

question more than on most, Members who might find fault with the Bill should accept the responsibility of proposing practical remedies.

[*Translation*]

Section 12(1)(b) of the Indian Act, in its present form, contravenes international obligations that Canada has freely assumed. Some of these obligations were contracted in 1976, when Canada ratified the International Covenant on Civil and Political Rights, one of the UN's fundamental documents concerning the rights of the individual. Canada also agreed to be bound by the provisions of the Optional Protocol to the Pact which stipulates that the Human Rights Commission may examine claims filed by individuals who maintain that their rights have been violated by their own government.

The House will recall that in 1977, Mrs. Sandra Lovelace filed a complaint with the Committee that because of the existence of Section 12(1)(b) of the Indian Act, she had lost her Indian status in May 1970 . . . French is occasionally a problem for the boys from High River and Eden Valley, especially figures. That is why I am the Secretary of State for External Affairs and not Minister of Finance . . . As I was saying, Mrs. Lovelace had lost her status when she married a non-Indian. She alleged at the time that she was the victim of a violation of certain rights laid down in the covenant.

Hon. Members may recall as well that, in July 1981, the Commission on Human Rights concluded that Canada had violated Article 27 of the covenant because Indian Act Section 12(1)(b) had prevented Sandra Lovelace from living on a reserve. Here is Article 27:

In states where there are ethnic, religious or linguistic minorities, people belonging to those minorities shall not be deprived of the right to have, along with other members of their group, their own cultural life, to practice their own religion, or to use their own language.

In the summer of 1983, Canada advised the Commission concerning the steps it was taking to correct that violation. Specifically, our representative gave the assurance that Canada was committed to delete from the Indian Act any discriminatory provision related to sex. The Government is now about to honour that commitment.

It would seem that, on the occasion of the United Nations Decade for Women, we are finally going to do away with a provision which discriminates against women. One of the happier results of that decade is undoubtedly the Convention on the Elimination of all Forms of Discrimination Against Women which was ratified by Canada. Section 12(1)(b) contravenes a certain number of the convention provisions, particularly Article 10 which reads as follows:

State parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations—

By having the House adopt this Bill, Canada will meet its obligations and eliminate that discrimination.

Indian Act

[*English*]

With this measure we have confronted one injustice, an injustice to Indian women and one that over the course of the last decade and a little longer has become well known nationally and internationally. However, as others in this debate have emphasized, there are fundamental injustices which we must still face and resolve. Indeed, while discrimination against women is an unhappy characteristic of many societies, the colonial treatment of the Indian people is a particular Canadian injustice. It is a scar on our society and on our conscience. We have talked about it for a long time.

In recent years we have begun to act more seriously to establish the self-respect and status of the people who were here before any of the rest of us. The work of the standing committee in the last Parliament was courageous, creative and constructive. I think it would not be improper to mention the particular contributions of the Hon. Members for Cochrane-Superior, Cowichan-Malahat-The Islands, Wetaskiwin (Mr. Schellenberger) and Brampton-Georgetown (Mr. McDermid). The tone of this debate has demonstrated that this commitment to change, and to self-respect, reaches throughout this Parliament. If I may compliment a colleague, I think the fact that this Bill has been introduced so early in the life of this Parliament demonstrates the determination and the influence of the Minister of Indian Affairs and Northern Development and the priority of this Government.

• (1430)

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): My colleague from Cowichan-Malahat-The Islands quite properly raised the question of cost. That is a matter which will be dealt with by the Government, and of course by the parliamentary committee. It cannot be dealt with in legislative form in this Bill, as the House understands, because of the nature of the Indian Act. But the Government accepts and understands that the rules cannot be changed without helping the capacity of the Indian people of the country in responding to the changing rules. We accept that we must help to meet the implications of the changes which are under way. But we know also that the question of determining the cost, and determining the method of dealing with the cost, is one which will take some time and, by its very nature, can neither be anticipated nor applied as though there were no differences from reserve to reserve or from band to band. The Minister, his officials and the committee will be looking very closely at the question as to just exactly what must be done. I can say to the Hon. Member, on behalf of my colleague and the Government, that this Government will address this issue in a reasonable and sympathetic way to be as much help as we can to the Indian people in responding to this reality, which is sought not only by all of us, but sought and accepted—because they oppose the idea of discrimination—by most Indian people of the country.

I have been involved for a number of years in issues concerning equality for women. More Canadians have been involved in that issue than have been involved in the question of concern