



Access to Water

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SUMMARY

The right to water is an internationally recognised human right. Despite this, Israel has maintained total control over Palestinian resources, including water, since 1967. The inaccessibility for Palestinians to sufficient levels of clean water must be understood not only within the context of long-standing Israeli policies that distribute resources completely asymmetrically between Palestinians and Israelis, but also as part of a broader system of control over all aspects of Palestinian life.

BACKGROUND AND INTERNATIONAL LAW

Rather than leaving Palestinians to have access to their own resources, Israel has imposed policies that forbid them from developing and maintaining an autonomous water infrastructure. Through limiting their capacity for independent water production, Israel has ensured that Palestinians are dependent on allocations from the Israeli state. These allocations are minimal, however, and vastly disproportionate to the amount allocated to Israel's own citizens.¹

According to international human rights standards, Israel should be assisting Palestinians, who are recognised to be under its military occupation, to have access to clean water.² The UN Committee on Economic, Social and Cultural Rights has stated

that 'the human right to water is indispensable for leading a life in human dignity. It is a prerequisite for the realisation of other human rights'.³ In July 2010, through Resolution 64/292, the United Nations General Assembly explicitly recognised the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights.⁴ The resolution calls upon states and international organisations to provide financial resources, develop capacity-building, and enact technology transfers to help countries in providing safe, clean, accessible and affordable drinking water and sanitation for their citizens. Not only does Israel fail to assist Palestinians under its control to ensure their right to water, it actively obstructs them from doing so.

Israeli individuals consume 4-5 times the amount of water (for domestic use) than Palestinians in the territories under Israel's own control. In the West Bank, the Israeli settler population, numbering more than half a million, consumes approximately six times the amount of water used by the Palestinian population of almost 2.6 million. These discrepancies are even more severe when water used for agriculture is taken into account.⁵

ISRAELI POLICY ON WATER

The imbalance in water allocation between Palestinians and Israelis is enabled by a matrix of Israeli control over the natural

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1. <http://www.haaretz.com/middle-east-news/1.574554>

2. <http://www.righttowater.info/progress-so-far/international-timeline/#1966>

3. http://www.un.org/waterforlifedecade/human_right_to_water.shtml

4. Ibid

5. <http://www.alhaq.org/publications/Water-For-One-People-Only.pdf>



water resources in the region. Israel and the Palestinian territories share three water systems: the Western (or Mountain) Aquifer, the Coastal Aquifer and the Jordan River Basin. Israel consumes 80% of the Western Aquifer's annual production of water, while less than 20% is allocated for Palestinians,⁶ and Palestinians have been prohibited entirely from accessing the Jordan River Basin since 1967.⁷ Meanwhile, the Coastal Aquifer, which lies under the coastal plain of Israel and the Gaza Strip, provides a sustainable annual yield of 450 million cubic metres per year for Israel and only 55 million cubic metres per year for Gaza. More fundamentally, due to over-exploitation and sewage pollution, 95% of the Coastal Aquifer's water is unfit for drinking, leaving Palestinians in the Gaza Strip under a constant water crisis.⁸ In August 2017, five-year-old child Mohammad Al-Sayes died from water pollution in Gaza.⁹

One of the key reasons behind the deliberate, systematic misappropriation of water resources to Palestinians is the inclusion of water as an issue to be addressed through the peace process and the attendant negotiations. This has framed water rights as something that is dependent on a (yet-to-be-reached) settlement rather than a non-negotiable right, what it ought to be according to international and human rights law. Water is one of the five permanent status issues in the Oslo Accords, and in fact former Prime Ministers Ariel Sharon and Ehud Barak (as well as Menachim Begin much earlier on) stated that they considered

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control and use of Palestinian water resources as a precondition to their concession for the formation of any Palestinian state.¹⁰ Were the issue of water dealt with in accordance to international law, Israel would only have access to 50% of overall shared water resources.¹¹

Lack of Palestinian access to adequate and clean water is the deliberate result of a long-standing Israeli policy of discrimination, and not a natural difficulty arising out of climatic drought conditions and the environment of the region. As the Palestinian human rights organization Al-Haq points out, 'contrary to popular belief, water is not, and has not been, scarce in the region, which contains three main sources of natural fresh water. As water does not follow territorial boundaries, the Jordan River, the Mountain Aquifer and the Coastal Aquifer are shared between Israel and Palestine.'¹² Other factors have been referred to in an attempt to explain restricted Palestinian

access to water, including infrastructural weaknesses and under-development within the Palestinian territories. While these undeniably contribute to the problem, they are mistakenly detached from the effects of Israeli policies and actions. The conditions leading to infrastructural collapse in Gaza are a testament to this, and are described

later on. The overwhelming asymmetry in political, economic and infrastructural power, and specific Israeli actions, play a key role in the outcome of water distribution and the monopolisation of water management by Israel.

6. <http://www.photography.jadaliyya.com/pages/index/10732/not-enough-water-in-the-west-bank>

7. https://www.btselem.org/download/201105_dispossession_and_exploitation_eng.pdf

8. http://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf

9. <https://www.map.org.uk/news/archive/post/714-child-dies-from-water-pollution-in-gaza-amid-worsening-medical-referral-restrictions>

10. <http://www.photography.jadaliyya.com/pages/index/10732/not-enough-water-in-the-west-bank>

11. Ibid

12. <http://www.alhaq.org/publications/Water-For-One-People-Only.pdf>



CONTROL OVER PALESTINIANS

The restrictions imposed by Israel on Palestinian access to water are closely connected to the overarching framework of historical inequality and violations of Palestinian rights. As such, these restrictions ought to be assessed as part of an apparatus which attempts to institute a comprehensive system of control over Palestinians, including in the spheres of the environment and natural resources. For instance, as a 2009 Amnesty International report describes:¹³

‘Control of water resources and land, and restrictions on the movement of people and goods make it excessively difficult for Palestinians to access their water resources and to develop and maintain the water and sanitation infrastructure. Furthermore, a complex system of permits which the Palestinians must obtain from the Israeli army and other authorities in order to carry out water-related projects in the OPT [Occupied Palestinian Territories] has delayed, rendered more costly, and in many cases prevented, the implementation of much needed water and sanitation projects.’

Restrictions on Palestinian access to water are therefore both a consequence and intention of overall Israeli policy. As the same Amnesty International report posits:¹⁴

‘During more than four decades of occupation of the Palestinian territories, Israel has overexploited Palestinian water resources, neglected the water and

sanitation infrastructure in the OPT, and used the OPT as a dumping ground for its waste – causing damage to the groundwater resources and the environment.’

Israeli water policy is of course partly focused on sustaining its own consumption levels, placing stress on water resources and resulting in extreme disparities in allocation and consumption in favour of Israel.¹⁵ These needs will continue to draw from resources which the Palestinians rely on, and which have been appropriated by Israel. In 1993, the Israeli State Comptroller stated that the West Bank is the ‘principal reservoir of drinking water for the Dan region [Gush Dan, a large area in central Israel], Tel Aviv, Jerusalem and Beersheba’ and the ‘most important long-term source in the [national] water system.’¹⁶

However, beyond the systematic prioritisation and diversion of water resources for apparent Israeli needs, as this document shows it is crucial to bear in mind that the severe restrictions placed on Palestinians serve the political purpose of maintaining a sense of control, and even using water as a punitive tool. Recent actions in Gaza and the West Bank demonstrate this. Certainly in the case of the West Bank, by sustaining the consumption discrepancy between illegal Israeli settlers and

Palestinians, Israel is simultaneously legitimating and sustaining the occupation, and developing a split, fundamentally unequal political economy. However, further than that, they have been described as using water as a “weapon”, as described by Camilla Corradin, the advocacy task force coordinator for the Emergency, Water, Sanitation and Hygiene (EWASH) group, during the severe

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13. <https://www.amnestyusa.org/pdf/mde150272009en.pdf>

14. Ibid

15. <http://www.cesr.org/downloads/Palestine.RighttoWater.Factsheet.pdf>

16. Palestinian Society for the Protection of Human Rights and the Environment, *An Overview of the Consequences of Israeli Occupation on the Environment in the West Bank and Gaza* (Jerusalem: 2000)



PALESTINE REFRAMED



water shortage in the West Bank in the summer of 2016.¹⁷ During that time, tens of thousands of Palestinians in Jenin, Nablus and Salfit were left without access to safe drinking water during the Islamic holy month of Ramadan, at a time when temperatures would have exceeded 35 degrees Celsius.¹⁸ In Jenin, which has a population of more than 40,000, the water supply was reported to have been cut in half by Mekorot, Israel's national water company, and Ayman Rabi, the executive director of the Palestinian Hydrology Group, described how in some areas people had not received water for more than 40 days.¹⁹

Israel's policies and actions in regards to water in Gaza are even more severe, reflecting the broader goal of isolation and economic suffocation. Gaza's water infrastructure has effectively collapsed due to the Israeli-imposed blockade and repeated shelling during the multiple attacks over the last few years.²⁰ With electricity supply well below demand, frequent electricity cuts (especially after the 2014 attack, when the only electricity generator in Gaza was damaged) take place daily. The Gaza Strip faces blackouts of between 12-16 hours a day and this has had a severe impact on wastewater treatment plants.²¹ In January 2017, Reuters reported that out of desperation Gazans were digging their own wells from their homes to tap into underground reserves, and that those who could afford to were forced to rely on imported bottled water.²² More recently, Israel's decision, in agreement with the Palestinian Authority, to cut off electricity

supplies in June 2017 left the desalination plants which the Palestinian population in the Gaza Strip has come to depend on without power.²³ Palestinians in Gaza have therefore not just been prevented from developing adequate infrastructure of their own, but have been made dependent on resources which can then be controlled and restricted by Israeli authorities.

The simultaneous monopolisation of water resources and prevention of independent infrastructure development has left Palestinians in a constant state of dependency and precarity, even in the case of the most vital resource for human survival. In that, it is a compelling reflection of broader Israeli policy towards the Palestinians.

17. <http://www.aljazeera.com/news/2016/06/israel-water-cuts-west-bank-full-crisis-mode-160620133005799.html>

18. <http://www.independent.co.uk/news/world/middle-east/ramadan-2016-israel-water-west-bank-cuts-off-a7082826.html>

19. Ibid

20. http://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf

21. <https://www.ochaopt.org/content/humanitarian-impact-gaza-s-electricity-and-fuel-crisis-july-2015>; http://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf

22. <http://www.reuters.com/article/us-palestinians-gaza-water-idUSKBN15A1FC>

23. <http://www.independent.co.uk/news/world/middle-east/israel-gaza-strip-power-cuts-palestinian-authority-hamas-settlements-a7787916.html>