

## MAUDE BARLOW



### **Canada's Water: Private Resource of Public Trust?**

Canada's national water law is forty years old and hopelessly out of date. It has no legally enforceable standards on water quality, drinking water safety or sewage treatment. The federal government does not enforce the Fisheries Act and has gutted the freshwater protection program. It is years behind in its groundwater-mapping project, allowing massive groundwater takings without the evidence that it is safe to do so. Canada is in urgent need of new laws to protect its freshwater heritage.

So far, the Harper government does not seem in the least inclined to introduce new legislative protections. The federal and several provincial governments are, however, moving quickly to promote a market model for water that may put Canada on a course to join a handful of countries that have privatized their water supplies and even opened them up to foreign ownership.

These practices include existing and proposed trade agreements that define water as a tradable good and a private investment; public private partnerships for water utilities where private corporations run water services on a for-profit model; a growing private bottled water industry; water markets, where water rights are bought, traded and sold; renewed interest in the commercial export of Canadian bulk water; an amendment to the Fisheries Act that allows freshwater lakes to be declared "Tailing Impoundment Areas" and destroyed by mining companies; and several others.

It is my contention and the subject of my presentation, that this is the wrong path for Canada's water and that we must instead, declare our water heritage to be a commons, a public trust and a human right and introduce legislation to protect it for the environment and for its equitable distribution to all Canadians. I will put forth the kind of laws we need to examine and the principles we need to guide a sustainable water future for Canada.