

Minister
of Foreign Affairs



Ministre
des Affaires étrangères

Ottawa, Canada K1A 0G2

APR 16 2007

Ms. Sue Peterson
Volunteer Administrator
Safe Drinking Water Foundation
912 Idylwyld Drive North
Saskatoon, Saskatchewan
S7L 0Z6

Dear Ms. Peterson:

Thank you for your letter of March 15, 2007, concerning the quality of drinking water in some aboriginal communities and extending an invitation to meet with you and Dr. Hans Peterson, Executive Director, Safe Drinking Water Foundation.

Although I appreciate your kind invitation, I regret that scheduling constraints do not permit me to meet with you and Doctor Peterson.

All Canadians deserve clean, safe drinking water. In Budget 2007, my colleague the Honourable James Michael Flaherty, Minister of Finance, outlined the commitment of the Government of Canada to continuing to work with First Nations to ensure that all First Nations residents have access to safe drinking water. The Canadian government will continue to address the needs of communities with high-risk drinking water systems by building on its March 2006 *Plan of Action for Drinking Water in First Nations Communities*. The Government of Canada will also develop a regulatory regime, based on the options raised in the report of the Expert Panel on Safe Drinking Water for First Nations, to oversee water quality on reserves. As this issue falls under the purview of my colleague the Honourable Jim Prentice, Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, I have taken the liberty of forwarding to him a copy of your correspondence for consideration.

Your letter also refers to Canada's position on water as a human right. The issue of a human right to water falls within various federal and provincial jurisdictions and has been the subject of ongoing discussions which are contributing to Canada's policy development on the issue. Canada remains committed to the promotion and protection of human rights, and fully acknowledges its specific obligations in relation to water under existing international human rights instruments, such as the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women.

.../2

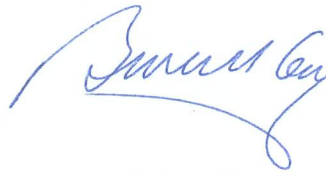
Canada

While a "right to water" has been read into the International Covenant on Economic, Social and Cultural Rights by the Committee on Economic, Social and Cultural Rights through one of its non-binding General Comments (General Comment 15 on the right to water), a general "right to water" is not protected under existing international human rights treaties. International law develops mainly through the negotiation by States of binding rights and obligations, rather than through the work of independent experts and bodies. There is presently no international consensus among States on the legal status of this right, its content or scope.

However, the international community is beginning to look at the issue of access to water and human rights obligations more closely. For example, the United Nations Human Rights Council recently mandated the Office of the High Commissioner to conduct a study on the relationship between access to water and international human rights obligations. Canada joined consensus on this study. It is expected that the study will be completed sometime in summer 2007.

Thank you for taking the time to write and share your concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter G. MacKay", with a stylized flourish at the end.

Peter G. MacKay

c.c. The Honourable Jim Prentice, P.C., M.P.