

COLLABORATIVE WATER GOVERNANCE AS A CONDITION FOR THE EFFECTIVE REALIZATION OF INDIGENOUS WATER RIGHTS IN SASKATCHEWAN, CANADA

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Climate change has made access to safe water one of the greatest challenges facing constitutional democracies today. Across the world, governments are being called upon not only to recognize environmental and human rights, but also to ensure that these rights are effectively protected in practice. In Canada, this challenge is particularly evident in relation to Indigenous communities. Although Indigenous rights are constitutionally recognized under Section 35 of the Constitution Act, 1982 (Constitution Act, 1982), many First Nations have historically faced barriers to accessing safe drinking water. This situation raises an important question about constitutional democracy: how can legal guarantees be translated into concrete improvements in people's lives?

This paper examines how collaborative water governance can strengthen the implementation of Indigenous water rights in Saskatchewan. It argues that, while constitutional recognition provides the legal foundation, the effective realization of these rights depends on cooperation, shared decision-making, and Indigenous leadership within governance processes. In this sense, collaborative governance should not be understood as an alternative to constitutional protection; rather, it is one of the mechanisms through which constitutional commitments can be effectively implemented (Datta & Hurlbert, 2022).

The discussion draws on literature from constitutional law, environmental governance, and human rights. Adaptive and multilevel governance help explain why water management requires coordination among different levels of government, especially when environmental challenges cross administrative boundaries (Hurlbert, 2018). At the same time, the concept of epistemic justice highlights the importance of recognizing Indigenous knowledge as an essential source of expertise in environmental decision-making (Wilson & Inkster, 2018). Indigenous perspectives often understand water not simply as a natural resource, but as a

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living relationship that connects people, ecosystems, and future generations (Acharibasam et al., 2024; Hurlbert et al., 2025). The Cree principle of *Wahkohtowin*, for example, emphasizes reciprocity, responsibility, and interconnectedness, offering valuable insights for more inclusive approaches to water governance (Acharibasam et al., 2024; Hurlbert et al., 2024).

International human rights standards are taken into account, for example, General Comment number 15 recognizes access to safe and sufficient water as a fundamental human right (United Nations Committee on Economic, Social and Cultural Rights, 2002), while Sustainable Development Goal 6 calls for universal and equitable access to water and sanitation (United Nations, 2015). Together, these instruments reinforce the idea that protecting access to water is both a constitutional responsibility and a human rights commitment, particularly for vulnerable groups.

The experience of the Star Blanket Cree Nation in Saskatchewan can illustrate these ideas. The community lived under a long-term boil water advisory from 2007 until July 2024, when the advisory was officially lifted (Indigenous Services Canada, 2024; Quon, 2024). This achievement was made possible through significant federal investment in a new water treatment facility, but infrastructure alone does not fully explain the outcome. The project also relied on strong community leadership, local operator training, and close cooperation between Indigenous authorities and different levels of government (Indigenous Services Canada, 2024; Quon, 2024). The case shows that water security depends on collaborative governance and Indigenous participation.

Rather than representing an exceptional case, the experience of the Star Blanket Cree Nation shows how collaborative implementation can strengthen constitutional commitments through cooperation between governments, Indigenous communities, and public institutions. More broadly, the research argues that one of the main challenges for contemporary constitutional democracies is ensuring that constitutional rights are effectively implemented. In this context, collaborative governance connects legal guarantees with practical outcomes by promoting participation, shared responsibility, and the protection of vulnerable groups.

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