

Government Orders

could investigate this particular point, since we were not entirely satisfied with the response we got from the bureaucracy.

That day, after meeting with officials from the Department of Indian Affairs, we were supposed to adopt the bill clause by clause, but because of my questions and the response from the officials, we agreed, many thanks to my colleagues, to adjourn for two days and—it never rains but it pours—I was given a draft amendment a few minutes before the committee started a special sitting to hear the Bloc Québécois amendment, but unfortunately, the amendment suggested by our legal expert was not quite what we had in mind. As a result, I had to go before the committee empty-handed and apologize.

We then considered introducing an amendment at the report stage, and although I did not discuss this with my colleagues on the standing committee, in the end, we decided not to introduce an amendment, after receiving additional information from the officials and getting in touch with the community of Pictou Landing.

Initially, and I will provide some details later on, we were somewhat dubious in the case of individuals who did not waive their right, about their ability to bring legal proceedings against the company or Nova Scotia, and we could perhaps discuss this later on, but meanwhile, I would like to say a word of thanks to my colleagues, because they gave me a chance to get to the bottom of this matter and do a decent job in committee, in other words, to carefully examine each clause and then decide whether or not we wanted an amendment.

I touched on this earlier, and I would just like to say, very briefly, that this is money that will not be subject to the provisions of section 35 of the Indian Act. This means the Pictou Landing community will be able to use this money as it sees fit, without being restricted by the provisions of the Indian Act.

I would now like to comment on the agreement as such, and perhaps I should point out that only \$17 million remains to be paid to the community, so the rest of the money has already been paid, and that being said, I may have quite a few things to say later on about the logic of having a bill before the House today when the process has already started and all the money or almost all has been paid, so that the government is saying: I just want you to agree and adopt this bill.

It seems to me that certain elements with respect to the process of negotiation with the band must be taken into account, the government's fiduciary responsibility, the Bloc Québécois' responsibility as the official opposition and the responsibility of the opposition parties of the time, have been overlooked. The whole thing is now presented to us as a package. Now we are faced with an alternative, that is, do we vote in favour of the bill or not. Since 95 per cent of the people in the community voted in favour, our options are somewhat limited.

So, therefore, naturally, we will support the bill without amendment. We do, however, have a few things to say about the agreement, and I think we will use this debate to express them. I said earlier that the agreement was signed on July 20, 1993 and was ratified following a referendum. At the time, 95 per cent of the people said they were in favour of it. In a minute we will have a look at why they were in favour. I have my own personal idea on the matter. In democratic terms, however, we cannot criticize the agreement as such. Given the very high rate of participation—80 per cent—and the strong vote in favour—95 per cent—, we really cannot criticize the democratic aspect of the question.

● (1140)

Furthermore, according to the officials we asked, the remaining 5 per cent are people registered on the list of band members, but who do not live on the reservation. We were told they could live as far away as California. There were also a number of people with intellectual handicaps, who were unable to vote because they could not understand the scope of the agreement.

I will quickly go through the agreement, section by section, to highlight certain comments that, among other things, raise doubt about the seriousness of the government's intention to really resolve the legal action issue and also the basic environmental issue.

In section 2 of the agreement, Canada agrees to pay a \$35 million settlement. This amount is intended to cover compensation and to fulfil the government's fiduciary duty. Three funds have been created: one for band compensation and development, one for community development and one for individual compensation and development. I do not wish to get into the breakdown of the \$35 million, so suffice it to say that the three funds exist. I will repeat throughout my speech that, in our opinion, this is not enough to compensate for the current environmental damage and the wrong done to these people.

As I have said, since 1965, it is clear that the environment has been seriously harmed by the construction of the effluent treatment facility. Over the past 30 years, the government has been slow to put facilities in place. It has somewhat neglected its fiduciary duty towards first nations because they continually protested the way they were being treated, and neither the federal nor the Nova Scotia government made many firm commitments or took much real action to correct the situation.

We can also say that the negative effects have taken on catastrophic proportions at present. Earlier, I mentioned 162 hectares. Responsibility for resolving the issue and for taking legal action is now in the government's lap. We think that the government is not only hesitating now and will be hesitant in the future to enter into legal proceedings, but that it will also eventually take legal proceedings in the event that Boat Harbour is further developed. Therefore, we have reason to doubt wheth-