

Benita Ferrero Waldner
European Commissioner for External Relations

Karel de Gucht
European Commissioner for Development and Humanitarian Aid

Brussels, 27 October 2009
Our Ref: B909

Dear Ms Ferrero Waldner,
Dear Mr de Gucht,

Subject: Restrictions on access to water in the West Bank and Gaza

The European Union has made both a political and financial commitment to assist the social and economic development of the Palestinian people; however, this important work is being seriously undermined and hindered by long standing restrictions on the right to water for millions of Palestinians across the West Bank and Gaza.

The report published today entitled "*Troubled Waters – Palestinians Denied Fair Access To Water*", by Amnesty International details the extent to which Palestinians in the Occupied Palestinian Territories (OPT) do not have access to adequate, safe water supplies, largely as a result of direct restrictions put in place by the Israeli authorities. Currently, Palestinian daily water consumption barely reaches 70 litres a day per person, which is well below the World Health Organisation's recommended minimum, compared to over 300 litres a day per capita in Israel.

Discriminatory Israeli policies in the OPT are the root cause of the striking disparity in access to water between Palestinians and Israelis. Chronic water shortages affect crucial aspects of life, including hygiene, agricultural and industrial activities. Moreover, the impact of water shortages and poor sanitation services in the OPT is most often felt by the most vulnerable communities: those living in isolated rural areas and in overcrowded refugee camps.

Restrictions by the Israeli authorities extend to capping the amount of water Palestinians can extract from the Mountain Aquifer, the main source of underground water in Israel and the OPT, to only 20 percent. The Israeli authorities control the collection of rain or spring water throughout most of the West Bank, where rainwater cisterns are also often destroyed by the Israeli army. Palestinians are not allowed to drill new wells or to rehabilitate old wells without permits from the Israeli authorities, which are difficult and often impossible to obtain. In addition, the Israeli army controls access to the roads that water tankers must use to deliver water to villages which are not connected to the water network or suffer severe water shortages, roads that are often closed or restricted to Palestinian traffic.

The situation in Gaza is even more critical where 90-95 percent of the water from the Coastal Aquifer is now polluted and unfit for drinking, because of sewage and seawater infiltration. During Operation "Cast Lead" Israeli attacks caused some US \$6 million worth of damage to water and waste water infrastructure in Gaza. Due to the ongoing blockade, desperately needed materials for the construction and repair of water and sewage treatment facilities cannot get in and neither can the chemicals and industrial fuel necessary to run these facilities. The Israeli authorities also do not allow the transfer of water from the Mountain Aquifer to Gaza, a transfer which would require in any case that Israel allow the Palestinians access to a fair share of water in the West Bank in the first instance.

Israel has obligations under both International Humanitarian Law (IHL) and International Human Rights Law to respect the Palestinians' right to an adequate standard of living, which encompasses the right to water and food, the right to health and the right to work. The EU also has an obligation under IHL, and has

made further commitments under the EU Guidelines on IHL, to raise all violations with Israel and push for an effective remedy.

Therefore, Amnesty International calls on the EU to use all bilateral relations with Israel, including through EU missions in Tel Aviv and discussions relating to the Middle East Peace Process, to urge the Israeli authorities to:

- Lift the restrictions that deny Palestinians in the OPT their rights to water, food, health, work and an adequate standard of living.
- Put an end to policies and practices which discriminate against Palestinians and confer privileges to Israeli settlers with respect to access to water in the OPT.
- Revoke all outstanding orders for demolitions and prohibit further demolitions of water facilities in Area C of the West Bank.
- Lift the blockade on Gaza and allow immediate entry to Gaza of material and equipment needed for the repair, reconstruction and maintenance of the water and sanitation infrastructure.
- Install water filling points for Palestinian communities in the OPT which are not connected to the water network.

Due to Israel's failure to meet its own obligations under IHL, the burden of meeting the challenges of Palestinian water shortages has increasingly fallen to international donors and the Palestinian Water Authority (PWA). The EU is the biggest donor to the Palestinians, and as such has taken on particular responsibilities in this area. The attached report states the obstruction generated by Israeli authorities in the development of water projects, including EU-funded projects. However, the EU and other donors have been reluctant to expose and effectively address obstacles which hinder the delivery of water projects.

Amnesty International calls on the European Commission as the biggest donor of financial assistance to the Palestinians to:

- Take steps to improve coordination with other donors, both on the operational aspects of water projects and on jointly addressing the Israeli authorities on the obstructions caused by the permit system in the West Bank and the blockade on Gaza.
- Ensure transparent reporting of interference which delays or prevents the implementation of water and sanitation projects.
- Work together with the PWA to ensure that they take further measures ensure that water losses are significantly reduced, and that all water delivered to consumers, whether through networks or via water tankers, is safe and complies with WHO standards.
- Strengthen oversight of implementation so as to maximize existing resources and the utility of projects.

We look forward to hearing from you further on this issue,

Yours sincerely,



Natalia Alonso
Acting Director
Amnesty International EU Office

cc: Javier Solana, High Representative for EU Common Foreign and Security Policy
Marc Otte, EU Special Representative for the Middle East Peace Process