed dam for Manitoba Hydro is, and that is Conawapa.

The minister of sports and culture, who is also the MLA for that riding, was there as well as the national chief to support the community. There has been no response from Canada on the terms of settlement and the province continues to move forward in hydro development. There is a critical role that Canada must play.

However, people seem to believe that the role can be somehow relegated to a moral obligation. It is really critical in this discussion that we talk about the legal obligation and the fiduciary relationship that the federal government has with first nations, in particular when we are speaking about issues related to the land and aboriginal rights inherent in these discussions.

I will read a piece from the report of the Royal Commission on Aboriginal Peoples in which it discusses claims. It says:

—Aboriginal claims are not entreaties against the Crown's superior underlying title. Aboriginal claims are assertions of Aboriginal rights—rights that inhere in Aboriginal nations because of time-honoured relationships with the land, which predate European contact. Aboriginal rights do not exist by virtue of Crown title; they exist notwithstanding Crown title. They are recognized by section 35(1) of the Constitution Act, 1982, and they protect matters integral to Aboriginal identity and culture, including systems of government, territory and access to resources. Any remaining authority the Crown may enjoy is constrained by the fact that it is required by law to act in the interests of Aboriginal peoples.

• (1345)

I quoted that piece because the riding I represent has an enormous amount of resource development. Yet aboriginal people, first nations within the riding of Churchill, have remained at the lowest end of the spectrum in terms of wealth and at the highest end of the spectrum in terms of poverty. They have been alienated and marginalized from resource benefit sharing. In fact, the disparity between aboriginal and non-aboriginal people in my riding is enormous and shameful.

First nations in my riding have had to spend many decades dealing with the issues around resource benefit sharing and the settlement of specific claims and comprehensive claims. It has been very clear in their struggle that the federal government has not attempted, in its capacity of a fiduciary obligation to aboriginal peoples, to always act in good faith. We see this in the very real situations that first nations are involved in today in terms of their standard of living.

Since contact, the issues involving land and first nations people have been one of the most contentious issues that Canada has faced. Unresolved land claims have long strained the nation to nation relationship between the Crown and first nations in Canada.

Following the 1973 Supreme Court decision in *Calder*, it was confirmed that aboriginal people's historic occupation of the land gave rise to legal rights in the land that survived European settlement. This ruling forced the federal government to undertake not only first time processes for the negotiation of comprehensive land claims, but also new processes for resolving specific claims.

The 1973 decision was a turning point in the country toward returning traditional lands to first nations. However, the subsequent processes have been anything but smooth sailing.

A national mini-summary issued by the Department of Indian Affairs and Northern Development, Specific Claims Branch indicated that between April 1, 1970 and September 30, 2007 only 284 of 1,366 specific claims advanced had been settled and 853 unresolved claims are in various stages of review by DIAND Specific Claims Branch.

A review of the mini-summary by province indicated that a significant percentage of outstanding claims had been pending for 10 or more years and many had been initiated 15 to 25 years ago. The excessively drawn out claims process has led to a wide array of social and economic turmoil, particularly for first nations people. We have seen protests and unrest, which I regret to say have led to imprisonment and in some cases even injury and death.

For too long, the relationship between the land and first nations people has been undermined and ignored in our country. In fact, I will quote again from the report of the Royal Commission on Aboriginal Peoples, in which it said:

The rights of Aboriginal peoples to lands and resources are perceived as somewhat nebulous claims against the real rights of the Crown. The purpose of a land claims agreement has been to dispose of the claim by extinguishing Aboriginal title and perfecting the 'real' Crown title in exchange for a set of contractual rights and benefits. By contrast, Aboriginal groups say that it is government that should bear the burden of establishing the validity of its claim to the unfettered administration and control of Aboriginal lands, and that the Crown, as a fiduciary obligated to protect the interests of Aboriginal people, should act with propriety.

That is what we are talking about today. This is essentially what underpins this whole discussion. There is a very strong difference of opinion about what the propriety is and whether the federal government is meeting its fiduciary obligation to first nations.

• (1350)

I understand the government has been very proud of the process in which it has been engaged. AFN has very clearly articulated at our committee that the bill should be supported and that it hopes it will move expeditiously through the stages, through to a vote to become law.

Many of my colleagues in the House support the bill, if not most. However, I felt it was incumbent upon me to ensure that I made statements in the House to articulate the position of first nations in my riding on the bill.

Grand Chief Sydney Garrioch of the Manitoba Keewatinook Ininew Okimowin, which represents 30 first nations in northern Manitoba, reminded us at our committee that first nations bodies, including the MKO and the Southern Chiefs' Organization, which represents first nations in my riding on the east side of Lake Winnipeg, had been subject to numerous inquiries and studies.

Joint task forces and even a royal commission repeatedly called for a process to resolve specific claims. However, the process had to specifically be jointly arrived at through the mutual consent of first nations in Canada and be independent of perceived or actual undue influence by the Government of Canada.

A concern about the whole issue of independence was brought up by a number of our witnesses. The Canadian Bar Association also presented as witnesses at our committee. It made sure to elaborate on the point that we needed an independent process to deal with specific claims. It called upon the government to have an independent body review the ministerial decisions to reject claims and to make decisions binding on the federal government. One of the suggestions was that difficult issues might be referred to an impartial lawyer or a former judge. A number of witnesses had the same concern. Another point was that it should be effective in resolving claims. Finally, MKO's position was that it should uphold the honour of the Crown.

Statements by Members

It is interesting to note that where I am standing right now, on Parliament Hill, on the floor of the House of Commons, and delivering a speech on land claims, is in fact traditional Algonquin territory, which was never surrendered and compensation was never received for this land.

This fact on its own speaks volumes on the existing land claims across the country. It also illustrates the dire need for appropriate, effective legislation, which is the result of a thorough consultative process and also reflects the fiduciary obligation of the Crown.

Again, in the case of Guerin, it was very clearly stipulated in law by the Supreme Court of Canada that the federal government had a fiduciary responsibility. The government has the duty to act in the interests of aboriginal rights and treaty rights. The government's determination of validity in this matter involves a clear conflict of interest. In fact, the Department of Justice has advised on treaties the same way that it litigates them, and that point was also made very clearly at committee.

What we are trying to do, in developing a specific claims process, is develop a process that would allow first nations and Canada to develop a relationship, as has been advised by the court, as has been entrenched in our constitution, that avoids an adversarial process which we would see in litigation. That is the purpose of this process.

• (1355)

However, we have a framework which will put us back into the same or similar situation of a court structure, using discovery methods similar to court processes.

I would like to mention that on this matter of reconciliation and justice at last, and in terms of trying to find an alternative process to litigation, in the Guerin decision there was a comment made by Justice Wilson. She said, "Equity will not permit the Crown in such circumstances to hide behind the language of its own document". That is really important because the fundamental piece in terms of a fiduciary obligation is the principle of equity in law.

The Acting Speaker (Mr. Andrew Scheer): The hon. member will have four minutes to conclude her remarks following question period.

We will move on now to statements by members, the hon. member for Fort McMurray—Athabasca.

STATEMENTS BY MEMBERS

[English]

BIRTHDAY GREETINGS

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, I am pleased to speak today about Mrs. Charlotte Mitchell of Fort McMurray, Alberta, who celebrated her 100th birthday on May 2nd, just two weeks ago.

Speaking with Mrs. Mitchell during her birthday party, I was humbled to think of what she had experienced while living in the most progressive century of our time and in the most progressive city of our time.

Statements by Members

One hundred years ago today, Fort McMurray was home to only a few hundred people and just beginning its transformation from a Hudson's Bay trading post into an epicentre of prosperity.

Mrs. Mitchell and her family were pioneers of the community, supporting its tremendous growth as oil exploration and production turned my small town into a vibrant city of now over 80,000 people and a pivotal force in the Canadian and global economy.

Charlotte Mitchell has built a legacy to be proud of, so today I say congratulations and happy birthday. We are all so very proud of her.

* * *

●(1400)

SCOPUS AWARD

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, on Wednesday, May 14 a distinguished citizen of Winnipeg, and indeed of the world, will be honoured by the Winnipeg chapter of Canadian Friends of the Hebrew University. Dr. Frank Plummer will receive the Scopus award given to those individuals who have demonstrated real humanitarian concerns throughout their careers.

A graduate of the University of Manitoba, Dr. Plummer is currently distinguished professor at the University of Manitoba, as well as senior adviser to the Public Health Agency of Canada, among other things.

Dr. Plummer spent 16 years in Kenya researching sexually transmitted diseases and HIV-AIDS. Although the world reviewed HIV-AIDS as a homosexual disease, Dr. Plummer revealed that heterosexual women could also be infected. During his study of 500 Nairobi prostitutes, he found that two-thirds of them had HIV-AIDS. However, he discovered among them a group of women who did not contract AIDS. This discovery suggested that those women had natural immunity to the disease and that a vaccine could be developed.

Dr. Plummer has been recognized worldwide for his groundbreaking work. It is most appropriate that—

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Abitibi—Baie-James—Nunavik—Eeyou.

* * *

[*Translation*]

GALA DES OLIVIER

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, the 10th annual Gala des Olivier, hosted by Martin Petit, was held yesterday. The gala highlights and rewards the outstanding achievements of comedians on stage and television. The gala also promotes the comedy industry, contributes to the industry's development, and showcases the industry's artists, writers, producers and comedians.

Several Quebec comedians received awards at the gala. Martin Matte was honoured four times in the comedy show, writer—with François Avard and Benoît Pelletier—comedy DVD and most popular show of the year categories. Rachid Badouri's debut show was awarded two Olivier awards, and Louis-José Houde was named comedian of the year.

My Bloc Québécois colleagues and I are delighted to congratulate the winners, paragons of Quebec-style humour, all.

* * *

[*English*]

HEALTH

Mr. Tony Martin (Sault Ste. Marie, NDP): Mr. Speaker, tomorrow I will be in Sault Ste. Marie to hear Sault resident Jonathan DellaVedova speak as the newly elected president of the Canadian Federation of Medical Students. Jonathan will speak on protecting public medicare and why it is a Canadian imperative to defend it.

Jonathan studies at the Northern Ontario School of Medicine. He is the first student board representative with Canadian Doctors for Medicare.

His speech is timely. A local crisis continues because of too few beds and doctors. Emergency room physicians are threatening to withdraw services citing unsafe patient conditions.

The answers are clear. The NDP is calling for long term, home care and nurse practitioner programs within public health care. As Canadian Doctors for Medicare and the students say:

A public system is better for everyone because it means health care dollars are spent on patient care rather than private clinic profits, and services are provided in accountable facilities rather than ones that are not nationally regulated.

From Tommy Douglas decades ago to Jonathan DellaVedova in 2008, we vow to protect public medicare.

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TEAM CORNWALL

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Mr. Speaker, I rise today to tell the House and all Canadians about an organization I am very proud to belong to. That organization is Team Cornwall.

Team Cornwall was established to spread the good news about Cornwall's positive attributes. Team members, acting as ambassadors, use their own networks to deliver timely information about the community and its economic opportunities.

Today we can be proud of our accomplishments. By working together we have created a sales force of over 340 individuals, including the Prime Minister of Canada, who became an honorary member in August 2006. Team Cornwall members travel across the country informing Canadians of the many advantages of living and doing business in Cornwall and the surrounding area.

I encourage all Canadians looking for a community, where they can work, invest and raise a family, to visit Team Cornwall's most recent initiative online at www.choosecornwall.ca. I want to thank each and every member of Team Cornwall for the outstanding job they are doing promoting the wonderful city of Cornwall.

Statements by Members

• (1405)

PHARMACEUTICAL INDUSTRY

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, Canada's generic pharmaceutical industry is a true success story, wonderfully reflected in the Apotex facility in my riding of Brant. The industry, however, is justifiably concerned about, and surprised by, recently published regulatory amendments.

These changes are contrary to the best interests of consumers, changes which will delay generic competition and will extend monopolies for brand name companies.

Almost all generic drugs sold in Canada are made here in Canada by 11,000 highly skilled people. The government should withdraw proposals which will harm a dynamic industry and will increase prescription drug costs for Canadians.

The message to the government is to do the right thing and withdraw these amendments.

* * *

NORAD

Mr. Laurie Hawn (Edmonton Centre, CPC): M. Speaker, I rise today to draw attention to the 50th anniversary of the North American Aerospace Defence Command.

Canada has a long and successful history of security and defence cooperation with our southern neighbours. As one of the longest standing military agreements between Canada and the United States, Norad remains a cornerstone of the Canada-U.S. defence relationship.

Canadians and Americans work together 24 hours a day, 365 days a year to monitor and defend the skies over both countries, including the Arctic. For half a century Norad has evolved to address emerging threats.

In May 2006 this government renewed the Norad agreement and added a maritime warning mission to help ensure the safety of North American maritime approaches and waterways.

To honour this important milestone, the Minister of National Defence will join his American counterpart and members of the armed forces of Canada and the United States for celebrations at Norad headquarters in Colorado Springs. There will also be a military parade and flypast in celebration of Norad's anniversary in Winnipeg on May 30.

I invite all members to honour the vigilance and hard work of the men and women who serve in the defence of North America.

* * *

[Translation]

INTER-PARLIAMENTARY UNION 2010 ASSEMBLY

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, by insisting on reserving the right to refuse participants at the Inter-Parliamentary Union assembly, instead of promising to welcome everyone as required by IPU regulations, the federal government risks compromising Quebec City's chances of hosting the 1,500 parliamentarians expected to attend the event in 2010.

This intransigence could prove very costly for the Quebec City area, when we know that an international convention of this scope brings in economic spinoffs of at least \$500 a day for every convention delegate. Losing the chance to host the IPU assembly could cost the Quebec City area some \$4.5 million in loss of revenue for such an event.

Given the circumstances, the federal government should reverse its decision and show greater flexibility so the 2010 IPU assembly can be held in Quebec City. Conservative members from the Quebec City area must prove that they are here to serve the interests of their region, the Quebec City region.

* * *

[English]

GAS PRICES

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, the member for Don Valley West, in supporting a carbon tax, says we cannot fight climate change and have cheap gas. That is easy to say for someone who had the good fortune to attend both Upper Canada College and Oxford University, someone who worked as the editor of the *Financial Post*, and served in the federal cabinet. But this demonstrates just how elitist and out of touch the Liberal Party has become.

The Liberal Party may believe that high gas prices are a good thing, but they eat away at the standard of living of ordinary Canadians: the trucker, the farmer, the commuter, the small business owner, all of whom depend on driving for their livelihood.

Many rural residents in my riding depend on buses to transport their children to and from school daily. Without question, this proposed Liberal tax will impact even education costs. It is an insult that the party of privilege would support a sweeping and regressive tax that would disproportionately negatively impact ordinary Canadians.

Shame.

* * *

HEALTH

Hon. Raymond Simard (Saint Boniface, Lib.): Mr. Speaker, this past weekend in St. Vital I participated in two extremely important events to raise funds and awareness for two very different but very devastating diseases.

The first was a community barbecue to raise money for Crohn's and colitis. This disease is particularly devastating because it hits at a very young age; mostly in the teens. It affects the digestive system and causes the intestinal tissue to become inflamed, form sores and bleed easily.

Statements by Members

The second event was a walk for lupus at St. Vital Park. Lupus is an autoimmune disease where something goes wrong with the immune system so that it makes antibiotics attack the person's own tissues. Women develop lupus up to 10 times more than men and it occurs in women between the ages of 15 and 45.

I would like to congratulate all the wonderful volunteers who got involved to put a dent in these life altering diseases. I would also like to thank Crohn's victims Jason Brown and René DeMoissac for their insight and courageous work. It was also great walking with Kendra Gaede, a lupus victim with remarkable determination.

We can all make a difference and we should all be doing everything in our power to annihilate these crippling diseases.

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•(1410)

[*Translation*]

BLOC QUÉBÉCOIS

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, one year ago today we might have thought that the Bloc leader finally saw the light at the end of the tunnel when he promised to return to the fold in order to “kick the PQ's butt”. He was rejected by headquarters and before he could even get to Trois-Rivières he was already back in Ottawa. The Ottawa-Quebec City return trip has never been so quick.

The leader of the Bloc decided to keep collecting his federal pay, and what did the Quebec nation get? Nothing.

For 18 years, Bloc MPs have been doing nothing but talk. They do not present legislative measures that become law. They do not draft any budgets. They do not make any investments. The Bloc struts about Quebec empty handed, simply to create division, with the sole purpose of justifying its presence in Ottawa.

Today, the permanent leader of the Bloc will rise to ask questions on an imaginary scandal, to try to tarnish this government, because the Bloc has no leadership, no consistent policy and no reason to be in Ottawa.

* * *

[*English*]

ARTHUR KROEGER

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, today we mourn the passing of a dedicated public servant and great Canadian. Arthur Kroeger passed away last Friday surrounded by his loved ones.

In 1958, following studies at the University of Oxford as a Rhodes Scholar, Mr. Kroeger joined the Department of External Affairs, thus beginning a public service career that spanned five decades.

From 1993 until 2002, he served as the Chancellor of Carleton University, which is now home to the Arthur Kroeger College of Public Affairs; a tribute to his enduring efforts to promote the ideals of civic involvement in young Canadians.

Known as the “dean of deputies”, he always remained true to his pledge of public service.

In 2006, he wrote *Hard Passage: A Mennonite Family's Long Journey from Russia to Canada*, a book that helps understand the formidable strength of character that forever inhabited Arthur Kroeger.

Our country has lost an outstanding citizen.

I know all members of this House will join me in offering our sincere condolences to his family and loved ones.

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HUMAN RIGHTS

Ms. Judy Wasylcia-Leis (Winnipeg North, NDP): Mr. Speaker, one thing we can agree on in this House is that anti-Semitism must be stopped because it is an attack on all Jews and it is a barometer of hatred against all minorities.

We are united in our opposition to anti-Semitism and we need to be united in our efforts to stop it.

The last thing we need is a Prime Minister who alleges anti-Semitism among members of Parliament. What we really need is leadership, the kind that addresses growing anti-Semitism in Canada, which is up 11% this year.

We need the kind of leadership shown by citizens of Israel, whose pride in their 60th anniversary and confidence in their right to exist as a state does not prevent differences of opinion about their government or the peace process.

We need the kind of leadership that governments used to build from our strength not divide on the basis of any elements that seek to destroy our society.

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[*Translation*]

CHRYSOTILE

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, the Bloc Québécois is joining the Chrysotile Institute, the United Steelworkers and Quebec's Mouvement PROChrysotile to denounce the NDP position on banning chrysotile.

This position does not take into account recent studies on the safe use of chrysotile. The NDP does not have the necessary expertise to take the place of the expert committee set up by Health Canada. Union representatives believe that the NDP did not take into account the work of the Chrysotile Institute and the worker's movement to respect the Geneva Convention and promote the safe use of chrysotile. The NDP has simply dismissed the jobs related to this industry. The Bloc Québécois is asking the government to implement the unanimous report of the international trade sub-committee recommending that it adopt a chrysotile policy based on information, promotion and safe use.

That is another example of how only the Bloc Québécois understands and is defending the interests of hundreds of workers in the Asbestos and Thetford Mines regions.

Oral Questions

[English]

ATLANTIC CANADA

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, the Prime Minister and the Minister of National Defence are in Halifax today.

Now those are two guys with a long history and a lot to answer for in Atlantic Canada.

A “culture of defeat” is the way the Prime Minister described Atlantic Canada and Atlantic Canadians.

However, Atlantic Canadians are not being defeated by the Prime Minister. Let us take the member for Cumberland—Colchester—Musquodoboit Valley who stood up to the Prime Minister and showed him that Atlantic Canadians were not as easily defeated as the Prime Minister would like.

Tracy Parsons, soon to be our Liberal candidate in that riding, would agree. She is yet another former Progressive Conservative who sees nothing progressive about the Conservatives.

The governing Conservatives do not understand Atlantic Canada, as highlighted by the trashing of the Atlantic accord and the frantic cover-up, trying to convince Nova Scotians that this deal was as good as the Atlantic accord.

We want what we had: the Atlantic accord. In fact, when the next election rolls around, the words “culture of defeat” may only apply to Conservative candidates in Atlantic Canada.

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● (1415)

LIBERAL PARTY OF CANADA

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, recently the member for Ottawa South said that his party's internal debate over biofuels was over and that the Liberals would vote in favour of Bill C-33, but then, on the same day, his colleague from Esquimalt—Juan de Fuca said that the measure should be defeated.

Canadians are mystified about the Liberals' inability to take a stand on the renewable fuels industry.

Our Conservative Party is the only party that stands for renewable fuels, even though during the last campaign everyone was for it.

Biofuels are good for farmers, good for the rural economy, good for the environment and good for Canadians. When people, such as farmers, truckers, and ordinary Canadians, are struggling with high fuel costs, the Liberals are only interested in taxing fuel another 50¢ or 60¢ a litre.

High taxes, extravagant spending and pulling its support for agriculture is the culture and the opposition's strategy but it is certainly not what Conservatives believe in.

ORAL QUESTIONS

[English]

FOREIGN AFFAIRS

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, under previous governments, Canada invented and promoted the doctrine of the responsibility to protect at the United Nations. That doctrine holds that when a country is unable or unwilling to protect its own people, other countries have a responsibility to step in.

I have a simple question for the Minister of Foreign Affairs. Does the government still support the doctrine of the responsibility to protect and does it believe that it commits Canada to action on Burma?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, Canada has been taking a leadership role on Burma, both before the recent disaster and subsequent to the recent disaster.

The Minister of Foreign Affairs has been in touch with the United Nations Security Council to impress upon it the need for collective action by the United Nations Security Council to ensure there is access for aid workers with aid from around the world who are seeking to get into Burma to help those people who are very much in need. Canada has taken a leadership role and will continue to do so.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I did not get an answer to my question. The question was in two parts. The question about Burma had some kind of answer but I heard no answer on the question of principle, which is whether the government continues to support the crucial principle of the responsibility to protect, which would commit Canada to specific action in Burma.

Does the government support the responsibility to protect?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the government has committed to specific action with regard to Burma in the past. We committed to specific action in the form of sanctions, the toughest sanctions in the world, on a regime that has oppressed its people and kept their freedom from them.

With regard to the current disaster, we have committed to specific actions in the form of \$2 million worth of aid. DART, the disaster assistance response team, is available to enter the country. We are working together with our allies, as is the appropriate way with the United Nations and other concerned countries, to gain the access that is urgent to help out the Burmese people in this great time of need.

[Translation]

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I will take that as a no to my question of whether the government supports the responsibility to protect.

But in Burma, the military regime continues to deny entry to humanitarian experts and to hijack supplies meant for the victims. Tyranny is winning out over compassion. That is unacceptable. When a country refuses to help its own people, it is the responsibility of other countries to take action.

Oral Questions

What is the minister doing with the UN or anyone else to demonstrate this leadership they have been talking about and to require Burma to open its borders to humanitarian aid?

• (1420)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we are still urging the Burmese government to stop playing games and to let international aid workers into the country during this time.

We have committed up to \$2 million in humanitarian aid. But the regime must allow the NGOs to enter the country. It must stop delaying the issuing of entry visas for international aid workers. We are asking it to allow entry to the United Nations Disaster Assessment and Coordination team, which is waiting in Bangkok.

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[English]

THE ECONOMY

Ms. Martha Hall Findlay (Willowdale, Lib.): Mr. Speaker, in Listowel, 500 jobs lost; in Ottawa, 1,100 jobs lost; and in Oshawa, 900 jobs lost. This morning the finance minister was in Toronto misleading Canadians again and claiming that the government has done such a great job with the economy.

Unfortunately, also this morning, General Motors announced the loss of another 1,400 jobs in Windsor.

Instead of pretending that the economy is rosy, when will the government wake up and smell the coffee and actually start doing something?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we know the Liberals like to badmouth Canada's economy. They like to talk it down but we do not do that.

What we did was we looked last fall at the slowdown that was to come in the economy. We provided a stimulus in the economy that amounted to 1.4% of the GDP. The result of that sort of thing, that sort of action in advance, was that last month there were 19,200 new jobs in Canada, despite the economic slowdown in the United States.

[Translation]

Ms. Martha Hall Findlay (Willowdale, Lib.): Mr. Speaker, the minister keeps trying to make us think that the economy is running along perfectly well. But what does he have to say to the workers in Windsor today?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I am going to say what I say to the people who live in my own constituency. I actually know a lot of auto workers, which I doubt the member opposite does. Of course we are concerned with job losses but the reality is that the auto industry is going through a significant restructuring in Canada.

What we can do is help that industry come out of its restructuring stronger and technologically sophisticated, which is why we have the automotive innovation fund in budget 2008 of \$250 million and why we have the accelerated capital cost allowance. This government takes action, it does not just talk.

[Translation]

MINISTER OF FOREIGN AFFAIRS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in the matter involving the Minister of Foreign Affairs, everyone agrees that issues of security are of public interest. Michel Juneau-Katsuya, a former intelligence officer, said that women “have been caught acting on behalf of organized crime, infiltrating various levels of government.”

According to Julian Sher, a journalist who has written a number of books on biker gangs, organized crime can wait up to 5 or 10 years before taking revenge on someone who has a price on their head.

Will the Prime Minister admit that his Minister of Foreign Affairs lacked judgment when he failed to inform the government of his girlfriend's murky past?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, last week, the Leader of the Bloc Québécois asked a question about the 400th anniversary of the founding of Quebec City. He asked about the Minister of Foreign Affairs's relationships. Who knows, maybe tomorrow he will turn to the tabloids for his information, but again, this is a strictly private matter involving the individual concerned and we have no further comment on this.

• (1425)

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, can the Prime Minister explain to us why, on August 14, 2007, journalists were unable to find out the identity of the Minister of Foreign Affairs's girlfriend?

Did the Prime Minister know about her shady past and decide to turn a blind eye and support his minister at all cost?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the Leader of the Bloc Québécois can play the town gossip if he wants, but the issue remains the same: this is a private matter. As far as we are concerned, this is a private matter. I would like to remind the Leader of the Bloc Québécois that he was invited to join the Privy Council a few years ago, but he turned it down. That position would have allowed him to discuss matters of national security, but he refused.

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the Minister of Public Safety claims that there is no need to run security clearances on federal ministers' spouses. Yet in-depth security checks are done on spouses of senior public servants, of journalists who accompany ministers abroad, and even on people who work as kitchen help in tax centres.

Don't ministers—at least those who take their jobs seriously—regularly bring files home with them, some of which contain state secrets? How can it be that this kind of thing is not taken seriously for ministers, particularly for one like the Minister of Foreign Affairs?

Oral Questions

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I thought that the Bloc Québécois would start things off today by asking questions about the economy and its extraordinary performance as it continues to create new jobs month after month.

However, the Bloc Québécois seems to think it best to ask yet more questions about a person's private life. We are well aware that the RCMP plays a role. The RCMP has a responsibility with respect to members of cabinet and national security. That is the RCMP's role.

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the Conservative Party is developing quite a reputation for not investigating things. During one of their fundraising activities, the Minister of Foreign Affairs posed for a photo with Michael Chamas, who was arrested in Switzerland in 2007 with 2 million euros, and was then arrested at the end of March in connection with operation Cancun drug and arms raids. This individual was also the subject of a Canada Revenue Agency investigation for unpaid taxes. Yet this man was not just a guest at the fundraiser; he was one of the speakers the Conservatives had invited.

Is that not proof of their carelessness, which has placed ministers in dangerous situations and put them at the mercy of organized crime, which, I would note, has had far more victims in Canada and Quebec than terrorism?

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I was photographed with that individual during a public event. There is nothing wrong with a politician being photographed with people when asked. As a matter of fact, former Liberal prime minister Jean Chrétien was also photographed with the individual in question.

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GASOLINE PRICES

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the *Ottawa Citizen* has reported that one in twenty pumps is not correctly calibrated and that consumers are paying the price. In addition to shortchanging people at the pumps, the big oil companies are not even giving people the gas they paid for. At \$1.30 a litre, every cent counts.

When will this government create an ombudsman position to protect consumers from the big oil companies?

[English]

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, we will not be creating the position of ombudsman, but I did meet with the president of Measurement Canada this morning and I gave him instructions.

First, I have ordered increased enforcement over the course of the summer and additional inspections.

Second, I have instructed regulatory changes to be prepared. These will increase the onus on gas retailers. Fines will be increased from \$1,000 per occurrence to \$10,000 per occurrence.

In addition, there will be even higher fines for aggravated circumstances.

Finally, I will be writing to all Canadian gas retailers asking them for their cooperation. We will get the job done.

• (1430)

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, why did it take freedom of information to get this information out to the newspapers? The government has known about this for months.

The fact is that the government stands on the side of the big oil and gas companies and gives them subsidies and tax cuts. It will never stand up for the consumer until it is forced to do it by the front pages of the newspapers. It is trying to prevent those very newspapers and members of Parliament from finding out what is going on here.

It is not just at the pump that people are being ripped off. It is also when they pay for their flights to go on family trips, when they pay for groceries and when they heat their homes.

The government does not stand with the middle class. Why will it not create an ombudsman, really get tough on enforcement and start doing its job?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, I had a sense there for a moment that in a roundabout sort of way my hon. friend was trying to compliment us on a good job. I do not know if he ever got to that.

Surely the NDP is in favour of increasing the enforcement over the course of the summer to protect consumers. Surely the NDP is in favour of increasing the fine from \$1,000 per occurrence to a modern standard of \$10,000 per occurrence. Surely the NDP would favour additional fines for aggravated circumstances.

What is the problem that my friend has with this policy?

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NATIONAL SECURITY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the government could end questions about the foreign affairs minister's situation simply by assuring Canadians that proper steps were taken to ensure his involvement with his ex-partner did not pose a security risk.

Instead, the government responds with belligerence, ignoring legitimate security concerns.

Is the government certain that the relationship the foreign affairs minister had did not pose a security risk? Would he please answer the question?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we have made it quite clear that this government would not put our national security at risk. However, it also should not provide an excuse for the kind of prurient, silly questions we have been hearing from the opposition.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, Michel Juneau-Katsuya, a security expert who worked with the RCMP and CSIS, warns that an infiltration of government by organized crime is a real concern. He and many others say that if we want to be on the safe side there should be an examination of this matter.

Oral Questions

Since the government cannot or will not assure Canadians there was no security breach, will it simply agree now to give this matter appropriate scrutiny?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, it was not long ago that the leader of the Liberal Party said that he wanted to raise the level of discourse in the House of Commons. I thought that meant respecting people's private lives.

I expect that later this week we will be able to see the Liberal leader on *eTalk* daily with Ben Mulroney discussing the latest developments with Tom and Katie or with Brad and Angelina.

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, if all of the necessary checks were done in terms of the Minister of Foreign Affairs' situation, the government could simply reassure this House and all Canadians by explaining the nature of these checks. If the government truly was diligent, it has no reason to avoid the questions.

Did the government conclude that national security has never been compromised?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I recall that tone from the leader of the Liberal Party, which seems to have been lost by all his members who seem to want to continue to persist in these day after day personal questions.

On April 5, 2007, he said, "I would be very pleased to see less personal attacks, less low politics". Apparently he is not the leader of that party.

[Translation]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the Leader of the Government in the House of Commons should speak with his own colleague, the Minister of Public Works and Government Services. Michael Fortier himself admits that if he were part of the opposition, he would ask question about this matter. Consequently, I give the minister another chance to reassure Canadians, this House and his own colleague.

Were checks made, and was national security compromised? A simple answer could put this debate to rest.

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, Canadians, overwhelmingly, believe that people's private lives should be their private lives. There was a time when there were people in the Liberal Party who thought that. There was a time when people in the Liberal Party thought they would appeal to higher sentiment.

For example, their current leader said that he would not be playing this smear game. In a quote from March 5, 2007, he said, "I will be playing the high road". Apparently, there is nobody else in the party who is willing to follow him on that high road.

• (1435)

[Translation]

400TH ANNIVERSARY OF QUEBEC CITY

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the Secretary of State (Multiculturalism and Canadian Identity) sent all members and senators two documents worthy of the good old days of propaganda from Sheila Copps and Jean Chrétien. One of them, entitled "The Canadian Crown", indicates that Canada was ruled by two kings at once, one French and one English, and that they fought around the world for Canadian unity. Imagine that.

Can the minister explain this surreal rewriting of history, all in the name of Canadian unity?

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, frankly, I do not understand the question. Obviously, it the federal government's duty to promote Canadian history, an understanding of our federal institutions, our constitutional institutions and our bilingual system, that is, the two official languages we hold dear.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, that does not mean rewriting history. That is not what happened.

In a letter addressed to the people elected to this House and those appointed to the other house, the minister wrote "... it is difficult to maintain a strong, homogeneous national identity", which is why it is important to promote so-called national symbols, such as the Crown of Canada. Yet this comes from a government that supposedly recognizes the Quebec nation.

Does the minister realize that by promoting homogeneous national unity, he is denying the very existence of the Quebec nation?

Hon. Jason Kenney (Secretary of State (Multiculturalism and Canadian Identity), CPC): Mr. Speaker, I think the hon. member is a little confused. As we all know, last week, they tried to create a scandal out of the Governor General's visit, a visit that made all Canadians proud of her and her responsibility. Her visit to France respected the dignity of all Canadians and she recognized the founding of Quebec as a key point in Canadian history.

* * *

OFFICIAL LANGUAGES AND THE SUPREME COURT

Mr. Richard Nadeau (Gatineau, BQ): Mr. Speaker, like the Commissioner of Official Languages, columnist Yves Boisvert has said that Supreme Court justices should be bilingual. According to Mr. Boisvert, it would be appropriate for them to understand both official languages and to have direct access to the language of one of Canada's two legal cultures.

Will the Prime Minister exercise judgment and add the knowledge of both official languages to the necessary criteria in the list of basic competencies of Supreme Court justices?

*Oral Questions**[English]*

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the appointment of a Supreme Court justice is the responsibility of the government. We will act in a timely manner. There will be extensive consultations. We will act in an open and transparent manner.

We will appoint an outstanding individual of whom all Canadians can be proud. Canada and the Supreme Court of Canada deserve no less.

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*[Translation]***AIRBUS**

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, six months after promising to hold a public inquiry into the Mulroney-Schreiber affair, the Prime Minister has not yet appointed a chair or established the official mandate of the inquiry. The hearings of the Standing Committee on Access to Information, Privacy and Ethics ended more than two months ago, the report was tabled over one month ago and the promise to appoint a commissioner has still not been kept.

Why is the Prime Minister waiting to appoint a commissioner if not to delay this inquiry and avoid the fallout from another scandal before the next election?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we are carefully establishing the mandate at present. We are also looking for a suitable commissioner. This government is being prudent in order to avoid wasting public money. We will not speed up the process to the detriment of the commission's integrity and careful consideration of legal opinions.

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*[English]***ETHICS**

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, Dona Cadman, the Conservative candidate in Surrey North, confirms that she has been interviewed twice by the RCMP concerning the offer the Prime Minister's agents made to Mr. Cadman in exchange for his vote. She said she is anxious to find out who these unethical Conservatives were.

Can the government confirm whether the Prime Minister or any other privy councillor has been interviewed by the RCMP on the Cadman affair, or if interviews have been requested with the Minister of Natural Resources or with John Reynolds?

● (1440)

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, as my colleague knows, the RCMP operates independently of the government. Any investigation the RCMP may be undertaking on this matter is entirely up to it, and if the member has questions about who the RCMP is questioning, he may want to go ahead and ask the RCMP.

[Translation]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the RCMP has already started interviews in the Cadman affair. Mrs. Cadman, Conservative candidate for Surrey North, has been questioned twice.

Once again, has the Prime Minister, the Minister of Natural Resources or John Reynolds been questioned by the RCMP in the Cadman affair? Will the Prime Minister himself, who described the situation as a financial offer, provide a list of the ministers who are being investigated?

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, as I just said, the RCMP operates quite independently of our government. If the RCMP is conducting an investigation, it is up to it to conduct interviews.

I hear my colleague for Ottawa South asking if I am involved. I will answer no, that I was not personally aware of any interview.

[English]

We have been clear on this matter from the very beginning. We have answered all the questions regarding this.

It is very interesting that we are barely halfway through question period and the Liberals have already run out of steam on any policy questions. They continue to throw mud, but that is the sign of the times for the Liberal Party.

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AIRBUS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, it has been six months since the Prime Minister promised a public inquiry into the Mulroney-Schreiber affair. The government has known for six months. The Prime Minister promised a public inquiry and yet all we get is delay and denial by the government.

The question is quite simple. When is the government going to appoint a commissioner to conduct a true and fully independent public inquiry?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I know that the hon. member was chair of the committee that dealt with this, and that committee's detailed investigation of this did delay the commencement of a public inquiry for some time.

I do note that it was under his chairmanship that the member for West Nova was permitted to go ahead and ask questions that the ethics commissioner has since found were inappropriate. We are going to make sure that when we do things, we do things properly on this side, even if he cannot.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, Canadians were promised a full public inquiry and that is just what they expect to get.

Oral Questions

Appointing a commissioner does not take rocket science. The government has known for six months that it should have appointed a commissioner. The Prime Minister himself started this process when he ordered all the Conservatives to avoid Brian Mulroney. I have to ask again: what is the Prime Minister doing now to ensure that Brian Mulroney never faces public scrutiny?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, there are of course some questions of public interest that do need to be dealt with by a public inquiry. That is why we are carefully preparing the terms of reference based on the advice that has been provided by Professor Johnston, taking into account the very lengthy, detailed and successful efforts of the committee that the hon. member chaired.

We are in the process of finding a suitable commissioner to undertake that work.

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[Translation]

GASOLINE PRICES

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, in Ottawa—Orléans and across the country, Canadians are paying more for gas than ever before.

[English]

Now, new reports show that about one pump in twenty shortchanges me and other consumers and gives out less fuel than what appears on the meter. The people whom I serve will not put up with this. Can the Minister of Industry tell the House if he has any plans to address these concerns in order to protect Canadian consumers?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, I thank the hon. member for his hard work. As he knows, I have just outlined the plans, but I know this: there is not a Canadian who would trust the Liberals around their gas pumps. First, that is because in 1995 the Liberals knew all about this. The difficulties with gas pump measurements were brought to their attention and they did nothing. Second, it goes beyond that to the current policy of the Liberal leader, who wants a Liberal Dion gas tax.

The real issue is tax-guzzling Liberal spending. We will not have any of it.

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MANUFACTURING INDUSTRY

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, another 1,400 well-paid manufacturing jobs are lost in a GM plant closing in Windsor. Sadly, Campaign 2000 reports that Canada lags behind the U.S. and the rest of the world in retooling and adapting for a new economy. For example, Germany is creating 400,000 jobs in the renewable energy sector and 1.6 million jobs in the environment sector as a whole.

We know that the industry minister has turned his back on the manufacturing sector, so where is the Minister of the Environment on this crucial economic issue? What hope for a new energy economy can he offer to those who are now losing their jobs?

• (1445)

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, in terms of the Windsor issue, the news is unfortunate for workers and their families and we obviously share their concerns.

Over the course of the weekend I spoke with Mr. Elias, the operating president of General Motors in Canada. This case involves the product mandate that will be expiring in the latter half of 2010. Our concern initially is to work with the workers and their families to make sure that people are well positioned to transition to other employment. We have every confidence that will happen.

In terms of the manufacturing sector, and the auto sector specifically, we will make sure that this sector is competitive.

[Translation]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, why is it that our Minister of the Environment can be extremely aggressive on partisan issues, but when it comes to his own portfolio, he kowtows to his cabinet colleagues who are responsible for the economy? Does he understand that his is an economic portfolio? Nowadays, the environment and the economy go hand in hand.

Workers in Windsor, like workers in Beauce, have hope. The problem is that the Minister of the Environment does not understand anything. He is just like his government: old-fashioned and visionless. It is pitiful.

[English]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, I do understand one thing. I understand that a whopping gas tax increase, a tax on home heating fuel, a tax on people who are heating their homes with natural gas, and a massive new Liberal tax on electricity would do great damage to Canadian working families and it would do great damage to seniors living on fixed incomes.

I do not want any seniors to have to face the choice between filling their refrigerators, filling their prescriptions or filling their gas tanks. That is what the Liberal Party will do to Canada.

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JUSTICE

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, this weekend the governor of Montana stated that he would have entertained a request for clemency for a Canadian on death row. The Minister of Justice and the Minister of Foreign Affairs were both given the opportunity to intervene, but neither did.

Clearly the old Reform policy to not seek clemency for Canadians on death row is now Canada's policy under the Conservative government. Who specifically made this life or death decision?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the government has been very clear on this issue. There is no death penalty in Canada and there are no plans to change the law.

Oral Questions

With respect to those individuals who are convicted abroad, they of course will receive consular services but each decision will be on a case by case basis.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the minister means there is no death penalty in Canada yet.

The Conservative government has been clear that it is in favour of the death penalty. This case by case basis of cherry-picking used by the minister is unacceptable. It ensures that some Canadians will be put to death as a result of this position. Will the Minister of Justice tell the House what criteria he is using to decide who lives and who dies?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Again, Mr. Speaker, we have been very clear that individuals who commit murders or multiple murders abroad and are convicted of course will continue to receive consular services, but we will deal with each case on a case by case basis.

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NATIONAL DEFENCE

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the government's Canada First plan has put search and rescue last. Four years ago, the 2004 Liberal budget gave the air force the money to buy new search and rescue airplanes. It was all there, but the Conservatives cancelled it.

All the government does is talk about improving search and rescue. There is no action. It has done it again today. Why does the Conservative Canada First plan put the safety of Canadians last?

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the Canadian government does recognize the importance of contributing to an effective and efficient search and rescue for Canadians and others who depend on us.

Today the Prime Minister and the Minister of National Defence announced in Halifax the Canada First defence policy, which includes fixed-wing search and rescue aircraft. We are going to purchase new aircraft. We are examining options at this time.

It is pretty amazing that somebody who pretends to care about the security of Canadians would stand up and trash a Canada First defence policy that after decades of darkness is finally giving some long term stability to the Canadian Forces, which it has deserved for so long.

● (1450)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, what the Prime Minister announced today is exactly that the government was delaying the search and rescue planes that we would have purchased four years ago. The old planes are facing mechanical—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Yukon has the floor and it is clear that the whole ministry is waiting to hear this question. We will have a little order, please, so the appropriate minister will be able to respond after hearing the question.

Hon. Larry Bagnell: Mr. Speaker, the government inherited the money to buy these planes and it did nothing. The old planes are facing mechanical and technical problems. Getting parts is hard

because they are not even made any more. In December, we ran out of spare propellers. The old civilian aviation instruments may not even allow them to go some places.

If one is a Canadian in need of rescue in the most critical time of one's life, one should watch out, because the planes may not be there. When will the minister stop giving excuses for endangering the lives of Canadians and buy the planes now?

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I will tell the House who endangered the lives of Canadians for 13 long, horrible years and over a decade of darkness. It was that party across the way. If we want to talk about programs that have been delayed, let us talk about the Sea King replacement program. In 1993 former Prime Minister Chrétien tore that up. We are still working to fix that mess. That party opposite left more messes for the Canadian Forces and this party in government is cleaning them up.

Again, after decades of darkness, the Canadian Forces finally has some long term stability, funding, and a plan that will take us to 20 years and beyond to fulfill the mandate that we give to the Canadian Forces and which it fulfills on behalf of Canadians and our allies around the world.

* * *

[Translation]

GUARANTEED INCOME SUPPLEMENT

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, over 42,000 Quebec seniors, most of them women, are not yet receiving the guaranteed income supplement they are entitled to. The guaranteed income supplement is not a gift from the government. It is a right.

When will the government grant full retroactivity of the guaranteed income supplement to everyone who has not been receiving it simply because they did not know about it?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, we did not need the Bloc's help to increase benefits paid to seniors with low incomes. Our government has been listening to seniors and has been responsive to their needs. Had we done as the Bloc recommended, our country would be in more debt. That would have been irresponsible.

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, our seniors' dignity depends on financial security. The government is responsible for seeing to it that they have enough to meet their basic needs, at the very least. The government should also stop being so shockingly insensitive to the most vulnerable members of our society. Instead, it should help them, once and for all.

When will the government increase the benefit by \$110 per month so that it meets the low-income cutoff, and when will those eligible for the guaranteed income supplement be enrolled automatically? What is the government waiting for?

*Oral Questions**[English]*

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, this is the way the Bloc operates every time we bring forward increases to guaranteed income supplements, 7% over and above inflation in the last two years, we bring forward improvements to the income exemption, we lower their taxes dramatically, thanks to the Minister of Finance. Back home Bloc members complain about not having enough for people in the ridings. When they come here, they vote against everything. Talk about gross hypocrisy.

* * *

HEALTH

Mr. Don Bell (North Vancouver, Lib.): Mr. Speaker, last Wednesday the House approved my private member's motion, Motion No. 426, calling on the government to establish a Canadian policy on rare diseases. I have since received dozens of emails and letters of support from families whose lives are affected by a rare disease asking how this important issue that affects an estimated 2.5 million Canadians will finally be proceeded with.

How does the Minister of Health plan to move forward on Motion No. 426 and what will the next steps of the government be toward a rare disease policy?

• (1455)

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): First, Mr. Speaker, let me congratulate both sides of the House for supporting the hon. member's motion and coming to an agreement on this important issue.

[Translation]

I am disappointed that the Bloc members did not support this motion.

[English]

As the motion suggested, it is important to bring all of our partners on side. This includes the provinces and the territories and, indeed, we will be engaging with them to see if we can get further toward a solution on this very important issue.

This motion was a very important first step and we will move forward.

* * *

LEBANON

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, for the past few days Canadians, along with the rest of the world, have watched with great concern as the irresponsible actions of Hezbollah threaten to plunge Lebanon into deeper chaos. At least 36 people have died and hundreds have been injured. There is still fighting in the north of the country.

Can the Minister of Foreign Affairs tell the House the government's response to what is taking place in Lebanon?

[Translation]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, I thank my colleague for his question.

In regard to what is currently going on in Lebanon, we would like to tell my colleague and the Canadian people that we support Mr. Siniora's government and that we want peace and security to return to Lebanon. We strongly condemn Hezbollah's irresponsible actions. We will continue to provide the necessary support to Canadians in Lebanon to ensure their safety.

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*[English]***BURMA**

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, Canada's follow-through on Burma's humanitarian crisis is pitiful. Australia's Prime Minister Rudd has committed 10 times Canada's pledge and is personally lobbying world leaders. British Prime Minister Brown is pressing for action at the highest UN levels. New Zealand's Prime Minister Clark is appealing to Southeast Asian countries to step up their efforts.

Has our Prime Minister contacted Singapore's Lee Hsien Loong directly in his capacity as chairman of the Association of Southeast Asian Nations?

[Translation]

Hon. Maxime Bernier (Minister of Foreign Affairs, CPC): Mr. Speaker, this morning I personally contacted China's foreign affairs minister. Last week, I had a telephone conversation with the UN Secretary General to pledge humanitarian aid from Canada for Burma, and to urge him to do what he can to help Canada get this aid into the country to the people who need it most. I also believe, and this is important, that the situation should be examined and discussed by the United Nations Security Council to ensure that humanitarian aid can enter the country. That is an important part of the debate.

[English]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the Burmese crisis is deepening. Projections estimate 200,000 may die, many more if aid delivery is not accelerated. A DART unit of 200 will be too few too late. Thousands of Canadian NGO personnel are already on the front lines in Burma and in the region ready to deliver, and they lack financial and diplomatic support from Canada.

Why is the government focusing on deploying DART instead of financially supporting NGOs already delivering aid, with the capacity and the knowledge to do the job in Burma?

Oral Questions

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, in fact, that is what we are doing. We are investigating every possible avenue to get the aid and supplies to the people of Burma directly. We are working with NGOs on the ground. I released \$500,000 for shelters to the Red Cross that are being delivered to Burma.

It is incumbent that we ensure that Canadian support directly helps the people in Burma and is not diverted to other uses.

* * *

ANTI-MONEY LAUNDERING REGULATIONS

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, the proposed anti-money laundering regulations affecting the real estate industry are set for June 23 with some potentially disastrous consequences.

Industry has always been supportive of efforts to monitor and report suspicious illegal activity, but huge loopholes are in the legislation. It appears that no one, including anyone in the government, is prepared to proceed on the June deadline.

Will the government delay the enforcement of the regulations, begin a campaign to educate the public and facilitate adjustment by the industry?

Hon. Jim Flaherty (Minister of Finance, CPC): The regulations, Mr. Speaker, against money laundering are of great importance to the integrity of the financial system in Canada, the integrity of the financial system in the G-7 and in fact around the world; there are serious issues with respect to terrorist financing and with respect to money laundering around the world. That is why through FINTRAC we have taken certain steps. These steps are resisted by the lawyers. They are resisted by the realtors. They are resisted by various participants in our economy, but they are essential if Canada is going to play its role in combating terrorist financing—

• (1500)

The Speaker: The hon. member for Peace River.

* * *

POLAR BEARS

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, last week the Minister of the Environment held bilateral meetings with the United States Secretary of the Interior, Dirk Kempthorne. I understand that they discussed a number of important cross-border issues, including the protection of one of Canada's icons, the majestic polar bear.

I am wondering if the Minister of the Environment can update the House on the progress and the details of that meeting.

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, protecting the iconic polar bear is a concern for our government because Canada is home to two-thirds of the world's polar bear population. We will not wait to act. Last week Environment Canada agreed to work with the U.S. Department of the Interior to protect the future of the polar bear. I am pleased to note that last week's meeting ended with a signed commitment between our two countries to work toward the long term protection of Canada's polar bears. I was pleased to include the Inuit leader, Mary Simon, in these discussions, because we have a great deal to

learn from Inuit traditional knowledge and from their firsthand experience.

We are committed to protecting the polar bear.

* * *

[*Translation*]

OIL IMBALANCE

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, regional economies are being hard hit by the rising dollar and higher gas prices, which are reducing export opportunities and increasing transportation and operating costs. People are paying for this economic imbalance.

The government has provided massive funding for oil sands development through the petroleum incentives program and has once again reduced taxes for the oil companies, which are making huge profits. However, it is refusing to take equity measures, saying that market forces will sort things out.

When will the regions affected by this oil imbalance get a fair shake?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, our government has created more than 300,000 new jobs in Canada in the past 12 months. Industry in Quebec is very robust. We have listened to the manufacturing sector, the aerospace sector, the pharmaceutical sector and the rest and have gotten results.

* * *

[*English*]

FISHERIES

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, working families who fish salmon are in crisis in B.C. First nations are rationing their catch. Commercial fishermen are in the dark. Sport fishing operators are worried about their billion dollar industry. Funding for salmon enhancement is still at 1999 levels.

We must conserve what little salmon we have by protecting fish habitat. Will the government give juvenile salmon a fighting chance by addressing the issue of open net fish farms? Will the minister stop the destruction of spawning streams from development practices?

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, no one is more concerned about the salmon and the effect on their area more so than the people of British Columbia. The different groups and agencies and the first nations all have come around the table and they know the crisis that we face in the fishery. They are not just sitting there complaining; they are doing something about it, and we are helping them.

There is a chance to make sure that we bring back the great salmon, but we all have to work on it collectively.

*Routine Proceedings***ROUTINE PROCEEDINGS**

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's responses to 13 petitions.

* * *

● (1505)

PETITIONS

UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, I am honoured to present a petition to the Government of Canada to adopt the UN Declaration on the Rights of Indigenous Peoples. It is signed by residents of the city of Edmonton, Alberta.

CONSUMER PRICE INDEX

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to table another set of petitions that arises out of my national campaign to fight for fairness for ordinary Canadians, and in particular for seniors who were shortchanged by their government as a result of an error in calculating the rate of inflation.

The government has acknowledged the mistake made by Statistics Canada but is refusing to take any remedial action.

The petitioners call upon Parliament to take full responsibility for this error which negatively impacted their incomes from 2001 to 2006, and to take the required steps to repay every Canadian who has been shortchanged by a government program because of the miscalculation of the CPI.

This set of petitions is signed by hundreds of people from my riding of Hamilton Mountain as well as from Stoney Creek, Kingston, Barrie, Toronto, Kitchener, Sault Ste. Marie, Vancouver and Coquitlam. It is a privilege to table this petition on their behalf.

CONSUMER PRODUCT SAFETY

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, it is my pleasure to table another petition about the need to improve food and product safety in Canada. I want to take this opportunity to thank the many residents of Hamilton Mountain who are promoting this issue in our community.

The petitioners are concerned that a product of Canada need not have been grown, raised, caught or in any way begun its life in Canada. Canadian regulations only require that the last substantial transformation of the goods must have occurred in Canada and that at least 51% of the total direct cost of producing or manufacturing the goods is Canadian.

This is particularly troubling to the petitioners because they note that Canada's failed trade policy limits safety standards and sends jobs overseas. As a result, tainted imports from China and other countries have in recent months led to recalls of thousands of toys, food products and pet food products. Instead of acting to effectively deal with this trend, the federal government is proposing trade

agreements with countries such as Peru and Panama that already have been cited for food safety concerns.

For all of these reasons, the petitioners call upon the Parliament of Canada to ensure that all Canadians can be assured of food and product safety by passing the motion that I had the privilege of tabling in the House, Motion No. 435.

NATIONAL MONUMENT WALL

Mr. Inky Mark (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, it is an honour to table hundreds of petitions from across Canada on the topic of a national monument wall for Canada's fallen.

Most Canadians do not realize that there are 115,000 fallen and their graves are in 75 countries around the world. By law, their remains cannot be repatriated to Canada. Therefore, this country should create a national monument wall.

I want to applaud the work of Ed and Robert Forsyth in Toronto, who began this initiative over a decade ago. Anyone who is interested to know more about the national monument wall should contact his or her local Legion.

JUSTICE

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to present two petitions. The first petition is signed by hundreds of Torontonians. In fact, I have 27 pages of signatures.

The petitioners join the city of Toronto in requesting Parliament to institute a federal ban on the ownership of handguns. They ask that 2,500 new police officers be hired, that Canada strengthen its witness protection program to ensure members of the community, especially young people, can more readily come forward with information about handgun crimes in their neighbourhood, that youth safety crime prevention programs get long term stable funding and that there be a summit for Canada-U.S. lawmakers and law enforcement personnel from all levels of governments, along with stakeholders, to tackle the ongoing crisis of illegal handguns being smuggled into Canada.

The petitioners signed these petitions during a benefit for John O'Keefe who was killed by a stray bullet while walking down Yonge Street on January 12. They also point out that on January 17, five days later, an innocent person, Hou Chang Mao, was killed by a stray bullet while stacking oranges outside the grocery store where he worked.

● (1510)

IMMIGRATION

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the second set of petitions are with regard immigration and are signed by people from across Canada.

The petitioners are concerned that the Conservative government has introduced major damaging and dangerous changes to the Immigration and Refugee Protection Act, without consultation or study, which would give sweeping new powers to the Minister of Citizenship and Immigration to impose quotas, to dispose of and discard immigration applications and to facilitate queue jumping.

They ask the Government of Canada to abandon these changes, to increase staffing to overseas visa offices, to increase Canada's immigration target to 1% of the Canadian population and to stop the expansion of temporary foreign workers categories.

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present another income trust broken promise petition from my riding of Mississauga South.

The petitioners remind the Prime Minister that he promised never to tax income trusts, but he broke that promise by imposing a 31.5% punitive tax, which permanently wiped out over \$25 billion of the hard-earned retirement savings of over two million Canadians, particularly seniors.

The petitioners therefore call upon the Conservative minority government to admit: first, that the decision to tax income trusts was based on flawed methodology and incorrect assumptions; second, to apologize to those who were unfairly harmed by this broken promise; and, finally, to repeal the 31.5% tax on income trusts.

[Translation]

PASSPORT CANADA

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I have two petitions today. The first is from the citizens of Timmins—James Bay concerning the need for a northern Ontario passport office. Passports are increasingly essential for travellers, and the residents of northern Ontario do not have access to a passport office that offers full or expedited services.

The citizens of Timmins—James Bay are therefore asking Parliament to approve a full-service passport office in the city of Timmins, Ontario, to respond to the needs of residents of northern Ontario, and to help alleviate the current Passport Canada workload and delays.

[English]

ABORIGINAL AFFAIRS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am proud to say that the second petition is from students at Glen Shields Public School in Concorde, Ontario, the grade six class that went around the school asking students to sign a petition over their absolute outrage that the government denied a school to the children of Attawapiskat.

The children took it upon themselves to go from class to class. They said that they felt it was absolutely appalling that the children of Attawapiskat had been waiting nearly 30 years to receive a new school. They point out that in 1979 a 50,000 litre diesel spill flooded J.R. Nakogee Elementary School and for 21 years students were getting sick from contamination. The frustrated parents finally pulled

Routine Proceedings

the children out of the school in 2000 and since then, children have been getting by in makeshift classrooms.

This community, as the students pointed out, have had three Indian affairs ministers promise that a school would be built. Finally, in December 2007, when plans were supposed to move forward, the government cancelled the plans for the school. It has cancelled all schools for first nations because it does not believe that building schools for first nations is a priority.

This is obviously something that the students of Glen Shields Public School find disgraceful. I might add, there are at least 70 other schools across Canada in which students are rising up and saying that the attitude that some children should have fewer rights than others is an appalling situation in the 21st century.

I thank the children of Glen Shields Public School and their class teachers, Mrs. Sher and Ms. Avertick, for this petition.

POST-SECONDARY EDUCATION

Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I want to present a petition in the House from the Canadian Federation of Students. More 345,000 students have been forced to borrow from the Canada students loans program. It is interesting to point out that a share of a typical family's income is higher today, when it comes to tuition, than at any point in the last 60 years.

The petitioners call upon the House to provide a national system of needs based grants for the Canada student loans program for students, public universities and colleges.

* * *

● (1515)

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, if Question No. 224 could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 224—**Ms. Alexa McDonough:**

With respect to the Victoria-class submarine In-Service Support Contract awarded to Canadian Submarine Management Group for the refit of Victoria-class submarines: (a) what criteria were used by the government to compare the estimated costs to the government from competing bids; (b) were the transit costs of moving the submarines from Halifax to Victoria included in this cost comparison between competing bids; (c) does the government's cost comparison include any costs required to ensure naval facilities are capable of conducting the submarine refit in both Victoria and Halifax; and (d) did the government's awarding of the contract compare the relative economic benefits to the communities involved?

(Return tabled)

Government Orders

[English]

Mr. Tom Lukiwski: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

SPECIFIC CLAIMS TRIBUNAL ACT

The House resumed consideration of the motion that Bill C-30, An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts, be read the third time and passed.

The Speaker: Before question period the hon. member for Churchill had the floor and there are four minutes remaining in the time allotted for her remarks.

I therefore call upon the hon. member for Churchill.

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, when I left off, I was speaking about the principle of equity and how this process and mechanism should fall within that principle of equity, which was referred to and made very clear in the Guerin case, and this is toward resolving a claim.

At the committee stage of this bill we heard recurring comments, including the lack of land as a settlement or even the recommendation of land quantum in the proposed process. The \$150 million cap was a serious concern and the appointment process of judges and the denial of non-pecuniary and punitive damages. We heard these concerns over and over again from witnesses.

Another statement was the call for the government to respect its duty to consult. When appearing before the committee on April 16, the Assembly of First Nations National Chief, Phil Fontaine, stated:

It is unfortunate and regrettable that as of yet we have not been able to forge an open, ongoing, reliable, stable relationship with the current government that meaningfully reflects and respects the government-to-government relationship between first nations and the government. We see this as a missed opportunity.

The domestic front has been exposed on the international stage as well. In fact, the government tarnished Canada's reputation as a human rights champion with its staunch opposition to the United Nations Declaration on the Rights of Indigenous Peoples. Our domestic lack has been squarely framed by this international declaration.

At committee countless witnesses expressed concerns that this was extinguishment legislation. Grand Chief Morris Swan Shannacappo of the Southern Chiefs' Organization articulated his concern. He said:

As a group, our people are poor. We suffer from unemployment, poor education, and poor health. We are owed much, but we have not been allowed to partake in the bounty of this country, as originally intended by our treaties. We agreed to share; we did not agree to impoverish ourselves.

In a word, we are hungry. We are starving from the lack of justice. We suffer from a poverty of options, and our children are committing suicide or partaking in other activities that are not normal within our culture and our people.

My fear, as a leader, for my people is that we'll sell our right to the proper share of the bounty due to us in exchange for some food to limit starvation—any food today, in fact.

The grand chief's comments were in response to the government's extinguishment provisions in subclause 21(1) of the bill. MKO has maintained that this is outside the powers of Parliament, to unilaterally extinguish any of the constitutional and protected rights and lands of first nations without the consent of the rights holders, the first nations community, and that this is consistent with Canada's constitutional doctrine and practice. A membership vote may be required to ratify certain specific claims settlements, particularly if the rights of first nations are affected by the proposed settlement.

Relationships are about consistent trust and cooperative partnerships. It is real in the Churchill riding that first nations, all of which are signatories to the numbered treaties, have been alienated and marginalized from the opportunity to participate in the wealth and benefits of the land.

The lack of a non-derogation clause and the premise that this is a voluntary process and therefore requires no duty to consult on behalf of the government and the lack of its fiduciary obligation provides little encouragement that the bill and the government will honour the political accord and the proclaimed reconciliation function of the process.

• (1520)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, could the member talk about the amounts, the limits and the amount per individual year, which seems to be insufficient?

Ms. Tina Keeper: Mr. Speaker, this was a recurring concern. There is a commitment by the government to \$250 million per year over a 10 year period, for a full commitment of \$2.5 billion. The maximum a claim can be settled for is \$150 million. The manner in which the government proposes to proceed is to make payments over a number of years.

There was certainly a lot of concern about the \$150 million cap because there are many specific claims that are over and above that. The government laid out that it was within the political accord that this would be dealt with in a political process around the larger claims and other land claims.

However, many of the questions put to the committee were around the fact that it was not in the bill. Why is it not in the bill and why is it that this bill narrows the scope of claims that can be brought forward? It also brought in the release of rights that first nations had to make to participate in this process.

I would also like to mention that within this process the monetary compensation was of extreme concern, as I had mentioned in my speech, so that if a first nation had a specific claim and was participating in the process, the minister would actually have total control and power to decide which claims would go to negotiations, which claims would be rejected and that, within the three year period where there was no response from the minister's office, then it would be deemed rejected. The deemed rejection became another point of concern.

Government Orders

If a claim were to be rejected or deemed rejected, the only opportunity other than litigation would be for the first nation to participate in the tribunal process, which would then deny it compensation in terms of land or non-pecuniary damages and would also be solely in the form of monetary compensation. Those are serious concerns.

[*Translation*]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, I would like to congratulate my colleague who sits on the committee with me for her presentation and, at the same time, for her diligence in defending the interests of her constituents in this matter.

I would like to ask my colleague if, during her work on specific claims settlement, she saw any other way that first nations, band councils or aboriginal communities could go about obtaining from the territories or provinces what negotiations with this government failed to provide?

[*English*]

Ms. Tina Keeper: Mr. Speaker, again, one of the deep concerns about this bill was that once a claim was deemed rejected or was rejected, the only other opportunity for the first nation to take it forward was through litigation. I would like to quote what was mentioned by one of the witnesses. Alan Pratt, who is a lawyer, said:

—the Bill itself establishes a Tribunal whose mandate and procedure is described in almost purely litigious terms. The Tribunal itself is an adjudicative body and is not given any “reconciliation” function.

That is really important because, again, the parameters of the tribunal, in terms of the type of compensation that can be awarded, are not what many first nations believe is within the scope of the fiduciary relationship the Crown has with first nations. The other important aspect of that is that once a first nation moves into litigation, it puts an enormous burden on it to be able to resource that case.

• (1525)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am interested in my colleague's view of what happened with the committee in terms of the bill because some of the first nations I have worked with have always been very concerned about the claims process.

Whether it is a comprehensive claim, a specific claim, or the issue of loan funding which can be dragged out for such a period of time in terms of loan funding, especially when we move to the larger claims issues, all kinds of third parties can then become part of the proceedings. From that moment, the clock is ticking on the first nations' own finances. At the end of the day, many have been very wary about the outcomes because whatever settlements they end up getting, phenomenal amounts have been paid out to consultants and to lawyers because the process has dragged on.

I would like to ask the member about two aspects. First, is there any recognition by the government about the need to play fairly with first nations because they are at such a disadvantage in terms of being able to set the parameters for how the process will go? Second, in regard to the issue of the financial burden that is inordinately always placed on first nations in any kind of negotiations, has there been any discussion about how to mitigate against that?

Ms. Tina Keeper: Mr. Speaker, the dynamic the hon. member speaks to is a common story among first nations in Canada. It was another common concern that we heard at committee.

The recognition to play fairly is a wonderful way of phrasing it because we have legal principles of good faith and reasonableness. It seems that within the bill the government has not set out the type of support it will give to first nations to prepare their claims and that is cause for serious concern. That was a serious concern of my constituents.

However, the bill does recognize that the costs would be part of the award in the end. It may be awarded against the claimant or for the claimant.

When we look back over the last number of years, particularly going back to the 1998 Task Force on Specific Claims and the Royal Commission on Aboriginal Peoples and every process since, this has been a recurring concern, a priority point, that first nations need the financial resources to prepare their claims and to participate in this process in a just manner.

[*Translation*]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, as a member of the Bloc Québécois, I joined my colleagues in voting in favour of consideration of this bill for which, as usual, this government did not consult first nations, despite the many reminders it was given during consideration of Bill C-44.

We also had some concerns about some of the consequences to the first nations communities in Quebec and to certain municipalities, not to mention our concerns about the flexibility of the Government of Quebec's involvement.

The lack of consultation caused some disagreement about the procedure and some of the claims that could otherwise have easily been settled in respectful meetings with the nations.

Establishing a specific claims tribunal that makes binding decisions is a progressive step compared to the usual legal games the first nations have been subjected to so far. However, improvements could have been made to how quickly the claims are processed. It will be a shame to have to come back to this in a few years in order to complete this exercise, which requires a lot of energy, time and money from the taxpayers and from the first nations, when there are other matters to deal with.

The current 784 claims could be processed more quickly and a number of others might be added to the ongoing process, even though the Indian Claims Commission itself has not accepted any new claims since the end of 2007.

Of course there has been consultation, but only after much insistence. Furthermore, it is important to note that a number of communities were not consulted because there was not enough time. There has never been enough time to resolve first nations issues.

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The most worrisome thing in all this is the possible accumulation of small agreements here and there into increasingly complex legislation. That is caused by this patchwork approach that has no continuity and will only serve as an excuse not to sign the UN Declaration on the Rights of Indigenous People that has been signed by 144 countries.

A number of world leaders are putting Canada in the hot seat and in an embarrassing position on the international stage, which shocks us as representatives of the Quebec nation in particular, to be associated with this country that we do not identify with at all when it comes to its culture, its economic vision or its recognition of individual and collective rights and freedoms.

Despite the repeated calls for consultation that have been made to this government as Bills C-44, C-21, C-30, C-47 and C-34 have been tabled, the government has remained indifferent to what the vast majority of United Nations member states want.

It is truly shameful to see this government in the very small minority that is opposed to this declaration, and it is even more shameful to see members of the governing party from Quebec who lack the courage to go against such a vision.

Hon. members will certainly understand why Quebec is in such a hurry to join the community of nations and why the various communities distrust this government's interference in the legal system.

That is why the chief of the AFN reacted so strongly to the speech the Minister of Indian Affairs and Northern Development gave at the United Nations. I want to quote the various statements the minister made at the United Nations. In a press release, the Minister of Indian Affairs said:

The Government of Canada continues to address a number of key areas for First Nations, Métis, and Inuit peoples, including fundamental human rights through Bill C-2... For 30 years, section 67 of the Canadian Human Rights Act has exempted First Nations communities governed by the Indian Act from human rights protection. We believe this has gone on too long—

● (1530)

I would like to digress a moment and remind this House that Bill C-44, which sought to repeal section 67 of the Canadian Human Rights Act, was vehemently denounced by all the first nations, as well as by the AFN women's council. The first nations were not prepared to welcome a law or be excluded from the Indian Act when they did not have the means to enforce the Human Rights Act, with all the duties it imposes on the various communities.

Canada has long demonstrated its commitment to also actively advancing indigenous rights abroad. But that is not what happened at the United Nations. The minister also highlighted a number of areas where the Government of Canada is making substantial progress: education; resolving specific claims; safe drinking water; protection for women and children; and matrimonial property rights on-reserves

In addition, the minister talked about the important step in the Government of Canada's commitment to the Indian residential school settlement agreement, with the naming of Justice Harry LaForme as the chair of the truth and reconciliation commission. This may be the only good thing this government has done to date. The minister said this:

"Canada remains committed as ever to deliver real results for our Aboriginal population...We believe in moving forward for all Canadians with results that are not simply aspirations or non-binding."

In response, the national chief of the Assembly of First Nations, Phil Fontaine, had this to say:

The Conservative government's sustained opposition to the UN Declaration on the Rights of Indigenous Peoples has tarnished Canada's international reputation and branded Canada as unreliable and uncooperative in international human rights processes. It is clear that the Conservative government's domestic political agenda is taking precedence over the promotion and protection of human rights for Indigenous peoples in Canada and worldwide. The federal government's stance is a particularly regressive and limiting basis upon which to advance fruitful Indigenous-state relations in Canada and abroad. It seems that this government has been unwavering in their resolve for a weak Declaration and weak human-rights standards in Canada despite their rhetoric to the contrary.

The Conservative government's opinion regarding the UN declaration is contrary to widespread legal expert opinion. In an open letter issued yesterday, more than 100 legal scholars and experts noted that there was no sound legal reason that would prevent Canada from supporting the UN declaration. The same conclusion was drawn by human rights and legal experts, ... and experts within the UN system have echoed the same opinion. As a result, Canada is becoming increasingly isolated on the international stage for adhering to an unsubstantiated position against the declaration and for using their position on the Human Rights Council to achieve their own political goals in Canada. Canada cannot cherry pick which international human rights instruments they will choose to respect. These short sighted decisions have serious long term implications for Canada's international standing on human rights.

Moreover, the Conservative government's decisions have failed to address fundamental fiscal inequities in education, housing, health and other social and economic conditions that are the source of the poverty in first nations communities, despite this government's claims "about getting the job done". The National Day of Action on May 29 will draw national and international attention on the shortcomings of the federal government to make meaningful investments or address the serious quality of life issues our communities and people face. Such important policy decisions must be made in consultation and with the consent of first nations.

● (1535)

The UN Declaration is a foundational document that sets out "the minimum standards for the survival, dignity and well-being of Indigenous peoples" (Article 43). With an overwhelming majority of 144 states and only 11 abstentions, the UN General Assembly adopted on September 13, 2007 a Declaration which upholds the human, political, spiritual, land and resources rights of the world's Indigenous people. Only Canada, New Zealand, Australia and the United States voted against the Declaration. Australia has since reversed its decision and has declared its support of this unique human rights instrument to advance Indigenous rights in Australia and abroad.

That is what the first nations national chief thinks of our minister's statement at the United Nations.

Immediately after that, Chief Conrad Polson, from Timiskaming, submitted a text to the United Nations Permanent Forum on Indigenous Issues. A press release from the Assembly of First Nations of Quebec and Labrador explained:

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Speaking on behalf of the chiefs of the Assembly of First Nations of Quebec and Labrador (AFNQL), he delivered a message about the precarious funding conditions of First Nations education in Canada.

Year after year, the Canadian government continues to close its eyes on the recommendations of more than 35 years of studies, consultations and various working groups, most of which it has contributed to. In refusing to consider these recommendations, the Canadian government keeps First Nations institutions in a highly precarious position.

Our schools and post-secondary establishments are underfunded. A number of our students cannot undertake their post-secondary studies because of a lack of finance.

This is why, on behalf of the Chiefs of the Assembly of First Nations of Quebec and Labrador, I regard it as my duty to denounce this situation loudly and clearly, stated Chief Polson.

"It was important for us to call on the United Nations so that all can be done to put an end to this situation. We must ensure that the wrongs we have suffered do not worsen so we reach the point of no return," declared Ghislain Picard.

As stated in a press release issued in New York on May 2 and distributed by CNW, at the end of the seventh session of the United Nations Permanent Forum on Indigenous Issues, Mr. Picard declared that Canada had lost all credibility. He attended the session with an important delegation that spoke. At the meetings, they were "able to give a clear picture of first nations' situation in Canada. Today, the Canadian Government has lost all credibility in this respect on the international scene," he said, reiterating Mr. Fontaine's comments on this subject.

The Minister of Indian Affairs and Northern Development claims he did everything he could for education. The following is from a Radio-Canada article:

For months, Mashteuiatsh, Essipit and Nutashquan chiefs have been trying to meet with the Minister of Indian Affairs...The chiefs want to move forward the negotiations that were the result of the Agreement-in-Principle of a General Nature concerning Innu self-government, signed in 2004 by the government—

The process has been stalled since the appointment [of the minister] last fall.

However, the minister...has declined the offer. "He told us that for the time being, he is not able to meet with us, despite our insistence. We need to speak with the federal government about the main issues of the negotiation," said Mashteuiatsh Chief Gilbert Dominique.

[The minister] said that he did not have enough time for a meeting that he did not deem necessary.

Gilbert Dominique said that he doubted the Conservatives had any desire to sign territorial agreements with aboriginals when they were elected in 2006. He wonders if the fact that the Innu signed the first-ever agreement in Canada to protect the ancestral rights of an aboriginal community has not put the brakes on the government.

The Innu have called on Premier Jean Charest to try to convince Stephen Harper

I am quoting the article; I am not naming the Prime Minister—

• (1540)

The Acting Speaker (Mr. Andrew Scheer): The hon. member must refrain from using the name of a member, even when quoting an article. Please refer to a constituency or title.

• (1545)

Mr. Yvon Lévesque: Mr. Speaker, are you asking me to cut the press release short?

The Acting Speaker (Mr. Andrew Scheer): No, you may use it, but when the name of the Prime Minister appears in the article, you must refer to his constituency or title.

Mr. Yvon Lévesque: Fine, Mr. Speaker, I will make a note of it. In any event, I had finished reading the newspaper article.

You have to understand the perverse effects of rushing into passing any law: what is most important for all first nations communities is the insult involved when someone, be it the prime minister at the time or the department itself, promises, hand on heart, to consult them on any bill that might bring changes to their lives, their customs or their culture.

As I said earlier with respect to Bill C-44, we criticized the failure to consult at length, to the point that the government thought it better to reintroduce the same bill, without any real additional consultation, under a different name— Bill C-21. And it has been just as severely criticized as its predecessor.

All of the witnesses who appeared agreed that this was a small step, even if it is unsatisfactory. As with the promises to consult, the people who spoke have doubts about the independence of justice in the process presented. The Grand Chief of the First Nations hesitated a long time before supporting this, and we will have to monitor it closely.

In addition to the tribunal, there are other questions relating to historical treaties: claims excluded from monetary compensation, the evaluation of the specific claims resolution process and the improvements needed, establishing the operating rules for the tribunal's advisory committee, and looking at access to funding, including federal funding for claimants. On this point, the First Nations Chief has given the government assurances of his cooperation in a joint approach on all of the subjects I have just listed, and in establishing a process for recommending members of the tribunal, while ensuring that the process remains confidential.

A number of witnesses were skeptical about whether their recommendations would be taken into consideration. Unfortunately, history shows them to be right. But moving forward, they are agreeing to give it one more chance. There is the analysis of the tribunal process, of how it is working, to be done every five years.

In reality, with an annual budget of \$250 million, the government is not committing to a lot of \$150 million claims in a single year.

I am at your disposal to answer questions.

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, first, I would like to congratulate my colleague, who has really painted a very vivid picture of Bill C-30. We can tell how committed he is to this issue.

I would like to ask him two questions. Last year, I visited some first nations communities north of Mont-Laurier that were in a truly pitiful state. I would like to know whether this bill will be able to help in the negotiations or in the consolidation of those communities, so that they will actually be able to have a standard of living that might be described as uniform—as it is for people who live in North America. That is my first question.

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My second question is still about Bill C-30, which provides for a five-year review by the Assembly of First Nations. I would like our colleague to talk to us about the specific claims tribunal process. What is going to happen every five years, and how could this be monitored? Is it realistic to think that the first nations in all of Canada are going to be consulted every five years, and how is that going to be done?

Mr. Yvon Lévesque: Mr. Speaker, I thank my colleague for his question.

I will start by answering his last question about living conditions in first nations communities he visited last summer. Unfortunately, some of those communities are not even considered reserves, and they are not covered by this bill, nor will they be covered unless and until the government recognizes them.

Currently, two villages have no status and cannot initiate proceedings. We know that under this bill, other communities cannot initiate land claims proceedings as such. They can be compensated for rights, but they will not have access to additional lands through the tribunal itself. If they can finalize land claim negotiations before going to the tribunal, then these issues can be resolved between the provinces and Canada. This bill does not really provide for such cases.

With respect to the second question about reviewing the tribunal process every five years, it seems that, unfortunately, first nations were not consulted while this bill was being drafted.

Five years from now, who will be consulted? Perhaps a small group of people who participated in determining the terms for the tribunal advisory committee itself? Once again, this process will fail to recognize communities because they will not have been consulted. The government will always be renegotiating because it did not take the time from the very beginning to consult and come to an agreement with all first nations communities.

• (1550)

[English]

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it is a pleasure to speak today to Bill C-30, the specific claims tribunal act.

I want to acknowledge the Algonquin people, on whose lands we find ourselves and who are the traditional people of this particular territory, and thank them for their welcoming way, not only for today but for many generations.

I stand today as an aboriginal person, a person descendant from the Inuit peoples of Labrador and from my European forebearers. I am proud of my heritage. I fought for many years to protect our rights and interests to our traditional lands in Labrador, and that fight continues.

At its heart, one could argue that Bill C-30 is about the resolution of claims and the whole issue of reconciliation between the Crown and aboriginal peoples, or the reconciliation of aboriginal peoples and the Canadian Federation itself. If we are to have true reconciliation of claims and true reconciliation, there needs to be an element of trust and an element of respect by all parties involved in the process.

I, as an aboriginal person, have serious doubts about the real agenda of the Conservative Government of Canada. I do not personally have a lot of trust in the Conservative Government of Canada to protect my rights as an aboriginal person, to uphold its fiduciary obligation to aboriginal peoples or to move forward in a meaningful way where real reconciliation can happen.

In that vein, we need to look at the context in which I say this and in the context by which Bill C-30 has come about, and in which it finds itself and how it is positioned in the policies and in the direction of the Conservative Government of Canada.

Let us look at some of the context.

Upon coming into office, the Conservative Party killed the Kelowna accord. The Kelowna accord was as real and solid as any other treaty that was negotiated between aboriginal peoples and the Crown. The Kelowna accord came about after 18 months of consultation. People may wonder where it is. People may wonder whether all the premiers of all the provinces and territories got together in Kelowna for something that did not exist. People may wonder whether all the leaders of the major aboriginal groups across Canada got together in Kelowna for something that did not exist. People may wonder whether people signed on to the Kelowna accord with a great degree of hope for the future because it did not exist. It did exist.

We have heard a lot of talk south of the border about hope and about the Obama factor. Within the aboriginal communities, the aboriginal societies and our communities there was hope in Kelowna. Kelowna represented hope and it was a wholesale approach to resolving the issues of aboriginal people. It was about housing, education, governance, accountability and solving land claims. It was about economic development. This is what Kelowna represented and still represents.

This House passed the Kelowna accord and it went to the Senate, not because it did not exist but because it was real and it still is real in the hearts and minds of aboriginal peoples across this great country.

However, the Conservative government killed that collaborative approach, that consultative approach and that sense of hope that aboriginal peoples found in Kelowna. It was not a top down approach. It was not something that came from the Government of Canada singularly. It was something that people brought to the table in a way that was respectful and in a way whereby the voices of different aboriginal peoples of Canada could be heard and acted upon.

• (1555)

That was one of the first indications that the aboriginal peoples of this country had something to fear, that they should not necessarily place their trust in the government. Then we moved to the United Nations Declaration on the Rights of Indigenous Peoples. The Conservative Government of Canada chose, as only one of four countries, to reject the United Nations Declaration on the Rights of Indigenous Peoples.

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Why all of a sudden is the government picking and choosing what fundamental pieces of rights legislation it will support? It almost beckons to a discussion that was raised in the House today where the government now chooses which Canadians it will stand up for, which Canadians it will protect from the death penalty. It picks and chooses. It seems like there are As and Bs. One either makes the A list with the Conservative government, where one is in, or one makes the B list with the Conservative government and one is not in.

It may uphold some types of rights legislation or declarations but in other cases it will not. It is on a case by case basis, as it goes.

I would argue that we have an obligation to uphold the rights of indigenous peoples within the world and it has an impact upon the indigenous rights of Canadians.

We have yet another example of where the reputation of the government is tarnished, not only here at home but also abroad. Aboriginal people and other Canadians talk to our sisters and brothers in the world and they tell us the same thing. Our government is tarnishing the reputation of Canada by its picking and choosing which pieces of legislation it will support when it comes to rights, and, in this particular case, indigenous peoples. That is the second, I would argue, real tangible sign and action the government has taken that has led to the distrust of aboriginal peoples with the Conservative Government of Canada.

Then we had this piecemeal fashion where the government said that it would give aboriginals some money for housing. It dished out some money for housing and it went *carte blanche* to various jurisdictions without any guidelines or accountability. It talks about accountability but some housing money went out. It was hardly new money. It was money that was already announced. We see little or no new money for education, for social services, for health or for economic development.

We can see where the sense of distrust in the government on the part of aboriginal peoples is emboldened, not by the actions of the aboriginal peoples themselves but by the actions of the government. It is inviting the sense of distrust.

We have an example where I sincerely feel that the government sometimes likes to put something up in the window that tells the people of Canada that it is fighting for aboriginal peoples and that it is fighting for their rights but without any sincerity.

When it comes to Bill C-21, which is the repeal of section 67 of the Canadian Human Rights Act, the government wanted it to go through fast. It did not consult with aboriginal peoples and it did not listen to their voices. It did not understand the impact that this particular bill would have on aboriginal people. The government says that it just wants to get the bill through so aboriginal people can be treated equally. It says it wants them to have the same rights as all Canadians.

Sometimes the government argues about equality but the argument really is about sameness. When we talk about sameness, we take away from the unique constitutional rights that aboriginal people hold as individuals and as a collective. It actually diminishes in certain aspects the uniqueness and the constitutional aboriginal rights of aboriginal peoples.

The government tries to make everyone the same. Sameness is a very veiled word for assimilation; for making them like us.

• (1600)

Even though the government touted Bill C-21 on the repeal of section 67, when the committee listened to what the rights of aboriginal peoples are really about we made amendments and brought it back to the House. Now the government will not move forward on the repeal of section 67, so one has to doubt the sincerity of the government when a piece of legislation truly reflects what aboriginal peoples aspire to and need.

I have another example of how I feel distrust has been sown by the Conservative Government of Canada with aboriginal peoples. The government decides who to consult and who not to consult, when to consult them and when not to consult them, and what to consult aboriginal people on and what not to consult them on.

The law is clear. There is a constitutional responsibility, a duty on the part of the government, to consult aboriginal peoples when their interests may be harmed or they may be imperiled. This is not a discretionary thing. This is not picking the A list and the B list of who should be consulted and when. The government has a duty, a legal obligation, to consult. This again adds to the distrust that aboriginal peoples have in regard to the actions of the Conservative Government of Canada.

Specifically on Bill C-30, the government said it did not have to consult because this is voluntary. Aboriginal organizations can opt into it and choose this process or basically not be a part of this particular process. However, the government said that it had been collaborative in drafting this particular piece of legislation, that it talked to the first nations of Canada and the Assembly of First Nations in particular as a representative body.

Thus, on a piece of legislation that is voluntary, the government is going to work collaboratively, but on legislation that is not voluntary but imposed, it will not work collaboratively or engage in consultation. It would seem that the reverse should be true in many regards. This is another reason why there is a sense of distrust on the part of aboriginal peoples with regard to the actions of the Conservative Government of Canada.

That is why, in the two full years that the Conservative government has been in power, we have seen two days of action by aboriginal people. We have to manifest our sense of distrust, of fighting for fairness and of trying to get the government to listen by taking to the streets, organizing, marching, shouting and engaging in peaceful protests around the country. That is what aboriginal peoples have to do.

It is within this context that Bill C-30 has come forward. I would only hope that the efforts being made through it are sincere. People and groups have raised concerns. We know that it is not a perfect piece of legislation. From infallible people come infallible things, I guess. None of us are perfect so there is probably never going to be a perfect piece of legislation. This is a compromise.

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However, some of the drawbacks within this piece of legislation bear repeating. For example, are we going to unduly burden aboriginal groups and organizations in conducting further research with the time it would take in terms of personnel and human resources? The outcome would be no different. They would not be compensated for it.

There are those who argue that one judge with no right to appeal is not an adequate approach. Maybe a panel of three judges would have been more adequate. There might have been some recourse for appeal on certain aspects of the claims.

• (1605)

Land is so very vital to aboriginal peoples. Many aboriginal peoples, and many within my own family, say that we cannot be separated from our lands. They say that to separate aboriginal people from their lands is akin to robbing them of their rights and their ability to have a future. They say that the provision of lands, that need for us to be on our traditional lands, is about one's very survival as a culture.

This bill does not provide for any provision of lands. Even though we can raise a claim against the government that our lands were taken illegally, that they were stolen, that we may have been defrauded of those lands, this bill does not provide for lands in return. It only provides for money. There is a saying about that, of course, which is that long after the money is gone and we do not have our lands, what do we have left? This is a serious concern that has been raised at committee.

Then there are the limited grounds on which we can raise a claim. For instance, we cannot raise a claim based on aboriginal rights or title. We cannot raise a claim based on a loss of culture or language. We cannot raise a claim against the government under this specific piece of legislation on those grounds, but after the tribunal makes its decision we have to release the government from us ever raising a claim on the very grounds by which we cannot launch one.

Once the tribunal makes a decision and its decision is accepted, that particular group will never be able to raise a claim against the government based on aboriginal rights and title or on the loss of language or culture. While we can be compensated for only a narrow set of grounds on which the claims are raised, we have to release the government from a broader set of grounds for which there is no compensation.

It is akin to the issue that was raised in the Indian residential schools negotiations. It was a stumbling block for a while. Under the Indian residential schools agreement, the government will compensate only for physical and sexual abuse. That is still the case: only for physical and sexual abuse. Earlier in those negotiations, the claimant had to release the government from ever bringing a claim against it for physical and sexual abuse, loss of culture and language. That was a stumbling block.

However, the government adjusted itself. It listened to what aboriginal people had to say. Many people and many organizations would not sign on. Now the release under the Indian residential schools agreement is only for physical and sexual abuse, the same grounds on which we can be compensated. One is parallel to the other.

This was raised at committee. The chair ruled that the amendment to make the two parallel was out of order. I think it is important to put on the record that it is still a concern for people.

I talked about trust and the sincerity of the government. I am hoping and praying that this is not only a showcase piece. I will end by saying that time will tell how sincere this government is. We will have this particular piece of legislation. This will come into force and we will have a new act, but the question remains: what action is the government going to take to ensure it is implemented with the proper money and resources within the relevant departments to make sure that claims actually do get resolved? In that way, maybe the government can win back some of the respect and trust of aboriginal peoples.

• (1610)

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I have listened to most of the member's speech. I am actually quite surprised at some of the things I heard and would suggest that maybe I did not hear them correctly. I do not believe that a member of Parliament would endorse or sanction protests that interrupt people's lives and potentially block ambulances that are attempting to take victims of heart attacks to hospital. I am sure I misheard that.

However, I do know it is possible to mishear things in the House, because the member clearly has not heard of some of the good things this government has done. Members do not have to trust the government. We are not asking for trust. We are simply asking for truth.

The member needs to know that just recently we put \$900 million into off reserve housing, northern housing, and recently we have introduced the board of trustees with respect to private ownership of property. The party that gentleman chose to run with, to support and to in a sense endorse left almost 90% of the reserves in Canada with poisoned water. Although water issues increased under the Liberals' do nothing policy, we have decreased the water issues by at least 50%.

I want to simply ask a question of the member, because the member knows full well that while the Liberals were in power they spent billions of dollars on all kinds of priorities. However, only as a deathbed conversion, only when the end was near, did the prime minister of the day, the leader of the Liberal Party at the time, the gentleman that member supported, and that party wake up to these aboriginal issues and bring forward what was tantamount to a press release called the Kelowna accord.

That accord, by the way, did not have one dime in it for the issues we are talking about today, not one dime while that member over there voted against the budget last year and was forced to sit idle during our budget this year, which had \$2.4 billion for the aboriginal communities.

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I need to ask that member a question. Why would he be a Liberal in that party with his clear convictions for the aboriginal community? That member should be on this side of the House where we actually get things done. We do not just talk about them.

Mr. Todd Russell: Mr. Speaker, I would say to my hon. colleague that I am a Liberal for that very reason: because this party has been committed to aboriginal people and we have seen more progress under Liberal governments than those members of the Reform Party, or whatever guise they use or whatever they call themselves, would ever bring to the House.

Kelowna was real and Kelowna had over \$5 billion. The hon. member talks about housing money that was booked, but it was far less than what was booked for Kelowna, which was over \$1 billion.

He talks about aboriginal people having the right to go out there and protest peacefully and civilly. Yes, we have that right, just like every other Canadian, and we are going to do it. Our voices are not going to be shut down.

The Prime Minister may shut down the voices of his own caucus. The Prime Minister may try to shut down the voices of the people on committees. The Prime Minister may try to fire bureaucrats who do not agree with him. The Prime Minister may shut up his backbenchers.

However, I can tell the member that the voices of aboriginal people are going to be heard. They are going to be heard peacefully in this country and they are going to be heard loud and clear. It is about time that the government started listening to the voices of aboriginal people, once and for all.

• (1615)

Mr. Laurie Hawn: We have clean water now in half of the reserves—

The Acting Speaker (Mr. Andrew Scheer): Order. Questions and comments, the hon. member for Kenora.

Mr. Roger Valley (Kenora, Lib.): Mr. Speaker, my colleague's answer has shed some light on some of the misinformation the government tends to get out there.

Last week I had the opportunity to be up in my riding, which is very similar to the Labrador riding that my colleague represents. I had meetings with the chiefs of a number of communities, about nine altogether, including Chief Pierre Morriseau from North Caribou Lake and Chief Titus Tait from Sachigo Lake. Their concerns are all about how difficult it is to be heard in the environment of this government that does not care.

The member represents a riding that has many remote sites. Many areas are very difficult to get to. There are many areas where the communities have a challenge to be represented and to be heard when they deal with a government that is this difficult.

I would like to ask the member about his travels to the remote sites in his riding. He has mentioned distrust, which is rife in those communities. They have not had a voice. They have not had someone in the government who will listen to them. As he visits these remote sites, what does he hear about the distrust, the level of involvement the government is allowing, and how they are going to be heard in these remote sites?

Mr. Todd Russell: Mr. Speaker, indeed my colleague has a challenging riding but he handles it very well. In talking to some of the aboriginal leadership and aboriginal people within his riding of Kenora, he has a great relationship, a respectful one with the aboriginal people in that part of Canada.

I travel quite extensively throughout my riding. I go through many remote communities. They cannot get a meeting with the minister. They cannot get heard by the minister. For the most part, they are dealt with through memos or emails. They cannot get direct answers to the questions they raise.

The member has raised in another way the whole issue of trust and the essential point that I made about how to resolve land claims. In Labrador we have one of the newest land claims, the Nunatsiavut government. While this bill is supposed to resolve claims about historic treaties, the government also has an obligation to carry out its responsibilities and obligations under modern treaties and to make sure that they are implemented properly.

There are also other claims that have not been accepted from a comprehensive perspective by this particular government. The government also has an obligation to sit down and negotiate those particular treaties.

A government cannot build trust if it does not talk. It cannot build trust if it does not listen. It cannot build trust if it thinks that the very people who are affected by the government's policies do not have some of the answers. It cannot build trust if it does not think that the fathers and mothers who give care to their children know best how to care for their children.

It is important that the government listen. It is important that the government engage in a respectful relationship with all aboriginal peoples in Canada.

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, of course we cannot build trust if we have to work around the complete fabrications that the member is making up.

It is disturbing to me. I think the members opposite are going to support this bill, but clearly what is happening is a filibuster. I do not know why exactly because this bill is important to first nations, it is important to the government and I think it is important to all members. I am not sure why they are supporting it, yet they are going to spend days, I guess, trashing the government. I do not mind. They can trash the government. Of course what they are saying is not true.

For example, part of the political agreement, part of this trust that the member is talking about was that we would have a historic conference on treaties for the first time ever. That has already taken place. It never took place in the history of the Liberal Party of Canada, but it has already taken place under our government. I attended that conference in Saskatoon and was delighted to do so.

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The member talked about the first nations in his province. We signed an agreement in principle with the Mi'kmaq first nations in Newfoundland. It had never been done before by the Liberal Party of Canada since Newfoundland joined Confederation. We have signed that agreement and the Mi'kmaq of Newfoundland have approved it in a referendum. I am delighted.

That is how trust is built, by doing things and taking concrete measures. Trust is not built by speaking like those folks are here today, which is that they are so supportive of this bill that they are doing their utmost to make sure it does not pass.

First nations are not deceived by this. The measures we are taking in this bill, none of which by the way were in the Kelowna accord, this whole \$2.5 billion commitment could have been done anytime in the last 40 years. That is why Chief Joseph of the Federation of Saskatchewan Indian Nations said that in the 30 years he worked for the government, a lot of it under the Liberals, some of it under the Conservatives, and the 10 years he has been chief, never has he seen the collaborative approach which has been taken by this government in the development of this bill.

That is why we are proud of this bill. Members should quit the filibustering and let us get on with passing this bill for first nations today.

•(1620)

Mr. Todd Russell: Mr. Speaker, only in the Conservative Government of Canada when a parliamentarian gets up to have a say, which is my right as an aboriginal person and as a parliamentarian to do, would it be called filibustering. I have never heard those things come from a Conservative before. Usually they do not say that much, unless they are given the go-ahead and the old green light from the Prime Minister.

With all due respect, we have a right to debate these issues. We have a right to talk about these particular issues in the House. To be quite frank, I would not be shut up by the supposed attack on the fact that I have a right to do this.

The Acting Speaker (Mr. Andrew Scheer): It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Fiscal Imbalance.

Resuming debate. The hon. member for Vancouver Island North.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I listened to my colleagues during questions and comments, and indeed, this debate is primarily about building trust among first nations. I want to recognize my colleague from Nanaimo—Cowichan, the NDP critic for aboriginal affairs. She has brought these issues before committee on many occasions and speaks out passionately about the need to build trust and build relationships with first nations to help our country move forward.

I have spoken many times in the House about the many different first nations in my riding of Vancouver Island North. There are close to 30 different bands. They are broken up into two distinct tribal councils. The one on the northeast side is Kwakiutl District Council, and the one on the west side is Nuu-chah-nulth Tribal Council.

I have visited many of their communities. They have told me about what their people have been through over many years of consecutive governments that have not listened to them. They have been left out of the consultation process time and time again. Their land has been given away to forest and mining companies. Their territorial waters have been encroached on by fish farms. Their very resources have been consistently given away over many years.

We met with Chief Mike Maquinna of the Mowachaht/Muchalaht First Nation in Gold River a few months ago in his village to talk about first contact. The first settlers arrived in Canada at Yuquot, or Friendly Cove as it is now called. Many of those visitors stayed and have made great fortunes from the land of the first nations, but the same cannot be said for the Mowachaht/Muchalaht. They have not had the same economic success.

As a result of first nations being left out of the consultation process when land was being given to resource industries and because much of their resources are on disputed land, the first nations took the only option left to them. They went through the litigation process. Because of a lack of any settlements over many years, there is now a backlog of close to 1,000 cases that need to be settled. Sixty per cent of those, I am told, are in British Columbia. Many specific claims in my riding need to be settled. I know very well that first nations want them to be settled.

Chief Phil Fontaine in an address about the specific claims tribunal said, "Our people have consistently and passionately called for the settlement of outstanding claims and the implementation of treaties." Later on he said, "The settlement of outstanding claims is a debt owed to first nations by Canada. Under the previous specific claims process, the amount of time it took to resolve these debts was untenable".

The idea of having a tribunal and having specific claims settled was first brought up over 60 years ago. Here we are 60 years later and still we have not solved anything.

Chief Fontaine said, "Every claim settled means justice will be finally achieved, providing hope and opportunity for every first nation involved". His words to the government are very important. This needs to happen.

From speaking with first nations in my riding and across this country I know they are wary. They are wary because the process has been too slow and because of what they have lost in the process. Over the past 60 years they have lost economic opportunities. That is a shame that we all wear in this House that it has taken that long.

•(1625)

My colleagues and I support the bill, but I am speaking to it because I want to speak for the first nations in my riding who have concerns that it has taken so long and who have lost much in the process.

My colleague has raised many of these issues in the committee. Some things have been addressed, but when I think about what people have lost in my riding, I am very concerned.

Government Orders

I would like to read some excerpts from a background paper from the British Columbia First Nations Leadership Council:

Canada purports to champion human rights elsewhere in the world and condemns those who violate international human rights standards, but Indigenous peoples have had to resort to the judicial processes in Canada for the recognition and implementation of their rights. Canada was also one of only two countries on the Human Rights Council to vote against the adoption of the UN Declaration on the Rights of Indigenous Peoples on June 29, 2006.

We can see why first nations are wary and want to make sure that these concerns are raised so that we can go forward together. The British Columbia First Nations Leadership Council in a press release dated June 12, 2007 stated regarding this very bill:

First Nations Leadership Council Welcomes Independent Body On Specific Claims.

But it also stated:

The... Council is cautiously optimistic regarding the federal government's announcement today of a new independent body mandated to make binding decisions with respect to the resolution of specific claims.

That shows its wariness on this bill for many reasons, which I will get into in a few moments.

Québec Native Women Inc., in a backgrounder document in May of this year, stated:

—in recent years, First Nations have been frustrated with the specific claims process itself. It is slow, cumbersome and costly, creating new challenges for First Nations trying to resolve outstanding issues that have already languished long enough.

That is another group that is wary of the process.

I would like to talk about some facts of the matter. Back in 1963 the federal government introduced a bill which was much like the present one. It would have created a binding tribunal to be called the Indian claims commission. Unfortunately that bill did not pass. It did not receive royal assent and did not become law.

Here we are many years later attempting to create the same thing over again. At that time an assessment on the cost of settling some of these claims was done and it was said to be over \$17 million. That was a lot of money back in 1963, but with inflation and with prices going up as they do over many years and all this time there has not been any settlement of these claims, and we know there are close to a thousand of them, that figure is also rising. I do not know exactly what the amount would be in today's dollars but it is purported to be in the billions of dollars. Had we settled many of these claims in 1963 or had some process to settle them over the years, I think we would have saved a lot of taxpayers' money. It is economically important that we move forward so we are not here again in another 60 years having to go through this process again when we would be talking about possibly trillions of dollars in settlements.

• (1630)

These are important things to note. There is the wariness of first nations, going forward. We understand and we recognize that they want to move forward. We want to settle the specific claims so we can get into the treaty negotiations that they want to move forward with for their economic fortunes.

It is important to talk a bit about what has happened in the past and why it is so important, especially for first nations in my riding. As I said, I have visited many of the outlying bands. They are small,

remote communities. They have been affected by the residential school system. Their children were taken from their small communities over the many years, so those children did not get to grow up in the communities. After school, they ended up moving to the cities or other parts of the country and lost connection with their homelands. Therefore, those small, remote first nation communities lost a lot of their people.

However, they also lost their culture when that happened. It was really difficult for them to grow and have a thriving community when they were spread out all over the place and when they did not have the attachment to their communities, which they would have had if they had not been ripped from their communities as young children and put into residential school. This is another sad part of our history that needs to be addressed fully so they can move forward in a more healthy way.

There have been other lost opportunities with a lot of the first nations on the coast and on the north end of the island where I live. We are surrounded by resources. I was in Oweekeno, which is at very northernmost community of my riding, speaking with the chief about economic opportunities. He said that they were interested in buying a small logging company that was looking to get out of the business, and they were doing a lot of work to get it. He said that they were surrounded by resources, but they did not benefit from them. That is a real shame when they were the very first people there and they owned that land. There is evidence of them being there from time immemorial. It is quite a shame that their land was taken from them and tree farm licences were given to companies that then made a profit, but the first nations of the region did not receive anything for it.

Also, it is the same with mining. Some of our smaller bands are getting into gravel extraction and other sectors of the mining industry. They are starting to regain some pride because it gives them the economic backing to grow their communities, to develop their communities, to start to build their own housing and not to rely so much on government funding, and that is important. They also want to settle their specific claims with other industries and with the government.

These are lost opportunities for the first nations in my communities and those lost opportunities have had their toll on people. Many generations of first nations have grown up in poverty, as we have seen, and it is a shame.

The other point I want to make is about land claims with treaty negotiations in British Columbia. Many of our small bands are in negotiations in groups. Some of them are breaking away from those groups because they find they are at the point now where they need to deal with their own issues and get those resolved. The group process has worked for them until a certain point. Some of them have been in these processes for almost 20 years.

Government Orders

• (1635)

The problem with that is they are on borrowed money, basically from the government, and they have to pay that money back once this is all finished. All the money they are using for lawyers, for travelling, for documenting and all those things comes from the government. I think many people in our country do not know that first nations live on borrowed money, so they want to get these claims done so they can move forward.

It is important for us to ensure that we support this important bill, that we take this small step here and move forward.

For all the first nations in my communities, from Oweekeno to Comox to the Namgis First Nation to the Ka:'yu:'k't'h'/Che:k'tles7et'h' to the Wei Wai Kai to the Wei Wai Kum to the Mowachaht/Muchalaht to the Gwa'Sala-Nakwaxda'xw to Fort Rupert to Quatsino, all these bands, and I know I have probably missed a couple and I apologize to any of those I missed, have been struggling for so many years and they really would like to move forward. With our help, we can take that next step together.

I hope it does not take us another 60 years to move forward. I hope once this is passed and becomes law, things will move quickly and efficiently for the benefit of the first nations all across the country that have been left out of the equation, that have not been consulted and that have found themselves on the short end of the stick for far too long. It is something we must do and support.

I am very glad I had an opportunity today to speak to the bill. I am very proud of the work that my colleague from Nanaimo—Cowichan is doing on the aboriginal committee on behalf of the New Democratic Party.

• (1640)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the member was here in the House a few minutes when two government members, one being the minister, made a comment about the shining work the government was doing, that this was a wonderful era for first nations. Could the member comment on that?

While she is thinking about that, I was absolutely astonished at the audacity of such a comment. I will go into it later today in detail as to why I feel that way. For almost a few months I stopped talking about it. No one believes the Conservatives any more because there have been so many financial cuts and program cuts, which it is absurd. I would like the member to dwell on this because I was astonished.

Also, could she give her own perspective related to the first nations in her riding?

Ms. Catherine Bell: Mr. Speaker, yes, I listened to the previous speakers. One thing I heard the minister say surprised me because of this denial or non-agreement that the Kelowna accord is actually a real document. When the minister said that there was a piece, and I cannot remember which piece it was, left out of the Kelowna accord, I thought he admitted there is one. That was quite telling.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I thank my colleague from Vancouver Island North for perhaps helping the general public to understand the scope of the bill we are debating here today, Bill C-30.

One of the most important things she pointed out, and what I might ask her to elaborate on it, is the fact that we are not talking about comprehensive land claims, which the general public might think of when people hear the words "land claims". We are talking about very specific claims that are in fact legal obligations by the federal government.

One example I know of is during the second world war the Government of Canada went to a reserve and said that it needed to use 40 or 50 acres of the land as a training base for soldiers to get ready for the second world war on the condition that as soon as the war was over the land would be returned. The war ended in 1945 and the first nations asked about the promise of getting their land back. It fell on deaf ears for 5 years, 10 years, 20 years, 30 years, 50 years. They tried everything.

That is the frustration. This is one key example of the type of frustration first nations have faced in trying to have their voices heard on very specific, narrow points of law, "You promised X dollars and we only got Y dollars. Where is the rest", or, "You promised us you would give that land back. You didn't and we want justice on that issue".

If Canadians understood that, I think they would be more supportive of trying to expedite this process so more of these legitimate claims could be dealt with in a fashion where it was not justice delayed was justice denied. Decades and decades of deaf ears to a legitimate legal obligation is justice denied no matter how one slices it up. I want my colleague to comment further on that specific difference.

Another thing I want her to comment on is the composition of the tribunal board. If we are dealing with a nation to nation respectful relationship, why does the Government of Canada get to appoint all the members of the tribunal? Would that not be like the United States telling Canada, yes, there is a trade agreement, but that it will name all the tribunal members and control the process for any disagreements that may arise out of the trading relationship? That is something she could expand on as well.

Ms. Catherine Bell: Mr. Speaker, my hon. colleague is absolutely right about the tribunal appointment process. We like to think we are dealing on a nation to nation basis. For us to presume that we have the authority or right to appoint the other side is beyond reason. I thank him for raising that issue. It is a very important piece that needs to be addressed, and I hope the government will do so.

I started my discourse talking about building trust. My colleague again raises that very point when he talks about the promises that were made to first nations over the years, but were not kept. That is why so many aboriginal groups and first nations are wary and not as trustful of any government, provincial, municipal or federal. They are very wary and will be watching us with a keen eye to ensure we live up to the promises we make in the House today.

Government Orders

I want to mention that the difference between treaties and specific claims is specific claims deal with past grievances of first nations. These grievances relate to Canada's obligations under historic treaties or the way it has managed first nations funds or other assets, some of those assets being land, resources, fish and other things, even water. These things need to be addressed. They have created economic hardship for aboriginal people across the country. For us to let them languish in courts for all these many years is very shameful.

●(1645)

Hon. Larry Bagnell: Mr. Speaker, I am delighted that the member mentioned the first nations in her riding. Of course, I would not want to leave the ones in my riding out because they are unique in Canada: the Tlingit, the Northern Tutchone, Southern Tutchone, the Han, the Gwich'in, the Kaska, the Tagish and even some from Copper River.

Some of them appeared before committee and they had suggestions but we are supporting the bill, as they are supporting the bill. They have specific claims.

My question is on the amount of money. As we know, the maximum amount is \$150 million per claim. I think the minister said that there were 900 claims outstanding and that they were trying to get them done up quickly. At \$150 million maximum per claim and 900 outstanding, how much money would that be in a year? Only \$250 million have been indicated in a year. My position is that the government should be committing, through supplementaries, to increasing that. It may be far larger than that if we are going to make any progress at all on the backlog.

I wonder if the NDP agrees that the government should commit, through the supplementary estimates, to increasing the \$250 million a year for what the tribunal needs to resolve these claims.

Ms. Catherine Bell: Mr. Speaker, from what I understand from the discussions, the \$150 million will be adequate in most of the cases but in cases where it is not there is another level. I am not quite sure of the specifics on how that is accessed or the process once the \$150 million threshold is reached.

I would remind the hon. member that under the previous Liberal government its cap was much lower. I believe one of my colleagues actually mentioned around \$10 million. I would need to check that fact but that is a lot less than \$150 million.

I think that is an important point that the member made. As I said back in 1963, when an original bill was introduced where around \$17 million was the total for all the specific claims, now we are looking at billions of dollars. I hope, as I am sure he does, that the government has laid enough money aside and that once these claims are finalized, the money will flow quickly and that we will not need to see more claims made to access the money that is owed to first nations.

●(1650)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am happy to speak today to Bill C-30 at third reading.

I will put the bill into context for the people watching at home because they hear about land claims and about specific land claims and they are not sure what we are debating today.

When Canada was being developed, the King made a royal proclamation stating that there had to be agreement with first nations people and aboriginal people before settlers from Europe and other Canadians could use the land. That led to treaty development and to modern treaties, which are called land claims.

We are not talking about that today, which is where some of the solutions to the problems with aboriginal people lies. We certainly want to see good work in that area so we can advance the many claims that are still outstanding. It is a huge issue and a key.

Today we are talking about specific claims that have had problems. A first nation, aboriginal or Inuit group suggests that there has been a transgression and that someone has done something legally against their claim to which they have a right and they want that wrong corrected. That is very important, which is why I think everyone is supporting the bill in principle. However, it is a whole different issue from the major issue of land claims but certainly needs to be dealt with.

As previous members have said, the bill has been in the works for 60 years, the finalizing of it and getting it in place, so it is not new for anyone here. Everyone is happy because there have been calls for the bill since 1947. The Royal Commission on Aboriginal Peoples in 1996 talked about it as well. Today, we have a bill that we all hope will get through.

I want to talk about some of the items that we discussed at committee. When the minister gave his speech on third reading, I noticed that he did not touch on any of the concerns that came up on committee, which is the purpose of having committee hearings. He simply reiterated the purpose of the bill.

First, the minister said that there were 900 specific claims outstanding, which is why we must deal with them quickly.

From my understanding, after talking to a committee member, the government was not too flexible in dealing with the concerns of the committee and the people who gave input to committee. One of the concerns had to do with the \$150 million cap on the land claims.

What happens to claims that are over \$150 million? If they go through the process and it is discovered that they are actually over \$150 million, how will those claims be dealt with? Will the government guarantee that those claims will be dealt with in good faith and quickly, like the other specific claims?

The second point, which I made a minute ago in a question, was on the total of amount of money available. Will \$250 million be enough? If we have 900 claims and the maximum for one claim is \$150 million, it will not take too long to add up to \$250 million in a year.

Government Orders

I can understand that the government did not put the money in the budget, but I hope, in good faith, it will commit the money in the supplementary estimates. The tribunals will need to have the ability to approve a lot more than \$250 million in a year if we are to make any great progress on the backlog and, therefore, the government should simply put the money aside in the supplementaries when it will be needed to fund those.

The third point relates to the input on the judges. I understand this has been dealt with somewhat in a side agreement. I appreciate that. The concern raised was that when two sides were bargaining in the past, to use the example used by the member a few minutes ago, the United States and Canada debating over something, the person who would decide would be one of those sides, for example, the United States decided.

• (1655)

That was the system in the past and of course that is what this new arrangement is designed to get around, which everyone agrees with. Therefore, a tribunal will be appointed. For those who think a tribunal means three, because tri is the root of a prefix that means three, it is one, so there is one judge. The judge would be appointed under the standard appointing procedures of judges, but in the example I just gave by the United States, by one side, so the concern was raised whether there would be input of aboriginal people into the appointment of those judges to have a fair resolution and have confidence in the process. Of course, as has been said, the Assembly of First Nations has worked on this and is in support of the process.

The next item that was raised very eloquently by the member for Labrador relates to land. We are talking about irritants in a land claim. If there is a problem where someone did not do something about a land claim, this is a way to resolve it. If someone takes our land away from us illegally, there is a way to resolve it, except that this process does not allow them to deal with land, so there is a process to deal with specific claims, much of which could be about land, but they cannot deal with land.

The member raised that question a few minutes ago but no real answers were given as to how those types of problems would be solved. The minister suggested in his speech that they could get finances and with those finances they could buy land, but that was not necessarily acceptable in all cases, from what I remember, to the people who presented at the committee on that.

Another concern that was raised related to the fact that many of the cases of specific claims would require a provincial buy-in. The obvious reason for that is that crown lands in Canada are primarily held by the provinces and the Yukon territory. As the Yukon territory has had devolution, the responsibilities for management and stewardship of land, water and resources in the Yukon territory has been transferred to them through devolution agreements, as it is with the provinces. This situation does not exist yet in the Northwest Territories and Nunavut but negotiations are underway.

Therefore, if, in the majority of Canada, the crown land is held by provinces and territories and there is a problem with a specific land claim, then obviously in many cases the provinces or the Yukon territory will need to be involved because of their role in the stewardship of that land.

However, the problem is for them to agree to that. They will not necessarily buy-in because they will need to agree to be bound by the decision of the judge during the case. There obviously will be a number of cases that will not be solved in this manner and that will not be as rosy a picture in that respect.

One of the points that I wanted to make clear concerns the tribunal. When we first heard that there would be a tribunal, it sounded like there was a panel of judges. I think six judges will be appointed to the tribunal so that various judges can sit on various cases, which we support and it is the way it should occur.

• (1700)

However, there is only one judge. We are talking about claims of up to \$150 million which is very important to people and it is being for better or worse decided by one person. These will be eminent people, but they obviously will not always make the right decision.

The problem with the process is that there will not be another person sitting on the tribunal with them so it will be totally one judge's decision. Something could be easily overlooked by accident or for whatever reason a wrong decision could be made. There is no one else sitting there with the judge and it is not appealable.

Everyone in the House has dealt with government in a number of ways over the years, either administratively or politically, and knows that for almost every process in government, in the public administration, there is some sort of appeal process, other than this judicial review which is allowed in this case. We do not want to force people to go to court.

There are only two major instances I can think of in the Canadian system where this occurs. This would be one and the other is on refugee determination. Despite efforts to change that over the years, someone could be forced to leave Canada. Could we imagine if we were forced to leave Canada on a non-appealable decision of one person? That would be a pretty sad state of affairs.

I think it is a hallmark of our fairness. Even in the courts where we have these wise judges, such as would be sitting on this tribunal, we have several levels of appeal right up to the Supreme Court, but we do not have to force a judicial review. It would be much easier if there was some mechanism that would look at the process.

Someone suggested there would be about 20 cases a year that the government is hoping to accomplish. If there is a backlog of 900 that is not going to get us very far. Therefore, we certainly have to put the resources into dealing with these cases. It is a good plan, except for these numbers of concerns that I have mentioned that were brought forward in committee by witnesses and aboriginal people. However, if we have a plan that is better than it was before, we have to put in the resources to deal with it.

Another question was, can the tribunal rule on pre-Confederation cases such as the Caledonia case? I have not heard the response to that question.

Government Orders

At this time I want to compliment Grand Chief Phil Fontaine for the tremendous work that he did to make this agreement possible. He has achieved so much for his people over recent years with the settlement of residential schools that he signed with our government after years and years of trying to come up with a plan. I remember I was in the room when the agreement was arrived at and saw the emotion from the hard work and dedication, and the success that his leadership had contributed to so much. He certainly deserves credit from not only first nations aboriginal people in Canada but all Canadians.

That once again will apply to this case where so many irritants will finally be taken care of and dealt with where in the past they were not moving fast enough. I think it was an average of 13 minutes per case before.

I want to use my last few minutes, however, to repeat my astonishment this afternoon with the minister and the member for Cambridge who are actually trying to suggest that these are rosy times with the accomplishments of the government for aboriginal people in spite of all the tremendous huge cuts to aboriginal funding, and the huge number of programs that have been cut.

• (1705)

As I said, I would stop talking about this because no one really believes the government and believes that. However, when specific examples came up in the last few days, it is hard to take. The member suggested as did the minister in an answer during question period that things were not in the Kelowna accord and that is why things proposed by the government are so successful.

As far as the government's three success stories, the first was the specific land claims. We have already discussed that this has been going on for six years. It had nothing to do with Kelowna. It was in progress and being dealt with by the Department of Indian Affairs and the various governments to come to where we are today.

The second point was the agreement on children and family services. It is true that there was no agreement in place. The member said it had nothing to do with the Kelowna accord. Of course, that shows the total lack of understanding by those members who try to make that case with the Kelowna accord and the fact that it was dealing with the holistic issue of children and adults and their health.

I do not think that anyone would agree that education, child care and housing and the economic development of their parents and health have nothing to do with children. If the government were to deal with children and their families in such a fashion and deal with the root causes, then there would certainly be a lot less people needing an agreement on child and family services.

In the last couple of days the minister twice quoted one chief from the thousands of chiefs and their counsellors in Canada. He is limited to so few comments of the great support for the government's work. Then the minister used the example, which is most embarrassing of all, of signing a land claim after that member and other members in his caucus who were in the Reform caucus spoke so hard against many of the major land claims in Canada. They fought against them. Then the member had the nerve to stand up and say this is great work because one particular land claim had been signed which had not

been dealt with for years. To talk about the things that were not in the Kelowna accord means he had no success.

The member's third point was in reference to clean water. The first two of the three were not successes. The third one is no success either. People know and the facts are that when the Liberal government was in place, it did an audit of all the first nations water systems. The previous government funded this audit across the country and found many problems which no government would like to find. Information that was needed to deal with those issues was gathered and the problems were then dealt with.

As the member said, the government dealt with some of them. Instead of dealing with all the items from the audit and the disgraceful situation that the water systems were in, what did the government do? On April 15 or 16 the government announced that it was going to basically do an independent study of where the previous government failed in following up on the recommendations dealing with water.

It is quite simple. There are water problems on first nations. Why does the government not just get on with it, instead of saying it has a success and that it is going to monitor where the previous government failed, when the audit had already been done? For the minister to say that this had nothing to do with the Kelowna accord, once again people will think that the minister should at least understand what was in the Kelowna accord.

In 2006-07 there was \$100 million for water. In 2007-08 there was \$75 million for water. In 2008-09 there was \$85 million for water. In 2009-10 there was \$75 million for water. In 2010-11 there was \$75 million for water.

The government cancelled the biggest agreement with the first nations of Canada, not with a particular party or government. There was \$5 billion for K to 12 education, post-secondary education, children, housing, northern housing, water and infrastructure, health, capacity building and economic development. It is not believed by anyone, except by a few Conservative members, because there is no way in the world anyone can consider that a success.

• (1710)

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I have a number of questions for the member opposite.

He often likes to speak about his previous tenure on the government side. He harkens back to the moment when the previous government was about to be unceremoniously thrown out from office and rolled out what he likes to call the Kelowna accord, though, of course, that press release came from the first ministers meeting which called for \$5 billion to be spent by the federal government. And of course it was not an agreement.

Government Orders

It was simply an announcement of a promise that the former government wanted to implement should it be successful in the next election. We know what Canadians had to say about that former government.

Mr. Gary Goodyear: They had enough of talk.

Mr. Rod Bruinooge: As my hon. colleague says, "They had enough of talk".

It was not until about a month later that in fact the term "accord" was attached to what we all know was not a signed agreement. Thankfully, our government was elected and we have been able to move forward with some real tangible plans, not a dreamy panacea that would cure everything. That is the only approach that the Liberals have. They bring forward very glorious talk, but after 13 years they did nothing for aboriginal people.

If we look at some of the ideas that came out in the previous era, the good ones were set aside. I can comment on former minister Nault. The member of course knows minister Nault quite well. His great ideas were set aside. All the Liberals wanted was talk and that is all they came forward with at the last moment.

The member needs to talk to his caucus. On the subject at hand, Bill C-30, I guess the member has not spoken with his caucus. In fact, the whole caucus voted to completely endorse this bill. In clause by clause, every single element of this bill was endorsed unanimously by his party. Yet, he talks about the bill as if it is something he and his party do not support. That is wrong and I am not sure what cheap political points he is attempting to score here, but his party, like I said, has unanimously endorsed this bill.

On top of the deception related to the Kelowna press release that the member put on the record, I would also like to speak to some of the other misinformation he has put on the record. The \$150 million associated with this bill is quite a significant amount. When we look back to Bill C-6, the bill that the former government tried to put before Canadians, it only had about \$6 million associated with it for the settlement of claims. This legislation is a considerable improvement on the ability of government to actually settle some of these outstanding claims, in fact, a large number of them.

He thinks that the outstanding backlog will not be addressed. He should know that 50% of the outstanding specific claims are less than \$3 million. In fact, the vast majority of them are a great deal below the \$150 million mark. The \$2.5 billion that we have extended to this important tribunal is going to take care of this massive backlog that is in place.

I want to ask the member a quick question. He was speaking earlier about how the tribunal would not be able to unilaterally remove parcels of land from the provinces and territories, including his own territory. Is he suggesting that this bill should now be modified at third reading so that the tribunal could unilaterally take parcels of land out of Yukon? I am not sure his voters back home would like that.

Hon. Larry Bagnell: Mr. Speaker, while I thank the parliamentary secretary for his question, it is hard to imagine someone trying to defend cancelling the Kelowna accord. This is like shooting fish in a barrel. This is a disaster for the government.

First, the parliamentary secretary said it looked like I was trying to destroy the bill and vote against it. He should have listened to my speech if he was going to ask a question and make a comment. I said twice in my speech that I support this bill and I gave a number of good reasons why in my speech. He should have listened.

Also, I said that the concerns I brought up were concerns that people brought up in committee. They were not my concerns related to the \$150 million. In fact, I did not raise so much a concern as a question when I asked the government what it is going to do about those claims over \$150 million. If anyone should know that answer, the parliamentary secretary should, but he did not answer that question.

In reply to the question about 900 backlogged claims and the 20 a year, he said it is going to be done. There was no answer to my question about so many claims and so few being done per year.

However, what I really want to respond to is the absolute audacity of the member in trying to defend the Conservatives throwing out the biggest agreement in history between Canada and the aboriginal peoples. We are out \$5 billion. There has never been anything anywhere near that level. This was an agreement not just with the Liberal Party of Canada, not just with the Government of Canada, but between Canada, the premiers and the chiefs, the leaders across Canada.

It sounds like the member thinks this agreement was invented overnight, in one session. He really does a disservice to the aboriginal leaders across Canada, who met time and time again.

The reason the agreement was so successful and had so much support in this country was that it did not come from a government. It did not come from the Liberal government. It came from the aboriginal leaders in this country. The member insults the aboriginal leaders of this country in saying that it was just glorious talk that these aboriginal leaders came up with these problems.

Those aboriginal leaders know what the problems are in their communities. That is why they brought up education from K to 12. That is why they brought up post-secondary education. That is why they brought up support for children, for housing and infrastructure, and for northern housing. That is why they brought up support for water and infrastructure. That is why they brought up accountability and capacity building, engagement on land claims, self-government rights, economic opportunities, and health care.

That is why the agreement had the funds for all those items, for those items that the aboriginal people asked for. Canada signed in good conscience, agreed to it and put it in the budget, setting aside the \$5 billion. The Conservative government took that away. I would be embarrassed to try to defend that decision if I were in that government.

Government Orders

• (1715)

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I thank the hon. member for Yukon for his speech.

I would like to hear the member speak about the shame Canada has brought upon itself on the international stage by refusing to sign the UN Declaration on the Rights of Indigenous Peoples. In our caucus, the hon. member for Abitibi—Témiscamingue spoke to us at length about this. The international community was completely shocked to see Canada refusing to sign this treaty.

I think this situation only proves that the Minister of Indian Affairs and Northern Development seriously lacks vision and influence. I would like to know what our hon. colleague from Yukon thinks about this.

[*English*]

Hon. Larry Bagnell: Mr. Speaker, of all the embarrassing things done by the government on this file, that is one I did not bring up.

However, time and time again in this House, our critic has talked about this shameful behaviour in the international community in regard to aboriginal rights. We have been told that the government put much effort into actually derailing that agreement at the United Nations. I think there are things the government could be spending its time on at the United Nations. For instance, there is the huge crisis in Burma right now. The government could be getting support from some of the countries that are not giving as much support as we are.

The dismal record of this government as related to human rights and first nations people is seen in the fact that it has put forward a bill, as the member well knows, for human rights for aboriginal people in Canada, a twelve-word bill or something like that. It was done so poorly and with so little consultation that I think it took over a year to get it to the House. I think there were seven items that the people in the committee came up with time and time again. Had they been consulted, they would have fixed that bill. We could have had it done long ago. It could have been easily fixed, but it was just a disaster.

The Acting Speaker (Mr. Royal Galipeau): If the hon. member for Cambridge can ask his question in 30 seconds, he will be recognized.

• (1720)

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I will do just that. I simply have a comment of clarification. The Kelowna accord was never signed. I am sure the member just mistakenly misled the House.

The member did read off a litany of issues that the aboriginal communities brought forward in the dying days of the Liberal government, and I want to thank the member for pointing out all those Liberal failures.

Hon. Larry Bagnell: Mr. Speaker, if I misspoke about it being signed, that is fine, but it was the agreement made to deal with all those issues. The Conservatives just said they were important issues, so that member is going to have to explain at the polls why his party cancelled all the money for all these major issues, which he has said are just as important. That \$5 billion was set aside. The chiefs came

up with it and the then Government of Canada had set aside that money to deal with this.

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am pleased to rise to speak to Bill C-30.

When the Bloc Québécois talks about aboriginal issues, we do so of course with considerable feelings of solidarity. Indeed, for some time now, we have felt that aboriginal peoples form nations. Our Bloc Québécois Indian affairs critic, the congenial member for Abitibi—Témiscamingue, is very committed to defending aboriginal rights. This was definitely the case when he took action to promote the signing of the UN declaration. This government manoeuvred behind the scenes at the UN—that undeniably important multilateral forum—to minimize the protection that could be offered to first nations, to aboriginal nations. What a disgrace.

We cannot overstate just how right people are to be concerned. When this government looks at human rights, it usually does so from a negative point of view. We could be talking about aboriginal matters or the court challenges issue. Our colleague, the Bloc Québécois critic for the status of women, could be talking about women's rights. There is equal cause for concern on all those issues, which only shows that to be a right-wing political party in Canada means to look at things differently when it comes to promoting, defending and encouraging human rights.

I could also point out that the Conservatives have voted against gay and lesbian rights at every opportunity. These MPs, whether they are in opposition or in power, vote against prohibiting discrimination based on social condition. This is a dreadfully conservative government that has no sympathy for human rights.

However, that will not stop me from saying that the Bloc Québécois is supporting Bill C-30. I said this earlier and I will say it again quite proudly: in the history of the sovereigntist movement, there has always been a great deal of sympathy for the issue of aboriginal rights. Some may have seen the television series on Radio-Canada that told the story of the career of René Lévesque, the former Premier of Quebec. He led the government from 1976 to 1985. This series has been criticized, I admit. Some facts were considered historically inaccurate. Nonetheless, one extremely well acted scene recreated a meeting between René Lévesque and the chiefs of the first nations of Quebec.

In Quebec, we have always promoted aboriginal languages. We have used public funding to make it possible for these languages to be taught. Whenever possible, these languages have been promoted, but not to the detriment of communicating with the majority. René Lévesque was the first to recognize the rights of the first nations. Today, this is a very robust right. Some 20 years ago, it was an emerging right. It is rather revolutionary, unprecedented and visionary to stand up for ancestral rights. In Quebec, we have been doing that since 1985. In Canada, this is part of the Canadian Charter of Rights and Freedoms. However, I think we have to pay tribute to René Lévesque for the vision he demonstrated when it came to recognizing aboriginals.

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The purpose of Bill C-30 is to create an independent tribunal that will decide on specific claims of first nations. Decisions will be made on the treatment of specific claims in Canada. This is an important aspect of the conflict resolution process for disputed land claims in some parts of Canada and Quebec as well.

● (1725)

According to the Constitution, the federal government has a fiduciary responsibility toward aboriginals. It must protect them. It is therefore responsible for seeing to it that they live in the best possible conditions.

In 1947, Canada achieved full judicial independence and was no longer answerable to the Judicial Committee of the Privy Council in London. Since then, several joint and senate committees have recommended the creation of an independent specific claims tribunal. If I am not mistaken, the Erasmus-Dussault commission, chaired by a former judge of the Quebec court of appeal, also made that recommendation in its report. As I recall, Jane Stewart was the Liberal government minister responsible for aboriginal affairs at the time.

Of course, the recommendation to create a specific claims tribunal for first nations has a history because chiefs and authorized first nations representatives have been asking for it for 60 years now.

The Bloc Québécois wants to point out that negotiations are still the most common way to resolve claims. The tribunal proposed in Bill C-30 would have the power to render binding decisions. The fact that these binding decisions constitute a legal obligation to implement the terms is invaluable.

A number of things require clarification here. First, the tribunal that is about to be created—and this is a sensitive issue in public opinion—will not make land grants. The purpose of a legal tribunal is not to grant lands or to rule on territorial boundaries. The tribunal that we are about to create—and I repeat, the Bloc Québécois supports this bill—will rule on compensation. In other words, it will recognize that certain historical injustices have been perpetrated, and it will recommend financial compensation.

The tribunal will have a \$250 million operating budget over 10 years, and may hear cases with up to \$150 million at stake. It may deal with land claims of varying size. Some cases will be smaller, others larger, but the tribunal proposed in this bill will not be able to award more than \$150 million in financial compensation.

I repeat that this tribunal will not be able to award lands; it will only be able to rule on financial compensation. Claims that can be sent to this tribunal for a ruling will have to be at least 15 years old. Land claims must deal with past grievances of the first nations. They must relate to Canada's obligations under historic treaties or the way it managed first nation funds or other assets, including reserve land.

I remind members that under the Constitution, Canada is the trustee for first nations' assets and rights. It is their guardian.

Under this bill, there are three situations in which the tribunal can hear and rule on land claims. The first is when a claim has been rejected by Canada, including a scenario in which Canada fails to meet the three-year time limit for assessing claims.

● (1730)

Under the existing arbitration and claims process, Canada, through its various land claims commissions, usually has three years to rule on the dispute or the outcome of a claim. If that does not happen, the dispute will automatically be eligible to be deferred to this new tribunal.

The tribunal will also be able to rule on a claim at any stage in the negotiation process if all parties agree, or if there is a consensus to defer the issue to a claims tribunal. The third case in which the tribunal could be asked to rule is after three years of unsuccessful negotiations.

Therefore, the tribunal will examine questions of fact and law to determine whether Canada has a lawful obligation to a first nation. Six full-time superior court justices will be appointed. We know that the federal government appoints superior court justices. The members of the tribunal will be chosen and appointed in accordance with the current judicial appointment process. Usually, there are selection committees.

Naturally I consider it to be my duty, as the justice critic, to digress briefly and remind this House that this government has been shameful, lacked judgment and acted despicably and inappropriately in wanting to change the composition of the judicial selection committees. We remember when the current President of the Treasury Board was the Minister of Justice. He is one of the most conservative members of the Cabinet. I could use other words, but will refrain in order to respect parliamentary standards. The fact remains that this government has been and remains intent on appointing police officers to judicial selection committees.

We all remember the uproar this caused when the Standing Committee on Justice and Human Rights was holding meetings. The current chair of the justice committee has pushed the limits of effrontery, nerve, bad manners and a lack of fair play in not convening the committee, which is nevertheless a committee with one of the most important mandates in this House. Why is the chair refusing to convene the committee? The Conservative government does not want this committee to shed light on the Cadman affair and it does not want us to play our parliamentary role as we are entitled to do. The committee is asking whether or not there was an attempt to buy votes during the last years of the Martin government.

Government Orders

Six superior court judges will be appointed on a full-time basis to this new specific claims tribunal. We hope that there will be no interference in the appointment committees for these judges and that they will be appointed in accordance with a process which, up until the Conservative government decided to intervene inappropriately, has honoured our Canadian judiciary.

The judges will hand down decisions that are binding and not subject to appeal. This is one aspect of the bill that has been criticized and is somewhat controversial. Ordinarily, the rule of substantive law allows a right of appeal. Unfortunately, I must remind hon. members that there are precedents in this House. There is still no appeal mechanism for refugee claimants.

● (1735)

Even though the Bloc Québécois worked hard to ensure we could have a refugee claim appeal mechanism, it still is not in place. And I understand that this will also be the case for the tribunal that will be created, despite the representations made to the committee.

However, even though this tribunal will hand down binding decisions that are not subject to appeal, a judicial review will be possible. All federal laws are subject to judicial review. Of course, at the trial level, it is generally conducted by the Federal Court and the Federal Court of Appeal.

What is a judicial review? It is a procedure that takes place when there is reason to believe that a decision was handed down without regard for the principles of natural justice or the jurisdiction of the tribunal. Judicial reviews are rather specialized appeals that generally do not pertain to the reasons for the decision but rather to procedural issues of compliance.

The tribunal will not be exempted from reporting. This is only natural, seeing as millions of dollars are at stake. The tribunal will report to the House annually. Presumably, this annual report will be tabled by a minister of the crown. I do not know whether it will be the Minister of Justice or the Minister of Indian Affairs and Northern Development, but we will have to keep a close eye on this. Obviously, the tribunal will have to report on its spending, as it is being funded with taxpayer dollars. And the work of the tribunal will be subject to review. There is a clause that calls for a review after five years. This is nothing out of the ordinary.

I am thinking, for example, of the infamous Anti-terrorism Act. When the Liberals brought in this law, I was in the House with our transport critic, the member for Argenteuil—Papineau—Mirabel—one of the best organizers in Quebec, as my colleagues know—and the member for Saint-Jean, and we told the minister responsible for the legislation, Anne McLellan, that her Anti-terrorism Act would not stand up to the scrutiny of the Supreme Court.

Once again, the Bloc Québécois was right to make its recommendations and the Supreme Court ruled as we said it would, just as it did on the issue of security certificates, which, as everyone knows, completely contravene a principle of natural justice: the right to access evidence.

I see I am running out of time. The Bloc Québécois supports this bill. We do so in solidarity with first nations peoples, and we are appealing to all members to pass this bill. Of course we have some questions but, on the substance, we are in favour of this bill. I cannot

help but ask the government, particularly the parliamentary secretary, to reconsider its position on the UN Declaration on the Rights of Indigenous Peoples and to put an end to this completely shameful dithering—which is a disgrace within the international community. I hope the government will come to its senses and allow Canada to join this international convention, until Quebec can do so autonomously on the international stage.

Do I have one minute left or two? Okay, I see I have one minute left. I thought my colleagues would want me to have two minutes, but we are living in very competitive times and, despite the genuine friendship between the government and the opposition, I know the government is keeping an eye on me, but I would like to assure it of complete reciprocity in that regard.

I will close by saying that, in addition to accountability, the Bloc Québécois hopes that the implementation of this tribunal will settle the 138 outstanding specific claims in Canada.

● (1740)

We obviously hope that we can quickly proceed with the appointment of judges.

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Hochelaga will be interested to know that I pay attention to everything he says. He is one of the MPs with the most experience here, 5,314 days in fact. Roughly seven minutes ago, he made reference to a former government, that of the 21st Prime Minister. I am sure he did not intend to name that Prime Minister, but rather the government of the Right Hon. member for LaSalle—Émard. I am sure that is how he will handle it next time.

The hon. member for Desnethé—Missinippi—Churchill River has the floor for questions and comments.

[*English*]

Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC): Mr. Speaker, having sat on the aboriginal affairs committee, I am confused. The Bloc will vote unanimously in support of the bill, or did I miscount. I am not sure.

Why are we filibustering? Let us get this thing done for first nations. I am first nations. Let us get it done tonight.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I would like to congratulate our colleague on being elected to the House. I do not believe I have had the opportunity to do so. Nonetheless, through you, Mr. Speaker, I hasten to call for calm. Our young colleague should know there is an old German proverb that says speed is the enemy of intelligence. I do not see why we need to act so quickly.

Government Orders

We are parliamentarians and we want to express our views on a bill that has significant ramifications on the lives of aboriginal peoples. As a political party, we would be uncomfortable if we were not making a vigorous and informed contribution to the debate under the skilful leadership of the hon. member for Abitibi—Témiscamingue, who has worked very hard in committee. Again, I fail to see why the government is pushing us into a situation that would not allow all parliamentarians to speak.

My young colleague—and hopefully my friend in the not too distant future—will discover the virtue of rising in this House, speaking, enlightening us with his knowledge and allowing himself to be receptive to comments always rich with personal experience that the Bloc members might offer him.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I raised a number of concerns relating to the bill. We all support the bill, but does the Bloc have any answers in relation to the concerns.

For the young Conservative member who just asked a question, I will add the point that it would have been a lot faster if the government had more respect for committees. People come forward, they bring up suggestions and the government does not even address them.

I raised concerns at great length in my speech. Usually when it comes to good policy-making, the minister or the parliamentary secretary will deal with each of the concerns and explain how they will be dealt with, yet both the minister and the parliamentary secretary had a chance that this afternoon and their speeches dealt with few of those concerns.

In the absence of the government doing that, does the member have any comment on the concerns raised by aboriginal people in committee?

• (1745)

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, I know that the member for Yukon is obviously paying close attention to this issue.

It seems to me that our critic, the member for Abitibi—Témiscamingue, brought forward two types of concerns. First, we want to be sure that the tribunal begins its work as quickly as possible. We also want to be sure that taking some judges away from their present posts in superior courts will not create a void that could have repercussions, such as a delay if judges have to transfer.

Another concern we have is that there is no appeal mechanism. We welcome the fact that decisions are binding, but would it not be desirable to have some appeal mechanisms in place? You will remember how active the Bloc Québécois was in ensuring that there were also appeal tribunals for refugee claims. At that time, our colleague from Vaudreuil-Soulanges, who was elected—unlike others, whom I will not name, but whom we saw on *Tout le monde en parle*—even tabled a private member's bill to establish an appeal mechanism for refugee status claims.

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I would first like to congratulate my colleague from Hochelaga, who has painted a very clear and vivid picture for us.

In particular, he mentioned that in the House we should take the time to really think things through and to do them well. It is important, especially with bills concerning first nations, that we take into account their experience and culture, just as they take the time to think and make wise decisions.

I have a question for my colleague from Hochelaga, and I hope he will take the time to respond because that is why are here. Does Bill C-30 allow for rulings about private property within reserves? We know that there is an ownership problem. Could the tribunal rule on the status of Amerindian property under this bill?

Mr. Réal Ménard: Mr. Speaker, my colleague is quite right to ask this question. He was certainly thinking of Jean-Paul Sartre, who said that man is only part of the flow of temporality.

The proposed legislation would not allow judges ruling on specific first nations claims to rule on territorial boundaries. That is understandable. The only decisions made by this tribunal will be proposals, which will become binding decisions, for financial compensation.

Had we listened more closely to aboriginal peoples and insisted more on dialogue, perhaps we would not be at this point. The fact remains that the Bloc Québécois supports this bill, which should lead to the resolution of certain claims.

[*English*]

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I appreciate the opportunity to ask a question of the member, who even referenced me in his presentation, which I appreciate.

I know another one of my colleagues asked him a question earlier about why he was filibustering this important bill, which will deliver so many benefits for first nations people. It was agreed to by the Assembly of First Nations, with our government, in an important accord, which was actually signed, a real agreement. However, the member made reference to the fact that we needed to continue to consider the bill, that this was what the process was all about. He also lectured my new colleague on this topic.

The member referenced the member for Abitibi—Témiscamingue as his spokesman. Why then, when the bill was in clause by clause, did the Bloc members adopt it unanimously? If they are still interested in going through the details, why did they unanimously adopt it and why are they continuing to filibuster now when we know the bill is ready to be sent to the other place so the benefits of that tribunal can begin to come forward for Canadians?

Government Orders

• (1750)

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): It has taken one minute to ask the question. The hon. member for Hochelaga now has one minute to reply.

Mr. Réal Ménard: Mr. Speaker, I am somewhat surprised and even hurt by the question.

If we work hard in committee and we support a bill, that leads people to believe that we must act quickly. I hope that the last thing the government will do is to interpret as a delay tactic the fact that we are speaking in an enlightened manner and in a climate of frank camaraderie in order to express our opinion on this bill. I do not see why we should be rushing.

I wish to assure the first nations that they will be vigorously supported by the Bloc Québécois, as they were from the beginning of our work by the member for—

The Acting Speaker (Mr. Royal Galipeau): I am sorry to interrupt the hon. member.

[*English*]

The hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very pleased to rise to speak on Bill C-30.

At the outset, the NDP will support the bill. We had a number of concerns with it and attempted to bring forward amendments that would have improved it, but the Conservatives were not interested. We will be putting on the record our concerns about the bill because it will go a few steps toward dealing with some of the specific issues in the area of specific claims, but it does not deal with some of the larger issues that we really need to deal with as a Parliament and a country.

The more I travel and the more people I meet, the more I understand that Canada's failure to address the need to deal with our historic legacy with first nations is probably the one element that keeps us from meeting our greatness as a nation. We need to come together. This is not a partisan issue. This is a fundamental failing that has been running through Canada since the beginning and we and our generation have to deal with this.

I had the great honour to represent my riding, and in a sense be the representative of the Government of Canada, during the Treaty No. 9 activities that happened across a vast section of northern Ontario. Treaty No. 9, as we are aware, covers probably two-thirds of the land mass of Ontario.

We began in northwestern Ontario, where the first treaty signers, who were actually representing the government of Ontario and the Government of Canada, met with the first communities. They travelled by canoe to every community up to the James Bay region. That was 100 years ago.

I was in certain communities when it was re-enacted with young canoeists. I had the opportunity to go to the community of Martin Falls. Martin Falls is the most isolated community in my riding, far along the Albany River, as far from any other community as one could imagine. We were invited to come up river to the actual spot at

Martin Falls where the treaty was signed 100 years ago. It took us all afternoon to get up the river to that location. We were in the exact spot and probably what looked like the exact conditions when the first treaty signers can come across Martin Falls and met with the Ojibwe community.

During that afternoon, the Lieutenant Governor of Ontario and representatives of the Government of Canada were there, and I was speaking. A man stood up and started to speak in Ojibwe. He asked if he could address us. He apologized and said that he had never learned to speak English. When he was four years old, government officials came and took his sister away. She was a year older. They never brought her back and nobody had ever told them what happened to her. He said the next year when they came, his family hid him in the bush and he never went to school.

There was such a profound sense of loss in that little community as we stood on the river and he spoke of that little girl, for whom nobody has ever accounted. We think of the years of tragedy, abuse and broken promises that happened in these communities, which profoundly affected people's ability to develop. They were profoundly affected emotionally in the wholesale surrenders and illegal transfers of lands and the stripping of resources that happened. It crippled them financially.

As I stood there 100 years later and spoke on behalf of the Government of Canada as the people's member of Parliament, I said there was not really much to celebrate. There is not much to celebrate in a legacy in which a treaty was signed by these people in good faith and that treaty was broken every step of the way.

Every community in my riding in the James Bay region and isolated regions are among the most impoverished in Canada. We can do better. This is why we need to speak about the issue of specific claims. No one government, no one party will be able to come forward with a panacea for dealing with the years of broken promises and the devastating impacts they have had on our communities across the country, but we need to take specific steps.

I will speak to the issue of specific claims. One of the great fortunes of my life was to work for the Algonquin Nation in Quebec. I worked on historic research and dealt with the outstanding issue of claims. The issue of specific claims falls into many varieties of economic and financial abuses that were done against these communities. It could have been the stripping of timber off the land. It could have been the abuse by federal officials of the trust fund accounts that were set up for these communities. It could be outrageous acts as just simply moving the boundary of a reserve because it was more convenient to sell it off.

• (1755)

We need to have a bit of historical perspective. Between 1898 and 1940 there was a phenomenal sell-off of first nation territory. In western Canada in the prairie provinces it was almost as though the role of the MP and the role of the government officials was to act as real estate speculators. Land was sold off at phenomenal fire sale prices.

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In my region, in the Abitibi region with the Algonquin Nation so much land was sold off through a whole series of patchwork surrenders. Many of these surrenders were dubious at best. Any kind of intimidation was used. There were a few key players in each of them. Often it was a member of Parliament who played a role. He was seen as the guy who could get them the land. The others of course were the government officials who failed in their fiduciary responsibility. The third player was the Indian agent.

In the community of Timiskaming First Nation, from which I have learned so much, there was only one Indian agent who was ever fired, as far as we know. He was the only Indian agent who was ever on record as telling the community that he did not think that a particular land surrender was in their best interests and in fact they had better keep their land because they were going to get nothing out of it. He is the only Indian agent we ever heard of who was fired. All the rest were more than willing to sell the interests of these communities down the river.

Here we are, in some cases 100 years and in some cases 50 years after these surrenders took place where communities are still crippled. We need to address them. Unfortunately the attitude toward specific claims has been much the same as the attitude toward the other problems of the first nations. The attitude is one of, "Take us to court". The attitude is, "Let us drag it out". The attitude is, "We will get into negotiations and then we will start dragging our feet". The second we are into negotiations, the community is basically in a borrowing situation. The community is having to borrow to meet with consultants and experts, so at the end of the day the community does not get what is needed. Many of these claims could be settled with a little good faith.

I have dealt with communities that have been very wary about signing on to any kind of treaty claim process because they have seen what has happened in other communities. A simple issue of trying to resolve a historical dispute over a boundary, over an illegal surrender becomes a hodge-podge of so many interests who are coming to the table and dragging out with lawyers. The community is on the hook in terms of having to pay until the point that whatever it gets at the end of the day simply does not address the community's needs.

On top of that the first nations are being asked to sign away any aboriginal title, to extinguish their claim as a people over the land that they have always lived on. I have known communities in desperate poverty who will never sign that because they believe the only thing they have to pass on to their grandchildren is the title, and the title has to be preserved.

There are elements in this claims process, and I commend the former Indian affairs minister who made it an issue that we have to start dealing with the backlog; yes, we have to deal with the backlog. I am concerned about the whole role of the tribunal and the issue of how litigious it will be. The minister will be the one who sets the terms for negotiation. He has the ability to reject claims. In three years if no one gets back to the community, it is considered rejected. I think it will be difficult for some communities to feel they can trust to go forward into that claim. I am not sure at the end of the day we will be any further ahead.

This gets to the most fundamental issue of dealing with specific claims. We really need to start a process where we actually stop breaking faith with our communities in terms of any agreements that are signed. With the abuses that were done 100 years ago, we can talk about the abuses that are being done today in terms of the government walking away on commitments.

I worked in the community of Barriere Lake in Quebec, a little community that has been beaten mercilessly, and that is the only way I can describe it, in terms of trying to break the traditional structure. That community is so impoverished. It is sitting on a territory that creates \$50 million or \$60 million a year in resources. People in that community did not want to stop the logging. They just wanted to find a way to balance the logging so they could continue their way of life and there could be some sense of resource revenue sharing to get out of the horrific poverty. They are only 300 kilometres up the road. There are 21 people living in two bedroom houses. A diesel generator is keeping the community going when it is beside some of the largest hydro dams in North America.

● (1800)

In 1997 the federal government intervened and took out the traditional band council. We had a year's standoff where there was no school. There was no heat in the community. No money was going into that community for a year. This was all happening just in the shadow of Ottawa, until it actually became an international story.

Clifford Lincoln was involved. Former representatives of the Quebec government sat down with the federal government and the community of Barriere Lake and tried to sign an agreement. How do we rebuild this community? That was called the memorandum of global understanding, to make a plan to get this community, over the long term, out of its dire poverty. That agreement was signed and nothing ever happened after that. It was just one more broken promise.

We are seeing the sense of hopelessness and bitterness among so many of the young first nations. They are looking for where the results are. When we are looking at terms of how to deal with the backlog of claims, and it is important to deal with those claims, we need to be saying that we have to go beyond a litigious process, beyond simply take it or leave it. We have to start asking how to deal with our backlog of problems so that we move further ahead.

I know communities that have lost phenomenal amounts of land. They know they will never get that land back. They are under no illusions. What they want is a process so that they can give their young people opportunities. In many of these communities it is possible, but it is only going to be possible with good faith.

We certainly are willing to support this bill going forward, but we do not believe it is going to address the fundamental problem that we are facing, which is the need for government to enter into good faith negotiations with communities, to enter into consultations with the leadership in various regions to find a format to move forward to address the backlog of specific claims.

Government Orders

We need to start dealing with the issue of specific claims and find a way that we can actually move forward so that we can begin to address the absolute failure of government to live up to any of its basic fiduciary obligations in terms of housing, in terms of infrastructure, in terms of resource revenue sharing.

In the province of Ontario right now we, through the provincial New Democrats, have been pushing for the notion of resource revenue sharing for many years. If a mine is going to develop, a municipality is allowed to receive some of the tax revenue, and yet we think it is perfectly all right to go into an isolated first nation region, set up a mine and the community has no say, no benefit, nothing.

The provincial Liberal government continually has cancelled our attempts to get resource revenue sharing. Now we have a situation with the KI community where the province threw the leadership in jail. The message is, "We will consult with you as long as you allow complete and open access on our terms. Otherwise we will take you to court. We will allow the companies to throw massive lawsuits against you and we will put you in jail".

I do not know if non-native Canada understands the implications of what is happening with KI, but it has poisoned the developing relations that we are seeing and what we are trying to see in terms of first nations development.

Consultation cannot be done with a gun to the head and throwing the leadership in jail. The situation with KI, which I think is so astounding, is that the courts have proven again and again the obligation to consult. We have certainly seen it in British Columbia, where most of the big test cases have come from the obligation to consult, but the kicker is, they actually need the money to hire the lawyers to get into court to prove their case. KI faced a \$10 billion lawsuit because they kicked a mercenary hired by Platinex off their territory and they simply did not have that money. Since they did not have the money to prove their claim for consultation, they were liable for charges, and in the end they were thrown in jail.

That has certainly thrown a pall over one of the other elements that up to now has been one of the few positives. That positive is the actual move by first nations to sign, we call them treaties on the ground, with resource companies because they can actually get better deals sometimes from the companies than they could ever get from the federal government.

When I was working in the Abitibi region, we were looking to meet with Tembec. We were looking to meet with diamond exploration companies. We were trying to find a way to use the aboriginal title of the territory and our aboriginal rights to actually negotiate agreements where we could start to see economic benefits. If we involved the federal government in it, all those agreements would have been stopped immediately and nothing would have ever been done.

• (1805)

When we look at the development of northern Canada where we have some of our most impoverished communities, resource revenue sharing agreements, agreements with mining companies that work in good faith, not companies that work in bad faith, but companies that

work in good faith, can actually start to bring us a model for moving ahead in the 21st century the way we need to.

In conclusion, we support the notion of needing to deal with specific claims. There are a number of elements in the bill that we believe are not addressed. We do not believe that at the end of the day a specific claim should end up with the signing away of aboriginal title to territory. We believe that the cap will prove to be unnecessarily low and deliberately so. We do not accept the take it or leave it stance of the tribunal because we believe that one, it is in a conflict of interest, and two, we would be doubtful that some first nations would submit to a process.

We have to move forward. We have to start dealing with this. This is one of the reasons the New Democrats will be supporting the bill at this point, but we say, and this has to be seen, the greatness of Canada is being judged by our refusal to deal with first nations as honest partners, as equal partners. We need to start moving toward that.

Mr. Rod Bruinooge (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, I appreciate the submission by the member for Timmins—James Bay. I genuinely believe he has done some very important work for aboriginal people throughout Canada and of course in his riding. I would even say that his actions have been done in a very sincere way. He often takes important issues that face aboriginal people in his community to the country. He should be commended for that.

However, I have to ask, why today is he getting up in the House and standing in the way of this important bill proceeding to the Senate? That is what he is doing. It is undermining his credibility as an advocate for first nations, Métis and Inuit people by standing in the way of this bill, by taking part in his party's filibuster. It is not something that does anything for his credibility. Why is he standing in the way of Bill C-30 going to the Senate?

Mr. Charlie Angus: Mr. Speaker, I thank my colleague for his question and his kind words in terms of the sincerity with which we deal with our issues, particularly the issue of Kashechewan, where we saw some of the most disgraceful conditions in Canada and the years of lack of federal government interest in that community, to the point that the infrastructure had broken down completely. The community was left with conditions which, when the doctors went in there in 2005, they said they had not seen conditions like that in Africa. Unfortunately, the Conservative government broke that agreement.

The other situation is the children in Attawapiskat, 29 years on a poisoned school ground, 8 years without a school, 3 Indian Affairs ministers in support of that school. The question we ask and the question any Canadian asks is why is it that some children are considered less worthy than others? Why are some children not guaranteed the most basic right, the basic right to go to school?

Government Orders

I take those issues very seriously. I am sorry if my hon. colleague does not want to sit in the House after six o'clock at night and do his work, but my job is to raise these issues and I will continue to raise those issues.

Some hon. members: Oh, oh!

Mr. Charlie Angus: Mr. Speaker, there are major flaws with this bill and we spoke to that and we put them on the record. What we have is a bunch of howling monkeys in the Conservatives who believe that we should stifle debate in the House of Commons, that we should take what we are given, that we should stand up when we are told to stand up and sit down because we are told to sit down and to do anything less would be—

• (1810)

The Acting Speaker (Mr. Royal Galipeau): I am sure that the hon. member for Timmins—James Bay would like to stay within the line of parliamentary language.

Mr. Charlie Angus: Mr. Speaker, it was a simile; it was not a metaphor. I would certainly never say that they are a bunch of howling monkeys, but they were like a bunch of howling monkeys. I think that would be within the bounds.

The Acting Speaker (Mr. Royal Galipeau): I thank the hon. member for all his good advice.

The hon. member for Esquimalt—Juan de Fuca has the floor to ask a question.

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, I want to ask my friend from the NDP a fundamental question. He has a lot of experience in this area, as he outlined in his speech. One of the fundamental ways to build wealth is the ability to own property. Property rights are essential. The Peruvian economist, Hernando De Soto, made that very clear in one of his seminal books.

Does my colleague think that this bill is going to enable aboriginal people who live on reserve to have the property rights that they require, rights which all of us in this House enjoy, but others do not? Aboriginal people do not have those property rights and therefore, they are forbidden from being able to accumulate the wealth that we can. Does my friend not think that what we need is property rights for aboriginal people so they can enjoy the same hopes, possibilities and economic development that we enjoy as non-aboriginals?

Mr. Charlie Angus: Mr. Speaker, I think the discussion of property rights is a fascinating discussion. The issue today is the issue of specific claims. In the communities I have worked in, on the issue of specific claims they were not really dealing with the larger issues of property. They were dealing with how to address the fundamental injustice that was done, which crippled their economic ability to grow and the ability of their communities to grow.

I certainly would appreciate a chance for us to discuss property rights in the House. However, the purview of this bill is fairly focused in terms of the specific claims act and whether or not we are addressing it.

As I said, we will support the bill. We believe we have problems with the bill in terms of its ability to deal fairly and comprehensively with how those claims are going to be addressed. I am not sure that the issue of property rights is within the purview of the bill, but the

minister is sitting in front of me and after my speech I will have a talk with him in case I missed something in the bill that deals more with property rights.

Mr. Rod Bruinoge: Mr. Speaker, the member for Timmins—James Bay put forward a proposal, or at least a suggestion, that perhaps I would like to continue working past six. Should he and his party and the other parties decide to set aside the debate, we could proceed to Bill C-47. I would be happy to continue working right through the night. Would he be interested in doing that?

Mr. Charlie Angus: Mr. Speaker, I am certainly glad that my hon. colleague is so keen on continuing the debate. I thought the debate would have ended after I was finished.

I will get back to the original point. The sense that we are speaking about a bill and putting on the record the concerns we have seems to bother him. He calls it a filibuster. That is not what the issue is. This is the due diligence that is done as members of Parliament.

I would certainly invite him to come with me to meet our communities, to talk with them and to see whether they feel that dealing with these issues is something that should certainly be done. I would think that my constituents and all constituents are glad that we put bills through due diligence.

This will be going forward. Of course it is going forward. We have heard about that. However, there are issues that are problematic with the bill and they need to be put on the public record. That is why we have *Hansard*. That is why we have the public record that is available to all Canadians: so they can see how debate took place and how issues were addressed.

• (1815)

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I have a great deal of respect for the member who just spoke on this issue. He has regularly risen in this House to defend the aboriginal communities that are unfortunately still dealing with absurd situations today, in 2008. Whether these situations exist because of negligence, or any other reason, the fact remains that the government did not do its job.

I would like the member to comment on the Auditor General's latest report. The report shows, once again, that aboriginal children are living in despair and dire poverty. Nothing has been resolved. I would like to know what the member, whom I sat with on the Standing Committee on Agriculture and Agri-Food, thinks. I know that he is very concerned with aboriginal affairs, which is why his opinion would be very important to hear in this House.

[*English*]

Mr. Charlie Angus: Mr. Speaker, our failure on children is probably the greatest single shame that we have right now in terms of our ability as a nation and the complete lack of support that exists.

In my community of Fort Albany, we have a good school. The children go to school because they are proud of it. I talked to a lawyer who flies into the James Bay communities. She said that when she looks at the court dockets in Fort Albany they are less than a page long because the kids are in school.

Government Orders

In Attawapiskat, the dropout rates begin in grade 5. It seems that there is nothing of interest to the government about the fact that children give up hope in grade 5 and stop going to school because they are not worthy of a school in the same way that Kashechewan is not worthy of a school and in the same way that so many of our other communities are not worthy of a school.

One thing I learned from dealing with the children on the James Bay coast is that a water project is an infrastructure project, a road project is an infrastructure project and sewage is an infrastructure project, but a school is a hope project. I learned that from a student in grade 8 who saw what a real school looked like and told me that if she had her whole life to do it, she would dream about being in a community where there was a proper school.

We are talking about hope. When a government has this kind of money and this kind of power and shows such disinterest to children that it actually crushes their hopes, there is not much else we can say. The Auditor General's report is scathing. It should cause us all shame. Any party, any member of Parliament, and I do not care what party they are in, has an obligation to say that we can do better. But at the end of the day it falls to a government's sense of priorities, and those children have to be a priority, because if they are not, then shame on us.

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, it is an honour for me to speak on this very serious matter. I want to begin with a fundamental question that I think we should all consider. Will land claims fundamentally improve the lives of aboriginal people?

A week ago I went to one of the reserves in my riding, the Pacheedaht reserve near Port Renfrew. When one goes to this reserve, one sees conditions that are very much like those in a developing country. The houses are rundown. The windows are smashed. Mould is infecting these houses. We know that the presence of mould in these types of homes is a major risk factor for tuberculosis and is a contributing factor in the very high rate of tuberculosis among aboriginal people.

While I was there, I noticed very few people.

I went to the reserve because in my community we have created libraries for children on some of the reserves in my riding. We have set up three libraries on reserves.

As I said, when I went to Pacheedaht, there were very few people around. There was a sense of foreboding and bleakness. The reason was that the night before one of the young women on the reserve had been raped. Unfortunately, this is not an uncommon situation on this and a number of other reserves that I have had occasion to visit. It speaks to a much larger and bleaker situation that exists for too many aboriginal people living on and off reserve.

What is it like? As a physician I had the opportunity in British Columbia to fly in to some aboriginal reserves, where I would pay house calls. I would visit the communities and see people and treat them in their homes.

There is nothing as heart-wrenching as going into communities where more than eight people are living in hermetically sealed houses. There are a grandmother and a grandfather sleeping on urine-stained mattresses. Sitting out in front of their homes are

children with impetigo, a really bad skin infection. People are lying right beside the children, drunk at 10 o'clock in the morning. Unemployment rates exceed 50%. Essentially in these communities there is no hope.

There is a fundamental question I would ask. Treaties must be honoured. The treaties must be completed and land claims must be settled, but at the end of the day, will the completion of those treaties fundamentally improve the bleak situation that we see on and off reserves for too many aboriginal people?

There are hundreds of statistics. Let me illustrate a few of them. The incidence of male aboriginals being incarcerated is 11 times that of non-aboriginals. For female aboriginals the incidence of being incarcerated is 250 times that of non-aboriginals. In other words, the risk of an aboriginal woman being incarcerated is 250 times higher than it is for a non-aboriginal woman.

The median income for aboriginals is \$13,500.

Seventy-five per cent of aboriginal children do not graduate from high school.

The level of sexual violence and the incidence of HIV-AIDS and of tuberculosis are far higher than what we see in non-aboriginal communities.

The question I would ask is this: will these treaties fundamentally improve the lives of people living on and off reserve?

For 10,000 years, aboriginal people lived in independence. They lived and flourished on this continent. However, something happened that changed everything, and that was the Indian Act. For the last 130 years, the Indian Act has ruled the lives of aboriginal people.

What is the Indian Act? It is a racist act. It is an act that separates aboriginal people from non-aboriginal people. The Indian Act is like a rock tied to the ankles of aboriginal people. It prevents them from being integrated and equal—not assimilated but integrated—in society in North America. It prevents them from having the economic ability that we as non-aboriginals are ensured.

Separate development is apartheid. Tragically, we have apartheid in Canada. It is not something that we should be proud of. It is something we should be ashamed of. In my view, the racist Indian Act should be scrapped because it is a rock tied to the ankles of aboriginal people and it prevents them from being able to move forward and be champions and masters of their destiny.

● (1820)

If we were to try to develop land and engage in economic development on reserve, we would have to go through a minimum of six different departments. It would take use four times the length of time to develop that land. If a developer or a business opportunity came to us, it would take us that length to have any chance to move this forward.

Business of Supply

Where does capital go? Will it go to on reserve? It does not. Because the structure is such that no matter how hard-working, no matter how diligent, no matter how hopeful, no matter how inspired aboriginal members and leaders are to develop on their land, to provide for their people, to provide a sustainable future for their people, they cannot. We can. However, the structure prevents them from doing that. Is that fair? Is it reasonable? It is immoral. It is appalling that this situation is allowed to continue.

Land claims are all well and good to complete, for the importance of land and the culture and history and as a matter of fairness with respect to aboriginal people, but we have to go beyond that. The resolution of these claims will be unable to address the fundamental socio-economic tragedies and trauma that are inflicted by aboriginals on aboriginal people every day, day in and day out.

We have to give those children on a reserve a chance. We have to give them hope. We have to ensure they will have access to the same opportunity that we have, but they do not. There is no chance they will be able to do that. That is the most heartbreaking of all.

We can take a look at some of the communities, and there are some phenomenal communities. Chief Clarence Louie, for example, in Osoyoos, has done some remarkable work as have others leaders. They are true leaders who have taken things upon themselves, despite overwhelming and very difficult circumstances.

I can hardly hear myself think, Mr. Speaker, because of all the chatter going on.

Some hon. members: Oh, oh!

• (1825)

The Acting Speaker (Mr. Royal Galipeau): If I could have the attention of the House for a moment. The hon. member for Esquimalt—Juan de Fuca is close to me and I cannot hear him because members on my far right, and maybe on my far left, are making more noise than I have authorized. The only member who has been authorized to speak is the hon. member for Esquimalt—Juan de Fuca, and he has four minutes.

Hon. Keith Martin: Mr. Speaker, we have inadvertently created a welfare dependency trap for aboriginal people and it is fundamentally important that the trap be removed. I would submit that the Department of Indian Affairs needs to work with aboriginal leaders to remove the existing obstacles that prevent them from being able to be masters of their own destiny. As I said before, it is immoral that the status quo is allowed to exist.

I will provide the House with some solutions.

I mentioned that the Indian Act should be scrubbed.

One of the challenges facing aboriginal people is capacity building. When aboriginal leaders on reserve want to develop something, be it land or whatever, they need to hire experts to help them. However, some of these experts are actually criminally negligent in their behaviour. They often receive money for substandard work. It is similar with band managers. Some band managers are good and some are not.

It would be helpful if the Department of Indian Affairs worked with the AFN to build a website where a chief and council could

determine which individuals give good service and which do not. A chief or council member could then link to those individuals who would do a good job.

Second, on the issue of capacity building, the Department of Indian Affairs needs to do a lot more with its budget of \$9.1 billion to ensure that aboriginal children have access to education.

Third, property rights need to change. Aboriginal people need to own their own property so they can build up some wealth and be able to use that land for their own benefit. They then would be able to provide for themselves, for their families and for their communities.

Fourth, we need to ensure that aboriginal people have access to health care.

In my riding, the Pacheedaht reserve does not have clean water. Many times it has asked, begged and pleaded for help from the Department of Indian Affairs and it has received the cold shoulder. The Pacheedaht reserve needs water and it needs it now. Can anyone imagine not having access to clean water? That is a fundamental right of life. Being forced to drink filthy water is a health hazard. It is immoral, sickening and fundamentally unfair.

As my time is winding to a close, I want to press upon the government the need to talk about integration on assimilation. We need to scrap the Indian Act and we need to work together with aboriginal peoples so they will have a better future for themselves, their families and their communities. We should not constrain them as we have done for so long.

* * *

• (1830)

BUSINESS OF SUPPLY

OPPOSITION MOTION—THE ECONOMY

The House resumed from May 8 consideration of the motion.

The Acting Speaker (Mr. Royal Galipeau): It being 6:30 p.m. the House will now proceed to the taking of the deferred recorded division on the motion of the member for Sault Ste. Marie relating to the business of supply.

When we return to the study of Bill C-30, the hon. member for Esquimalt—Juan de Fuca will have nine minutes left.

Call in the members.

• (1855)

[*Translation*]

(The House divided on the motion, which was negated on the following division:)

(*Division No. 109*)

YEAS

Members

Angus
Atamanenko
Bell (Vancouver Island North)
Bennett
Bevington
Blais

Asselin
Barbot
Bellavance
Bevilacqua
Bigras
Bonsant

Adjournment Proceedings

Boshcoff
Brown (Oakville)
Byrne
Charlton
Christopherson
Crête
Cullen (Skeena—Bulkley Valley)
DeBellefeuille
Deschamps
Dryden
Easter
Faille
Gagnon
Godin
Guimond
Kadis
Laframboise
Layton
Lessard
Lussier
Marston
Martin (Sault Ste. Marie)
Mathysen
Ménard (Hochelaga)
Minna
Murphy (Charlottetown)
Nash
Paquette
Picard
Priddy
Roy
Savage
Siksay
Simms
Stoffer
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)
Tonks
Turner
Wasylcia-Leis
Wrzesnewskyj — 89

Bourgeois
Brunelle
Carrier
Chow
Comartin
Crowder
Davies
Demers
Dewar
Duceppe
Eyking
Freeman
Gaudet
Gravel
Holland
Laforest
Lavallée
Lemay
Lévesque
Malo
Martin (Winnipeg Centre)
Masse
McDonough
Ménard (Marc-Aurèle-Fortin)
Mulcair
Nadeau
Ouellet
Perron
Plamondon
Regan
Russell
Savoie
Silva
St-Cyr
Thi Lac
Vincent
Wilson

Poilievre
Preston
Reid
Chow
Scheer
Shiple
Smith
Stanton
Strahl
Thompson (Wild Rose)
Toews
Tweed
Van Loan
Gravel
Verner
Warawa
Watson
Yelich — 109

Prentice
Rajotte
Ritz
Schellenberger
Skelton
Solberg
Storseth
Sweet
Tilson
Trost
Van Kesteren
Vellacott
Wallace
Warkentin
Williams

PAIRED

Members

André
Batters
Cardin
Guay
Lalonde
Pallister
St-Hilaire

Bachand
Bouchard
Casson
Khan
Mayes
Sorenson
Thompson (New Brunswick Southwest) — 14

The Speaker: I declare the motion lost.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

FISCAL IMBALANCE

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, on April 3, 2008, just over a month ago, I asked a question about the fiscal imbalance. I asked when the government was going to keep the promise the Prime Minister made in December 2005, to introduce a bill on spending power that would control the federal spending power. It is not very complicated. It is a matter of controlling spending power, or “providing the unconditional right to opt out with full financial compensation in respect of any new or existing federal program, whether cost-shared or not, which interferes in Quebec's areas of jurisdiction”.

That is precisely what Quebecers expect when it comes to the federal spending power. This is an important aspect of the fiscal imbalance that has not been resolved. We have a hard time understanding why the government has not introduced such a bill. Where is it? The government has had more than enough time to introduce it. The Quebec nation has been recognized. The Prime Minister made that promise during the election campaign but he seems unable to keep it.

Why has the bill not been introduced? Is it being held up somewhere in the bureaucracy? Would the federal bureaucracy try to block such a bill in some way? Is the government afraid of how English Canada might react? I do not know why, but I do know that this is an important issue for Quebec. This is not just a sovereigntist issue.

NAYS

Members

Abbott
Albrecht
Ambrose
Anderson
Benoit
Bezan
Blaney
Breitkreuz
Brown (Barrie)
Calkins
Carrie
Clarke
Comuzzi
Davidson
Devolin
Dykstra
Epp
Finley
Flaherty
Galipeau
Goodyear
Grewal
Harris
Hawn
Hiebert
Hinton
Jean
Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lunn
Manning
Menzies
Mills
Moore (Fundy Royal)
Norlock
Obhrai
Paradis

Ablonczy
Allen
Anders
Baird
Bernier
Blackburn
Boucher
Brown (Leeds—Grenville)
Bruinooze
Cannon (Pontiac)
Chong
Clement
Cummins
Del Mastro
Doyle
Emerson
Fast
Fitzpatrick
Fletcher
Goldring
Gourde
Hanger
Harvey
Hearn
Hill
Jaffer
Kamp (Pitt Meadows—Maple Ridge—Mission)
Komarnicki
Lake
Lebel
Lukiwski
MacKenzie
Mark
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Nicholson
O'Connor
Oda
Petit

Adjournment Proceedings

I remember way back when I was just getting interested in politics, when Robert Bourassa was premier of Quebec, similar demands were being made. Then the Parti Québécois was in power, and then the Liberals were back in. Even the Action démocratique du Québec demanded this. Everyone wants the federal spending power to be controlled so that the federal government cannot intervene in areas that are under Quebec's jurisdiction, yet the federal government has not been doing anything to make that happen.

Quebeckers want the federal government to take concrete action to prove that it has a different way of seeing things and that its recognition of the Quebec nation is more than just words. Concrete action means introducing a bill to put limits on the federal spending power. Why is the federal government not moving forward on this? Why is it not keeping its election promise?

• (1900)

[English]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I appreciate this opportunity to respond to the question put by the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup on the federal spending power.

I would first like to remind the hon. member that on November 22, 2006, the Prime Minister affirmed that the Québécois form a nation within Canada. Certainly, that was an unprecedented and historic step on the part of a Canadian Prime Minister. It was also consistent with the government's unprecedented efforts to restoring fiscal balance.

Our government committed to working together with our provincial and territorial partners to build a better future for our country, and that is exactly what we are doing. For Quebeckers this means unprecedented support from the federal government of over \$16.7 billion in 2008-09, an increase of \$1.6 billion from last year and over \$4.5 billion since 2005-06.

Quebec will see \$8 billion in 2008-09 in equalization, an increase of over 67% from 2005-06. Payments to Quebec under equalization have increased by almost \$870 million or 12.1% from 2007-08. Quebec will also receive \$5.5 billion through the Canada health transfer and \$2.5 billion through the Canada social transfer.

After more than a decade of uncertainty caused by the previous Liberal government, this Conservative government answered the call from the provinces and territories, and has provided long term predictable funding. In fact, budget 2007, which dealt with the fiscal balance, was very well received in the province of Quebec.

Former Quebec finance minister Yves Séguin called it prudent, realistic and “a big step forward”. He said that it significantly redressed a long time sore spot, the fiscal imbalance.

More recently, budget 2008 ended the millennium scholarships and replaced them by a bigger student grant program and streamlined the loan system. This gets Ottawa out of a provincial jurisdiction. Quebec will be able to opt out of the grant system with full compensation and it should be more useful to more students. A *Montreal Gazette* editorial stated:

Quebec will welcome this. It's no wonder [the Liberal leader] quickly said he would not vote against this budget.

Similarly, a new crown corporation to set employment insurance rates on a break even basis meets another longstanding demand of Quebec. Clearly, this government is fulfilling its long standing commitment to respect jurisdiction.

However, the Bloc Québécois voted against budget 2008 and Quebeckers have taken notice that the Bloc's rhetoric does not match its actions. In the spirit of open federalism, budget 2008 and the Speech from the Throne committed to formerly limiting the federal spending power through legislation.

[Translation]

Mr. Paul Crête: Mr. Speaker, in his response, my colleague provided the important element—the Quebec nation was recognized because of pressure from the Bloc Québécois, which moved a motion to which the Prime Minister reacted.

We now have a resolution—the Canadian state recognizes the Quebec nation. However, in December 2005, the Prime Minister committed to introducing a bill about spending power, which would ensure an unconditional right to opt out, with full financial compensation, of any new or existing federal program, whether cost-shared or not, which interferes in our areas of jurisdiction.

It is a permanent decision. A bill of this kind would ensure that Quebeckers are safe from federal government excesses. We are still waiting for the Prime Minister to follow through. Why will he not introduce this bill so that we can vote quickly? It would be a concrete way to keep a promise and fix another part of the fiscal imbalance, which has yet to be fixed.

• (1905)

[English]

Mr. Ted Menzies: Mr. Speaker, I might remind the House that the previous Liberal government denied that a fiscal imbalance even existed. This Conservative government is different, however.

Under our fiscal balance plan, we have committed to respecting roles and responsibilities among governments. Budget 2007 clarified and strengthened fiscal arrangements with provinces and territories. In the spirit of open federalism, our 2007 Speech from the Throne committed to formally limiting the federal spending power through legislation.

As the hon. member knows, this takes time, but I can assure the hon. member that we are moving forward to meet this commitment.

[Translation]

The Acting Speaker (Mr. Royal Galipeau): The motion to adjourn the House is now deemed to have been adopted.

[English]

Accordingly this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:06 p.m.)

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