

### *Government Orders*

natives to stop net fishing on a lake that was privately stocked by the ranch. Only the delicate negotiations of the RCMP kept the peace and brought that blockade down.

A third blockade was outside Penticton. Three native bands disrupted last winter's season for the Apex ski resort with their so-called checkpoints on the access road that ran through the reserve.

Early this summer the province shelled out millions to a developer to buy waterfront property on Vancouver Island which was later discovered to be another burial ground. This triggered another obstruction.

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Then in northern B.C. the Gitksan Indians, who are well into negotiating land claims, erected blockades to frustrate forestry operations on the land they wish to claim. Number six was Gustafsen Lake. The owners of the cattle ranch company at Gustafsen Lake were victimized by renegades who had no direct association with the North Shuswap band.

These behaviour patterns are not condoned and they are certainly not conducive toward achieving a constructive negotiating process. They are occurring regardless of the negotiations today and regardless of the commission's activity to date. Be it legal or illegal, behaviour patterns are occurring suggesting, first, that there is a frustration with the whole process, possibly partially due to delays such as the one we are experiencing today; and, second, that the present approach of the negotiations is not effective or at least not as effective as it should be.

In addressing the slowdowns or the delays, it is quite obvious in British Columbia how long the land negotiations have been dragging on. We can see that right across the country. Negotiations on the Nisga'a claim have carried on for some 23 years.

As negotiations proceeded into the 29th Parliament, which was 1972-74, the current Prime Minister was then the minister of Indian affairs. Negotiations continued on through the 30th Parliament of 1974-79 and again our Prime Minister was present. Negotiations marched on through the 31st Parliament of 1979-84 and our Prime Minister was there as well. As negotiations sped along during the 32nd and 33rd Parliaments of 1984-88 and 1988-93 respectively, our Prime Minister was in the opposition, except for a very brief period of time.

Now the Prime Minister has held a large majority in the 35th Parliament since October 1993 and here we are over two years later creating a commission to facilitate discussions between aboriginals, the B.C. government and the federal government. I wonder whether the right thing be done now on the treaty negotiations.

Another suggestion I mentioned earlier arises from the various behavioural signals we are getting, that is the possibility that the present approach for constructive negotiating is not effective or is not as effective as it should be. As I stated earlier,

the commission is functioning in its facilitating role. Therefore, it should be preparing the parties involved for effective participation in the negotiating process.

Possibly it is this preparation aspect which may be the weakness in achieving the effective results for all those involved or for all those affected by the decisions which are being reached. Possibly the present method which we are using to prepare for these negotiations should be reviewed. We strongly recommend that the commission review this situation and insist that the parties involved listen to the concerns of both aboriginal and non-aboriginal peoples at the grassroots level and formulate their negotiating position with input from that source.

In our discussions with people at the grassroots level we found a common concern for jobs, public safety, health, racism, education, et cetera. We also found a common lack of understanding of the land claims and the self-government demands. We further found that there was a common mistrust of the federal department of Indian affairs and of politicians.

We recommend that the commission also promote the need for creating or establishing a fundamental change in the relationships between the aboriginals and governments, with less dependency on the federal government and more democratic control by the aboriginals over aboriginal governments. Our aim is to give aboriginals more responsibility for their own well-being, the tools to discharge that responsibility and more accountability for the results.

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We strongly recommend that the commission prepare the parties involved to achieve that objective by incorporating the following principles into the agreements while they are at the negotiating table.

First, the development of democratic, accountable and responsible local governments on the reserves should be supported and subject to the laws of Canada and the provinces. Members will recall during the constitutional wranglings of the Mulroney government that aboriginal women were very concerned about protection of their individual fundamental rights and freedoms.

Second, aboriginal people on reserves should have access to the services of Elections Canada to guarantee democratic process is respected in band council elections and access to the services of the auditor general to maintain the fiscal accountability of local governments. We have been approached by band members who are very unhappy with what they view as this huge process in band elections and what they allege to be the misuse of band funds.

Third, land settlement processes should be not only fair, affordable and final but publicly negotiated and open to all the affected interests. The negotiations that led to Bills C-33 and C-34 being rushed through the House were not publicly conducted.