

# WATER MANAGEMENT IN CANADA:

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## ▶ FEDERAL POWERS (s.91)

- ▶ Taxation
- ▶ Trade
- ▶ Shipping and Navigation
- ▶ **Fisheries and Oceans**
- ▶ Banks /Currency
- ▶ **Indians and Lands Reserved for Indians (Indigenous Peoples)**
- ▶ ...

## ▶ PROVINCIAL POWERS (s.92)

- ▶ Taxation
- ▶ Education
- ▶ **Property and Civil Rights**
- ▶ **Natural Resources**
- ▶ Local and Private matters
- ▶ ...

*CANADA: CONSTITUTION ACT, 1867*

## ▶ CONCURRENT JURISDICTION

- ▶ Agriculture
- ▶ **Environment**
- ▶ Health
- ▶ Trade and Commerce
- ▶ **Water**
- ▶ ...

*CANADA: DIVISION OF POWERS*

A decorative graphic consisting of several parallel white lines of varying lengths, slanted upwards from left to right, located in the bottom right corner of the slide.



# Location of Historical Treaty Boundaries in Canada



Note: Treaty boundary lines are approximate.

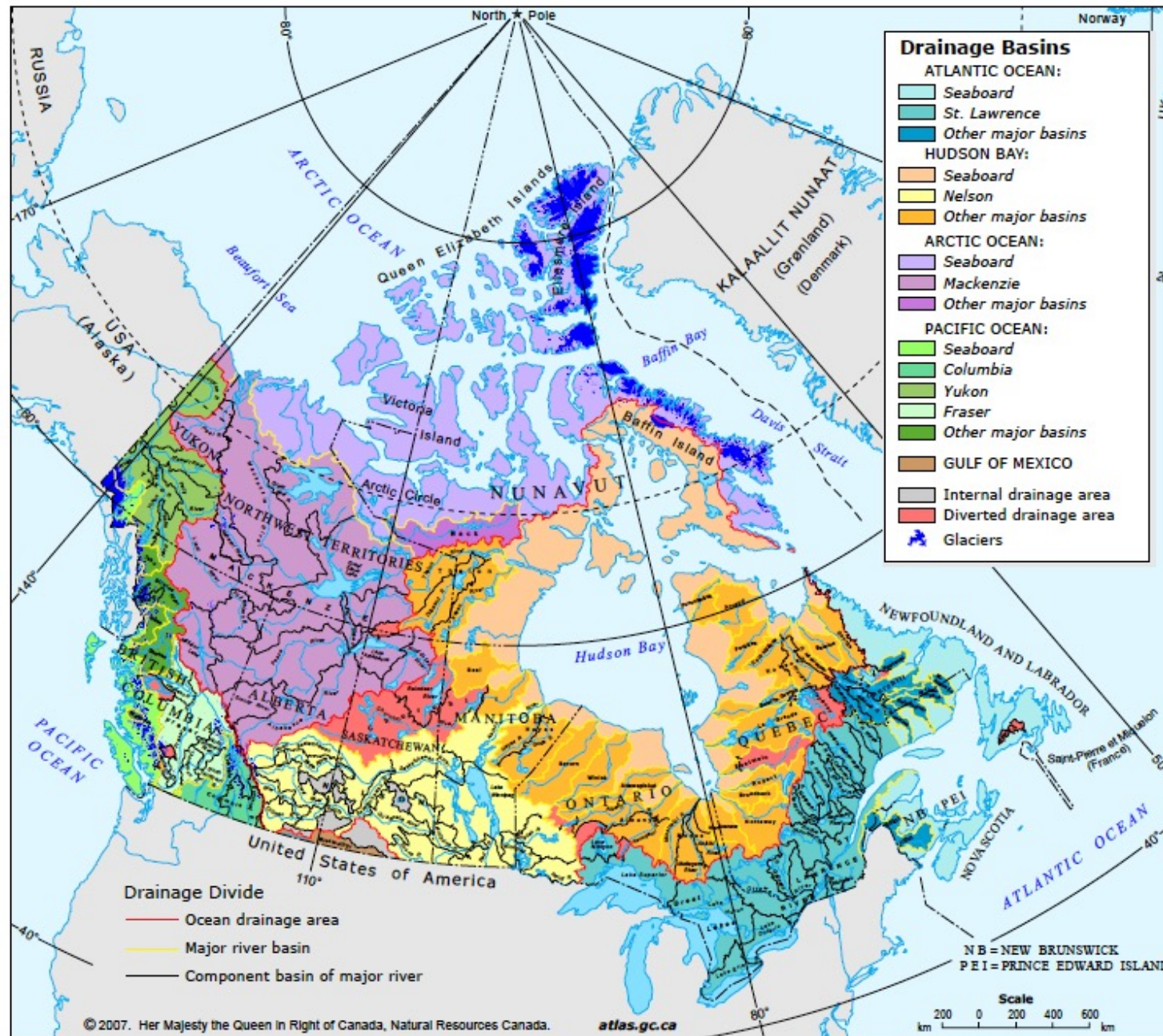


# MODERN TREATY TERRITORIES



This map is for illustration purposes and identifies only those areas which are subject to signed modern treaties. It does not represent any governments, organizations or territories that are currently negotiating agreements; that have historic treaties or land claims; or that have asserted title or rights to their territories which have not been the subject of a modern treaty.

Figure 1: Drainage areas in Canada





## RIGHTS OF THE INDIGENOUS PEOPLES RECOGNIZED AND AFFIRMED

**s. 35.** (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

(2) In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

**CANADA: CONSTITUTION ACT, 1982**



# Nation-to-Nation Relationships at the Core of Indigenous Relations



## ▶ Organization of Principles and Themes

- ▶ General principles of equality and non-discrimination (individual and collective)
- ▶ **Self-determination; self-government and Recognition of Treaties and Agreements**
- ▶ Implementation and Redress for Past harms
- ▶ **Lands Territories and Resources, relocation, management of rights and authorities, military**
- ▶ **Environment, conservation, protection and management of traditional territories**
- ▶ Civil and political rights (identity, membership, labour rights, forced assimilation and relocation)
- ▶ Participation and Indigenous institutions (decision-making, FPIC, representation)
- ▶ **Economic and Social rights (economic, land development, improving social conditions, health, traditional medicines and cultural practice)**

# UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (2007)

## ▶ **Canada's Implementation of UNDRIP**

- ▶ On June 21, 2021, Canada's UNDRIP Act came into force
- ▶ This is Canada's framework to advance UNDRIP in partnership with Indigenous peoples
- ▶ The UNDRIP Act is implemented on a nation-to-nation basis with Indigenous peoples and reported on annually

# CANADA'S UNDRIP ACT (2021)

- ▶ **International Joint Commission**

- ▶ Formed in 1909 under the *Boundaries Water Treaty*
- ▶ Manages waters that mark or cross the Canada-US border (8,891 km)
- ▶ Has established 13 boards and committees to facilitate their work
- ▶ Indigenous peoples are participants in some of these boards and committees

# TRANSBOUNDARY WATER MANAGEMENT



Figure 8: Map illustrating areas covered by International Joint Commission (IJC) Boards and Committees



- ▶ **Canada**

- ▶ Canada has four domestic transboundary (provincial/territorial) water boards
- ▶ *Canada Water Act* (currently being modernized)
- ▶ Federal legislation, regulation, and policy (fisheries and oceans, Federal Sustainability Strategy, National Research Council, impact assessment, environmental protection, migratory birds, species at risk, *Navigable Waters Act*, etc.)
- ▶ Federal infrastructure (Canadian Climate Institute, Infrastructure Bank, protected areas, parks, etc.)

- ▶ **Provinces/Territories**

- ▶ Provincial/Territorial infrastructure (water agencies, provincial parks, water use and alteration permitting, etc.)

# DOMESTIC WATER MANAGEMENT

- ▶ **Indigenous Peoples**

- ▶ Modern Treaties
- ▶ Atlantic First Nations Water Authority  
([www.afnwa.ca](http://www.afnwa.ca))
- ▶ Seal River Watershed Alliance  
([www.sealriverwatershed.ca](http://www.sealriverwatershed.ca))

# DOMESTIC WATER MANAGEMENT



# MODERN TREATY TERRITORIES



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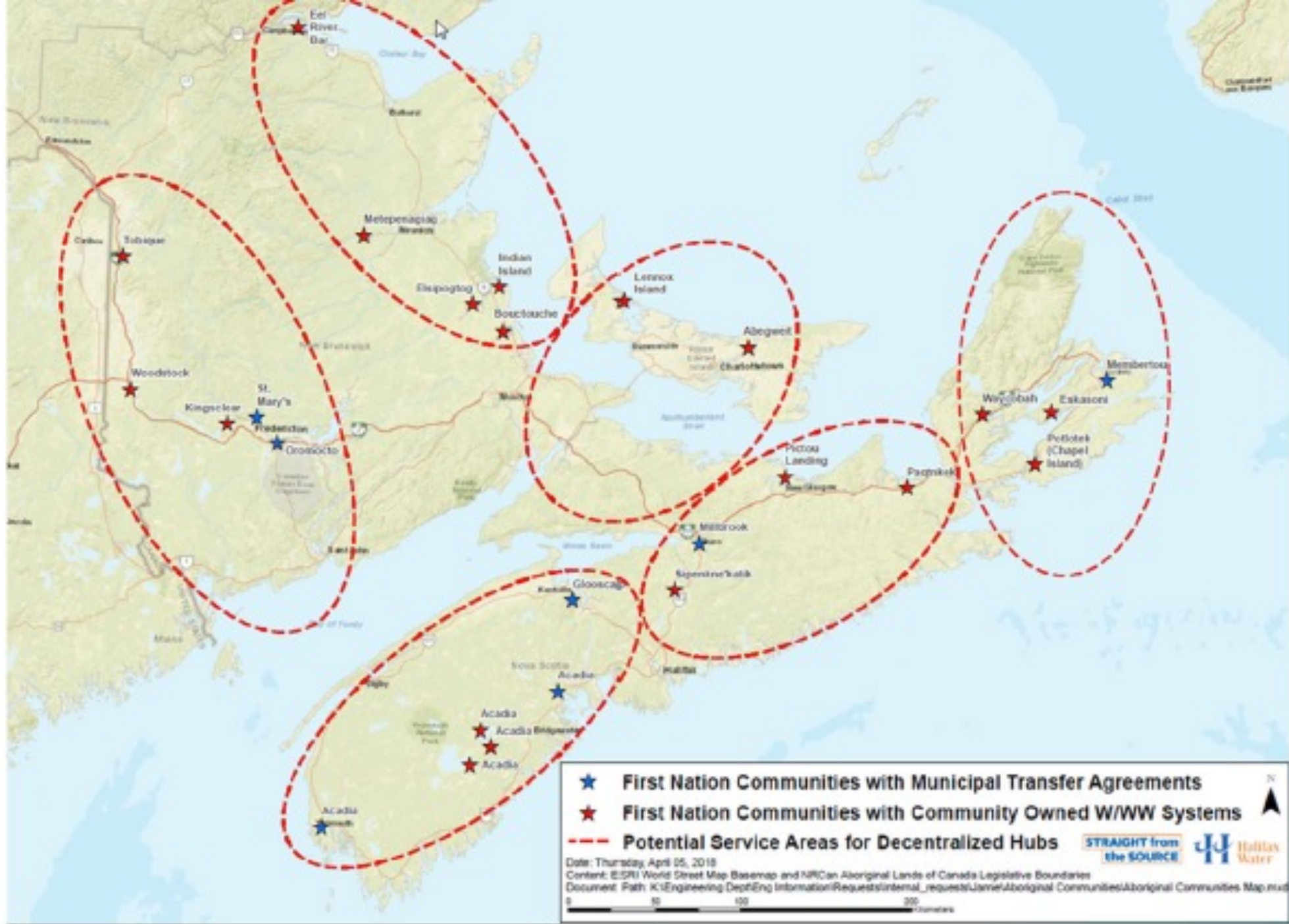
# Métis Self Government Agreements



- ▶ **Indigenous Peoples**

- ▶ Modern Treaties
- ▶ Atlantic First Nations Water Authority  
([www.afnwa.ca](http://www.afnwa.ca))
- ▶ Seal River Watershed Alliance  
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# DOMESTIC WATER MANAGEMENT






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# DOMESTIC WATER MANAGEMENT

# Seal River Watershed Potential Study Area

-  Seal River Watershed Potential Study Area
-  First Nations Communities
-  Town



- ▶ **For More Information:**
  - ▶ Canada Water Agency
    - ▶ Gemma Boag – Director of Policy
    - ▶ [gemma.boag@ec.gc.ca](mailto:gemma.boag@ec.gc.ca)

ALL MY RELATIONS