

The taking and return of Canada's water...
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Before the signing of the Free Trade Agreement and the North American Free Trade Agreement, Ottawa politicians made two important promises to Canadians: that water was not included in the trade agreements and that Canadian sovereignty over water resources would not be compromised.

Both promises were broken and there is no sector more affected by this than agriculture.

Water's inclusion in the NAFTA effectively relinquishes sovereignty over Canada's water resources in perpetuity. Any time water is used in a commercial context by an American entity - for example, in industrial processes, for power generation, for bottling as a beverage or for irrigation - NAFTA rights apply.

Water flooding in Canada's oil patch is a good example. Before capping a wellhead, petroleum companies routinely inject water to recover the last 10 to 15 percent of oil and gas. This water is removed from available supply for an estimated 50,000 to 500,000 years.

If that petroleum company is American or has American investors, NAFTA rights include continuity of use, proportional sharing, no price discrimination, no interruption of normal channels of supply, national treatment and of course NAFTA Chapter 11, the right to compensation from the Canadian government for lost profits should any of these rights be denied.

In contrast, the farmers and ranchers on whose land these practices occur enjoy no such rights. Indeed, when push comes to shove, it will be the oil and gas sector that controls the discussion surrounding water use in the oil patch because financial compensation for denial of NAFTA rights is not an economic option.

Irrigation is another example. Whenever an irrigation project contemplated in Canada holds potential benefits for the United States, American farmers have the right to pony up their share of the costs and participate.

Unfortunately, to date, discussion of the sovereignty and public policy implications of water's inclusion in the trade agreements has been couched in partisan politics and anti-NAFTA, kill-the-deal rhetoric. Not surprisingly, this approach has proven stunningly ineffective in resolving what is perhaps the single most important public policy crisis of our time.

In March of 2002, I was asked by a group of Canadian farmers to lead the discussion in a different direction, and the Farmers Resolution to Exempt Water From the NAFTA was born.

It is a Canada-wide campaign to develop farm "voice" and farm "authority" in the dialogue to reclaim sovereignty over Canada's water resources.

The message is simple: Whether you love the NAFTA or hate the NAFTA is not the point. Whether you support or oppose water exports is not the point. The point is sovereignty. Canada must have absolute discretion over the management of her water resources in perpetuity.

To accomplish this, the solution is equally simple: water must be added to the list of goods, services and investments explicitly exempted from the terms of NAFTA, as are raw logs and certain species of fish from the Maritimes.

Because the federal government repeatedly and publicly assured Canadians water was not part of the trade agreements, this is not a renegotiation but rather a fix.

All that is necessary is the political will for change.

The Farmers Resolution to Exempt Water From the NAFTA takes its strength from the many individual farm organizations that support it: commodity groups, breed associations, farmers' institutes, women's institutes and 4-H clubs.

Already, over 200 farm groups from across Canada have passed the Resolution.

The objective is to collect resolutions from 1,000 farm organizations across Canada. Once this solid, non-partisan platform has been constructed, Canadians will be encouraged to jump aboard and stand shoulder to shoulder with Canada's farmers in defense of water sovereignty.

Defining the frontier where the rights of the market end and the rights of communities and of nations begin has become a global priority. Water is that frontier.

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