

Canada Petroleum Resources Act

Members to support these motions introduced by my colleague, the Hon. Member for Vancouver-Kingsway.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, in commenting on Bill C-5 and the two amendments introduced by my colleague, the Hon. Member for Vancouver-Kingsway (Mr. Waddell), I want to address my remarks particularly to the Parliamentary Secretary. He will know that according to Clause 3 of the Bill nothing in the Bill shall be construed as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada. As a Member of Parliament from British Columbia, I am concerned about the term "existing treaty rights" because most of the Indian bands living in British Columbia do not live under any treaty right, since the treaties that we have come to recognize in other parts of Canada simply do not exist in the Province of British Columbia, with the exception of some areas in the Peace River country.

● (1200)

There is a serious concern in British Columbia in that, while we have no existing treaty rights in the sense of agreements signed by the aboriginal people of Canada and others, this clause of the Bill says that nothing shall be construed so as to abrogate or derogate from any existing treaty rights. The critical point is that there are no recognized and understood treaty rights in British Columbia. That is part of the problem that native people face in that part of Canada, and this will offer them little security. I do hope someone from the government benches will rise in response to my point that this will cause particular concern to people in the western part of Canada.

One thing which the motions moved by my colleague from Vancouver—Kingsway attempt to do is to bring some certainty to the matter of land claims in the frontier areas. Whether one is the representative of an oil company or of an aboriginal community, certainty is absolutely critical in order to plan for the future. If you are going to lay out short-term and long-term goals for your company or your community or your people, it is imperative that there be some recognition of the ownership of those lands. That is what makes the whole matter of land claims a top priority for so many people, particularly those concerned with activities in Canada's frontier. My colleague has attempted to bring that certainty to the Bill by requesting in Motion No. 2 that all lands subject to unsettled aboriginal claims, which have been accepted for negotiation by the federal Government, be excluded from the application of this Act.

To me this is the acid test of whether or not the Government is serious about land claims settlement. If it is, if it plans to resolve this matter, then this motion should cause no problem at all. However, if the real intent is to prolong the process of land claims settlement, if the Government is not committed to a rapid resolution of this question, then of course I can see why the Government would have serious concern about the implications of Motion No. 2.

I represent a part of British Columbia where a number of Indian bands have land claims before the Government. I recognize that the provincial Government, as it is presently constituted, has indicated time and time again that it has no interest in negotiating Indian land claims settlement. In fact, it does not even recognize that there is such a thing as aboriginal claims, at least as reflected by a number of members of the provincial Cabinet. It is therefore not surprising that Indian bands in those parts of Canada affected, particularly in central British Columbia, really believe the Government is not serious about the settlement of these claims.

In conclusion, I ask the Parliamentary Secretary or one of his colleagues to respond to my concern that in British Columbia there are no treaties—

Mr. McDermid: This Bill does not apply to British Columbia.

Mr. Manly: Sure it does.

Mr. Riis: The implications of this Bill, according to the words of the Hon. Member at the outset—

Mr. Speaker: Order. I am sure that the Hon. Member will put his comments through the Chair, and the Hon. Parliamentary Secretary will respond in the same way.

Mr. Riis: Mr. Speaker, I appreciate the point. I will conclude by simply saying that at the outset of our presentation today, the Parliamentary Secretary indicated that what we are doing today has implications for Canada's offshore, and of course many of the claims involve offshore development. This is a major concern of ours. Just to be consistent, if the Parliamentary Secretary is saying that this is indicative of how the Government plans to deal with this issue, we feel it is critical that we all understand there are parts of Canada where aboriginal rights and treaty rights have not yet been clearly defined.

Some Hon. Members: Question.

Mr. Speaker: I have considered the comments of Hon. Members and I think there is a disposition in the House which would, under the circumstances, move me to have separate votes on these two motions.

Is the House ready for the question?

Some Hon. Members: Question.

Mr. Speaker: The question is on Motion No. 1 standing in the name of the Hon. Member for Vancouver—Kingsway (Mr. Waddell). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.