

Freshwater Policy

Suggested citation:

Smith, R., Chapariha, M. and McGinty, S. (2023). Freshwater Policy. Our Living Waters

1. Introduction

United Nations Sustainable Development Goal 6 (Clean Water and Sanitation) seeks to ensure access to safe water sources and sanitation for all, with Target 6.4 specifically emphasizing the importance of protecting freshwater by “substantially increase[ing] water-use efficiency across all sectors and ensure[ing] sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce[ing] the number of people suffering from water scarcity” by 2030. Moreover, the United Nations has committed to focus on water for the Water Action Decade (2018 to 2028).¹ Its aim is to raise awareness and advance the water agenda. Many countries, including Canada, have committed to focus on water during this decade².

This impact measure serves to assess the degree to which Canadian governments have up-to-date water policies and laws. It is important that freshwater policies be kept current, as such policies set out the vision, direction and measures governments use to achieve the targets of SDG 6, the goals of the Water Action Decade and other freshwater objectives.

2. Methodology

This impact measure is an update of the previous version published in 2019. It expands upon that version by considering not just whether governments have current freshwater policies but also whether they have freshwater laws that are up to date. In some cases, governments have water policies that are not current (i.e., older than 10 years) but laws that are. This expansion of what is considered in the impact measure reflects the fact that it is not just policies that determine a government’s commitment to freshwater sustainability but also the related laws it puts in place. This updated version of the impact measure was first published in 2021 and was then reassessed in January 2023.

To compile the impact measure, desk-based analysis of freshwater policies and related laws in the federal, provincial, and territorial governments was undertaken. A policy was considered current if it was set out less than 10 years ago (i.e., in 2013 or more recently). A law was considered current if it was enacted or underwent a major amendment less than 10 years ago.³

¹ See <https://wateractiondecade.org/>

² See <https://wateractiondecade.org/wp-content/uploads/2018/08/CanadaStatement.pdf>

³ A major amendment is one that changes the scope of application, the intent or the penalties associated with the law. Minor amendments to ensure that laws remain current with other laws (e.g., by changing terms or definitions) were not considered.

3. Findings

3.1. General findings

Of the 14 federal, provincial, and territorial governments in Canada, seven have a freshwater policy and/or law that is less than 10 years old. No government has both a current policy and law. British Columbia, Manitoba, New Brunswick, Prince Edward Island, Quebec, Yukon, and the Northwest Territories all have either a current policy or a current law, but not both. The remaining seven governments, including the federal government, have neither a current policy nor a current law (Table 1). The federal government has the oldest policy and law, dating from 1987 and 1985 respectively. One government, Saskatchewan, has no specific law pertaining to freshwater, and its policy is not current. Three governments (Ontario, Newfoundland and Labrador and Nunavut) have no specific freshwater policy; none of them has a current freshwater law.

3.2. Comparison with previous findings

In the period since 2021, one government (Saskatchewan) that had a current freshwater policy has fallen off the list, since its policy was set out in 2012 and is now more than 10 years old. Manitoba is the only government that published a new freshwater policy in the period since 2021. In this same period, there have been no changes with respect to freshwater laws.

Table 1 – Status of freshwater policies and laws in Canadian federal/provincial/territorial governments, January 2023

Jurisdiction	Name and date of freshwater policy	Current freshwater policy?	Name and date of freshwater law enactment or last major amendment	Current freshwater law?
Canada	Federal water policy , 1987	No	Canada Water Act , 1985	No
British Columbia	Living Water Smart , 2008	No	Water Sustainability Act , 2014	Yes
Alberta	Water for Life: A Renewal , 2008	No	Water Act , 2000	No
Saskatchewan	25 Year Water Security Plan , 2012	No	No specific freshwater law	No
Manitoba	The Manitoba Water Strategy , 2022	Yes	The Water Protection Act , 2005	No
Ontario	No specific freshwater policy	No	Clean Water Act , 2006	No
Quebec	Québec Water Strategy 2018-2030 , 2018	Yes	An Act to affirm the collective nature of water resources and provide for increased water resource protection , enacted 2009, amended 2011	No
New Brunswick	A Water Strategy for New Brunswick 2018 - 2028 , 2017	Yes	Clean Water Act , 1989	No

Nova Scotia	Water Resources Management Strategy , 2010	No	Water Resources Protection Act , 2000	No
Prince Edward Island	Watershed Strategy , 2015	Yes	Water Act , 1988	No
Newfoundland and Labrador	No specific freshwater policy	No	Water Resources Act , 2002	No
Yukon	Water for Nature, Water for People: Yukon Water Strategy and Action Plan , 2014	Yes	Waters Act , 2003	No
Northwest Territories	Northern Voices, Northern Waters NWT Water Stewardship Strategy , 2010	No	Waters Act , 2014	Yes
Nunavut	No specific freshwater policy	No	Nunavut Waters and Nunavut Surface Rights Tribunal Act , 2002	No

Source: Our Living Waters