
Analysis of Palestinian Water Issues and Israel's Role

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NGO Monitor's mission is to provide information and analysis, promote accountability, and support discussion on the reports and activities of NGOs claiming to advance human rights and humanitarian agendas.

Introduction

The allocation of water resources between Israel and the Palestinians was agreed upon in the 1993-4 Oslo Accords and is the center of regular coordination between the respective authorities.

At the same time, non-governmental organizations (NGOs) often assert claims regarding water allocation in their political campaigns against Israel, often using language such as “water apartheid” or “domination” calibrated to invoke the International Criminal Court’s Rome Statute. The use of such terminology is part of a concerted effort on the part of human rights NGOs to insert the term “apartheid” into the discourse surrounding Israel. This rhetoric in the context of the Israeli-Palestinian conflict has been repeatedly shown to be both [fundamentally inconsistent](#) with reality and [lacking in any definitive legal basis](#).

In contrast to NGO campaigns, Israel goes beyond its obligations to supply water and assist in developing Palestinian water and waste infrastructure. The record, which is usually omitted in NGO campaigns, clearly demonstrates that individuals, communities, as well as the Palestinian Authority have obstructed progress on such initiatives.

The following report provides a factual overview of Israeli-Palestinian water coordination prior to and following the Oslo framework, as well as the numerous challenges stemming from Palestinian refusal to cooperate in efforts to advance bilateral mechanisms for managing water issues. This analysis also addresses the erroneous NGO claims and campaigns regarding Israel’s water policies.

The issues discussed below highlight the importance of obtaining official state documents related to this and other topics. Reliance on the claims, interpretations, and versions of events submitted by NGOs and UN agencies results in incomplete information and major distortions.

Pre-Oslo period

In a [June 2021 meeting](#) with the United Nations Special Rapporteur on the Human Rights to Safe Drinking Water and Sanitation, Al Haq claimed that since 1967, Israel has “continued to consolidate and expand its domination of the Palestinian people through its discriminatory and unlawful policies around the control and distribution of water.”

In fact, even before Oslo, Israel made major improvements regarding Palestinian access to water. During the period in which Jordan controlled the West Bank (1948-1967), local residents enjoyed, at most, 66 million cubic meters/year (MCM/Y), with [only four villages connected to running water](#).

When Israel assumed control of the territory in 1967, it began [improving local infrastructure](#). On the eve of Oslo in 1995, Palestinian residents of the West Bank enjoyed 120 MCM/Y. Additionally, 309 Palestinian towns and villages had been connected to modern water systems by this time.

Oslo framework

Israel's involvement in the water sector in the West Bank, supplying water to some Palestinian communities and to Israeli settlements, is dictated by the 1995 Interim Agreement (Oslo II) – mutually agreed to between Israel and the PA – and subsequent negotiations with the PA.

[According to Oslo](#), Israel and the Palestinians agree to jointly work to increase Palestinian water consumption in the West Bank and Gaza by 28.6 MCM per year. This is in addition to water collection and water pumping already carried out independently by the Palestinians.

Moreover, due to continued improvements to infrastructure, by 2010, [96% of West Bank Palestinians were connected to running water](#).

In Gaza, contrary to Al Haq's claims of Israeli “control...extensive restrictions and exploitation,” Oslo dictates that the management of the water sector was given over in its entirety to the Palestinians (with the exception of Israeli settlements and military bases that have since been removed), with Israel providing an additional 5 MCM annually. As such, following the 2005 departure of Israeli civilians and military from Gaza (“Disengagement”), the Hamas government and the Palestinian Authority bear

full and sole responsibility for the situation in Gaza. In 2017, [Israel and the Palestinian Authority agreed to double the amount of water sold to Gaza](#) to 10 MCM/Y.

According to [a 2021 document from the Israel water carrier, Mekorot](#), in 2019 the company provided 86.3 MCM to the PA, selling it for NIS 3.607 per MCM. This represents an increase, up from approximately [64 MCM in 2015](#). Crucially, the 2021 document notes that, to meet demand, [Israeli and Palestinian officials jointly determine increases in water provision to the PA by Israel](#).

Moreover, Israel continues to invest in improving Palestinian water infrastructure in the West Bank.

In a [June 19, 2018 hearing of the Knesset Defense and Foreign Affairs Committee](#), Giora Shaham, head of the Israel's Water Authority (IWA), reported that his office was implementing a plan, scheduled for completion in 2022, to address West Bank water and waste issues and guide government policy through 2040. In stark contrast to NGO claims of discrimination, the plan will guarantee that all residents of the West Bank – Israelis and Palestinians – will enjoy the same access to water as do Israeli citizens within the Green Line.

Relatedly, at an August 8, 2016 meeting of the same committee, [deputy head of the WA, Oded Fiksler](#), reported that “the plan doubles the amount of water in the West Bank (not including the Jordan Valley) from 73 MCM/Y to 142 MCM/Y. With full implementation of the plan, Israeli communities will receive 48 MCM/Y and the PA will receive 93 MCM/Y.”

Palestinian non-cooperation

The Oslo framework established the Joint Water Committee (JWC) as the primary bilateral tool for managing water issues. Consisting of representatives of the two sides, the JWC is responsible for managing the allocation of water and approving water and sanitation projects in the West Bank.

According to a 2018 INSS-EcoPeace publication and a [2017 report from Israel's State Comptroller](#), the [PA prevented the JWC from convening for seven years](#), only agreeing to reconvene the body in 2017. Both noted that the reason for the Palestinian boycott was to hinder the development of water infrastructure for Israeli communities in the West Bank. This policy severely hindered the development of additional water

infrastructure for Palestinians and created a massive backlog of projects to review and advance.

This is particularly crucial regarding the delays in planning and construction of several waste treatment facilities that had been previously approved.

The decision to hold environmental issues hostage to the political dispute between Israel and the Palestinians is damaging to the environment, and thus harms and endangers both Israelis and Palestinians, in the West Bank as well as in Israel. To do so not only undermines the Oslo framework of cooperation between the sides, but also politicizes an issue instead of prioritizing the health and wellbeing of civilians.

Regardless, as reported by the State Comptroller as well as Israeli officials addressing the Knesset's Defense and Foreign Affairs Committee, despite the Palestinian freeze on JWC functions, Israel sought to approve Palestinian infrastructure projects outside of this framework, in order to address the acute environmental effects of the lack of sufficient waste and water infrastructure.

Harming the environment due to the lack of sewage treatment

The lack of sufficient waste treatment facilities and practices mentioned above have a direct and harmful effect on the environment, polluting water sources on both sides of the Green Line.

According to a [2016 study by the Knesset's Research and Information Center](#) (RIC), 94% of untreated West Bank waste is produced by the Palestinian population, and, according to a [2016 State Comptroller report](#), 83% of the waste produced by Palestinians in the West Bank went untreated. The RIC report found that [untreated waste poses a threat to the Mountain Aquifer](#), a major source of water for both Israelis and Palestinians.

Likewise, untreated Palestinian waste has continued to pose problems for both Israelis and Palestinians. According to a [2017 interview with Professor Alon Tal](#), then Chair of the Department of Public Policy at Tel Aviv University, only 10% of Palestinian waste was being treated at the time. This contributed to pollution of streams, as well as groundwater.

Notably, a June 2020 *Ha'aretz* article notes that according to Israel's Nature and Parks Authority, [Palestinians in the West Bank produce over 72 million cubic meters of waste](#), "the overwhelming majority of which is diverted to absorption pits and to [local] streams."

Illegal drilling, theft of water, and misuse

In a June 2021 [publication](#), Al Haq decries Israel's demolitions of water infrastructure. This fails, however, to note the abundance of illegal water infrastructure built by Palestinians, which negatively impacts the availability and distribution capacity of water to both Israelis and Palestinians in the West Bank.

According to [2019](#) and [2018](#) IWA reports, Israel identified nearly 140 instances of illegal well digging by Palestinians in the West Bank.

Additionally, there were approximately 2,500 instances during those years in which Israeli authorities disconnected illegal connections to existing water infrastructure.

According to a [2014 paper by Prof. Haim Gvirtzman](#), illegal Palestinian well drilling has led to reduced agricultural activity by Israeli farmers in the surrounding Beit She'an and Harod Valleys, as the result of reduced natural water discharge in those areas.

Illegal connections to water pipes can also interfere with water distribution and lead to leakage. In July 2021, [Israel arrested eight Palestinians for illegally connecting to water pipes](#) in the Southern Hebron Hills, interrupting the flow of water to Israeli communities in the area.

Improper agricultural practices are another contributing factor to the availability of water in the region. A 2016 [report by the Israeli Knesset Research and Information Center](#) and [testimony before the Knesset's Interior Committee in the same year](#) indicate that Palestinians misused drinking water, leading to a lack of potable water for home use.

This, as opposed to Israeli agriculture in the West Bank, which, according to the same 2016 document, relied on treated and desalinized water.

Illegal building and lack of water infrastructure

The discussions about insufficient Palestinian water infrastructure and the cost of transporting water to outlying areas revolves around Area C of the West Bank. Crucially, this often refers to villages and communities, such as Humsa al Bqaia, which were constructed without permits and therefore not connected to local water infrastructure.

In other words, the decision to build illegally is the proximate cause of the lack of water infrastructure. As such, primary responsibility for this situation lies with those who chose to establish such communities.

(For more information on illegal Palestinian building in Area C, see NGO Monitor's [“Analysis of Lawyers for Palestinian Human Rights Complaint Regarding JCB.”](#))

Israeli use of the Mountain Aquifer

As [described by Prof. Haim Gvirtzman](#), when assessing models for sharing water resources, the precedent created by historical usage is significant. With relation to Israel and the Palestinians, Israel's established and extensive usage of the Mountain Aquifer (located primarily beneath the West Bank) – including before 1967 – is crucial for supporting Israel's legitimate claim to this resource.

Importantly, while rainwater falls on the aquifer in the West Bank, the water is then discharged through multiple springs into Israel itself. The areas through which the water is ultimately discharged also represent “geographical and hydrological characteristics of the aquifer.”

According to Gvirtzman, prior to Israel's 1967 takeover of the West Bank, it utilized 340 MCM/Y in the western basin of the Mountain Aquifer, out of a total of 360 MCM/Y held by the basin. The remaining 20 MCM/Y was used by the local population in the West Bank.

Similarly, during this period, Israel used 115 MCM/Y of the Northern Mountain Aquifer, compared to just 25 MCM/Y used by the Palestinians.

Pre-1967 usage by Palestinians was higher than that of Israel only with respect to the Eastern Mountain Aquifer, with the former utilizing 65 MCM/Y, and the latter using only 35 MCM/Y.

Notably, the Israeli water company Mekorot explained in 2015 correspondence with NGO Monitor that water from its West Bank wells – dug in accordance with the Oslo Accords – does not cross the Green Line and is used only by West Bank residents, both Israeli and Palestinian.

International aid projects

The international aid community plays a significant role in funding the development of Palestinian water and waste management infrastructure. Currently, a number of donor countries, including the EU, France, Switzerland, the Netherlands, and Canada, are financing multimillion dollar water and waste infrastructure projects in the West Bank.

Examples of ongoing donor-funded West Bank water infrastructure projects:

- The [EU and France dedicated €17.4 million to a 2018-2021 project](#) designed to improve “water management and renewable energy production” in the northern West Bank. Switzerland dedicated CHF 5 million for a [2016-2021 project “Support to Village Councils in the West Bank with a focus on Area C,”](#) in which “water networks and sewage networks, are built or rehabilitated.”
- The Netherlands dedicated €1.1 million for a 2019-2022 project designed to “[contribute to integrated water cycle management and the improvement of water and wastewater service quality and efficiency.](#)”
- A [wastewater purifying station](#) in Tayasir, [opened in March 2021](#), was funded with \$23.2 million by the EU.
- Moreover, since 2017, the UN Office for the Coordination of Humanitarian Affairs (OCHA) lists over \$60 million in foreign-funded projects designed to improve Palestinian access to water and to the WASH (water, sanitation, and hygiene) sector more broadly. (See Appendix 1.)

Gaza

As noted, under Oslo, water supply and sewage collection systems in Gaza were transferred to Palestinian control, along with the responsibility for their management, development, and conservation. In the interim agreement signed in 1995 (Oslo II), Israel agreed to transfer an additional 5 MCM/Y to Gaza.

In 2005, as part of the Disengagement from Gaza, the water systems of the vacated Israeli communities, including 25 wells, were also transferred to the Palestinians. By the end of the Disengagement process, all water supply and sewerage systems in Gaza were under exclusive Palestinian control.

According to a 2019 IWA Report, a sewage treatment plant was opened in northern Gaza at an investment of approximately \$100 million. Additionally, a desalination plant which serves 400,000 people [was opened in Gaza City in April 2021](#). According to the Palestinian Authority, funding has been secured for the construction of an [additional desalination plant for Gaza](#). The project, which has received €70 million in funding from the European Commission, is expected to be completed in 2022.

Notably, a 2018 World Bank report [claimed that the Palestinian Authority faced significant challenges](#) in securing external funding for water infrastructure projects due to a lack of clarity in the division of responsibilities between the PA Water authority and local authorities.

Because Israel is not directly involved with or responsible for water issues in Gaza, NGOs resort to conspiracy theories and blatant falsehoods when making accusations regarding Israel, water, and Gaza.

Flood libel

There is a Palestinian conspiracy theory, circulated speciously by NGOs, that Israel intentionally floods Palestinian farmlands along the Gaza-Israel border to “undermine the activities of Palestinian farmers.” A [2021 report](#) by Al Mezan claims that Israel uses dams and floodgates to “redirect the flow of natural water away from the Gaza Strip,” and that when the dams are at risk of overflowing, Israel “open[s] their gates-without prior warning- resulting in sudden flows of water into Palestinian farmlands in the ARA, causing huge damages not only to crops but also to houses as well as other properties.”

This claim, however, has been proven demonstrably false. In 2015, Al Jazeera and Agence France Presse (AFP) [were forced to retract](#) stories that repeated the allegation after it became clear that there are no such dams in all of southern Israel that can be opened. A 2015 [AFP news report](#) shows that the “dam” in question is, in fact, a short step that is barely one meter high.

Armed Conflict

NGO falsehoods related to water also appear following episodes of armed conflict between Israel and Palestinian groups in Gaza. For instance, after the May 2021 conflict, Al Mezan [alleged](#) that Israel “targeted, damaged, and destroyed water well systems, water networks, and municipal facilities in the Gaza Strip” (emphasis added). Al-Haq also [accused Israel](#) of “targeting [] water and sanitation infrastructure” (emphasis added). However, there is no evidence to suggest that Israel intentionally targeted water infrastructure and that the damage caused was anything other the result of legitimate military strikes.

Indeed, these Palestinian NGOs discussed the effects of Israeli strikes in isolation, ignoring evidence of collateral damage resulting from Hamas co-locating its military installations near civilian infrastructure. For instance, Al Haq referred to a strike from May 12. However, cross-referencing details provided by another NGO, Palestinian Centre for Human Rights, reveals the presence of legitimate military targets:

“Around the same time, Israeli warplanes launched 20 missiles within minutes at al-Madares Street, a military site belonging to the Palestinian armed groups and a municipality park; all of them are in the same area. As a result, the area sustained wide destruction, including the street, the electricity and water supply network, and the municipality park” (emphasis added).

(For more information, see NGO Monitor’s report, “[See No Evil: NGOs Turn Terrorists into Civilians in 2021 Gaza Conflict](#).”)