

*Government Orders*

He ends by saying:

For God's sake, respect our rights.

That is what the Grand Chief of the Assembly of First Nations wrote the minister.

During the committee meetings I asked if there had been consultations in the prescribed manner according to what amounts to the appendages to the Constitution with regard to the agreement that was made with the James Bay Cree. It was called the James Bay Cree and Northern Quebec Agreement. I also asked if there were consultations with the Yukon Indians who recently signed an agreement for self-government. The ink is hardly dry on that agreement. The officials of the department assured me and the committee that consultations had taken place in accordance with the constitutional requirement.

When I asked Mr. Mosley, the assistant deputy minister, to table with the committee evidence of such consultations, he agreed to do so but did not. When he next appeared before the committee I asked him about the agreement and the undertaking he had accepted to table documents from the department that would substantiate the claim that substantial consultations, in the prescribed manner, had been undertaken with the James Bay and Yukon Indians, he said that the minister would be tabling those documents when he appeared on the last day that witnesses were to appear before the committee on May 19.

When the justice minister appeared he tabled a half inch stack of documents. That did not give us a chance to examine them so we could prepare questions for the justice minister.

• (1125)

When I did have a chance to examine the documents they did not show evidence of consultation at all. It was evidence, at best, of letters of notification to the 630 bands that these proposals had been presented before Christmas. There was no evidence of consultation.

When the justice minister talks about broad consultations throughout the country with the various groups of people and organizations on which the legislation will impact, I ask, who is trafficking in fiction? There is no doubt in my mind who is trafficking in fiction. It is certainly no one from this caucus when it comes to these kinds of issues.

How in the world was it possible for the justice minister to overlook the requirement to consult with the aboriginal peoples of the country? How could he do that? He understands the law as well as any of us. As stated in the letter by Mr. Mercredi to him,

he understands the constitutional requirements to abide by the consultative requirement when legislation is going to impact on the treaties or constitutional rights of aboriginal people or any other Canadian.

I am satisfied that the reason the justice minister and his officials did not first consult with the aboriginal people is because the aboriginal people would have told him exactly what they told the committee with regard to the gun control bill. They would reject the vast majority of it, particularly the licensing and the registration requirements.

Had he gone to them first they would have set the standard for all Canadians. That would not go far enough for the minister because he wanted to impose the restrictions and licensing requirements on law-abiding gun owners. He knew if he went to the aboriginal people first, as he ought to have done, he could not have refuted them and come forward with the kind of legislation he has brought forward today.

Had he gone to the aboriginal people first, they would have set the standard, the benchmark for all Canadians with regard to the manner in which their rights would be interfered with by legislation. He did not want to do that because he knew the aboriginal people would not accept it, as Ovide Mercredi said in his letter.

I refer again to his letter where he said when talking about his own people: "I know that they will not comply with any legislation that violates their treaty and aboriginal rights and I will encourage this non-compliance". That is the Grand Chief of the Assembly of First Nations telling the justice minister that they will not comply with these kinds of regulations.

The justice minister of the Northwest Territories told us as well that many gun owners in the Northwest Territories today are not complying with the firearms acquisition certificate requirements. He and his delegation explained in very straightforward and understandable terms why they are not. It is so impractical for them. He talked about isolated communities where there is no facility to obtain the passport photograph required to obtain an FAC.

Therefore, the present laws are not being abided by in those isolated communities. We heard the Grand Chief of the First Nations say that he will encourage his people not to comply.

• (1130)

There was no in depth consultation before this bill was tabled, because he would have heard the same thing. He did not want to deal with them before the fact; he wanted to deal with them after the fact. How is he going to do it?