

Statement by Minister on Indian Policy

Mr. Frank Howard (Skeena): Mr. Speaker, we listened with a great deal of interest to the minister's statement. Like the hon. member for Peace River (Mr. Baldwin) I would like to express my appreciation for his courtesy in ending a copy of it along to me about an hour or so before the house met, thus affording members an opportunity to study it in a bit more detail than is possible when hearing it straight out of the blue.

As I say, we listened with interest to what the minister said, because in a sense what he was saying was exactly the same thing as many Indian leaders and people have been saying for quite a number of years, and in a sense what he said was a reiteration of what many of us in this house have been saying for the last five or ten years.

The hon. member for Peace River and I had the opportunity in 1959, 1960 and 1961 of participating in the Joint Senate and House of Commons Committee on Indian Affairs, to which the hon. member for Peace River alluded, and the report of which committee contained the same ideas and concepts that the minister has now outlined. Even though it has taken some period of time to get a cabinet minister to agree with those concepts, it is still welcomed.

You will remember, Mr. Speaker, that on March 6 we took one of the opposition party opportunities to institute a debate about Indian Affairs, partly to give parliament an opportunity to express its views to the minister, and partly also with the hope that any attendant publicity would give people throughout the country an opportunity to react to the debate and make some comments of their own.

Some of the ideas contained in the minister's statement are good. Some of them are not so good. A great many of them are rather vague. I do not say this in an unkind way, and I am sure the minister does not take it in an unkind way. Many of his comments must necessarily be vague, as he is not dealing with this matter in a unilateral sense but in an area of conversation and discussions with the native Indian people and with the provinces. Naturally he cannot have any predetermined position to outline to them.

For years we have advocated the necessity of discussion, conversation and consultation with the Indian people. We hope this will now be acted upon. The minister talked about transferring certain of the activities of his department to the provinces so that services

[Mr. Baldwin.]

provided by provincial governments will be available to Indian people on the same basis as they are available to other people in Canada. This follows the concept of equality of treatment within the law which we have been advocating for a long period of time. We assume this will include educational matters, health matters, social welfare matters and similar types of services.

I submit it is extremely important that in the negotiations, discussions, or whatever they may be that the minister will have with the provincial governments, the negotiations or discussions proceed only at a speed commensurate with the desires of the Indian people in the provinces concerned. I hope they will not be conducted in such a manner as to provide straight bilateral agreement at the governmental level without regard for the feelings of the native Indian people. This is something which has gone on previously, and if I am not mistaken the minister himself participated in such conversations with the provinces without regard to the feelings of Indian people, and without consulting them.

According to the statement, the minister will seek to appoint a commissioner to work with the Indian people on matters with respect to treaties. I maintain it is extremely important that this commissioner, if it is to be one person—and I take it from the minister's statement that it is—or if it is to be more than one person, have an orientation towards international law, and not the domestic law that exists within Canada. I hope that these people or this commissioner will be people who have an understanding of the relationships between nations of people, because after all this is what existed at the time the treaties were signed. The native Indian people were grouped into nations. With regard to treaties I think the minister should resist any proposal to take those treaties to our internal domestic courts, because he would be bound to receive decisions that would not be based on a full concept of equity in international law.

The government makes passing reference to the very fundamental question of land in British Columbia, in respect of which only a few treaties and land conveyances are involved. Passing reference is also made to land as it relates to the great bulk of the native people in the province of Quebec, and the Indian and Eskimo people in the Territories. I think it is fundamental that some solution should be provided in this regard before