

Canada Petroleum Resources Act

the 1990s, the price of oil will rise again. That is what all the experts seem to be telling us. This then becomes very important for the future.

This Bill is very important for the future of Canada because Canada is a northern country. Canada has the greatest resources known to mankind. Canada has all these resources and at some point we will develop them on the frontiers. We have already spent over \$7 billion in only seven years dealing with these resources.

We have another problem. Who lives in the North? People think it is simply a vast, barren land. The great poet, Frank Scott, called it a land waiting for things to happen. In fact, people do live there. Those people are called the Inuit. We used to call them the Eskimo people. The Inuvialuit people of the Arctic as well as Indians, Dene and Métis people live in the western Arctic. The North is their homeland. For us it is a frontier but for them it is a homeland. This is what these amendments are all about and this is the whole point the Government has missed.

The Government sees the North as a frontier that we can control completely and has excluded the native people who live there. How would you feel, Mr. Speaker, if your backyard were being carved up, mineral rights were being given to oil companies to drill and explore, all for the national interest, but they did not give you any say over what was going to happen at all? That is the way we ought to look at this. This is the backyard, the homeland, of the native people of Canada and the Government is bringing in this Bill which completely ignores the native people.

● (1130)

The Prime Minister (Mr. Mulroney) was sent a letter dated October 10, 1986—and I have a copy of it—signed by Donat Milortuk, President of the Nunavut Land Claims organization. It refers to the Tungavik Federation of Nunavut, which represents more than 17,000 Inuit of Nunavut, the central and eastern Arctic of Canada. In part the letter refers to Bill C-5 and says:

This Bill prejudices our land claim negotiations.

The country agreed to a new Constitution in 1982. Section 35 of the Constitution, the supreme document of the country, indicated that the existing aboriginal and treaty rights of the aboriginal peoples of Canada were recognized and affirmed. "Aboriginal peoples of Canada" includes the Indian, Inuit, and Métis people. For greater certainty, subsection (1) treaty rights include rights which now exist by way of land claims agreements or may be so acquired.

I should like to summarize what we did with this Act. It is like a cake. At the foundation of the cake was the native people or the aboriginal people of Canada. Then we built on to the cake to include the English-speaking and French-speaking people, and then we added multiculturalism and the new people. That is an over-simplification, but it is a good overview

of Canada. Each part of the cake is important, particularly its base, the native people.

The letter continues as follows:

—we protest in the strongest possible terms the enactment of any federal statute which facilitates the alienation of our land and resources from under our feet.

The alienation of their land refers to giving away their land, giving an interest to oil companies. That is what the Bill is about—giving drilling interest drilling permits, development permits, and so on to oil companies. The letter referred to the alienation of their land and resources from under their feet. There is an inconsistency here. The Canadian Government recognized in the Constitution of Canada the rights of native people. There are ongoing negotiations to try to settle land claims. Why do we want to settle those land claims? It is for many reasons, but one reason, from my own southern Canadian point of view, is that it is a unique way to get native people, who have been left behind in many ways in the development of the country, involved in the development of their own resources and their own lands. Perhaps this is the last chance we have in Canada.

I often think, when we stand in the House and elsewhere in the country and criticize South Africa, that we should look at the way we treat our native people. We must find a way to change that. One way—and it seems to me that it is the best way—would be to deal with the native people on the basis of settling land claims negotiations.

I had the honour of being an employee of the Berger Commission on the Mackenzie valley pipeline as counsel for the Commission, along with Ian Scott, my friend who is now the Attorney General of Ontario. We had a chance to travel for three years in the Arctic. This provided us with an opportunity to see these lands and to see these people. We heard from them firsthand. They told us what it meant to have control over their future and their lands. They stated this far more eloquently than we in the House of Commons could ever say it.

I know I must address the two motions specifically, so let me return to them. I provided this information as a background so that the House would understand from where we are coming with the amendments. In Motion No. 1 we used the simple phrase "for greater certainty". The Government will say that it recognizes that nothing in the Act takes away from their land claims. In the first amendment we are asking: Why not add "for greater certainty"? Referring again to the same letter, it continues:

We insist that the Bill be amended to provide that lands subject to land claim negotiations be withdrawn from disposition. This could be accomplished by amending Section 3—

The letter continues:

We believe the words "for greater certainty" must be included in Section 3(1), if this clause is to achieve its intended purpose. This Act cannot abrogate or derogate from our aboriginal rights as protected by Section 35 of the Constitution Act, 1982. However, given the possible uncertainties surrounding the interpretation of Section 35 it seems prudent to keep a non-derogation clause which is enacted for the purpose of certainty. This wording would also be consistent with the Sechelt Indian Band Self-Government Act—