



CONFRONTING THE FIRST NATIONS WATER CRISIS

Canada is blessed with water, both its abundance in nature and the safety and affordability of its public water systems. Those living in urban settings have access to some of the best drinking water and wastewater services anywhere.

However, such access has not been available to Indigenous Peoples in Canada for many years. In many First Nations communities across the country, such basic services as clean drinking water and safe sanitation have been shockingly absent, a situation that compounds other social and health crises.

In order to fulfill its pledge to recognize the human rights to clean water and sanitation, a Blue Community School will educate students about the water crisis in First Nations communities and how addressing this past is key part of Canada's commitment to reconciliation.

A Shameful Past

Many First Nations in Canada have lived for many years under "Drinking Water Advisories" - or DWAs - where all their water for personal use must either be boiled or delivered in huge plastic containers too heavy for many to use. A single DWA can mean as many as 5,000 people lack access to safe clean drinking water. Some current DWAs go back 25 years.

The lack of clean, safe drinking water is a clear violation of Canada's commitment to the UN-recognition of the human rights to water and sanitation. Rectifying this travesty is a key goal of the reconciliation process now underway in the country.

Many studies have catalogued the terrible health consequences of dirty water in First Nations communities. In a 2016 review of 16 studies published between 2000 and 2015, researchers at the University of Saskatchewan listed gastrointestinal illnesses, skin problems, birth defects, liver disease, kidney problems, autoimmune diseases and mental health issues linked to dirty water in Indigenous communities.

Studies in the Athabasca River region near the Alberta oilsands have found high levels of arsenic, cadmium, mercury and selenium in the local wildlife. The Athabaskan Chipewyan First Nation community has long asserted its high rates of cancer are connected to these sources of food.

A March 2021 study by Concordia University's Institute for Investigative Journalism found a direct link between high rates of Covid-19 on First Nations where cisterns are used in place of running water. Cisterns hold a quarter of what a family uses when it has access to running water and the researchers found that households that have to rely on them were forced to conserve water, which lowered their ability to follow public health guidelines to deal with the virus.

Signs of Hope

There are 634 First Nations communities in Canada, many in remote areas hard to reach in winter. When the current government came to power in 2015, there were 93 First Nations communities under 133 different Drinking Water Advisories, and some new ones were added in recent years.

At that time, then Prime Minister Trudeau promised to end all long term DWAs within five years. While the government did not reach that goal by 2020, as of summer 2025, it has committed to over \$6 billion on water infrastructure in First Nations communities and lifted 148 long term DWAs, including all of them in British Columbia, Alberta, Quebec and Atlantic Canada. There are now still 36 DWAs in place in communities across the country. The government has vowed to end them all.

In 2021, the Federal Court of Canada approved a multi-billion dollar legal settlement that requires the federal government to take swifter action to clean up contaminated drinking water in Indigenous communities and compensate First Nations for the decades they went with no access to clean water. The government must spend at least \$6 billion over nine years to fund water infrastructure and operations in First Nations communities and will pay \$1.5 billion in damages to about 140,000 Indigenous people.

In December 2023, the Government of Canada tabled Bill C-61 - *First Nations Clean Water Act* - that sets out principles and standards for water quality and quantity and wastewater effluent in First Nations communities. By ensuring that First Nations have reliable access to safe drinking and sanitation, the Act sets out its purpose to:

“assist First Nations in achieving the highest standard of health, safety and well being...

“affirm the inherent right of First Nations to self-government, which includes jurisdiction in relation to water, source water, drinking water, wastewater and related infrastructure on, in and under First Nations lands...

“establish minimum national standards for the provision of water services on First Nations lands and a federal regulatory regime respecting those services...

“facilitate collaboration between First Nations and federal, provincial, territorial and municipal governments through transboundary source water protection planning and the entering into of agreements to protect source water.”

In addition, the Act sets out to close the gap on water services between Indigenous and non Indigenous communities in Canada and affirms Canada’s commitment to the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which Canada adopted in 2016.

UNDRIP establishes a universal framework of minimum standards for the survival, dignity and well-being of Indigenous Peoples and elaborates on existing human rights standards and fundamental freedoms. Importantly, it encompasses a more collective approach to human rights and recognizes the cultural, social and resource heritage of First Nations.

Addressing the issue of safe drinking water on First Nations communities is a moral and political imperative and key to fulfilling Canada’s UNDRIP obligations.



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