



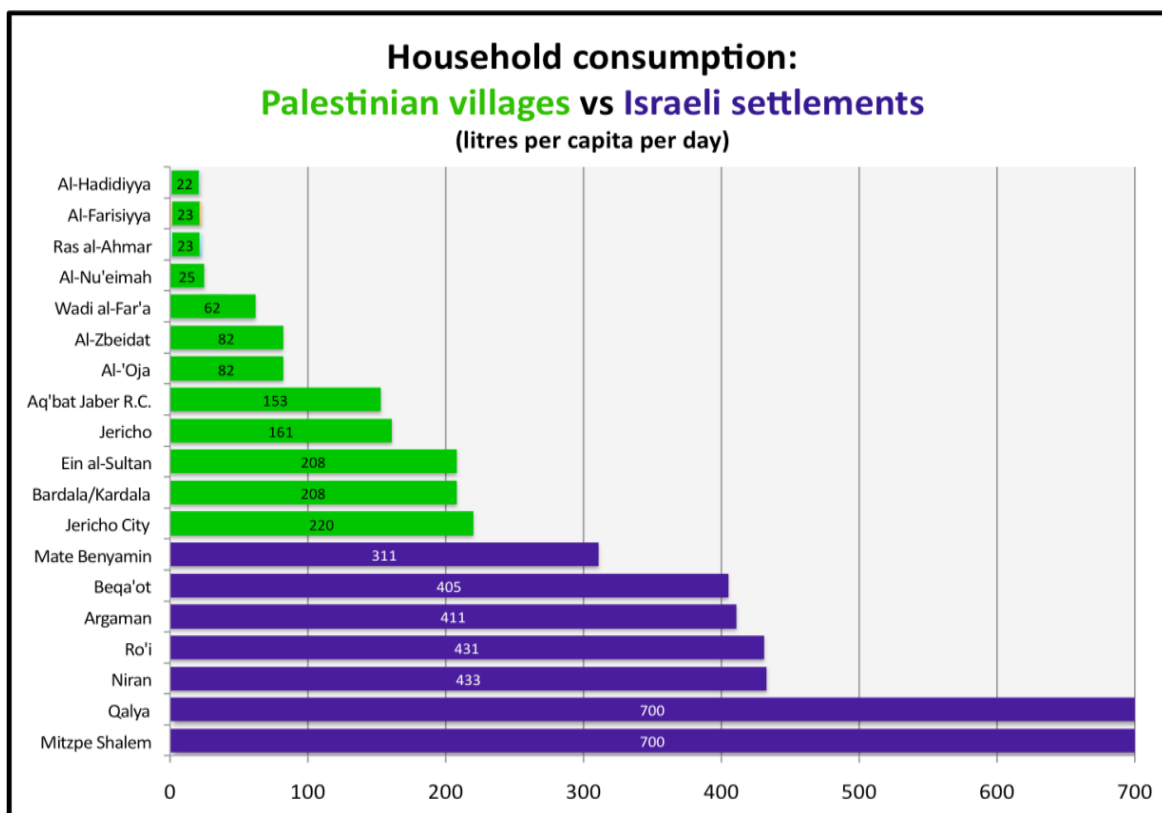
Israel's Policies to Maintain Hegemony: Allocation, Confiscation and Destruction

Discriminatory Allocation: "Sharing" Between Two Peoples

- As a result of Israeli water policies and practices in the Occupied Palestinian Territory (OPT), comprised of the West Bank, including East Jerusalem and the Gaza Strip, the total amount of water available for domestic, agricultural and industrial use for about 7.6 million Israelis (residing in Israel proper and in settlements) was 2,020 million cubic metres (mcm) in 2010,¹ compared to 331.1 mcm for more than 4.1 million Palestinians in the OPT.²

The West Bank: Minimum Amount of Water for "Short-Term Survival"

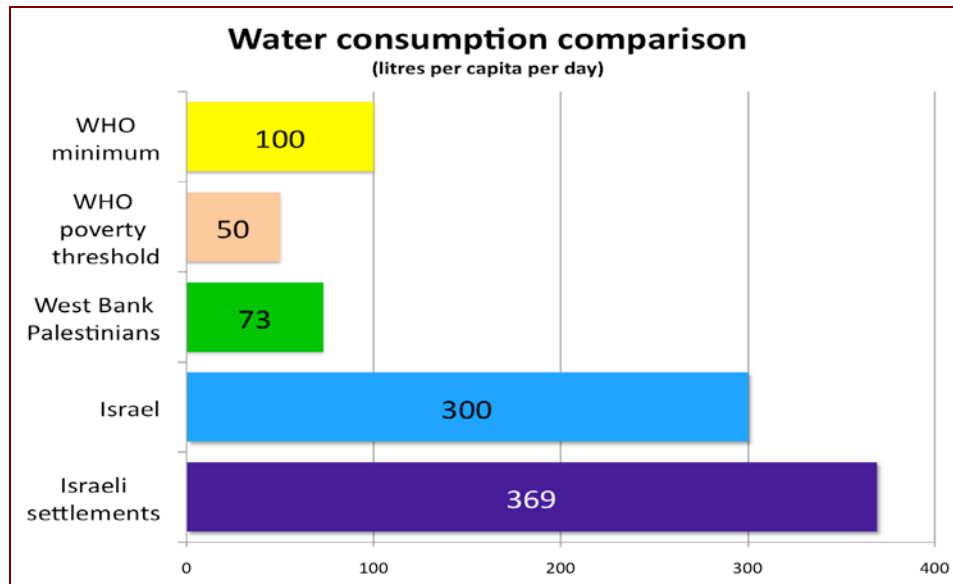
- While the World Health Organisation (WHO) recommends a minimum domestic consumption of 100 litres *per capita* daily (lpcd), water consumption by Palestinians in the West Bank is approximately 73 lpcd,³ compared to about 300 lpcd for Israelis inside Israel and 369 lpcd for Israeli settlers residing in illegal settlements in the OPT.⁴



Household comparison of per capita consumption between settlers and Palestinian communities in the Jordan Valley⁵



- The *per capita* consumption by Israeli settlers is four to five times higher than the occupied Palestinian population's *per capita* consumption in the OPT.⁶
- Some 50,000 Palestinians in 151 communities live on less than 20 lpcd, which is the minimum amount recommended by the WHO for "short-term survival" in emergency and disaster situations.
- In stark contrast, all Israeli settlements situated in the West Bank, including East Jerusalem, are connected to a running water network, and serviced by the Israeli company 'Mekorot', which itself extracts water flowing from the groundwater resources lying beneath the West Bank.⁷
- The Dead Sea settlements of 'Mitzpe Shalem' and 'Qalya', for instance, consume approximately 700 lpcd. The Jordan Valley settlements of 'Beqa'ot' and 'Ro'i' enjoy more than 400 lpcd for domestic use only. The nearby Palestinian village of al-Hadidyya, a herding community with a population of around 200, struggles with only 22 lpcd.⁸



Water consumption comparison in the region⁹

East Jerusalem: Severed and Disconnected

- Over half of the Palestinians living in East Jerusalem (some 160,000 people) are not allowed under Israeli law to connect to the water network.
- Furthermore, some Palestinian areas of East Jerusalem have been excluded from the boundaries of the city, leading to a crisis in access to water and sanitation. For instance, the parts of East Jerusalem that have been cut off by the construction of the Annexation Wall have no access to municipal services, including water and sanitation. Included in these areas are Kufr Aqab, Beit Ikhsa, and Shu'fat refugee camp.



Case Study: Water for Israeli Settlements Only

“Water pipelines that transmit water to Israeli settlements in the area surrounding Khirbet al-Hadidiyya are near our houses, but we are not allowed to access a single drop of the water they transport. In 1980, the Israeli occupying authorities constructed a water well about 20 metres from the centre of Khirbet al-Hadidiyya. Water is pumped from that well to Israeli settlements, including the settlement of ‘Ro’i,’ about 150 metres west of our village; the settlement of ‘Beqa’ot,’ about four kilometres southwest of the village; and the settlement of ‘Hemdat,’ about six kilometres northeast of the village. Additionally, the Israeli occupying authorities seized control of another water well near Khirbet Humsa village, about three kilometres south of Khirbet al-Hadidiyya. Water is also pumped from the well to the settlements mentioned above. These are agricultural settlements. The Israeli occupying army oversees these wells on a permanent basis. They are surrounded by barbed wire fences and monitored by surveillance cameras. Water transmission pipelines are installed across Palestinian houses. They pass in front of our own eyes and underneath our feet to settlements. At the same time, we are forced to purchase water at exorbitant prices from remote areas, because the Israeli occupying authorities do not recognise our presence on our land. [...]. Settlers have seized our water and yet they are more entitled to it in the eyes of the Israeli occupying authorities.”⁸

Water Infrastructure: Consistently at Risk

- Israel has actively prevented the construction and maintenance of water and sanitation infrastructure in 59 per cent of the West Bank, earmarked Area C. This has primarily been achieved through Israel exercising its effective veto through the Joint Water Committee (JWC), as well as the Israeli Civil Administration’s systematic practice of denial of permits for any construction or rehabilitation of water infrastructure.
- Any water structure built without a permit from the Israeli authorities – permits that are virtually impossible to obtain – faces the risk of demolition.
- In the Gaza Strip, destruction of water infrastructure has occurred during Israeli military air strikes and ground incursions. In 2011, the total cost of the damage to water and sanitation infrastructure in the Gaza Strip as a result of Israeli air strikes was approximately USD 1.3 million, according to EWASH.¹⁰
- Humanitarian agencies have also frequently had their aid projects destroyed as they are similarly unable to obtain permits.
- The EU Commission estimated that the total cost of physical damage inflicted by Israeli armed forces attacks on EU-funded Development Projects amounted to approximately EUR 49.14 million for the period from 2001-2011, with the estimated EU-funded share in the loss amounting to EUR 29.37 million.¹¹



Conclusions and Recommendations

Israel has extensively and unlawfully appropriated Palestinian water resources in the OPT for the sole benefit of Israeli consumers in Israel proper and in Israeli settlements, while maintaining a practice of destruction of Palestinian water infrastructure. In defiance of its international legal obligations, Israel continues to further its own needs – putting those of its citizens before those of the occupied population – in pursuit of its ultimate goal: to drive the occupied population from their lands.

Accordingly:

The Government of Israel, as the primary duty-bearer in the OPT, must:

- I. Bring to an end its policies of systematic destruction of Palestinian cisterns, wells and other water infrastructure and reduction of water provision to certain areas in the OPT in order to benefit its national interests.
- II. Investigate and prosecute all companies and private individuals involved in war crimes in the OPT, including the unlawful appropriation and destruction of Palestinian water resources and infrastructure in the OPT.

The International Community of Donors, including Donor States and International and UN Humanitarian and Development Agencies must:

- I. Abandon the practice of conditioning funding upon JWC approval for water infrastructure projects in the OPT.
- II. Make assessments to determine to what extent their projects may in fact facilitate Israel's violations of international law and ensure that all projects are carried out in compliance with Third State responsibility under international law.
- III. Make enquiries and issue public statements challenging the legality of Israel's demolitions of Palestinian water infrastructure and demolition orders implemented and adopted by the Israeli authorities in the OPT.
- IV. Hold Israel accountable for demolitions of water infrastructure projects, including through demanding compensation from the Israeli authorities.



Endnotes

¹ ICBS, 'Agriculture in Israel: The Industry Account Price Indices of Output and Input 2010-2011' (Publication No. 1499) (August 2012).

² PCBS, 'Annual Available Water Quantity in the Palestinian Territory by Region and Source, 2010'.

³ Amnesty International, 'Troubled Waters: Palestinians Denied Fair Access to Water' (October 2009) 29, 4.

⁴ J Isaac and J Hilal, 'Palestinian Landscape and the Israeli-Palestinian Conflict' (2011) 68 International Journal of Environmental Studies, 422-423.

⁵ Graph and information is courtesy to Clemens Messerschmid, based on the figures in B'Tselem, 'Dispossession and Exploitation: Israel's Policy in the Jordan Valley and Northern Dead Sea' (May 2011).

⁶ UNGA, Department of Public Information, 'Arbitrary Detention, Excessive Force, Israeli Settlement Activity Increasing Palestinian Hardship, Regional Commission Chief Tells Second Committee' (26 October 2011).

⁷ Human Rights Watch (HRW), 'Separate and Unequal: Israel's Discriminatory Treatment of Palestinians in the Occupied Palestinian Territories' (December 2010) 17-18.

⁸ Al-Haq, 'The Right to Water - A Policy of Denial and Forced Displacement in the Occupied Palestinian Territory' (2011).

⁹ B'Tselem, 'Dispossession and Exploitation: Israel's Policy in the Jordan Valley and Northern Dead Sea' (n 5) 39, Amnesty International, 'Troubled Waters: Palestinians Denied Fair Access to Water' (n 3), UN OCHA, 'How Dispossession Happens, The Humanitarian Impact of the Takeover of Palestinian Springs by Israeli Settlers' (2012) 4, 13.

¹⁰ EWASH, "'Down the Drain': Israeli restrictions on the WASH sector in the Occupied Palestinian Territory and their impact on vulnerable communities' (March 2013) 17.

¹¹ Answer given by Mr Füle on behalf of the Commission (12 March 2012).