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KELOWNA ACCORD IMPLEMENTATION BILL

Second Reading of Bill C-292—Debate Adjourned

Speech by:

The Honourable Larry W. Campbell

Tuesday, March 27, 2007

THE SENATE

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KELOWNA ACCORD IMPLEMENTATION BILL

SECOND READING—DEBATE ADJOURNED

Hon. Larry W. Campbell moved second reading of Bill C-292, to implement the Kelowna Accord.—(*Honourable Senator Tardif*)

He said: Honourable senators, it is my pleasure to introduce Bill C-292 at second reading. This bill calls for the immediate implementation of the Kelowna accord and requires that the Minister of Indian Affairs and Northern Development prepare a report reviewing the progress made by the Government of Canada in fulfilling its obligations under the accord.

I would like to begin by thanking Senator Lovelace Nicholas for the comments she made on March 22, 2007, in this chamber, where she outlined the desperation and disappointment that is felt throughout the Aboriginal community.

I am also deeply saddened by the shameful lack of funding in the minority Conservative government's 2007 Budget. If the moral test of any society is how it treats its most vulnerable members, then we are failing. I call on all honourable senators and all Canadians to raise the moral character of this government and this country by insisting that this Conservative government honour our commitment to the Kelowna accord.

Bill C-292 will act as a call to action. Bill C-292 is not "a statement," as Minister Prentice called it. Bill C-292 is a clear indication to all current and future governments to fulfil a moral imperative and to pull the Aboriginal population of this country out of poverty.

No one should forget that what we are dealing with here is a situation of Third World living conditions in a First World country. The United Nations Human Development Index ranks First Nations communities sixty-eighth among 174 nations. Canada has dropped from first to sixth place due, in part, to the housing and health conditions in First Nations communities.

Honourable senators, let me take a few minutes to outline some statistics that demonstrate the dire situation in which our Aboriginal populations find themselves.

The on-reserve housing shortage is currently estimated at 20,000-35,000 units and is growing by 2,200 units per year. Off-reserve, the core housing need is 76 per cent higher among Aboriginals than among non-Aboriginals. In the North, the core housing need is 130 per cent higher among Aboriginals than among non-Aboriginals.

The unemployment rate among Aboriginals is 19.1 per cent compared to a national rate of 7.4 per cent. On reserve, the rate of unemployment is 26.6 per cent, which is 3.5 times higher than the national average. The median employment income for Aboriginals is \$16,000 compared to \$25,000 for non-Aboriginal Canadians.

Incidents of child mortality in Aboriginal communities is almost 20 per cent higher than it is in the rest of Canada. Aboriginals are three more times likely to have type 2 diabetes.

Suicide rates are anywhere from three to 11 times more frequent, in particular among the Inuit.

About 44 per cent of Aboriginal people aged 20 to 24 have less than a high school education compared to 19 per cent for the rest of Canada. At the post-secondary education level, 23 per cent of Aboriginal people aged 18 to 29 have completed a post-secondary education degree compared to 43 per cent in the rest of Canada.

Honourable senators, these statistics are completely unacceptable in a country with such vast wealth and resources. What is our plan to address this tragedy?

The minority Conservative government will claim that they will solve the problems through increased funding. Their plan includes a supposed \$3.7 billion for targeted investments. Let us forget for a moment that this \$3.7 billion includes \$2.2 billion in funding for legal obligations and programs contained in the Residential Schools Settlement Agreement and the fact that Minister Prentice includes as new money \$600 million for Aboriginal and northern housing — commitments made by the previous Parliament's in Bill C-48 that he, honourable senators, subsequently voted against.

Let us also forget the fact that we regularly hear from the minister about how his government spends \$9 billion annually, although, once again, that money gets trickled down through various levels of government leaving little for the Aboriginal population. The minister knows full well that these monetary figures are irrelevant and will not close the gap between Aboriginals and non-Aboriginal Canadians. He has said so himself:

So it may not just be a question of more money. It may be a question of ensuring we are getting the appropriate results from the appropriate effort.

If money alone were the solution to poverty, then judging by the amount of money spent worldwide on the elimination of poverty, there would not be a single poor person left in the world. We have thrown good money after bad for far too long. This government's actions are not getting the job done and not getting the appropriate results from the appropriate effort.

Honourable senators, the Kelowna accord is not another handout, but rather a plan that has been specifically designed to work with tested institutions and make them accountable to each other and to the Aboriginal populations that will be the beneficiaries.

The Kelowna accord is a first step in alleviating the major problems that are faced in Aboriginal communities throughout Canada. The First Ministers and Aboriginal Leaders Conference in Kelowna committed to strengthening the relationships between Aboriginal people and federal, provincial and territorial governments, and to building mutual respect and trust, combined with a 10-year commitment to finding solutions to address the serious conditions that contribute to poverty.

As honourable senators will remember, the round table discussions were open to 1,000 invitees, including the Assembly

of First Nations, the Inuit Tapiriit Kanatami, the Metis National Council, the Native Women's Association of Canada and the Congress of Aboriginal Peoples. In addition, members of federal, provincial and territorial governments came together and, through hard work and an intense 18 months of negotiations, hammered out and committed to a set of concrete benchmarks. The accord was subsequently endorsed on public television by all 10 provincial premiers.

It is insulting, callous and ignorant to imply that the Kelowna accord was simply a press release or a concept drawn up on the back of a napkin. To do so negates all the hard work and effort that our public servants, Aboriginal groups and various levels of government dedicated to this endeavour.

The individuals who met in Kelowna understood the need to bring all groups and agencies together to accomplish a common goal. The programs would never again be designed outside of the Aboriginal communities and then imposed upon them; rather, they would be community-made and community-based.

Just one of the many initiatives that came out of Kelowna was the pledge of \$90 million to assist national and regional Aboriginal organizations in handling their core capacity to work with government in policy development and other initiatives. Due to the Conservative government's short-sightedness, the money was never delivered. Without the skilled knowledge base entrenched in the local communities, how do we ever expect to resolve the issues of dependence?

In the other place, the Liberal member from Nunavut, Nancy Karetak-Lindell, summed it up perfectly by saying:

The recent history of this country has made it very difficult for people in the communities to practise their own ways of governing, their own ways of reconciling differences, their own ways of educating their people, which really are not very different from those of the rest of the country. It is just that we have learned to look at things through a different lens. We all have the same end goals, but the way to achieve those end goals can differ from one part of the country to another, or from one cultural group to another. As I said, the end goals are the same, and they are to provide a good future for our children and to take advantage of this country's resources, which every Canadian should be able to access. How we reach those goals can be different.

It is shameful that the Conservative government insists on unilaterally dictating to others rather than on providing people with the skills to make informed choices and to take control of their future.

In a shining example of decency and honour, I am delighted that my own Province of British Columbia has taken it upon itself, after being abandoned by the federal government, to provide concrete steps to achieving the aims set out in the Kelowna accord. The First Nations leadership from British Columbia, former Prime Minister Martin and Premier Gordon Campbell signed, in good faith, the agreement called the Transformative Change Accord, which included stakeholders from the Government of British Columbia, the Government of Canada and the leadership council representing the First Nations of B.C.

This agreement was the kind of responsible leadership that Canadians want to see from government. It included social, environmental, fiscal and economic goals. People recognized that what happened in Kelowna was a framework that would allow people to move forward. It was a commitment on the part of the Liberal government and the First Nations peoples, and they fully expected future governments to honour that commitment. Unfortunately, this commitment cannot be sustained and cannot have the desired outcomes without ongoing support from the federal government and all stakeholders.

• (1700)

The idea behind the Kelowna accord is to create an interdepartmental, multi-stakeholder agreement that would foster trust and respect. We find ourselves today with a system riddled with conflict. We simply cannot allow this cyclical relationship between poverty, dependence and frustration to continue.

What has become abundantly clear, more so now with new Statistics Canada information, is the fact that Aboriginal Canadians represent the largest segment of our youth, and they represent the fastest growing segment of our population. In a First World country such as ours, it is criminal to allow another generation to experience the misery and despair that has plagued generations of Aboriginal populations. The younger generation will not be as willing to wait for piecemeal solutions from government. We will continue to see more conflicts such as Oka, Ipperwash and Caledonia.

As we found out yesterday, the only people who seem to be holding talks with Aboriginal people in Caledonia and seriously addressing Aboriginal needs are the housing developers. Steve Charest, President of King & Benton, yesterday made this statement:

Best I can tell, the federal government's position is it's not their problem I think that's the wrong attitude and my preference would be to see the federal government as part of the solution.

Honourable senators, this government needs to understand that the way to resolving conflict is through mutual, beneficial talks, not another 200 years of neglect.

As outlined in the December 2006 final report of the Standing Senate Committee on Aboriginal Peoples entitled *Negotiation or Confrontation: It's Canada's Choice*, the government needs to recognize that the principles of fairness, inclusion, dialogue and recognition of regional differences be used as guidelines for creating any successful Aboriginal development strategy.

Here it is, honourable senators, an accord that follows all the guidelines that we deem necessary to resolving these kinds of issues. Let us not fail to act out of lack of will.

Let me draw to your attention another issue that has been front and centre in the media and a supposed concern for the Conservative government, the lack of action on unsafe water.

In Kashechewan, Ontario, the Aboriginal community deals almost annually with the flooding of the Albany River onto their reserve, leading to undrinkable water, mouldy housing, disease and a population with little hope for the future. What is the government's reaction? Instead of listening to the community and

their wish to be relocated to higher ground, they hired Alan Pope, a resident of Timmins, Ontario, who wants to move them to, you guessed it, Timmins.

The idea of actually allowing people to have a say in their future and then provide support in the form of training to run water purification systems or participate in the rebuilding effort is foreign to a government that likes simple take-it-or-leave-it answers.

Not to be forgotten, as of March 16, 2007, there were 92 First Nations communities across Canada under drinking water advisories. In my province of British Columbia, the Kwicksutaineuk First Nation community on Gifford Island, off the northern tip of Vancouver Island, has been struggling with the problems of undrinkable water for almost 10 years.

Will we move all these communities to major centres? We need sustainable long-term approaches and communities that have the education and capacity to weigh all available options and create, with help from various levels of government, mutually beneficial solutions.

The resources contained in the Kelowna accord will allow native communities to train community policy leaders so they can shape their future so that government does not need to hire outside contractors like Alan Pope to find short-term fixes to long-term problems. The times of dictating unilateral decisions are over. Let us stop pretending that Ottawa always knows best and start addressing the concerns of the people on the ground.

Honourable senators, there has been a lot of talk from the government about how Bill C-292 does not contain clear, precise and detailed policy descriptions. The Conservative government, in a dishonest campaign of misinformation, has claimed that Bill C-292 will not oblige them to act. The legislation clearly states that the Government of Canada shall immediately take all measures necessary to implement the terms of the accord known as the Kelowna accord.

Within the accord there are six pillars: health, lifelong learning, housing, economic opportunities, negotiations and land claims. All of these have a specific level of funding and concrete goals.

I remind honourable senators that the \$5.1 billion earmarked for Kelowna will be spread over a 10-year period and would go toward the education, health, housing and economic opportunities for Aboriginal peoples. This is not a windfall, as some have suggested, for Aboriginal communities. This is a necessity.

Let me clear up once and for all one final untruth perpetrated by this government about the funding for Kelowna. As has been confirmed by officials in the Department of Finance and senators within this place, the money for the Kelowna accord was designated in the fiscal update presented by the former Prime Minister. The money was designated as a line item in the sources and uses table. Kelowna had dedicated funding and would have gone ahead if the current Prime Minister and Minister of Finance had not cancelled the program.

I hope, honourable senators, that you can join with me and, I believe, the vast majority of Canadians who want to see an end to the poverty that has plagued our Aboriginal populations and the shame that we must all feel for contributing to the grief and pain

that they have undergone. Please do what this government refuses to do and help our Aboriginal peoples by studying and passing Bill C-292 as quickly as possible, which will put us on the road to mutual respect, accountability and shared responsibility.

Hon. Gerry St. Germain: Will the honourable senator take a question?

Senator Campbell: Certainly.

Senator St. Germain: I worked with Senator Campbell on many of the issues that he makes reference to and that are in the accord. What surprises me is how he can perform in such a non-partisan manner and with the degree of excellence that he brings to the committee and then make a speech like this and cite the Conservative government so negatively. However, this is the world of Ottawa and the world of politics.

Senator Cordy: Look in the mirror.

Senator St. Germain: I do not think any of us can look in the mirror on this issue, none of us, because we have all sat back and not done the right thing. Had we done the right thing, we would not be here now.

I have been a senator in this place for close to 14 years and have listened to one Speech from the Throne after another. I will not say that the administration before the Chrétien administration did everything right, either. I do not think we have done this right.

We should not stand up in this place and be critical of each other. I think what we should be trying to do is build the bridges that will bring the Aboriginal people over to us.

I still think that this is a money bill. Senator Murray spoke earlier in regard to Bill C-288, the Kyoto bill. He said the power of the purse rests with the executive in a cabinet government.

Could the Honourable Senator Campbell explain to me how this is not a money bill and does not require the purse of the government to effect this accord?

Senator Campbell: I thank the honourable senator for his question.

I have to agree that I do not think any of us, no matter what our political stripe, can honestly look in the mirror. I am simply saying that this accord gave us a framework to move forward and was probably the first time we ever saw an agreement between the federal government, 10 provincial premiers and the First Nations. I checked into it, and it was a totally non-partisan agreement. I would invite the honourable senator to talk to Conservative premiers, such as Premier Danny Williams.

I agree with the honourable senator that none of us can be proud of this, which has gone on in excess of 200 years.

• (1710)

I do not know how to answer the honourable senator's question about the money bill. I have sat here and listened to the Leader of the Government in the Senate repeat, time after time, that there was no money; there was no commitment; there was nothing in there. The honourable senator has a perfect point. It is up to the government to implement this initiative. I do not know how they will do it. They can do it within the framework of the monies they

already have, I do not care. I cannot answer whether or not it is a money bill. On the one hand we hear denials, and on the other hand we know it is in the budget.

I am simply saying that this is a framework that was agreed upon by everyone and it was a way of moving forward. I agree with the honourable senator that we should be moving forward. Any time we can get everyone on the same page, we should take advantage of it. In this case, we did not.

I have to be honest with the honourable senator: I do not understand why we did not. It was there and it was ready to go.

Senator St. Germain: Honourable senators, in our travels with regard to the studies that we have done on specific claims and economic development, we have heard continually that DIAND, as a department, does not function to serve the constituency it was designed to serve.

An Hon. Senator: What is perfect?

Senator St. Germain: Nothing is perfect. Senator Stratton says that Liberals are perfect. I will agree with Senator Smith: nothing is perfect, but some things are more imperfect than others, and this is one of the most imperfect departments in government. Native group after native group, leader after leader, elder after elder have told us it does not work. Yet, this accord that the honourable senator speaks of that should be initiated was to be administered by that very inept organization. We have heard time and time again — some of the senators from the committee are here — that it is time we started devolving this particular department and work towards serving the constituency it is supposed to serve.

I ask the honourable senator: What is his reaction to that? Say the funding was \$5.2 billion over ten years, as he says — I thought it was over five years; \$5.2 billion over 10 years is even worse — how do we resolve this situation if this paternalistic, social welfare organization continues to patronize and operates in a paternalistic manner over the constituency of people who need help?

Senator Campbell: I thank the honourable senator for his question. He knows very well that I am not a fan of DIAND. My answer to the honourable senator is: We know what DIAND is about. Go to the Prime Minister, have him put this accord in place and have whoever he wants to oversee it. I do not care. Have it put into effect in some way that the money goes directly to the First Nations and does not get siphoned off by bureaucracies and by agents who are trying to move a whole city to Timmins. I agree with the honourable senator: That is his problem. They are the government. We are telling you that you need to put it into place.

Hon. Roméo Antonius Dallaire: The honourable senator spoke of conflict. I will give a very short history. I was in command in 1990 around Oka, and commanded in the province of Quebec when Hydro Quebec was trying to flood half of the province and the Cree in particular were up in arms, and saw the vulnerability of our internal security, particularly the vulnerability of our infrastructure, let alone human security.

The First Nations, the Aboriginals, numbering about a million, are in more than 600 locations in the country. If they ever

coalesce, they could bring this country to a standstill in no time flat, for there is no capability that we have to stop it.

How is it that we have not seen the rage in that community express itself in the nature of a conflict? What is holding them back, and how long will it be held back before we face a totally different scenario that will cost many more billions of dollars than \$5.1 billion over ten years?

Senator Campbell: I thank the honourable senator for his question. I am not an expert in this field, but I can tell honourable senators two things: First, I believe that cooler heads prevail. I truly believe that the Aboriginal way is negotiation, and that their first step is not confrontation. In these places that I talked about — Caledonia, Oka, Ipperwash — the people were pushed right to the edge. Like the honourable senator, I was in the military and I saw Ipperwash from the inside as a cadet and instructor. I saw the Kettle Point reserve and I was appalled. I came from Brantford, where we had the Six Nations, a confederacy of people who made good money; it was like Brantford. I was appalled at what I saw. In all of these places where we see conflicts, the people have been pushed past the breaking point.

The second thing I would say to honourable senators is that the young generation now is better educated and better understands how to deal with us without going to a barricade. They know how to use courts and public opinion, and they are on the side of right. That is what people do not understand. They are on the side of right at Oka, Caledonia and Ipperwash. We took their land and we told them to go and take a powder. They were pushed to that point because there were no negotiations on how it should all come together. That is why I believe we are not seeing a coalescing.

The last reason is this: These are nations. It is like suggesting that all of Europe would get together to take on North America. They are nations. Each and every one of them has different customs, different traditions, different religious ideas, different needs and economics. We must stop thinking of them as one group. They are all nations.

Senator Dallaire: I have seen that scenario played out in other places, where cultures were non-confrontational to start with but have been pushed that way. I have also seen the White part of this country become exceptionally aggressive when their backyard all of a sudden gets wrapped up in a conflict that turns nasty. I have seen White Canadians prepared to kill Aboriginals in Oka if they had had the chance, but the only problem was that they did not have the weapons to do it.

I return to the honourable senator with the following question: Do we see a movement toward activism on the part of the Aboriginal community or, the most perverse option, on the part of the White community towards the Aboriginals in bringing about these solutions?

Senator Campbell: Again, I am not an expert on this area. I do not know at what point that happens. However, I think that in certain places in Canada, there is a feeling amongst the Caucasian community, for want of a better word, that we are giving things away, and that we have gone too far. There is a sense that we own the land and that it is ours.

This is not a topic that gets one votes. This is not a topic where you support Aboriginal people and you watch your vote tally go up. It does not do that. This is a topic that goes to the very essence of who we are, what we are and where we are going.

I can tell honourable senators, as a coroner, I have done an inquest into suicides in the North, in Hall Beach and Igloolik. I did the inquest of the suicide of a young woman from Resolute Bay, and I found out that the people of Resolute Bay were moved there by the Canadian government and left. People in their communities died. It is about us, about who we are as a nation. We cannot go to the rest of the world and say:

Shame on you.

We cannot go to these other places and say:

You have to clean up your act.

We cannot do this until we clean up our act first. That is where we are.

• (1720)

Hon. David Tkachuk: I have the same problems with this bill as I have with the private member's bill on Kyoto. I have also seen over the years massive amounts of money being spent on many programs initiated by government. We have been providing social housing on Indian reserves for a long, long time, but we still have serious housing problems on reserves.

Honourable senators, let us say hypothetically that this bill passes and the government is forced to implement a program that is not part of our election platform, or part of what we want to do today. Instead, we want to do it in a different way. Let us say we do that, and five years from now the same conditions exist; the same problems exist as they have existed for the last 30 years. All of those things still exist. Who is responsible?

Senator Campbell: I suppose we are responsible because ultimately we are the ones passing the bill and asking the government to do this. I do not understand from the point of view of government what the difficulty is here. I agree with the honourable senator that we have been spending money hand over fist, but the money never trickles down to where it is supposed to be. By the time we go through 14 deputies and 14 assistant deputies, and so on and so forth, by the time the money gets down there, nothing gets there.

I think all we are simply saying is that there is a framework here that everyone has agreed to it. Forget that the Liberals were into it. Getting ten premiers and all of the First Nations across Canada to sit down together is a good idea. We can make it work and we can measure it. There are places where we can look at it and see that it is being done. That, in and of itself, is a miracle.

Then you fill in the federal government and I think you truly have an amazing document. Maybe some of my words were too strong. This idea was just made up, 18 months before it was signed. There was the first meeting here in Ottawa with 1,000 people. It continued on. It did not just show up one day. Was it signed just before the election? Yes. Could that have had something to do with it? I do not know. Maybe it could. At the end of the day, I truly believe this idea will work. Perhaps the Conservative government can actually say: "DIAND has outlived its usefulness, and there should be a new way to proceed, involving governments and First Nations." This would ensure that any money that any government puts out gets to the people, for housing, for education and for economics.

On the committee, we heard about the economics of this system. It is a framework that needs to be put in place. The Conservative government already has programs that they promised that fit right in with this framework. I would suggest that this is an opportunity not to remake the world, since there is a framework that is ready to go.

On motion of Senator Stratton, debate adjourned.