

It will become apparent as we debate other clauses that the interests of the aboriginal people in the north are very well protected in this Bill.

The Hon. Member mentioned the Sechelt agreement that was signed and passed by the Government. That was a land claim agreement in which all the clauses were negotiated, which is the whole purpose of the land claims process. Some of these land claims set certain precedents and obviously they will be used in negotiations. However, I do not believe that this legislation should dictate to the parties of the land claims what they should or can negotiate.

We believe that the aboriginal peoples are very well protected by this Bill and we will not support either of these amendments introduced by the Hon. Member for Vancouver-Kingsway.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I rise in support of the amendments put forward by my colleague, the Hon. Member for Vancouver-Kingsway (Mr. Waddell). While Bill C-5 will have a major impact on the aboriginal peoples of the north, it does not give them adequate protection. I was interested in listening to the Hon. Parliamentary Secretary. I recall when he was the Indian Affairs critic for his Party when it was in opposition. He said that the aboriginal peoples have nothing to fear from a Conservative Government.

Mr. McDermid: That is right.

Mr. Manly: I do not think that is quite the case because this legislation is absolutely inadequate.

The Hon. Member for Western Arctic (Mr. Nickerson) said he did not want to listen to a lot of airy-fairy arguments, that he wanted to listen to people who are there. Let me refer to some of the testimony presented to the committee. I will read from the Parliamentary Library's summary of that testimony. The Dene Métis said:

The Bill should include a general provision calling for equitable and authoritative participation of aboriginal groups in resource management institutions.

It goes on to say:

In order to facilitate discussions respecting a "northern accord", the Bill should specifically recognize the rights of the Dene/Métis separate from the rights of the NWT.

The Tungavik Federation of Nunavut said:

Clause 3 is inadequate when disposition of land and resource use rights under Bill C-92—

The present Bill C-5:

—and earlier legislation is coupled with the federal position at the claims table that the rights of third parties must be protected. Clause 3 should be amended and all lands subject to the TFN comprehensive claim should be withdrawn from disposition under the Bill.

They go on to state:

Clause 3 should make it clear that the constitutional rights of the Inuit and other aboriginal peoples are not affected by Bill C-92.

That is the present Bill C-5.

Canada Petroleum Resources Act

The Canadian Petroleum Association pointed out that the:

CPA has no position on native land claims other than the belief that they should be resolved to promote certainty as to who owns the land. Operators need to know under what jurisdiction and rules the lands are held and whom to deal with.

There was a great deal of struggle to get any recognition of aboriginal claims in the Constitution. That struggle was without the help of the Conservative Party which was then in opposition. Finally, there was a minimal recognition of the rights of aboriginal peoples in our Constitution, but that struggle is not yet over because aboriginal peoples are still trying, through constitutional conferences, to define what those rights are. They are still working through the land claims process to establish what their rights are in specific areas of Canada that are under claim.

While this struggle to define their rights under law continues, the fact is that their rights are being undermined by the process of development and exploitation of their resources. We can see this taking place in a number of ways. In British Columbia, for example, we can see it very obviously in the way that certain traditional areas of aboriginal peoples are being logged. These areas include Lyell Island, Mearns Island to Stein River. We can see it in the threat in British Columbia to aboriginal offshore rights when there is the prospect of offshore drilling.

We certainly see it in the Northwest Territories and Yukon where the Government is proceeding to hand over huge areas to the oil companies while the aboriginal peoples are not really being protected. Perhaps, as the Hon. Member for Western Arctic says, there is a valuable trade-off, but he will certainly admit that exploration and development will impact very severely upon their traditional economies and their traditional lifestyles.

While there may be a worth-while trade-off, certainly the people who are most involved in that should have the major say as to whether or not that trade-off will take place. They should also have a say in the terms and conditions that will be involved in any trade-off that involves a major shift from their traditional economy and traditional lifestyle to one that is based on exploration and development of other resources. That is the purpose of these two amendments. They seek to protect their right to be involved in that kind of decision-making.

I urge Hon. Members opposite to reconsider the position taken by the Parliamentary Secretary. I believe these amendments should be supported. The first general amendment is more specific than the clause in the Bill. It recognizes any aboriginal title, right, claim or interest that pertains to any aboriginal people of Canada. I believe we need that type of specific commitment. The second amendment is even more specific in that it withdraws from the application of the Act those areas that are under claim. I think this will encourage a speedy resolution of claims which is a goal that I believe all Canadians say they support. I think we should do everything we can as a House of Commons to encourage that, and I urge