

Privilege—Mr. Oberle

privilege is concerned, out of courtesy I would like to wait until the minister is here.

Madam Speaker: That is the hon. member's choice.

The next question of privilege I have is in the name of the hon. member for Prince George-Peace River (Mr. Oberle).

MR. OBERLE—ALLEGED FAILURE TO FULLFIL STATUTORY REQUIREMENTS

Mr. F. Oberle (Prince George-Peace River): Madam Speaker, I, too, gave you notice this morning of my intention to raise a question of privilege with regard to the failure of a minister of the Crown to live up to his statutory requirements under an obligation he has in connection with an act passed before this Parliament. I make reference to the statutory requirements which the Minister of Indian Affairs and Northern Development (Mr. Munro) has in connection with the James Bay and Northern Quebec agreement.

I shall quote the requirement in the act as follows:

The Minister of Indian Affairs and Northern Development shall, within sixty days after the first day of January of every year including and occurring between the years 1978 and 1998, submit to the House of Commons a report on the implementation of the provisions of this act for the relevant period.

I raise this question of privilege at this time because over the last few days before the standing committee we have had members of the native associations from northern Quebec who are directly affected by the agreement.

● (1540)

The James Bay Northern Quebec Agreement was not an ordinary land claims settlement or agreement. It is known as the most modern precedent-setting agreement ever reached in this country. I look around the House and see many of the members who served in the House and on the committee at the time the agreement was signed in 1977.

Because of the history of the treatment of native people in this country over the last 100 years and, indeed, much longer, we in the opposition at that time wanted to ensure that this agreement, which was to set the pace and precedent for all agreements to follow, would be one of which we could all be proud. We wanted an agreement that could be honoured by all parties which were a signatory to it. For that reason we insisted at the time that the minister, who was the guardian of the people affected by the agreement, make an annual report to Parliament. The minister has the responsibility for native people directly. He cannot pass that on to any province or agency. He is the guardian of rights of native people in this country.

We wanted to be sure that this agreement, which was negotiated and signed in good faith, would finally be honoured. For that reason the hon. member for Moose Jaw (Mr. Neil) moved a motion to amend the agreement, "that the minister of Indian affairs be required to report to the House on an annual basis as to the implementation of the agreement".

We have the first report from the minister which was tabled in November, 1980. The report for 1978 was not tabled. The report for 1979 was not tabled.

Mr. Chénier: That was your government.

Mr. Oberle: The report which was tabled in 1980 was eight months late. It is now the eighty-sixth day of 1981 and the minister has still not tabled his annual report.

So serious is the infringement and the neglect of this particular agreement that the people came to Ottawa to meet with the minister and to appear before the standing committee. They told us of unbelievable horror stories. They told us their children are dying of disease because the government passed its responsibility for health care, as well as its responsibility for education, to someone else. It was not its right to do that under the agreement. It did not pass on the means and the funds required for the establishment of health care and education delivery systems.

For that reason the hon. member for Cariboo-Chilcotin (Mr. Greenaway) stood up and challenged the Minister of National Health and Welfare (Miss Bégin), reminding her of her responsibility, which has not yet expired. He told her that ten small children had died in the area because of unsanitary conditions which occurred because the agreement entered into in good faith had not been implemented. The death of these children occurred because the Minister of Indian Affairs and Northern Development did not report these conditions to the House, yet that is his statutory obligation.

So frustrating is this situation that the chairman of the Indian and Northern Affairs Development Committee said to the press last night, and I quote from the March 27 edition of *The Globe and Mail* reporting on what the hon. member for Cochrane (Mr. Penner) said:

It's stupid to spend a lot of time and money investigating problems when you can't make any recommendations to Parliament. Perhaps that will provide the pressure-point to improving the implementation process.

The hon. member stated that the committee is not split along party lines, as most other committees. That is indeed a fact. All the members of the Indian Affairs and Northern Development committee agreed last night to sit behind closed doors to conspire and try to work out some kind of scheme whereby the members of the committee, including members of the governing party, could decide on a way to apprise the public of what is happening in northern Quebec in respect of that agreement. The article continues:

"Most MPs feel they are fighting against the Indian Affairs bureaucracy," he added.

Warren Allmand, Liberal MP for Notre-Dame-de-Grâce in Montreal and former Indian affairs minister, said it may be the first time all MPs on a committee have felt strongly enough about an issue to circumvent Parliament.

The Inuit, who insist the James Bay agreement is a good one, want Ottawa and Quebec to pay the cost of implementing the agreement.

Under the agreement, Quebec's 6,500 Cree and 5,200 Inuit or Eskimos gave up their rights to half the province so that Quebec—

Madam Speaker: Order, please. The hon. member is debating, and he knows that. If I let him go on, he will read the