

Adjournment Debate

These are examples of individual cases which the Canadian government should discuss at the Belgrade meeting this summer on the Helsinki Final Act.

I wrote to the minister with regard to the treatment of Mr. Leib Khnokh, a Russian native who was sentenced to ten years for trying to escape. He still has four years to serve in Vladimir prison east of Moscow. The report is that he has become very ill, suffering from internal bleeding and has not received any medical attention.

The Toronto Group of 35, a Jewish group working to assist Jews in Russia who are being harassed, stated that Soviet policemen are beating and kicking Moscow Jews. An article in the Toronto *Star* reported:

MOSCOW (AP)—Twelve Soviet Jews said last night that auxiliary policemen kicked and beat them after they enquired about visas to leave the country.

The Jews, all previously denied visas, said they visited the public reception office of the Soviet parliament yesterday and asked for written statements on when to expect their exit documents.

After waiting all day for an answer, they told Western reporters at a news conference, about 30 men wearing red armbands of auxiliary police ordered them into a bus and drove them about 28 miles out of town to a wet, snowy field.

But they refused to leave the bus, said journalist Arkady Polishuk. "We said it was very dark, we didn't know where we were and we are afraid. Then they started to throw us out of the bus by force and were beating us powerfully at the same time, hitting us with their fists and feet, and striking us in our faces."

They did not know if the policemen had intended to beat them, or only did so when they refused to leave the bus. Although some of the group wore blood-stained clothes none appeared to be seriously injured.

These are the atrocities being committed in Russia against the Jewish community. These are the issues which the Secretary of State for External Affairs should be discussing with the Soviet government when its representatives appear at the Helsinki meetings in Europe.

The Toronto Group of 35 is a women's activist organization working on behalf of Soviet Jewry. They ask us to read the article which appeared in the Toronto *Star* on Wednesday, October 20, 1976, which I just quoted.

Mr. George Baker (Parliamentary Secretary to Minister of National Revenue): Mr. Speaker, I am sure that the minister is interested in the cases that the hon. member has just mentioned.

The hon. member quoted from a letter in which the minister has said that he believes those who are sincerely concerned about the implementation of the Helsinki Final Act and human rights throughout the world will regret that action was taken to prevent what would appear to have been a serious effort to discuss a subject of concern to Jews in the Soviet Union.

It is our understanding that the Soviet government regarded the organization of such a symposium as illegal. That is not for us to comment on. It does, however, seem on the surface to be inconsistent with the undertaking in the Helsinki Final Act to facilitate the contribution which national minorities or regional cultures within their territory can make to co-operation among the CSCE participants in various fields of culture.

This is one of the subjects which will have to be looked at during the Belgrade meeting next year that will be called to review progress in the implementation of the Final Act. We think that this would be the most appropriate place for any Canadian comment.

INCOME TAX—POSSIBILITY OF CHANGE IN TREATMENT OF REVENUE EARNED BY INDIAN BANDS—GOVERNMENT POSITION

Mr. John A. Fraser (Vancouver South): Mr. Speaker, on February 18, as reported at page 3190 of *Hansard*, I raised a matter of considerable concern to Indian bands throughout Canada, especially the Musqueam Indian band which is in my constituency of Vancouver South. I asked the minister if she could inform the House whether there was going to be a change in the policy which has existed until recently, that is, that Indian bands with a certain status have been treated for taxation purposes as Canadian municipalities.

The minister did answer. She stated as follows—and I am reading from *Hansard*:

Concerning the specific point raised about the eventual change in the interpretation bulletin IT-62 which is the one to which the hon. member refers, I can assure him that the Indian band councils on Indian reserves are considered as Canadian municipalities. Should any change be envisaged in the future, consultations will take place.

That answer was very satisfactory—until it is viewed in the light of a letter dated November 25, 1976, from the minister's department and directed to the solicitors of this particular band council. That letter reads in part:

It is our position that Musqueam is not a municipal corporation pursuant to paragraph 149(1)(d) as the council of the Musqueam Indian Band does not qualify as a Canadian municipality pursuant to paragraph 149(1)(c), despite the fact that the band council, pursuant to sections 81 and 83 of the Indian Act performs in respect of the reserve many of the functions provided to communities elsewhere in Canada by municipal governments. It is our view that the term "Canadian municipality" contained in paragraph 149(1)(d) of the Income Tax Act refers to an incorporated body.

It is our understanding that Interpretation Bulletin IT-62 dated August 18, 1972 will be amended in the near future to reflect this view.

Until now the interpretation bulletin referred to in that letter and referred to by the minister has amounted to a statement by the government, if I can put it that way, that these particular enterprises on Indian reserves will be treated in the same way as those of Canadian municipalities for tax purposes. Since it now appears that certainly as long ago as November, 1976, departmental officials were stating that this policy is being changed, why is it that the minister should have stated as recently as February 18 that it will not be changed? If she had stopped at that point, I would be satisfied, but the minister went on to add:

Should any change be envisaged in the future, consultations will take place.

My question, therefore, to the government and to the parliamentary secretary, is this: what confidence can Indian bands have in a minister's answer when they find that only a few months earlier departmental directives were stating exactly the opposite? Does the minister's answer mean that the matter is still under review and that it may well be changed—but only after the Indian bands have been spoken to? I use those words