

*Yukon Minerals Act*

ties or taxation, the less economic ore that industry will have to mine, the more marginal will be their operations. If the royalties provisions as proposed in this bill are enacted, very likely that mine will not go back into production. United Keno Hill Mines in the heart of the mineral rich Yukon territory, if these royalties provisions are enacted and if the white paper proposals on taxation are enacted, will likely also go out of business.

This government holds itself forth as a government which offers incentives for the development of resources in the Yukon and in the north. I say that is rubbish, otherwise they would not be proposing this kind of stupid legislation. Cassiar Asbestos Corporation Limited and Clinton Creek Asbestos, have both registered strong objections to the provisions in the bill. The Council of the Association of Professional Engineers, the Mining Association of B.C., the Mining Association of Canada, the A. J. Forsythe and Company Limited, the British Columbia Chamber of Commerce, the Hanna Mining Company, Archer Cathro and Associates Limited, who already have sent a telegram to the minister saying that they have curtailed their investment plan in the Yukon this year by 30 per cent and are looking elsewhere for a more attractive investment climate, have all registered complaints because of the objectionable features in this bill.

The previous Liberal candidate in the last federal election, who took leave of absence from his position as a geologist with the federal government in order to run against me, has written personally to the minister at length expounding the objections which I am now raising on behalf of the industry and on behalf of the people of the Yukon. I imagine that his representations are getting just as short shrift as any that will be made by government members, if they indeed are making any. As a matter of fact, the very lack of any contribution from hon. members sitting on the other side of the House indicates the extent of their knowledge of the mineral legislation that is now before the House. It would be interesting to hear a few of the members. I see some who are sitting here who know what effect this kind of provision in the legislation will have on the growth of the mineral industry and generally the resource industry in the north. Why do they not rise and express their views?

The Yukon Chamber of Mines have expressed extremely strong views. They represent the mineral industry and are the voice of the development segment of the Yukon population. The Yukon Research and Development Institute in the Yukon, the Yukon Prospectors Association, the Alberta Northwest Chamber of Mines, the Petroleum Association of Canada, the International Brotherhood of Teamsters, the Yukon Trades Council, the Anvil Mining Corporation, the Yukon River Industries Limited, are some of the companies which have expressed objections which I know the minister has received, not to mention the dozens upon dozens of telegrams and letters which have come to the minister and to the Prime Minister (Mr. Trudeau), all objecting to this bill.

Who are we in this Parliament of Canada to get up and speak, as they do on the other side, of the high-flown principle of participatory democracy and the voice of the

[Mr. Nielsen.]

people when there is such massive representation by well over 95 per cent of the people of the Yukon saying that this legislation is something they do not want? Who are we to insist on forcing it down their throats? When this proposal was last brought before the House in 1954 this self-same argument was made by the then sitting member, Mr. Simmons who said that the people of the Yukon do not want this legislation. They do not want the minister to have regulatory powers when we have had a mineral code that has been in existence for half a century which operated quite efficiently and acceptably. Who are we to force our views down the throats of the people of the Yukon. This is participatory democracy? The Prime Minister and the Minister of Indian Affairs and Northern Development say "let us have your views; we will consider your views". So, 95 per cent of the people of the Yukon do just that. They say they do not want this measure, but the government goes ahead with it anyway. What a hollow mockery of the principle of participatory democracy.

Reference has been made here today to the rights of the native people with respect to lands and minerals in the Yukon. In my submission, this Parliament is bound by a sacred trust which is recorded in its *Journals* of 1867 at a time when the territory of the Yukon was purported to have been transferred to the then Dominion of Canada, a fact which I seriously doubt and which has yet to be tested in the courts of our land. Yet, here we are attempting to fly in the face of that trust.

I recently had the good fortune, at the invitation of the minister, to make an extensive tour of New Zealand and Australia, one of the purposes of which was to compare the policies of those two countries with respect to dealing with their aboriginal peoples with those which exist in Canada. The policies which exist in New Zealand, because of different factors, are not relevant to this debate, but they certainly are in Australia where the aboriginal peoples have no absolute right to their lands. They have no treaties and no equivalent to the treaty of 1763, nor do they have the equivalent of what the Maoris of New Zealand have. But what does the government of Australia do? Notwithstanding the absence of any legal basis upon which to develop their policies, they have adopted the position that it is only morally correct that the government should recognize that these peoples do have some rights, and before a mining company obtains a lease to go into production the government of Australia ensures that a part of that production will be guaranteed to their aboriginal peoples. The minister learned this when he was in Australia, and I learned it for the first time, too.

• (2:40 p.m.)

**Mr. Chrétien:** Would the hon. member permit a question? I have nothing against this, Mr. Speaker, but I would like him to try to justify his plea to have an added royalty for the Indians in the Yukon when he opposes us having any royalty. Is he suggesting that we should have another royalty for the Indians? I am willing to accept that suggestion.