

## NATIONAL SECURITY

### PROPOSAL TO STRIKE A SPECIAL COMMITTEE— GOVERNMENT POSITION

*(Response to questions raised by Hon. Marcel Prud'homme on October 25, 26, and 27, 1994)*

The Honourable David Collenette, Minister of National Defence and Minister of Veterans Affairs, responsible for the CSE, has stated that he would be pleased to appear as a witness before the appropriate Senate Committee to answer questions concerning the accountability and mandate of the CSE. As for the structure of the Senate committee system, that matter is under active consideration by the Senate's Standing Committee on Privileges, Standing Rules and Orders.

## ORDERS OF THE DAY

### YUKON SURFACE RIGHTS BOARD BILL

#### SECOND READING

**Hon. Paul Lucier** moved the second reading of Bill C-55, to establish a board having jurisdiction concerning disputes respecting surface rights in respect of land in the Yukon Territory and to amend other Acts in relation thereto.

He said: Honourable senators, I rise to address Bill C-55, the Yukon Surface Rights Board Bill.

However, before I do so, honourable senators, I would take this opportunity to congratulate Senator LeBlanc, who was appointed our new Governor General, and Senator Molgat, our new Speaker. I would also welcome Senators Bryden and Gauthier to the Senate. They will be fine additions.

I wanted to point out, too, that Senator Molgat has been a great friend of the Yukon in the years I have been here. We appreciated his input into the affairs of the Yukon. He was always very willing to come to the Yukon and to make sure that people from the Yukon were heard on issues of importance to them. We appreciated that.

I am pleased to speak in support of this legislation which will have extremely positive and lasting implications for the Yukon that go far beyond the scope of the bill itself. The purpose of Bill C-55 is to establish a new surface rights regime in the Yukon Territory. This regime will set out clear rules for acquiring access to, and using, land in the territory so that all parties will be aware of their rights and obligations. A key element of the new regime will be a surface rights board which will resolve disputes related to access and compensation.

Honourable senators, the creation of this new regime and board is a condition of the Council for Yukon Indians' umbrella final agreement. Having endorsed the umbrella final agreement

and passed enabling legislation, the Government of Canada has both a moral and a legal obligation to establish this new regime. Now we are being called upon to fulfil this obligation by giving approval to Bill C-55.

My honourable colleagues should be aware that Bill C-55 will accomplish much more than simply establishing a new institution of public government in the Yukon. This is a final legislative building block that will allow implementation of the umbrella final agreement itself. Without Bill C-55, the Yukon First Nations Land Claim Settlement Act will not be proclaimed, and the Yukon Indians will not receive the land, financial compensation, and other benefits they so richly deserve.

Without Bill C-55, non-aboriginal Yukoners, the territorial government and Canadian industry will not have the certainty which the settlement agreement brings. This certainty is vital in order for resource development projects to go forward; projects which will create jobs and income for Yukoners and other Canadians.

Without Bill C-55, the Yukon First Nations self-government act will not be proclaimed. This act has also been endorsed by this chamber and will give effect to self-government agreements negotiated with individual Yukon First Nations.

Honourable senators can appreciate that much more is at stake with Bill C-55 than issues of land access. At stake is more than two decades of work by both governments and Yukon First Nations. At stake is the honour of the Crown to implement the umbrella final agreement signed on May 29, 1993, and possibly the very economic future of the Yukon Territory.

The need for a new surface rights regime arises from the changing face of land ownership in the Yukon. As final agreements of each of the 14 Yukon First Nations are implemented, large areas of Crown land will become privately owned by these First Nations. This is a significant change for the territory, and it calls for a new approach to administering surface rights. The political evolution of the territory strongly suggests that this approach should be implemented in the Yukon by Yukoners. This is achieved through Bill C-55, which establishes the Yukon Surface Rights Board as a new institution of public government that will ensure that all sectors of Yukon society will have a respected voice and direct participation in decision making.

As mentioned a moment ago, honourable senators, land claims final agreements will bring certainty of land and resource ownership to the Yukon. This, in turn, will clarify the legal basis for mining companies to begin exercising their exploration development rights. Bill C-55 ensures that these companies, as well as others who need to use the land, will be able to do so based on terms and conditions which are both reasonable and responsible.

The government is confident that, in most cases, developers will be able to reach mutually beneficial access agreements with First Nations and other land owners in the Yukon. In fact, Bill C-55 requires the two parties to attempt to negotiate access arrangements before they can approach the board.