

*Supply*

the Prime Minister would have been a travesty, had it been accepted, for all parties concerned.

Given the "Buffalo Jump" proposal to cut funding for native programs—never mind whether they were found in *la pou-belle*, whether they were official or unofficial, or any of the excuses that are being put forward—one must acknowledge that where there is smoke there is fire. If there is a beginning document, it indicates some form of thought and some form of action.

I think it was very wise for the leaders of the aboriginal groups to hold back. This approach to Indian affairs is totally unacceptable. We all need to plan. We must prepare budgets to meet the changing circumstances. It is my view that the Government is denying to native people with its current actions a thoughtful approach to autonomy. It is impossible to plan without knowing what revenue will be available, from where it will come and how it will be spent. Planning in a vacuum is not possible.

I heard the Minister talk about the give and take and the exchange, but that still does not deposit a firm financial funding plan. It is not clear. The process is one thing. That is great. But how can we expect Indian people to plan if they do not know how many dollars they will have and what Treasury Board will approve? The Minister talked about giving aboriginal peoples more control over their own affairs, yet we continue, in our white man's way, to interfere and to perpetuate discrimination. I think that is a very strange way of going about it.

Concerns have been expressed about the ability of some bands to accommodate more members. The Minister is sympathetic to those concerns, and I believe he is sincere. But the Government's actions indicate otherwise. Fear over the lack of infrastructure, schools, roads and houses and insufficient funds to improve conditions are a real impediment to the integration of the reinstated members.

The lack of direction of the Government on native affairs and economic development has contributed to the uncertainty which was created by proposals to restore status and band membership to those who had lost their rights under the discriminatory sections of the Indian Act, in particular the infamous Clause 12(1)(b), for which Canada was found in contravention of the International Covenant on Civil and Political Rights. The United Nations Human Rights Committee ruled that there was a violation of Article 27 of the Covenant, and thus a denial of guarantees that persons belonging to minorities may enjoy their own culture.

Since the hearings of the Lavell and Lovelace case, Canada has ratified the United Nations Convention on Elimination of All Forms of Discrimination Against Women. In addition, Section 15, the equality clause in the Canadian Charter of Rights and Freedoms, has come into effect. That clause states that every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. There is a subsection

to that section which does not preclude any law, program or activity which has as its object the amelioration of conditions of disadvantaged individuals or groups, including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Indian women and their children believe that they would be protected by the Charter, but the Government's policies, if not changed, will force them to appeal to the courts for their rights. I do not believe that should be allowed to happen. It is incumbent on the Government to pass laws which conform to the Charter in both spirit and letter. The protection of individual and collective rights is part of the Canadian mosaic. We see in our Charter concern for the approaches to freedom and non-discrimination obligations. Indian collective rights prevail for the most part. We see collective rights for language in Section 23; multiculturalism in Section 27; aboriginal rights in Sections 25, 35 and 37; and guarantees for equality to men and women in Sections 15 and 28.

In our desire to rectify the wrongs of the past 117 years, we want to move as quickly as we can toward self-determination. We want to be respectful of differences, patrilineal and matrilineal cultural backgrounds. We want justice to be done. That being said, and having listened to all shades of opinion, the largest consensus has been that every man, woman and child who was enfranchised, or who is a descendant of an enfranchised native person, who so wishes, should have the right to affirm his or her cultural identity as an Indian person within the Indian nation, on Indian land. It must be recognized that aboriginal peoples are part of today's modern world, and that neither under the Canadian Charter of Rights, nor under any of the international covenants which have been signed by Canada, is discrimination based on sex an acceptable principle.

I fully recognize and acknowledge that in dealing with the Indian Act we are dealing in a very complex area. I fully recognize that the Minister is trying to be very cautious. I also recognize that the issue of Indian women is only part of the over-all concern. However, Mr. Speaker, it is only right and just that full equality between men and women be restored and that they and their children and their children's children shall not be part of the political manoeuvring of other agendas, whether it be the right to self-determination, to autonomy, to band self-determination, to lands, to equity or to trust funds. These women and their descendants must be restored to their rightful place, and that includes sharing in the decision-making process which will directly or indirectly impact on their lives, which means participating in the development of native band codes or practices.

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Status must be returned to those who were disenfranchised, along with their rights to return to their tribal lands if they so wish. That is what we must accept and what we must do. We must accept the obligation to keep family units intact, which means status and band membership for all who are affected. In no way can we sanction the separation of husbands and wives or women and their children. The splitting of families is not