



CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



April 8, 2008

To the Liberal Party of Canada,

Our organizations are concerned about recent statements made by the Liberal Party to media in response to Canada's role in removing references to water and sanitation as a human right in a resolution tabled by Germany and Spain at the United Nations Human Rights Council (UNHRC) in Geneva.

Both the Liberal Party water critic, Francis Scarpaleggia and environment critic, David McGuinty told the media that endorsing the right to water could force the Canadian government to export water to the United States.

This statement is utterly untrue. Recognition of the right to water in no way affects a country's sovereign right to manage its own water resources. The resolution tabled at the Human Rights Council specifically stated that it focused on the local and national level, and emphasised the need to leave aside any transboundary water issues.

Canada has recognized the right to food and health since it ratified the International Covenant on Economic, Social and Cultural Rights in 1976. Yet Canada has not been forced to share its ample grain reserves with countries where there are food shortages on the basis of the right to food. Nor has it been required to provide health services to the 47 million uninsured Americans. In addition, the UN definition of right to water only includes water for basic household uses such as drinking, washing and personal sanitation, which takes up only 5% of total water use. Thus, farmers, the bottled water industry, investors and those who wish to water their lawns and wash their cars cannot claim water on the basis of human rights.

We are pleased that the Liberal Party now acknowledges that the North American Free Trade Agreement (NAFTA) makes Canada vulnerable to bulk water exports. NAFTA defines water as a "tradable" good which means that if any province were to allow the commercial export of water, it would be very difficult to turn off the flow. It also considers water an investment, giving American water corporations the right to sue the Canadian government for damages if it ever changed the rules and tried to assert control over Canada's water that is being used by American companies. Our organizations believe that water must be removed from NAFTA and would favour any policy aimed at doing so. However, NAFTA is not the only threat to Canada's water. The United States has exerted pressure on the Canadian government to export water in bulk under the Security and Prosperity Partnership (SPP) of North America and the Liberal Party has publicly recognized this threat.

Strengthening the recognition of water as a human right would challenge rather than reinforce a corporate claim over water. The Canadian government should assert that water is a human right that has to be managed for current and future generations of Canadians. By doing so, it would be in a stronger position to challenge the threats to Canada's water posed by NAFTA.

Canada's position undermines the struggle of millions of marginalised people around the world for access to basic water and sanitation. Diseases caused by dirty water and lack of sanitation kill at least 5,000 children under the age of five every day.

In countries such as India, Kenya, South Africa and Uruguay and people living in slums, indigenous peoples and rural women are mobilising to demand that their governments ensure their right to water and sanitation. For them, the international recognition of water and sanitation as a human right is an important advocacy tool. The last thing they need is Canada – which has a favourable image internationally – loudly proclaiming that there is no human right to water and sanitation.

Canada may be opposing the right to water and sanitation simply out of misguided caution, but the cost will be borne by the one billion people who do not have access to clean water and more than 2.6 billion people who do not have access to a toilet. A more productive approach would be for the Canadian government to propose that the UN Human Rights Council formally confirm that the right to water does not require water exports.

Finally, we note that the United States and Canada are the only countries to officially oppose the right to water at the United Nations. While the U.S. is not a member of the Human Rights Council, it has echoed many of Canada's objections to the resolution. Canada's position therefore isolates itself globally. It is also in bad faith as Canada had previously signed up to UN declarations in 1994 and 1996 that recognized access to water and sanitation as part of the human right to an adequate standard of living.

We call on the Liberal Party to reverse its position on the right to water and sanitation in order to effectively address the water crisis in Canada and around the world.

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