



Recommendation 25

"That to eliminate ambiguity on the subject of bulk water exports, the federal government conclusively demonstrate to Canadians its legal understanding of how the Doha negotiating mandate does not compromise its position that no such export from Canada is permitted. Furthermore, Canadian negotiators should ensure that no ambiguity exists on Canada's position on this subject during the forthcoming round of trade negotiations. Finally, upon the conclusion of the negotiations, the federal government should provide to all Canadians its legal interpretation of any negotiated agreement in order to minimize any further misunderstandings."

The Government's position on water is clear: to prohibit bulk water removals from all major Canadian water basins to ensure that this critical freshwater resource is protected for future generations. Prohibiting the bulk removal of this vital natural resource protects the ecosystems and communities that depend upon a sustainable supply of water. Legislation was passed on December 18, 2001 that prohibits bulk removals and transfers of boundary waters from water basins in Canada and establishes a licensing regime for in-basin activities in Canada involving boundary waters that could affect natural levels or flows of water on the other side of the border. As part of the Government's strategy, the Minister of the Environment worked with the provinces and territories to ensure that all of Canada's freshwater resources are protected, and today all provinces have already put in place or are developing legislation or regulations to prohibit bulk water removal from within their jurisdiction.

The Government is committed to maintaining Canada's sovereignty over water. Nothing in the World Trade Organization agreements obliges Canada to exploit its water for commercial use. Canadian governments have full sovereignty over the management of water in its natural state, and in exercising this sovereignty, they are not constrained by trade agreements.

Canada's position in the negotiations at the WTO is and will continue to be fully consistent with this policy. Canadian negotiators are fully cognizant of the Government's position and will reflect it in all areas of the negotiations. In addition to consulting widely with Canadians in preparation for negotiations, it is the Government's practice to inform Canadians of the results of negotiations and to make public the text of negotiated agreements.

