

Five things you should know about Canada's position on the right to water

Around the world, there is a growing movement working to make water a human right — both in law and in practice — affirming that water is an essential and irreplaceable resource for people's health and for our planet as a whole.



On July 28, 2010, the United Nations General Assembly voted overwhelmingly in favour of the human right to water and sanitation — a right that is essential for life itself. It is a right that is so basic that violation can result in death within mere days. Despite the well-documented and ongoing tragedy associated with lack of water and sanitation around the world, it took the United Nations General Assembly six decades to address its omission from the original Universal Declaration of Human Rights.

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By a vote of 122 to 0 (with 41 abstentions including Canada's), the General Assembly approved resolution A/RES/64/292, The Human Right to Water and Sanitation. Several powerful countries stated their opposition to the resolution including Canada, the United States and more than two-thirds of the European Union. Countries that voted in favour were primarily in the Global South, with the support of a handful of Northern states.

Here are five things you should know about Canada's position on the right to water:

1. Canada has voted against the right to water at the UN.

At the UN Commission on Human Rights in 2002, Canada was the only country to vote against the Right to Drinking Water and Sanitation. While the Canadian government has declared that water is an important issue, and that countries are responsible for ensuring that their own populations have access to water, the government has clearly stated it does not believe international law should recognize the existence of a right to water. As noted above, in the most recent vote, Canada abstained from recognizing the Right to Water and Sanitation despite the fact that millions of people die every year from lack of access to clean, safe water.

2. Canada does not support General Comment 15.

Since the 1992 Earth Summit in Rio, the UN has stressed the need to secure global access to safe water. In November 2002, the UN Committee on Economic, Social and Cultural Rights developed General Comment 15, which confirms that the right to water is implicitly contained in the International Covenant on Economic, Social and Cultural Rights.

Canada has falsely stated that General Comment 15 would force it to provide other countries with access to Canadian water, and with this false justification has refused to support the initiative.

3. Guaranteeing the right to water does not mean that the U.S. can take Canadian water.

The federal government defends its position against recognizing the right to water by saying it does not want to lose control over Canadian water. The Canadian government is concerned that the United States could demand Canadian water by claiming it under international obligations. This scenario would not transpire because a claim on human rights grounds must meet very strict criteria.

The U.S. is the largest user of freshwater in the world, and Canada is ranked second. It is impossible to argue the U.S. will need Canadian water on a humanitarian basis when it leads the world in water consumption per capita. The reality is that the U.S. is thirsty because of unsustainable urban sprawl and mismanagement, not because it lacks sufficient water resources.

4. Commodification is the real threat to Canadian water.

The notion that water should be bought and sold like any other product is what threatens Canada's control over its water — not the recognition of water as a human right. Trade agreements such as the North American Free Trade Agreement (NAFTA) and the General Agreement on Trade in Services (GATS) ensure that once water is treated as a commodity, Canada will have little power to stop or even to slow down the export of the resource.

NAFTA is designed to protect trade above all else, and water could be traded and exported even if the consequences to Canada were negative.

5. Canada's record on Indigenous water rights is appalling.

While the majority of communities in Canada benefit from excellent public municipal water services, the federal government has failed in its obligation to provide safe drinking water and sanitation in Indigenous communities. More than 100 First Nations reserves are under boil water advisories and many communities have lived without adequate water infrastructure for generations.

Furthermore, industrial water contamination has disproportionately impacted Indigenous communities leading to high cancer rates in communities like Fort Chipewyan, Alberta, which is directly downstream from the environmentally destructive tar sands production.

A right to water would ensure that the Canadian government provides safe clean drinking water and sanitation to all peoples in Canada without discrimination.

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