

Table with 1000 legs.

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On January 24, following my presentation to Delegates one day earlier, the Dairy Farmers of Canada unanimously resolved to support the Farmers Resolution to Exempt Water from the NAFTA. This brings to 78 the grass roots farm organizations that have, at time of writing, endorsed the Resolution (see insert — over 30,000 farmers and counting).

Like a table with a thousand legs, the Farmers Resolution to Exempt Water From the NAFTA will take its strength from the many individual farm organizations that support it: commodity groups, breed associations, farmers' institutes, women's institutes and 4-H clubs.

This Valentines Day I will be in Ottawa to present the Resolutions to Chrétien, Harper, Clark, Layton and Martin. This will mark the start of a one-year campaign to collect resolutions from farm groups across Canada.

While in Ottawa, I will also make a point to drop by the Canadian Federation of Agriculture offices to bring them up to speed. Back last November, Smithers area rancher and former CFA President Don Knoerr provided a three-page briefing on the water issue to the BC Agricultural Council. Knoerr supports the basic concerns of the Farmers' Resolution initiative, although he differs in the actions he would take.

According to Knoerr, "There are provisions in NAFTA which prohibit a government from placing quantitative export restrictions or export taxes on goods destined for other NAFTA parties. It is not absolutely clear that these provisions apply to bulk water, but it would wise to operate on the premise that they may."

"The safest conclusion is that Canada should not allow the export of a given volume of water, if it thinks that in the future it may want to reduce the volume or stop the export all together."

Knoerr goes on to say, "This conclusion is definitely true if the government sells the water to a private party who then exports the water... don't allow private firms to take on activities that in the future may be significantly curtailed by government regulatory decisions.... This concern certainly applies to water, but is not limited to it."

Knoerr is deeply concerned about the NAFTA chapter on investment, Chapter 11. "If a government makes a regulatory decision that may affect the business activity of a foreign-owned business, that company may be able to make a successful claim for compensation under the Chapter 11 provision. Such a decision in favour of a private company has the effect of nullifying the regulatory decision."

Although Knoerr and I agree on most points, we differ on some.

For example, NAFTA does indeed confer on Americans the right to "turn on the tap". A clear argument can be made for irrigation — if Canada is contemplating a border project that Americans farmers have an interest in and they can muster the environmental experts to back it, our choice will be inclusion or compensation. Further, whether you are a farmer or an industrialist, the right to use water is apportioned by license from the Crown. Any attempt by a province to restrict licensees from pursuing "uses which benefit Americans" would be easily challenged under the NAFTA's National Treatment provisions (Sun Belt's Chapter 11 challenge is "waiting in the weeds"). But more importantly, the concerns are not limited to export scenarios;

under the NAFTA, US companies operating in Canada (in the oil patch, pulp mills, hydroelectricity generators) hold rights superior to Canadians with respect to water access. And it will be farmers who suffer first.

Knoerr is reticent about insisting on change in NAFTA, fearing we may upset the Americans. Here I strongly disagree. Water was one of the most publicly debated aspects of the trade agreements – Canadians said a firm NO to water's inclusion in both the FTA and the NAFTA and each time the Canadian politicians told them not to worry, water was not on the table. Turns out it was. A fix is a fix. Sure, it will take a little hard-ball. But sovereignty over water is worth it. All we need is the political will.

Mark this Valentines Day as the start of a one-year campaign to collect resolutions from farm groups across Canada. A strong and high profile campaign that will garner respect from the public and create the political will for change. As Halifax Herald columnist Don Cameron predicts in his Sunday, January 19th column "They'll do it, too. And even Prime Minister Martin will find the united farmers of Canada difficult to ignore."

The Resolution appears on page ___ of this paper. Get it passed and we'll get 'er done! Wendy Holm, 604-947-2893, holm@farmertofarmer.ca, www.farmertofarmer.ca.