

Bill to ensure clean drinking water systems on First Nations dies with Parliament's prorogation

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Neskantaga First Nation Chief Chris Moonias spent much of his Christmas holiday dealing with shortages of bottled water across the community, home to Canada's longest-running boil-water advisory. Ben Sakanee fills water jugs from Attawapisakt Lake in Neskantaga First Nations on

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DAVID JACKSON/THE GLOBE AND MAIL

First Nations leaders who championed a federal bill intended to address long-standing drinking water issues on reserves say the prorogation of Parliament has killed the proposed legislation and dashed hopes that Ottawa will ever tackle the problem.

“It’s dehumanizing,” said Neskantaga First Nation Chief Chris Moonias, who spent much of his Christmas holiday dealing with shortages of bottled water across the community, home to Canada’s longest-running boil-water advisory. “I supported the bill because it would set minimum standards for our First Nations drinking water so that it doesn’t fall below a certain standard. Now the whole thing is likely dead.”

Introduced in December of 2023, Bill C-61 proposed recognizing safe drinking water as a basic human right for all First Nations, setting water quality standards on reserves and helping protect the sources of water flowing onto First Nation lands.

But with the prorogation of Parliament on Monday, the fate of Bill C-61 – and 25 other government bills – appears doomed. All bills that don’t receive royal assent before prorogation are terminated and must be reintroduced after prorogation ends on March 24.

C-61 passed second reading in the House in June but its path was slowed by the opposition parties, said Indigenous Services Ministers Patty Hajdu.

“During a critical moment to do what was right, the NDP and Conservatives unfortunately blocked the bill from moving forward,” she said in a statement. “While the future of the bill is unknown, what remains certain is

our work with First Nations partners to ensure clean drinking water for generations to come.”

B.C. Liberal MP Patrick Weiler, chair of the standing committee on Indigenous and Northern affairs, maintains some hope that C-61 could be reintroduced and promptly fast-tracked toward royal assent.

“There are ways, for instance through unanimous consent motions, that you could get the bill back to where it is right now,” he said in an interview. “And I would hope that would happen on something like this that is such a critical priority for Indigenous and non-Indigenous Canadians.”

Anishinabek Nation Grand Council Chief Linda Debassige is less hopeful and says all parties share blame for C-61’s demise. She and former Assembly of First Nations national chief Phil Fontaine co-led negotiations on the bill for the AFN and she says delays began as soon as it was introduced. “The government had every opportunity to get this bill moving along before the summer, but it didn’t,” she said. “Now all this work that our leadership across the country has done for years is all for nothing. It’s absolutely frustrating and disappointing.”

Ms. Debassige said she’s been working on First Nations water issues for more than a decade, when the governing Conservatives were developing drinking water legislation that came into force in 2013 and met widespread disapproval from First Nations for failing to provide predictable funding, protect source water and consult with Indigenous groups.

In 2021, Ottawa settled a class-action lawsuit brought by Neskantaga and other First Nations over unsafe drinking water on reserves. Under the settlement the federal government agreed to provide \$1.8-billion in

compensation, spend \$6-billion on water infrastructure and replace the Conservative law.

The Liberal government repealed the Conservative law in 2022 and agreed to co-develop a replacement law with the AFN and other groups. “The co-development made this bill a first of its kind,” said Mr. Fontaine. “But it did something else unique and unheard of by making access to clean water a human right for First Nations.”

While some First Nations leaders quibbled with aspects of the bill, leaders such as Mr. Moonias threw their weight behind it.

Now leaders are wondering if they’ll ever see First Nations water legislation return to the Order Paper.

“It’s an obligation for Canada, no matter what party is in power, to revive this bill and continue on with it,” said Ms. Debassige.

“I was in my 20s when I started this work,” she added. “Now I’m in my 40s. I’m hoping I don’t have to wait until I’m 60 to see something positive for our communities.”

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