

# MARTIN IN THE MIDDLE: OF MULCAIR AND MORATORIUMS

**On June 14, Quebec's Minister of the Environment, Thomas Mulcair, signalled a reopening of the national debate on bulk water exports. He said, "If we can protect the resource, if we can make sure it's renewed, why can't we even discuss exporting it?"**

Mulcair suggested that it should be up to the 19 regions within Quebec to decide if they want to export more water. This is in sharp contrast to Quebec Premier Jean Charest's 2003 election promise to respect the province's moratorium on water exports implemented in 1999.

Currently, Quebec permits the removal of water from the province in containers of 20 litres or less. This is the case in all Canadian provinces, except New Brunswick where they have no restrictions. However, industry interests certainly want the container size increased so that more of our water can be shipped across the border for their profits.

After a rapid civil society response from Quebec's Eau Secours coalition and the Council of Canadians, Mulcair backed down from his original statement to say that exports would not begin for at least another 10 years. Instead, the Quebec government will focus on groundwater studies to get a better idea of the environmental impacts of export schemes.

Although there is a strong need for further research on groundwater issues in the province, the risks of water exports are well known. In 2001, the Council of Canadians commissioned a study on the environmental implications of bulk water exports that showed that water exports would lead to changes in water temperature and water quality affecting people and nature alike.

Moreover, under the North American Free Trade Agreement (NAFTA), if Quebec were to begin to export water, all Canadian provinces could be forced into exporting water through trade challenges. Despite the federal government's claims to the con-

trary, water is included in NAFTA as both a good and a service. Steven Shrybman, an Ottawa trade lawyer, confirms that if Quebec were to begin exporting water, "Canada could be compelled to continue bulk water exports to the United States under the NAFTA."

At present, Canada's water is only marginally protected from the threat of bulk exports through provincial water-taking laws, a patchwork of environmental laws that leave Canada's waters vulnerable to trade disputes. The Council of Canadians has maintained that in order to protect Canada's waters from trade threats, the federal government must take action by introducing an immediate moratorium on the bulk export of Canadian fresh water. In addition, the government should enact legislation prohibiting large-scale water

exports, open negotiations to exempt water from NAFTA and all future trade deals, develop a broad national water policy that ensures ownership and control of Canada's fresh water remains in public hands, and join with other countries and non-governmental organizations worldwide to promote more efficient use and maintenance of local fresh water.

Although Mulcair appears to have backtracked on his statements, the water export debate could resurface in Quebec when its water preservation laws undergo review within the next two years.

Readers will remember that less than three years ago in Newfoundland, the government of then Premier Roger Grimes stated that there were no legal or environmental obstacles to bulk water sales, and decided not to export water from Gisborne Lake only when it was determined that sales revenue wouldn't be as high as had been anticipated.

Canada's waters need better protection from corporate greed and the vagaries of provincial government's whims and wishes for additional revenue. It is imperative Prime Minister Paul Martin declare a moratorium on water exports, as a precursor to legislation banning water exports.



Photo: Bill Moore-Kilgannon

Water Campaigner Sara Ehrhardt

Sara Ehrhardt is the Water Campaigner for the Council of Canadians.