



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Indigenous and Northern Affairs

EVIDENCE

NUMBER 093

Monday, February 5, 2024

Chair: Mr. John Aldag



Standing Committee on Indigenous and Northern Affairs

Monday, February 5, 2024

• (1100)

[English]

The Chair (Mr. John Aldag (Cloverdale—Langley City, Lib.)): Good morning, everyone. I call this meeting to order.

Welcome to meeting 93 of the House of Commons Standing Committee on Indigenous and Northern Affairs. We recognize that we meet on the unceded and traditional territory of the Algonquin Anishinabe peoples.

Colleagues, before we get into the continuation of the clause-by-clause review of Bill C-53 today, I'm going to flag for us that the call is out for upcoming travel for committees. The travel period will be April to June, and our deadline for submission is February 16. I'm not going to take any time on that today, but I'm just planting the idea that the deadline is coming up. Should we finish early today, I may come back to it before we adjourn to see if anybody has anything they'd like to put forward for our clerk and the logistics team to cost out, which we could submit for the Liaison Committee's consideration. Just give some thought to possible travel from April to June, this spring, and the deadline, February 16.

With that, we have a couple of new faces around the table today. I'd like to welcome Michelle Rempel Garner and Mr. Melillo. Welcome. It's always good to have you here.

Today we are continuing with Bill C-53, an act respecting the recognition of certain Métis governments in Alberta, Ontario and Saskatchewan.

I'd like to welcome back our witnesses. We are, hopefully, drawing near the end of the time we'll be spending with you, but we appreciate your continued presence and expertise in helping us move through this piece of legislation.

We're going to pick up where we left off. Where we are right now is with a couple of stood clauses, so we're going to resume with clause 2.

(On clause 2)

The Chair: CPC-2 was adopted. Therefore, we created a new clause, clause 4.1.

Now we have CPC-1, which is Mr. Schmale's amendment. I'll ask Mr. Schmale if he'll move CPC-1.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Thank you, Chair.

Yes, I move CPC-1.

The Chair: Is there any discussion on CPC-1?

Mr. Jaime Battiste (Sydney—Victoria, Lib.): Can we hear it? It is my understanding that we are going back to the taxation ones that we stood. There was an amendment created for this specific one. Just tell me where we are in the overall scheme. We finished off the schedule, and now we're coming back to which clauses?

The Chair: First of all, the clauses that were stood are these: We stood clause 2—that's the one we're on now—and then we stood clauses 14 and 15 as well. After clause 2, we'll come back to clause 14. Then we had a new clause, clause 14.1, brought about by CPC-5.01. Then we'll go to clause 15, which was also stood. Those are the ones we need to deal with.

Then we'll get into the final bit of business for today, some of the administrative things: the short title, the preamble—we still have to deal with CPC-11—the title, and the bill: “Shall the bill carry? Shall the chair report the bill? Shall the chair order a reprint of the bill for the House at report stage?” That's the business that's left to get through today.

We are on CPC-1. If you don't have it, it was about replacing line 28 on page 2 with the following:

treaty means, except in sections 4.1 and 5, a treaty that is entered

That's the clause before us at this point.

• (1105)

Mr. Jaime Battiste: Okay. That looks good. We'll support that.

The Chair: Is there any other discussion on CPC-1?

(Amendment agreed to: yeas 10; nays 0)

The Chair: NDP-1 was identical to CPC-1. Because CPC-1 was moved and adopted, NDP-1 is not in order.

Shall clause 2 as amended carry?

(Clause 2 as amended agreed to on division)

(On clause 14)

The Chair: For those of us who were here, there was a taxation discussion. There were some questions about an amendment. Mr. Viersen has put forward CPC-5.01, but we are on clause 14.

Is there any discussion?

(Clause 14 agreed to on division)

The Chair: Next is Mr. Viersen's amendment, CPC-5.01. It would be a new clause, clause 14.1.

I would ask if anyone wants to move CPC-5.01.

It reads:

14.1 For greater certainty, nothing in this Act is to be construed as allowing for a treaty to be entered into by a Métis government and His Majesty in right of Canada that recognizes any right or claim in respect of land or resources.

Ms. Idlout.

• (1110)

Ms. Lori Idlout (Nunavut, NDP): *Qujannamiik*. I believe this is the amendment that we discussed after our discussions about tax treatments, and it became particularly important, just having learned of some things.

What we've discovered during this whole process is that the Liberals didn't do a great job consulting in the beginning with first nations and with other Métis, and they tried to rush this bill forward, resulting in more questions being raised. We heard a lot of testimony from first nations and Métis regarding the concerns about what this bill could do regarding lands, territories and resources. I made a similar amendment that I thought we would have a chance to debate, but we didn't get to it. Then we heard later, as well, that the federal government is funding the Métis Nation of Ontario to secure lands in Ontario.

I think we need to debate this with all honesty and the absolute assurance that we've been seeking about lands, territories and resources, and that this bill really is about internal governance only. I think it's so important. If this is really about internal governance only, including this clause will help alleviate a lot of the concerns that this is going beyond internal governance, so I'm going to be in support of this amendment.

The Chair: Thanks, Ms. Idlout.

The procedural issue we have is that we haven't had this amendment moved yet.

Mr. Viersen is not here. Any member is able to move it, so I'll put the question out again if any member would like to move CPC-5.01.

Mr. Eric Melillo (Kenora, CPC): I'll move it.

The Chair: Okay. It is moved.

Ms. Idlout, you spoke in favour of it.

Is there anybody else?

Mr. Carr, I'll go to you next on my list, and then to Mr. Battiste.

Mr. Ben Carr (Winnipeg South Centre, Lib.): Thanks, Mr. Chair.

Could we get commentary from Mr. Schintz, Mr. McLaughlin or Ms. Redmond on this, for a bit of clarity? What I'm particularly interested in is whether there is any repetition or redundancy here in terms of the non-derogation that we've spoken about at this committee prior to this point. That would be the first question.

Then, depending on your answer, I may have a follow-up question in terms of what this may prohibit in the future, should the legislation pass, in terms of the ability of these governments to expand and evolve the nature of the relationship with the government.

Ms. Julia Redmond (Legal Counsel, Department of Justice): This provision, this amendment, would do something a bit different from those non-derogation provisions that the committee has already considered and adopted in the clause-by-clause review so far. This would place a restriction on what could be included in treaties in the future, so it would limit the scope of those treaties. The non-derogation provisions discuss the impact on the rights of others and say that there won't be any impact on the rights of others, so this is doing something a bit different.

• (1115)

Mr. Ben Carr: In that same line of questioning, is there precedent for that in previous legislation involving treaties? If I understand correctly, essentially this is predetermining the outcome of what a future treaty agreement could look like between these governments and the Government of Canada. If I've understood that correctly, please let me know, and if so, is there precedent for that in other legislation involving treaties?

Ms. Julia Redmond: To my knowledge, there's no such provision in any other implementing legislation for a treaty or self-government agreement. Mind you, this is a little bit different as implementing legislation goes. Often, there would be a treaty in hand for the committee to look at, at the same time as a bill coming into force, so there might not have been a need for that kind of discussion before, but to my knowledge no such provision exists in other legislation.

Mr. Ben Carr: I'm just wondering, Mr. Schintz—I don't know if this should be for you—are there any concerns that you feel the department or stakeholders may have vis-à-vis the limitations that this would impose should it be adopted in the legislation?

Mr. Michael Schintz (Federal Negotiations Manager, Negotiations - Central, Treaties and Aboriginal Government, Department of Crown-Indigenous Relations and Northern Affairs): I agree wholeheartedly with everything Ms. Redmond has said. The department has increasingly taken the position that treaties are intended to have the space to evolve over time as relationships evolve, and so, while it's absolutely accurate to say that the self-government treaties that are contemplated to be implemented by this legislation, if it is given royal assent, are entirely limited to self-government, as we've testified before, they are also intended to create space for further conversations over time. With each subsequent set of conversations, there are consultation obligations. There's the obligation that any jurisdictional discussion that is had will not have adverse impacts on other indigenous groups and governments.

This provision—which, as Ms. Redmond said, is not seen in any other implementing legislation that I'm aware of—is limiting in a way that is new and, I would say, somewhat cuts against the department's position on these treaties needing space to evolve over time.

Mr. Ben Carr: I have one more question on that. This would be for Ms. Redmond, I think.

If it is adopted, would that be an area these governments could challenge on a legal basis, that there is something that would prohibit the ability for this to evolve? Is there some type of legal basis on which indigenous governments are protected from legislation or policy that would limit the ability for a treaty to evolve? Could there be some type of legal ramification from that?

Ms. Julia Redmond: The very vague answer is that anyone can challenge any legislation at any time; the chances of success are a different question.

Implementing legislation for treaties, as I've described before, is usually fairly straightforward. We've seen a lot of these kinds of standard provisions in this same bill, but otherwise they don't normally get into more detail about what would be included in the treaty because, oftentimes, the treaty that is being implemented by a particular statute has already been drafted and signed by the time that implementing bill comes before Parliament. It's a tough question to answer, in that this is a bit of a different process from what we've sometimes seen before with implementing statutes for treaties.

Mr. Ben Carr: You said there are two different things, and I appreciate that: There is a difference between the ability to challenge and the likelihood of success. In your legal opinion in looking at this, do you see a high probability of a legal challenge being accepted on the basis of what's in this amendment?

Ms. Julia Redmond: I would say that gets into my giving legal advice to the committee, which, unfortunately, I am not in a position to do.

I would reiterate that this kind of provision would be novel in implementing legislation, and that would be something to consider in moving forward with that.

Mr. Ben Carr: Thank you.

Thanks, Mr. Chair.

The Chair: Mr. Battiste, you're next on my list.

Mr. Jaime Battiste: Thank you.

I have two questions, really.

Throughout this legislation and these amendments, whenever lands or resources have been discussed, we've consistently stated that it's out of the scope of this legislation, because nowhere in the legislation does it talk about lands and resources. I'd say that about three or four times we've voted that this was out of scope because of that. I'm wondering how it is that now, in the last day of this, under a taxation clause, we're looking at adding an amendment that would possibly stop any kinds of future discussions or the evolving of a treaty.

I'm not a Métis person. I'm a first nations person, but I would have deep problems with members of this committee deciding what I, in my future, could negotiate with the Government of Canada. It seems deeply paternalistic, deeply problematic. While we have not talked about lands and resources in the past—and we've made sure we have really strong non-derogation clauses to ensure we're not infringing on first nations rights, resources or lands—this would take an additional step towards telling Métis what they could negotiate with our government in the future. For our committee to be-

lieve that we have the ability to do that, I think, is an affront to the Constitution, which doesn't create rights; it recognizes and affirms that these rights have existed all along.

Just to get ahead of ourselves a bit with the land back study, which I was delighted to read, we heard from the Métis about the land that they were dispossessed of with Métis scrips, some of the land claims they were promised in Saskatchewan and parts of Alberta. We'll be discussing that later on and making recommendations on what the Métis should be doing about getting their land back in terms of what was promised to them in original scrips—which are similar to treaties. This committee is getting in front of all that, saying that we as a committee believe we know best what this government and the Métis should be negotiating in the future and putting that in a taxation clause at the end of it.

I want to hear why this is admissible from our people who are here, but also from our technicians, our legal folks. What are their thoughts on our committee telling the government and the Métis people what they can negotiate in the future as a throw-in clause in this part of the clause-by-clause?

• (1120)

The Chair: I'll turn to our officials first, if they want to make a comment on Mr. Battiste's question about the admissibility of this one.

Mr. Michael Schintz: I think I understand what Mr. Battiste is saying. The way testimony at this committee unfolded, many of the Métis governments that are to be represented through this legislation, if passed, had a chance to speak at the front end, and now we're here, as government officials and as the negotiator for this bill, trying to speak to their interests and their perspectives.

I would agree. I know that the Métis governments this bill is meant to represent find this concept offensive. They think it's a restriction that hasn't been placed on other indigenous governments in implementing legislation, and it really does prohibit a potential set of conversations in the future. Understanding that there are, for example.... Mr. Battiste has pointed to scrip claims, which have a long history in Canada, and there is a long history of the dispossession of Métis peoples for over 150 years.

I don't know that I have anything to add, other than to say that, as the negotiator who has helped co-develop this legislation and the agreements, and who will help to co-develop the self-government treaties, it's my understanding that our partners take a similar view to Mr. Battiste's.

The Chair: Mr. Battiste, do you have any follow-up?

Mr. Jaime Battiste: Can I get five minutes to talk to the stakeholders about this? Can we suspend the meeting for five minutes just so I can have a conversation?

The Chair: Yes. We'll suspend for five minutes, and then I have Ms. Idlout also on my list.

We're suspended.

• (1120) _____ (Pause) _____

• (1140)

The Chair: We are back into our meeting. Our five-minute suspension went a bit beyond, but we're back.

Michael, I see your hand is up. I will confirm with you, first of all, whether you want to speak to this discussion, whether it's a technical issue that you're having or whether it's a point of order. I have you on the speaking list, but I just need to know if it's part of the discussion.

Mr. Michael McLeod (Northwest Territories, Lib.): I want to take part in the discussion.

The Chair: Okay. I have you on the list.

First, I was asked for the chair's position or ruling on this. After a discussion with our legislative team, I'll give you, just briefly, the ruling on why this is deemed to be in order, as opposed to out of order.

The understanding is that CPC-5.01 reiterates the fact that Bill C-53 does not grant Métis governments and the Government of Canada the ability to enter into treaties regarding any rights or claims that pertain to land or resources. Procedurally, this is interpreted as a limitation rather than an expansion on the scope of the bill. Therefore, the amendment is admissible. If it were to be an expansion, it would not be admissible, but because it's a restriction, it is admissible. That's why it's on the table before us for discussion.

With that, I have Ms. Idlout, Mr. McLeod and then Mr. Schmale on my speaking list.

Ms. Idlout, I go to you first.

Ms. Lori Idlout: *Qujannamiik.*

I'm thankful for the few minutes that we had for a break. Thank you to Jaime for asking those very important questions, because that definitely made me reconsider whether I'd support this amendment.

I'm sorry, Michael, but can you repeat what you said about treaties evolving? How did you say that again?

Mr. Michael Schintz: I'm happy to try to repeat what I said moments ago.

The Department of Crown-Indigenous Relations is increasingly developing policy positions, for example, and expanding on the mandates we have at negotiation tables to recognize that treaties, rather than taking the full and final approach, or what used to be called the certainty approach, need space to evolve over time. They're enduring documents that are meant to provide added clarity and predictability around what is ultimately an evolving relationship.

The point I was trying to make earlier is that to put this limitation on self-government treaties that are contemplated in this bill with the Métis Nation of Ontario, the Métis Nation of Saskatchewan and the Métis Nation of Alberta is to put a limitation that hasn't been placed on the other aboriginal peoples of Canada as recognized in the Constitution.

Ms. Lori Idlout: Thank you. I really appreciate your repeating that and helping to clarify.

I think that what I do need to say is that treaty-making was never a fair process for first nations. First nations were never heard in the same way we're hearing these three Métis nations in Ontario, Saskatchewan and Alberta. In that sense, Bill C-53 is unprecedented, as first nations during their negotiations did not have the same weight given to their voice by the federal government. When we're hearing about treaties never really being implemented the way they were intended to be, it has been a concern for over 150 years, so when it came to this bill and the concepts of treaty and self-government for Métis, it naturally flowed to the concerns and issues of first nations and other Métis over the last 150 years.

I think that's why this scrutiny was so important, so that when we're seeking fairness, we're seeking fairness for all indigenous peoples and for those first nations that were not given the same opportunities, through words like what you said, Michael—that the relationship with first nations is evolving and that treaties need space to evolve. It opens the doors for first nations to come back to you to make sure that treaties are evolving. When we're talking about treaties that, for example, might have been silent on water, they still need to be allowed to discuss water.

We know, for example, that there have been years of concerns about rights not being respected because of treaties towards indigenous peoples. This conversation helps to open the doors to first nations that have not been treated with equity, to first nations and other Métis who have not been given the same opportunities that we've heard of today.

Having said that and having heard your explanation about what this limits for future treaty-making, those limits existed for first nations, but I will still oppose.... I've changed my position on this provision. I will oppose this amendment because of what we've heard, because of what we need to do to uplift all indigenous peoples.

Qujannamiik.

• (1145)

The Chair: Thank you, Ms. Idlout.

Next I have Mr. McLeod.

Mr. Michael McLeod: Thank you, Mr. Chairman.

I apologize for being late. My computer decided to update itself and then wouldn't let me sign in.

I'm listening with great interest and, I guess, a little bit of surprise, as a Métis person and an MP who represents a riding with three different Métis organizations, two in negotiations and one that has an application in for negotiations. We've already settled with a number of Métis across the territories on this very issue. In the Northwest Territories, the Métis—the Northwest Territories Métis, the Métis across the Mackenzie and the Decho—are negotiating land. They're negotiating royalties. They're negotiating regulatory participation. They want to be part of the decision-making.

I find it strange, when we have all of these indigenous governments working towards rebuilding and reconstituting their nations, that we have an MP from Alberta, which is an hour and a half away from me, trying to do the opposite. I feel that Mr. Viersen is blocking his own constituents from moving forward, and it's certainly creating a wedge, I think, among the Métis people in Alberta. I have talked to the Métis Nation of Alberta. I've talked to the Métis Settlements. They want the exact same thing that the Métis in the Northwest Territories are negotiating and in some cases have already settled.

We're really going to have a double standard across the country if we have one group of Métis enjoying all of the benefits of being partners with governments, where they can stand shoulder to shoulder and be part of decision-making. It's something that we've never had for 150 years. We didn't sit at the table when decisions were made, but we need to be there. The intention of all these agreements all across the country was to be able to coexist and to co-manage. This certainly doesn't lend itself to that.

I think the injustices that were done in the past when it came to the scrip with the Métis may not have been totally the government's fault, but they're the ones that brought in the scrip traders, who bought up all of the scrip agreements to the point where, in the north and even in part of Alberta, I think, they took the land issue out of the scrip because they were being swindled. The Métis were being swindled. As the people were coming across—the government parties and the treaty parties—they were bringing wagonloads of whisky and they were taking the scrip as people were signing it. The scrip in the Northwest Territories doesn't include land because they felt that it was wrong, and the rest of the country was becoming very aware of what was happening and raising concerns.

Let's not forget that the Métis in Alberta and the Métis included in this bill all have protection under the Daniels case. If this amendment is going to go forward and gut the intention of what some of these indigenous governments are trying to achieve, we're going to end up in court. I feel that it certainly goes beyond the bill. I feel that it's just going to stick a stick in our spokes. We should be working toward supporting indigenous governments to stand on their own two feet. That means we have to settle all these different issues.

Treaties are intended as, and should have always been treated as, living documents, agreements that are evergreen—on Treaty 5 or Treaty 10 or whatever the case may be—with increments where a review is done. What is agreed on today is not necessarily right for tomorrow. We have a number of land claims that are settled in the Northwest Territories. Many of the indigenous governments are looking back and saying, “Well, things have evolved so much that some of these sections of our land claims agreement or self-government agreement don't make sense anymore. We need to redo them.”

• (1150)

It's a little bit upsetting to see this amendment come forward from the Conservatives. I thought we were all on the same page, moving forward with trying to make sure that Métis governments, first nations governments and Inuit were all on the right path to have some wrongs from the past righted, but I don't think this amendment does that. Rather, I think it would cause a lot of prob-

lems for the Métis, and that's certainly not fair, because they're the only ones who are going to be dealing with this. You never see this with an Inuit agreement; you never see this with a first nations agreement, and you don't see this with other Métis organizations and governments. It's just with the ones involved in this bill.

The Chair: Thank you, Mr. McLeod.

I'm going to go to Ms. Rempel Garner first, and then Mr. Schmale.

• (1155)

Hon. Michelle Rempel Garner (Calgary Nose Hill, CPC): Thank you, Chair.

I'll just say this. I have been following this debate and I am very struck by the flawed nature of the bill. I find it deeply disappointing that a government that is purportedly trying to progress in a spirit of reconciliation would put forward a bill that is just so flawed that it's actually pitting people, stakeholders, against each other as opposed to trying to come up with common ground, and here we are today. I frankly don't understand why we are debating a bill that has caused so much division. The actual spirit of debate on this has been antithetical to reconciliation.

I'll just leave it at that. This is unbelievable.

Thank you.

The Chair: Thank you.

Now, Mr. Schmale, you're next on my list.

Mr. Jamie Schmale: Thank you, Chair.

I appreciate the comments by my colleague Michelle Rempel Garner. I couldn't have said it better myself. Michelle has come to this committee, for what I believe is the first time, as we are studying this bill, and in this one meeting she has recognized the amount of division this government has caused with this bill. It's truly unfortunate, especially given the extra time they had to work on this bill. For how many months had they promised to table this bill, and it was tabled only at the last second before we recessed in June.

It's extremely frustrating. They should have done their homework but they didn't, and because of that we have a bill in which indigenous groups are against indigenous groups. That's truly unfortunate.

That being said, we do recognize the comments from the stakeholders. We do recognize their feelings on this amendment, and we accept those as they were brought to our attention.

I move that we withdraw this amendment.

The Chair: To withdraw that, I require unanimous consent.

I'm looking around the room to see if we have unanimous consent to withdraw CPC-5.01. There is unanimous consent.

(Amendment withdrawn)

(On clause 15)

The Chair: Do we have any discussion, any speakers on clause 15?

Seeing none, I'll call the question on clause 15.

(Clause 15 agreed to on division)

The Chair: Shall the short title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Next up we have amendment CPC-11. Does anyone want to move CPC-11? I do have a ruling by the chair on CPC-11 should it be moved. Mr. Viersen put forward amendment CPC-11.

Amendment CPC-11 is not being moved.

Shall the preamble carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the bill as amended carry?

[*Translation*]

Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ): Mr. Chair, I want to make sure I understand where we are procedurally, because everything happened so fast, what with the interpretation delay. If I understand correctly, you just asked if the committee wants to adopt the bill. If that's the case, I'd like to request a recorded vote, please.

[*English*]

The Chair: We will have a recorded vote.

(Bill C-53 as amended agreed to: yeas 7; nays 1)

The Chair: Shall the chair report the bill as amended to the House?

Mr. Battiste, go ahead.

• (1200)

Mr. Jaime Battiste: Before we get to that final piece, I want to make sure that we thank the presidents of the Métis, who have shown up for every single meeting. They've been here throughout, helping guide us through this legislation.

I want to make sure you know the depth of gratitude the members of this committee have for your continued guidance and wisdom. We didn't always get the results we wanted, but this was a process in which we benefited from your being here. Thank you. I wanted to acknowledge all of your hard work to get us to where we are in this, before we move forward.

The Chair: Thank you, Mr. Battiste.

Shall the chair report the bill as amended to the House?

Some hon. members: Agreed.

An hon. member: On division.

The Chair: Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Some hon. members: Agreed.

The Chair: With that, we have concluded our review of Bill C-53.

Thank you to each of the members and to those who have substituted.

Thank you to our officials. As did Mr. Battiste, I'd like to thank all the members of the Métis organizations, the Métis nations of Alberta, Saskatchewan and Ontario, for their dedication and input into this very important piece of legislation.

Colleagues, I have two things before we adjourn. Mr. Zimmer would like to speak, and then I want to quickly go to the travel discussion.

Mr. Zimmer, the floor is yours.

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): Thank you, Mr. Chair.

I'd like to resume debate on the motion that I brought forward last week, especially considering that the member for the Northwest Territories is with us today and considering also a recent statement by the deputy premier of the Northwest Territories. We mentioned Premier R.J. Simpson previously.

These are the comments by the deputy premier:

"I get that people are a bit frustrated and anxious," she said. "I think a lot of people have some frustration about the fact that we are recently, in the last few weeks here, into a very particularly cold season. People are using more heating fuel now."

"The cost of heating fuel is itself volatile, and that's not something that I have any control over, it's only the tax on top of that," she added.

In that spirit—

The Chair: Mr. Zimmer, can I interrupt just for a second? I apologize for this.

I should have offered to our officials that if they'd like to leave the table, we're beyond Bill C-53 now, so I don't want to hold them here for this.

Please feel free to make your exit. If you want to stay, you're more than welcome to. You're like family here. If you want to go, I will make you that offer.

Mr. Michael Schintz: Thank you.

The Chair: I'll turn it back to you, Mr. Zimmer.

Mr. Bob Zimmer: Thank you, Mr. Chair.

Those were the comments by Caroline Wawzonek, the deputy premier of the Northwest Territories.

I'll read the motion again for the room.

That, given that the Premier of the Northwest Territories has requested a complete exemption from the Carbon Tax for his jurisdiction, the Committee invite the Premier of the Northwest Territories, R.J. Simpson, to appear on this request for Carbon Tax exemption and the challenges Northwest Territories faces with the cost of living, and that the committee report to the House that it calls on the government to immediately carve out Northwest Territories from the Carbon Tax.

I will reiterate this in the spirit that it appears the legislature in Northwest Territories is going to move forward with their own. This is a real opportunity for us to have their backs and to really back them up on their legislation rather than coming in and saying that Ottawa knows best and blocking them from doing so.

I'll put that before the committee to discuss, and I look forward to the conversation.

The Chair: Thank you.

Ms. Rempel Garner, you're first on my speaking list.

Hon. Michelle Rempel Garner: Thank you so much, Chair.

I strongly support this motion. The way the government has approached carve-outs to the carbon tax is inequitable and, frankly, against the spirit of nation building.

Also, it ignores the valid concerns of many first nations communities across the country that are reliant upon different types of heating fuel and may be facing challenges outside of and greater than looking at ways to, let's say, install a heat pump. There are communities across the country that do not have clean drinking water. I find the way the government approached the Atlantic Canadian carve-out to the carbon tax—and then saying nothing for the rest of the country—a blatant piece of disgusting vote-grabbing.

The reality as well, Chair, and the reason why I would encourage colleagues to support this, is that when we are looking at the issue of climate change and coming up with solutions to address that in the country, the government's present carbon taxation policy does not reduce greenhouse gas emissions. It doesn't work, and the fact that there's such a dogmatic adherence to it is actually stifling policy innovation in other areas.

When we do have subnational governments that are looking at opposing it... Canada is not Germany. It's not a small European country that is temperate. We're a large, cold, natural resource-based country that is also dealing with nation-to-nation conversations with first nations and indigenous persons, and the carbon tax is a failed and flawed policy instrument as it is designed right now in Canada. It's flawed. It doesn't work and it's problematic.

Given the comments—as my colleague Mr. Zimmer has said—of elected officials in this part of the country, I hope the committee would support this motion. Certainly, it would just spur the government into realizing that they have taken a flawed approach. At the very least, I hope the Liberal caucus raises this in their caucus meetings.

Thank you.

• (1205)

The Chair: Thank you.

Ms. Idlout, I have you next on my list.

Ms. Lori Idlout: I have a quick technical question. If we do approve this motion, what's the order? I know that we have other motions for studies. Can you remind us again of how that would work?

The Chair: Yes. At this point, now that we've concluded Bill C-53, the next business we have is the review of version one of the education study. When we finish version one, then we have the land restitution study draft that we need to go through.

We don't have any passed motions yet for whatever the next study would be, so if this motion passes, I would look to the committee on timing as to whether we want to interrupt the review of either of those two reports. Then, as we get into the land restitution study, that's where I was going to bring up committee business to have us look at motions. The Conservatives are next, for their study, and then we have the Bloc, the NDP and the Liberals. We'll move through that rotation of getting topics sorted out, but I wasn't going to have that discussion until we got into the land restitution report, because we have lots of work to keep us going. There are also a couple of pieces of legislation in the House that could be coming to us.

Should this motion pass, I would look to the committee on timing and when the committee would want to have that motion implemented.

Hopefully, that answers your question, Ms. Idlout. Okay. Thank you.

Next I have Mr. Battiste.

Mr. Jaime Battiste: Mr. Chair, we'll be voting against this.

I just want to say, since this is an opportunity to speak about what's going on in my riding, that we have a state of emergency called by the Province of Nova Scotia, by the mayor of the Cape Breton Regional Municipality and by first nation leaders in my riding because of unprecedented snow, snow that has never been seen before in my riding in a hundred years: more than 140 centimetres of snow. I'm getting calls from people saying that they can't get out on their roads and they can't get to dialysis appointments because of the snow. We're hearing that plows are getting stuck. This is all because of the climate crisis we're dealing with.

In the past two years, we've had a state of emergency twice in my riding. We've had two storms of the century in my riding, and for us to say that as a committee we're going to be looking at making the price on pollution free again, to me, is just something that we can't do at this stage. Coastal communities and northern communities are dealing with a cost of climate change that's in the millions—hundreds of millions just for Fiona—and we don't know what this is going to cost us.

We're going to be voting against this, but also, I think it's important to recognize that the provincial and territorial leaders also have a part to play in this. I was watching an Instagram post from the newly elected Premier of Manitoba, who said it's because of the provincial government that they have reduced taxes and have the cheapest gas in Canada.

The provincial premiers have it within their power to ensure this is something that they can do. It's not all on the federal government, but we hope to continue to fight the climate crisis and do everything in our power, because it's impacting indigenous communities more than it's impacting other places in Canada. We learned that at the United Nations last year at the permanent forum, which I'm hoping the committee members might want to go back to again in our travel time in April—I throw that out there and we'll get into that next.

For these important reasons... We're having this debate, but I'd like to get to a vote on this, because I think we have important issues that we need to move forward on, including legislation.

• (1210)

The Chair: Mr. McLeod, I have you next.

Mr. Michael McLeod: Thank you, Mr. Chairman.

I think that if we're going to bring a motion forward for a vote in a committee, it's important that the information is correct. I know Mr. Zimmer has tried many times to bring this forward. In this case, he has referenced the premier making a request for an exemption. There has been no such request, so I'm not sure what we're going to study if the premier has not made a request and if the deputy premier has not made a request. In fact, the cost of living offset is coming up for debate in the Legislative Assembly, I believe. We'd certainly be creating some influence on that discussion as federal MPs. I believe there's going to be a good debate on it. In fact, the cost of living rebate may be considered for an increase.

I'm not sure why Mr. Zimmer from B.C. wants to bring forward a motion that involves NWT. I know that his position and the government's position have been to interfere with other regions as MPs. We've seen the superboards being shoved down our throats here in Northwest Territories. We've seen MPs opposing truth and reconciliation recommendations, the murdered and missing...all these things were being blocked by MPs in other jurisdictions.

I'd like to call the question on this. Let's get it to a vote, but I would rule it out of order if I were the chair, because the information is not accurate. There is no request from the premier.

The Chair: We're going to go through our speaking list, and then we'll have the vote.

Mr. Zimmer, you're next. Then we have Mr. Lemire, Ms. Rempel Garner and Ms. Ildout.

Mr. Bob Zimmer: I have great respect for the member from Northwest Territories, but it's a CBC article from December 10, 2023. The title says, "N.W.T. premier says he wants complete carbon tax exemption for territory", and he's actually quoted in the article:

"I mean, ideally, a complete exemption for the territory is what we would hope for," said R.J. Simpson, chosen this week as premier of the Northwest Territories, in an interview Sunday on *Rosemary Barton Live*.

"The costs are already high—higher costs are not the solution up here."

I don't think it gets much clearer. Maybe the member hasn't read that article or hasn't seen that himself.

Mr. Michael McLeod: Mr. Chair, on a point of order, there has been no formal request. It might have been mentioned in the media, but there has been no formal request for exemption.

The Chair: Thanks, Mr. McLeod.

That is getting into debate, but it has been noted.

I'll let Mr. Zimmer finish.

Mr. Bob Zimmer: I think we clarified that very well.

Speaking about the nature of "Ottawa knows best", the member said that we're proposing something to that effect. I think it's the exact opposite. We're actually trying to put on the record in this committee that we're going to respect the territories' decision to pursue an exemption. As was said before by Minister Guilbeault, it would be his job to grant any further exemptions, after we saw the granting of one to Atlantic Canadians who use home heating oil.

I'll further quote the deputy premier. This is from NNSL, a periodical that's well known in the territories.

"I think the Premier has spoken to this—this is a tax that is putting the North in a position to pay for something that we are actually a very small contributor to, GHG...emissions, with one of the least opportunities to get ourselves off those GHG emissions," she added.

That's because they have to stay warm in the cold.

"This is really why we wanted to hang onto control of it, because the federal government in this instance made a change that benefits people who use home heating fuel in their homes, but in other cases could just as easily make a political decision that would not benefit people.

"We would want to be insulated from being directly impacted from a political decision coming from Ottawa. We've been holding on ourselves to having our own system in the North that was designed in the North, meant to apply in the North."

The whole principle that started this—and the member would know this well—was that somebody in the Northwest Territories was formerly allowed to be granted rebates on home heating. Then—I think it was last April—the Prime Minister said he was sorry but they couldn't do that anymore. They couldn't grant rebates for the carbon tax to their citizens anymore. It put the people who live in the Northwest Territories and their leaders in this very difficult position.

Again, I'll refer to Jackie Jacobson. I call him the carbon tax warrior. He was one of the ones who stood up and said that they already had out-of-control food prices up in the north and that now they were seeing a quadrupling of the carbon tax too. He said it was going to be implemented and mandated across the country by the Prime Minister, and it looked as though he would not allow the Northwest Territories to do what it wanted to do by offering its own rebates.

Again, the spirit of this motion is to support the people of Northwest Territories. We've seen in the news that this might come up this week in their legislature. This is an opportunity for the federal government to say that it supports folks, especially in the north, and to recognize that they are a very small contributor to GHG emissions. We heard that mentioned in committee today. Here's a real opportunity to help folks who are struggling in the north. We as a committee could come forward and say that we support them.

That's what this motion is about. I challenge every member to vote yes for this motion today.

Thanks.

• (1215)

The Chair: Thank you, Mr. Zimmer.

Mr. Lemire, go ahead.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Mr. Chair. I just want to say that the Bloc Québécois will vote against this motion.

[*English*]

The Chair: Thank you.

Ms. Rempel Garner, you're next.

Hon. Michelle Rempel Garner: I have just two brief points, Chair.

First of all, I listened to Mr. Battiste's comments about the impact of the carbon tax. I would note that Atlantic Canada was the one that got the carve-out. I'm not sure if he's suggesting that it should be “uncarved out”. He might want to clarify that. He can clarify that during the study.

I would also argue, to the point that was made about the Premier of the Northwest Territories requesting the carve-out, that the “formal request” by the premiers of the Atlantic provinces involved standing up day after day in the media and saying that they would not accept this—particularly after, I think, one particularly abysmal by-election result in Nova Scotia for the Liberals on this issue. I would just say this. If colleagues want to debate whether or not the Premier of the Northwest Territories wants this carve-out, they can have an opportunity to have him here to talk about it.

We should pass this motion. If my colleague opposite would like to say that the carbon tax should be “uncarved out” for Atlantic Canada, he could do so there too. That would be another reason to have the study.

The Chair: Thank you.

Ms. Idlout, you're next.

Ms. Lori Idlout: When I asked about other study ideas, I looked up a motion I had provided, and it was on water. Is that still on the list?

The Chair: The motion is still there, but my recollection is that we haven't carried it.

Ms. Lori Idlout: All right. Thank you.

The Chair: I have no other speakers, so let's call the vote on the motion by Mr. Zimmer.

(Motion negatived: nays 7; yeas 4)

The Chair: Colleagues, the next thing I have on my list.... Do we want to take a minute to talk about travel? Do any of you have any ideas you'd like to put forward that we could direct our team to cost out over the next few days?

I'll go to Ms. Idlout and then Mr. Battiste. If anybody else wants to weigh in, please do.

Ms. Idlout, you're first.

• (1220)

Ms. Lori Idlout: In a previous discussion, I suggested that we go to Thunder Bay, Ontario, depending on what study we do. I'm still interested in going to Thunder Bay, Ontario.

Thank you.

The Chair: I'm sorry. I just want to clarify. Is that related to the study that you're proposing, the water study from the NDP?

Ms. Lori Idlout: Whatever the topic of the study is, I think there are many different kinds of issues that we could explore in Thunder Bay, which has several first nations communities. If we end up doing our study on water between April and June, then that's what I would suggest we go there for.

The Chair: To help us do a costing, do you have any idea of how many days we would like to be there for the topics that you're anticipating? This is just to help with building the budget or the proposal.

Ms. Lori Idlout: I don't at this point, but I could work on that before the deadline.

The Chair: Okay, perhaps by Wednesday, if that's not too soon, you could come back with some thoughts, and we'll save some time at the end of the meeting for you to give your thoughts to the clerk and share them with the committee, which will give us time to build a proposal to be entertained by the committee.

Mr. Battiste.

Mr. Jaime Battiste: There have been some conversations, and I think one of the options potentially on the table that I'd like for us to discuss is the United Nations permanent forum on indigenous issues, which will be having discussions from April 15 to 26. This year, the theme is “Enhancing Indigenous Peoples' right to self-determination in the context of the United Nations Declaration on the Rights of Indigenous Peoples: emphasizing the voices of Indigenous youth”.

I think this is something that we.... Many of us were able to go to the United Nations last year, and I thought it was great. We had a lot of very good dialogue with indigenous people from around the world, and I think it's a very informative few days. If we scheduled from the first part, from April 15 to April 18, it wouldn't take our flight budget because of the fact that all of us as MPs get at least one trip to New York—I think it's two that we're allowed per year. It would just take rooms for those members who are travelling.

I know that I have talked to our vice-chair about this, and I don't know if he's given any walking instructions to Conservatives on what this could potentially be, but I hope there would be some discussion on the possibility of our going to the United Nations permanent forum in New York on those dates.

The Chair: Okay, so that's another one that we can have a look at building a proposal for to explore.

I have Mr. Carr and Mr. Lemire.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Mr. Chair.

In that sense, yes—

[*English*]

The Chair: I'm sorry. It was my mistake. It's Mr. Carr first, and then Mr. Lemire.

Mr. Ben Carr: It's okay.

I suggest Churchill, Manitoba. Churchill plays a vital role not only for Manitoba but for the entirety of the north. I think there are a lot of very interesting things that we could look at there, ranging from national defence policy to international exports from the Port of Churchill, education, infrastructure and Internet infrastructure in particular. There are also a couple of very fascinating energy projects currently being considered.

I think it's a place that people would enjoy. It's a place where people would see the potential that exists in terms of the increasing importance the north is going to have in our country. The invitation would always be there, I know, from Mike Spence, the mayor of Churchill, and others in Manitoba.

I understand it's a little bit farther and a little bit harder to get to, but depending on where the issues being undertaken for a study from this committee go, that would be an interesting cross-section. I put that out there, perhaps not with as much enthusiasm as some of my colleagues have for their respective choices, but nonetheless, it's there. It's not going anywhere, so if we don't get to it this time around, perhaps it's something that we can be mindful of moving forward.

Thanks, Mr. Chair.

• (1225)

The Chair: Thank you.

Now, Mr. Lemire, you have the floor.

[*Translation*]

Mr. Sébastien Lemire: Thank you, Mr. Chair.

Obviously, I would be very pleased to welcome the committee to Abitibi-Témiscamingue or the surrounding area. The Kitcisakik community could be particularly interesting in terms of the water issue.

However, at this point, I want to talk about the proposal to attend the UN Permanent Forum on Indigenous Issues. That's a great idea. The session will be held from April 15 to 26, and we have a parliamentary recess the week of April 22 to 26, so I propose that we use that week in order not to miss any sitting days of the House.

Thank you.

[*English*]

The Chair: Thank you for that insight and those comments.

Ms. Idlout, you're next.

Ms. Lori Idlout: I want to withdraw my Thunder Bay proposal for now. I'll try to propose it at another time, because I do support Jaime's suggestion to go to the UN.

Qujannamiik.

The Chair: Thank you.

We'll circulate the suggestions that have come out today, ask members to give a bit more detail for our next meeting and decide if there is one or multiple submissions that we want to develop further to meet the deadline of February 16.

The last thing is a quick reminder that this Wednesday we will be starting our review of the version one of the education study. I'd encourage all members to go through that and have their comments ready to go. As we've done previously, we'll go through the contents first, the body of the report, and then recommendations at the end. That will be the order of the flow.

With that, colleagues, I have nothing further. We are adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>