
News Release

February 10, 1999

STRATEGY LAUNCHED TO PROHIBIT THE BULK REMOVAL OF CANADIAN WATER, INCLUDING WATER FOR EXPORT

Foreign Affairs Minister Lloyd Axworthy and Environment Minister Christine Stewart today announced a strategy to prohibit the bulk removal of water — including water for export — from Canadian watersheds.

The strategy responds to Canadian concerns about the security of Canada's freshwater resources and is consistent with the motion on water security adopted by the House of Commons on Tuesday, February 9, 1999.

The new strategy includes:

- Amendments to the International Boundary Waters Treaty Act (IBWTA) to give the federal government regulatory power to prohibit bulk removals from boundary waters, principally the Great Lakes.
- A joint reference — with the United States — to the International Joint Commission (IJC) to study the effects of water consumption, diversion and removal, including for export from boundary waters. The IJC will make recommendations to Canada and the United States on the management and protection of our shared waters.
- A proposal to develop, in co-operation with the provinces and territories, a Canada-wide accord on bulk water removals to protect Canadian watersheds. The ministers called on those provinces and territories that have not already done so to adopt moratoriums on bulk water removal while the accord is being developed.

British Columbia and Alberta have legislation that prohibits the removal of water, including for export. Ontario is finalizing regulations to accomplish the same goal. Other provinces are moving forward with similar policies.

"A comprehensive, long-term approach can be developed that protects our water resources and respects federal/provincial/territorial jurisdictions," said Minister Axworthy. "Today's



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federal measures set in train an approach to ensure the security of Canada's water over the long term."

This strategy reaffirms the Government's long-standing position opposing bulk water removal. It is also consistent with the statement by the three NAFTA countries in 1993 that "unless water in any form has entered into commerce and become a good or product, it is not covered by the provisions of any trade agreement, including the NAFTA."

"Canadians value their freshwater resources and want their governments to take action to protect them," said Minister Stewart. "That's why I have invited the provinces and territories to work with the federal government for the Canada-wide accord to prevent bulk water removal from our watersheds."

The availability of clean, fresh water is vital to ecosystems, human health, agriculture and industry. Bulk water removals can have serious environmental consequences. As well, climate change has the potential to significantly alter both the supply and distribution of freshwater in Canada, and therefore a precautionary approach is important in achieving a common solution.

Canada will continue to work through international institutions, such as the United Nations Commission on Sustainable Development and the United Nations Environment Program, to promote sustainable use of freshwater. The federal government will seek opportunities to share Canadian expertise in water technology and services, particularly with countries facing water challenges.

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Backgrounders are attached.

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*Standards for water systems withdrawn
harmful - no
no harm - yes. regulations beneficial*

Backgrounder

WATER FACTS

Canada's watersheds contain about 9 percent of the world's renewable water resources and 20 percent of the world's total freshwater resources, including waters captured in glaciers and the polar icecaps.

Water is vital to ecosystems, human health, agriculture and industry. Bulk water removals may have cumulative effects on watersheds. Inter-basin transfers result in the introduction of non-native micro-organisms and exotic species, and the alteration of natural ecosystems and changes in water flows and tables. Climate change implications have heightened concerns about water removals.

The federal approach to dealing with bulk water removals is an important part of the broader Federal Freshwater Strategy now being developed in consultation with all provinces and territories. The Freshwater Strategy will address the full range of water issues in Canada.

DEFINITIONS

Bulk water removal: the removal of water by man-made diversions (e.g., canals), tanker ships or trucks, and pipelines. Such removals have the potential, directly or cumulatively, to harm the health of a watershed. Small-scale removal, such as bottled water, is not considered bulk.

Watershed: a land area draining into a common watercourse. Often called a catchment area, drainage basin or river basin. Examples of watersheds in Canada include Atlantic (including the Great Lakes and St. Lawrence River), Hudson Bay, Pacific and Arctic. A single watershed can cover a relatively large section of the Canadian landscape. For example, the Great Lakes waters are not restricted to the lakes themselves but include the many rivers and their tributaries that ultimately flow into the lakes.

Boundary waters: shared waters with the Canada-U.S. border running through them. The principal boundary waters are the Great Lakes.

THE WATERSHED APPROACH

A watershed approach is environmentally sound and respects provincial and territorial authorities in water management. The watershed is the fundamental ecological unit in protecting and conserving water resources. Provinces, territories and the federal government are adopting a watershed approach as a key principle in water policy and legislation. The watershed approach recognizes the linkages of water systems and the need to manage water within drainage basins rather than on a river-by-river or lake-by-lake basis.

Backgrounder

A STRATEGY TO PROTECT CANADIAN WATER

The federal government's bulk water strategy is both environmentally sound and consistent with Canada's international trade obligations. It builds on sound water management principles and the need to protect the integrity of Canada's watersheds.

The strategy recognizes that provinces have the primary responsibility for water management and that the Government of Canada has responsibilities under the Boundary Waters Treaty. Actions by territorial governments will also be important as they assume greater responsibility over water resource management. Joint participation is essential to develop and implement a permanent Canada-wide solution to bulk water removal.

The strategy respects Canada's trade obligations because it focusses on water in its natural state (e.g., in rivers or lakes). Water in its natural state is not a good or product, and is not subject to international trade agreements. Nothing in the North American Free Trade Agreement or in the World Trade Organization agreements obliges Canada to exploit its water for commercial use or to begin exporting water in any form.

KEY ELEMENTS OF THE FEDERAL STRATEGY

- **Amendments to the International Boundary Waters Treaty Act**

The Boundary Waters Treaty (1909) provides mechanisms to help prevent and resolve disputes, primarily concerning water quantity and quality along the Canada-U.S. boundary. The International Joint Commission was established under the Treaty. Parliament passed the International Boundary Waters Treaty Act (IBWTA) to implement the Treaty.

The federal government is acting within its jurisdiction by introducing IBWTA amendments in Parliament.

The amendments will give the Minister of Foreign Affairs authority over projects potentially affecting levels and flows of boundary waters (specifically, in the Great Lakes). Through this amendment, a regulation could be developed to prevent the bulk removal of water from boundary waters on the basis of a single or cumulative impacts.

The amendments will be consistent with the principles of the Canadian Council of Ministers of the Environment's Harmonization Accord, and will be developed in close consultation with all affected provinces and territories sharing waters with the United States. The Department of Foreign Affairs and International Trade will lead these consultations.

- **Reference to the International Joint Commission**

A consistent Canada-U.S. approach to the issue is an important element in protecting our shared waters over the long term. Canada and the United States have agreed on a reference to the International Joint Commission (IJC); this will build on the IJC's 1985 study regarding consumptive uses and diversions within the Great Lakes, and will include an examination of potential impacts of water export.

Work on the first phase of this reference will commence immediately. Public hearings will begin in March. The IJC will consult with interested provinces and territories in its work.

- **Canada-wide accord on bulk water removals**

The Canada-wide accord on bulk water removals will represent a commitment by all jurisdictions to act through legislation, regulation or policy. In the case of jurisdictions with measures already in place, the accord will re-affirm their commitment. The federal, provincial and territorial governments will jointly develop the accord.

As an interim measure, the federal government is urging provinces and territories to institute a moratorium preventing bulk removals from watersheds, including for the purpose of export, until such time as the accord is in place. Several provinces already have moratoriums in effect to prohibit bulk water removals.

SUSTAINABLE GLOBAL WATER MANAGEMENT

Freshwater issues are becoming more prominent, and Canada continues to play a key role in promoting local solutions to pressing water problems.

Through the Canadian International Development Agency, since 1987 Canada has contributed \$76 million annually to projects in infrastructure, irrigation, sanitation, pollution control and other water-related projects. The federal government will continue to promote Canadian expertise and technology abroad, and to support international institutions such as the United Nations Environment Program and the United Nations Commission on Sustainable Development in order to promote solutions reducing global demand for freshwater. Exporting Canada's water is neither an economically viable nor an environmentally sustainable means of dealing with water scarcity.