

Government Orders

Existing land claims treaties provide for a permanent federalist arrangement and include federal and Quebec governments (as well as aboriginal peoples) as parties. How can the PQ government claim it would be legal or legitimate for a secessionist Quebec to unilaterally alter existing treaties with aboriginal peoples in Quebec? On what basis could Quebec claim it can simply take over existing federal treaty obligations and unilaterally determine that the Canadian government would no longer be a party to the treaties concerned?

That question has a lot to do with certainty. Aboriginal people feel this is their homeland. They have an inalienable right, as my colleague from Churchill indicated earlier on in debate, that aboriginal people feel they have an inalienable right to this country. They cannot be separated from this country because it was the creator who put them here. They did not come from somewhere else.

Treaties have a number of interpretations, some very spiritual. It is not only legal analysis, it is also a spiritual commitment, a spiritual determination that the aboriginal people have that relationship with treaties.

In British Columbia the situation was much different. Certainty over the land question was never resolved prior to settlement. As a result we are now dealing with a situation that presents challenges that did not exist at the time the early treaties were concluded. Much development has occurred in British Columbia. There has not always been that attempt for partnership.

In Canada and in the world there are no entities unto themselves that feel they can exist without partnership.

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Aboriginal communities understand with good measure what there is to be gained from those partnerships and of working together with other groups which is happening across the country, including in British Columbia, in the Queen Charlotte Islands. In the Haida Gwaii we have the first ever bicultural model, a Haida Gwaii trust. This is a trust fund between non-aboriginal and aboriginal people that resulted from an arrangement that came about with the federal government, the provinces, industry, as well as the aboriginal peoples themselves.

These things can happen but they are not easy. No one will tell anyone familiar with the negotiation process that it is simple or easy. It is not. However it is necessary. It is necessary to go through rough waters. It is necessary to have a dialogue that is challenging.

One of these challenges is the need for the government to represent third party and public interest at the treaty table. Let me put it this way. Those third party interests in terms of the treaty negotiation advisory committee are well represented. The

list was read previously by the member for Edmonton East. It explained there is representation and fairness there. There is nothing secretive or conspiratorial. It is an open process and very transparent.

Canada recognizes the need to consult with third parties and to provide information to the public if treaties are to be lasting and beneficial for all Canadians. Some of my colleagues and I have spoken on a number of occasions about the importance of an open treaty negotiation process. How can we best as a government address the challenges in the areas of taxation, health, education, justice, policing, hunting and fishing rights, to name a few, in a global sense without a proper process?

This year this negotiation process will lend to and aid this whole situation. Nevertheless, many people continue to falsely believe the treaty process in British Columbia is secretive, conspiratorial, that the whole truth is not being told and that a special deal is being made. This is not the case. This belief has been fostered by a lack of awareness, understanding, compassion and sensitivity. If those people were as informed as they should be this would not be the case.

Information is a great enlightener. It pays to read and it pays to go to the source to negotiate to be with those people. Go to the source and meet with those people. That is what this country is all about.

The negotiation of treaty under the auspices of the British Columbia Treaty Commission process is not one based on backroom deals or secrets. The treaty process has never been as open and as transparent as it is in British Columbia today.

In B.C. we have set in place a province-wide treaty negotiation advisory committee made up of 31 organizations representing major economic sectors in that province. There was a time when this group operated under confidentiality rules. This is not uncommon. It happens when people are dealing with issues they feel deserve that kind of arrangement.

Today, however, when providing advice to the government on treaties being negotiated under the B.C. Treaty Commission an openness protocol is at work. Many of the recent TNAC sessions have had and will likely continue to have media present. How much more open can it be?

On local and regional levels negotiators meet regularly with regional and local advisory committees to discuss the topics being addressed at the treaty table. Of course this is part of the consultation process and allows public and third party interests direct access to the negotiators. That accessibility is one way of demonstrating to people that there is not any kind of conspiracy or a cover-up. It is a partnership.