

Oral Questions

FEDERAL POSITION

[Translation]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, the Hon. Member is entitled to express his opinion on the Department of Immigration and its employees, but as far as I am concerned I think that the people who work for the Department of Immigration are quite competent.

As to his question concerning these allegations, I said a moment ago that the matter is under investigation, and I should think that the RCMP are qualified and competent enough to assess such cases. We will act in accordance with their recommendations.

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[English]

INDIAN AFFAIRS

BRITISH COLUMBIA LAND CLAIMS—FUNDING OF FEDERAL COURT CASE

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is for the Minister of Justice regarding the dispute being fought between the Minister of Fisheries and Oceans and the Minister of Indian Affairs and Northern Development before the Federal Court of Canada. Since Canada approved a policy to negotiate comprehensive land claims in British Columbia just three months ago will the Minister explain to the House why the Department of Justice and the Minister of Indian Affairs are supporting and funding the position of the Nishga Tribal Council and the Government of Canada before the Federal Court, while the Minister of Fisheries has approved at the same time funding of up to \$100,000 for the plaintiffs who wish to strip the federal Government of its powers to negotiate a settlement constitutionally?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I take it the Hon. Member is acting as the justice critic for his Party even though that is usually the job of the Hon. Member for Burnaby who I see is now here breathing fully again in the House. We are glad to see him back.

As far as the position put forward is concerned, I want to say to the Hon. Member that, naturally, we are looking after the Department of Justice which, in fact, is looking after the expenses of the federal position. Other departments will in fact entertain and receive applications in respect of funding. I know that the Hon. Member is supportive of an application for funding concerning the aboriginal peoples' position in this litigation. Each department will look at particular interests and determine whether or not appropriate funding should be made available for important constitutional issues that should be clarified before the courts. That is the simple explanation to the Hon. Member.

Mr. Jim Fulton (Skeena): Mr. Speaker, the facts of the matter are that B.C. fishermen and B.C. Indians are being used as cannon-fodder in a dispute between two Ministers. Will the Minister of Justice tell the House if the cabinet policy passed in December of 1986 to negotiate comprehensive land claims in British Columbia still stands? If it does, why is the Government of Canada paying for the plaintiffs, the Department of Justice, as well as for the defendants there in the Federal Court? Why does the Government not resolve this issue at the cabinet table or the negotiation table rather than dragging it through the courts at the cost of millions of dollars?

Some Hon. Members: Hear, hear!

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, when the Hon. Member gets sued some day and decides that he will not enter a defense he will understand the position we have taken here. We are not the ones who initiated this litigation. The fact of the matter is that we have been brought into this litigation as a defendant.

Mr. Fulton: But you are paying for it.

Mr. Hnatyshyn: We are dealing with these matters. I can only speak for my own department. We are dealing with these matters in order to resolve important issues because we have been brought in by motions of the party who initiated these actions, that is, the Province of British Columbia, in order to put forward the federal Government's position in terms of the claims made. We have done that. The Hon. Member has approved of the position taken by the federal Government in this matter, which I think is a responsible one. We have done it for the purpose of having the matter determined by the courts. Our preference is a politically negotiated settlement. I repeat that. It is something I have said a number of times to the Hon. Member. I know that he would accept that as being the better way of doing things.

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PHARMACEUTICAL INDUSTRY

PATENT ACT AMENDING LEGISLATION—MINISTER'S POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. Last November 19 I asked the Minister whether during the trade negotiations or by any other diplomatic means there had been any form of negotiation or representation by U.S. Governments on the Patent Act, something which was categorically denied. We now have a sworn affidavit from Mr. Haddad, Chairman of the Generic Pharmaceutical Industry Association in the United States, which seems to indicate that the Minister has been suffering from an extensive lapse of memory for the last several months.