

Yukon Minerals Act

of our native peoples are not spelled out or even considered in it. I realize I might be charged with being out of order in speaking at great length about the rights of our native peoples in a debate on Bill C-187. But if this legislation is passed by the House, certain mineral resources in the Yukon will be developed, as they are being developed, with no opportunity whatever being given to the native peoples to discuss or put forward any of the requests they have made for a fair share of the natural resources of the land that once was theirs.

The government may say that all these things will be taken care of, though I think they will have a great deal of difficulty convincing the native peoples of this. For many years members of this House protested that there was no Indian claims commission in operation. For some seven or eight years, these members were told that an Indian claims commission would be set up in the near future. The Indian people got tired of waiting for this commission to commence operations. Nevertheless, they carried on very extensive discussions, or at least endeavoured to, with the government representatives in respect to their claims which, over the years, have remained unfulfilled.

Mr. Chrétien: Mr. Speaker, on a point of order, I do not want to be unpleasant to the hon. member—

Mr. Deputy Speaker: Order, please. The minister is rising on a point of order.

Mr. Chrétien: Mr. Speaker, I think the hon. member should remember that we are discussing the Yukon minerals bill, not the Indian claims commission. I am ready to entertain questions in the House on that subject when the occasion arises, as I have many times so far. But may I say I should like enlightenment on the subject of minerals in the Yukon, not on the subject of the Indian claims commission.

Mr. Deputy Speaker: Order. I think the minister has made a point. When the hon. member for Churchill (Mr. Simpson) began his remarks about the Indian peoples he indicated that he would not be very long because Mr. Speaker might find him out of order. I am taking the hon. member at his word, and I hope that he is just concluding those particular remarks.

Mr. Simpson: Thank you, Mr. Speaker. I can understand the minister's concern in bringing this matter to your attention; it must be getting very tiresome for the government to hear continually requests regarding our native people's rights in Canada, especially in view of the fact that nothing whatever has been done about the many demands made by the Indian peoples regarding their property rights, let alone their hunting and other rights which are theirs through treaty. I realize, of course, that the Indian people of the Yukon Territory do not have treaty rights, as do Indian peoples in other areas.

If I may make my remarks a little more relevant to Bill C-187, and not discuss further the property rights of our native peoples, may I say I am also very disappointed

[Mr. Simpson.]

that there is nothing spelled out in this bill about any royalties that may accrue from mineral development on lands that are presently occupied by native groups.

It is all very well for the minister to say that if a large mining development takes place in the Yukon closely adjacent to or on land upon which our native peoples are living and have lived for a number of years, proper compensation will be paid to them. The minister may say that and may genuinely believe that this question will be taken care of by the government of the day. However, in view of the fact there is no provision in this bill giving the native people protection in this regard, I find it is very difficult to accept the bill at this time. Before I conclude my remarks it is, therefore, my intention to move an amendment to the bill.

• (2:20 p.m.)

Once again I wish to say that it is exceedingly difficult for me to comprehend why the subject of the rights of the native people of the Yukon is not relevant to this bill. After all these people have been there for many years and undoubtedly the land on which they live will some day produce mineral resources. I think that in itself is an indication that their cause is very relevant to this bill. Therefore, Mr. Speaker, I move, seconded by the hon. member for Dauphin (Mr. Ritchie):

That all the words after "That" be struck out and the following substituted therefor:

"this bill be not now read a second time but that the subject matter thereof be referred to the Standing Committee on Indian Affairs and Northern Development.

Mr. Deputy Speaker: Is the House ready for the question?

The hon. member for the Yukon.

Mr. Erik Nielsen (Yukon): Mr. Speaker, when I last spoke on this bill on March 25, I indicated to the House and to the minister, because I am sure he was not aware of the extent to which there is opposition by the mineral industry in the Yukon and by the people of the Yukon, that the mineral industry generally is opposed to four offensive and objectionable features in this bill. It would be well to remind hon. members because 48 days have passed since this matter was last discussed, what these objections are. There is a lack of judicial appeal from the discretionary powers given to the public servants and the minister himself under this bill. There is virtually no provision for appeal by judicial process from a decision affecting the title to mineral rights in the Yukon made in governmental offices. No intelligent long-range planning can be made with any security by anyone undertaking the development of mineral resources if the rules are changed halfway through the game.

The second objectionable feature is the power in this bill to make regulations. The bureaucrats would have us believe this power is inserted in the bill because they want some kind of flexibility in these modern times. They say that technology has been so far advanced, and mineral exploration techniques altered so substantially, that there must be this kind of governmental interference now for the sake of efficiency. Yet we have had a mineral