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BTSELEM-The Israeli Information Center for
Human Rights in the Occupied Territories

Information Sheet July 2001



NOT EVEN A DROP

**The Water Crisis
in Palestinian Villages
Without
a Water Network**

Researched and written by Yehezkel Lein

Fieldwork by Musa Abu Hashhash, Hashem Abu Hassan

Data coordination by Najib Abu Rokaya, Ronen Schnayderman

Translated by Zvi Shulman

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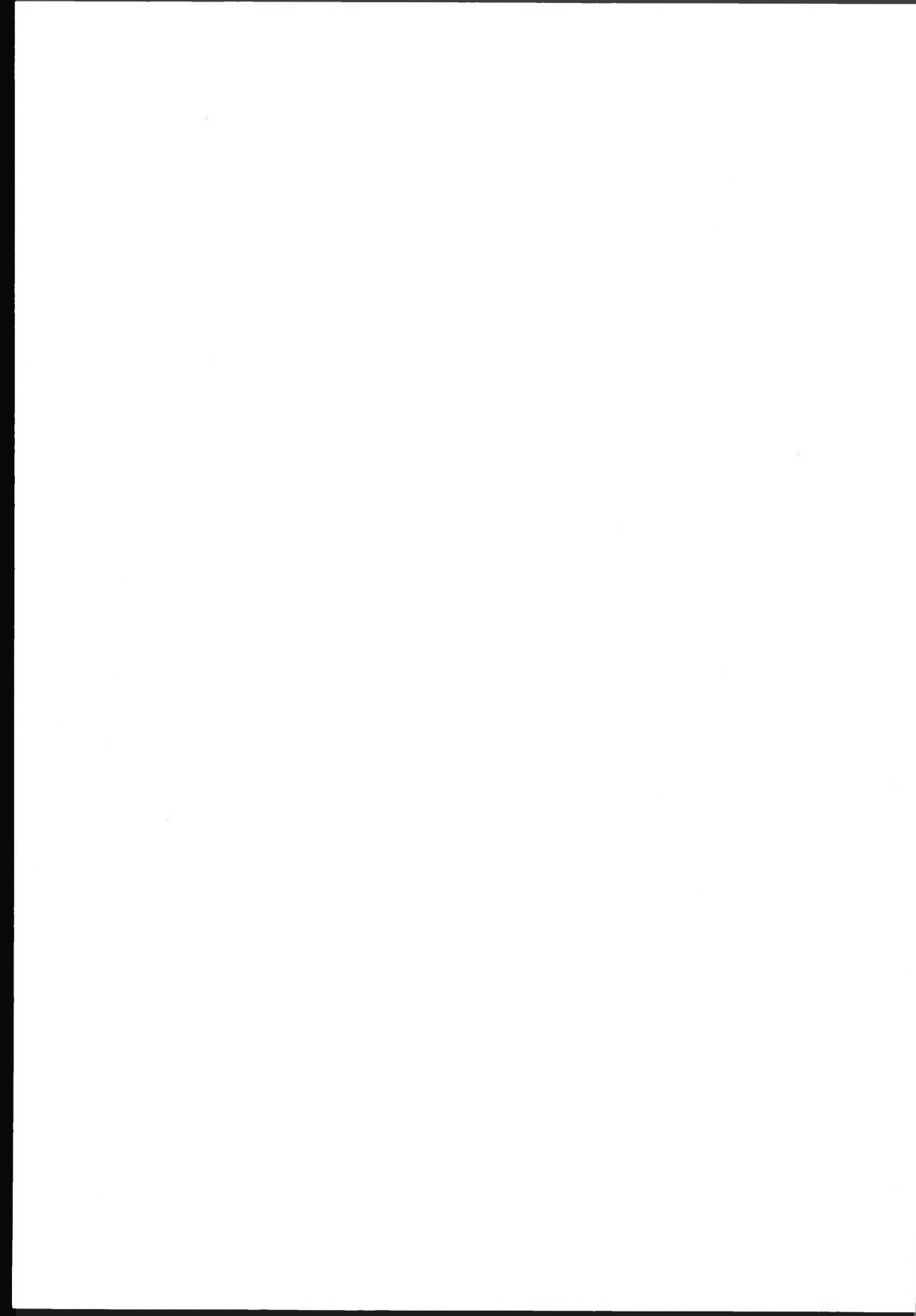
8 HaTa'asiya St. (4th Floor), Jerusalem 93420

Tel. 02-6735599 Fax. 02-6749111

E-mail: mail@btselem.org

Website: <http://www.btselem.org>

B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories was founded in 1989 by a group of lawyers, authors, academics, journalists, and Members of Knesset. B'Tselem documents human rights abuses in the Occupied Territories and brings them to the attention of policymakers and the general public. Its data are based on independent fieldwork and research, official sources, the media, and data from Palestinian and Israeli human rights organizations.



Introduction

Israelis receive most of their water from two principal water sources: the Mountain Aquifer and the Jordan River Basin. Under international law, these sources are international water resources shared by Israel and the Palestinians. The division of water from these sources is patently unfair, in Israel's favor. As a result, Palestinians in the West Bank suffer a permanent water crisis, making it impossible for them to meet their basic needs.

The water crisis causes particularly great distress in towns and villages that do not have a network to households with running water. Two hundred and eighteen communities in the West Bank are not connected to a water network, compelling their approximately

197,000 residents to seek alternative water sources. The extensive restrictions on freedom of movement that Israel has imposed during the current intifada, together with the sharp deterioration of the Palestinian economy, impede Palestinians' access to water and aggravate their already grave situation.

In July 2000, B'Tselem published a position paper on various aspects of the water crisis in the Occupied Territories, which proposed guidelines for a permanent status arrangement concerning water that complies with human rights principles.¹ This report briefly reviews the water problem in the West Bank, focussing on the hardship of residents in communities that are not connected to a water network.²

1. B'Tselem, *Thirsty for a Solution - The Water Crisis in the Occupied Territories and its Resolution in the Final-Status Agreement*. Position Paper, July 2000.

2. This report does not deal with the Gaza Strip because almost every town and village there is connected to a water network. In addition, Israel has much less control over the water sector in the Gaza Strip than in the West Bank.

The Water Crisis in the West Bank: Background Data

Shared Water Sources

The Mountain Aquifer is a system of groundwater basins that transects the border between Israel and the West Bank. This resource is the only water source available for Palestinians in the West Bank, serving all their needs: household, urban, industrial, and agricultural. The aquifer provides Israel with slightly more than one-quarter of the water it uses, primarily for household and urban needs. Currently, some eighty percent of the Mountain Aquifer water is earmarked for use by Israel and the settlements, and some twenty percent for the Palestinians.³

The second shared water source is the drainage basin of the Jordan River, which includes the Upper Jordan River and the streams flowing into it, the Sea of Galilee, the Yarmuh River, and the Lower Jordan River. Palestinians have rights to this source because the West Bank is situated on the shore of the Lower Jordan River. Approximately one-third of all the water that Israel uses comes from this source. The Palestinians do not benefit at all from the Jordan River Basin, except for a small quantity that Israel extracts from it and sells in the Gaza Strip.⁴

Gaps in Consumption

The inequitable division of the shared water sources is most clearly reflected in the enormous

disparity in water consumption between Israelis and Palestinians for all uses other than agriculture. These include the following:

- household use, such as drinking, cooking, hygiene, house-cleaning, flushing of toilets, laundering clothes, dish washing, watering gardens, and small plots of vegetables and fruit trees;
- urban use, such as watering green areas, filling public swimming pools, and supplying water to hospitals, businesses, and hotels;
- industrial use of various kinds that consumes water, primarily in the chemicals, food and drink, building, and textile industries.

For all these needs, the average Palestinian in the West Bank consumes sixty liters of water a day. The precise consumption of residents in communities that are not connected to a water network is unknown. However, clearly it is significantly less than the overall average. In comparison, average per capita consumption in Israel and the settlements is 350 liters a day, i.e., almost six times higher than Palestinian per capita consumption.⁵ The minimal quantity of water recommended by the U.S. Agency for International Development for household and urban use alone is 100 liters a day per person.⁶

The inequity is especially apparent when one considers that the agricultural sector, which consumes water for economic reasons and not to

3. For details on the physical and geographic characteristics of the Mountain Aquifer and its precise division between Israel and the Palestinian Authority, see *Thirsty for a Solution*, pp. 28-30.

4. At the beginning of the occupation, Israel declared the strip of land along the Lower Jordan River as a closed military area, and thereby prevented Palestinian access to the river. However, access to the river would not have benefited the Palestinians because Israel extracts water from the Sea of Galilee and the Yarmuh River before the water reaches the Lower Jordan. As a result, very little water flows into the Lower Jordan River.

5. See *Thirsty for a Solution*, pp. 53-57.

6. See the agency's Web site: <http://www.usaid.wbg.org/water.html>.

meet basic needs, is the largest water consumer in Israel. In 1998, this sector consumed fifty-three percent of all the drinking-quality water produced in Israel that year. Decisions reached by all Israeli governments to heavily subsidize water supplied for agriculture is the primary reason for the extensive use of water by this sector. In other words, the generous allocations of water to the agricultural sector are not based on any economic logic (as regards the vast majority of the Israeli public) but on clearly political considerations.⁷

The professional commission appointed by the Minister of Agriculture in 1995 to examine Israel's water policy recommended cancellation of the allocations and subsidies to the agricultural sector. Rather, it proposed that farmers be allowed to consume water as they wish and be charged an unsubsidized price. The commission's recommendations, which were submitted to the Water Commissioner's Office at the end of 1996, were rejected outright.⁸

The Water Commissioner's Office frequently disseminates through the media figures on the "drastic cut" in the water allocations for agriculture. For example, following the drought during the winter of 1998/1999, the Water Commissioner's Office cut the water quota for the agricultural sector by forty percent for 1999 and fifty percent for 2000.⁹ However, as the State Comptroller's report indicates, a substantial part of the cuts were only theoretical, because they relate to the 1989 quota and not to the actual consumption during the previous year.¹⁰ This quota fails to take into account the changes that occurred over the past ten years in irrigation technology and the size of the land

under cultivation. In practice, the reduction for 1999 amounted to only ten percent. A press report indicates that the actual cutback for 2000 was of comparable size.¹¹

Furthermore, the State Comptroller revealed that the Water Commissioner's Office allocates water quotas at a subsidized price, ostensibly for agricultural use, for wealthy Israeli communities where farming is almost non-existent. These communities include Kfar Shmaryahu, Savyon, Omer, and Ramat Hasharon. In 2000, 23.2 mem (million cubic meters) of water were allocated to these four towns for agricultural use.¹² This quantity is comparable to half of that year's household and urban use in the entire West Bank.

Following the Oslo Accords

Comments of Israeli officials give the impression that the Oslo Accords transferred responsibility to the Palestinian Authority for supply of water to Palestinians. However, Israel continues to maintain almost total control over the water sector in the Occupied Territories. Every new water-related project, from drilling a well for extracting water to laying pipes or building a reservoir, including work in Area A, which is subject to "complete" control by the PA, requires Israel's consent in the Joint Water Committee.

Furthermore, for some projects proposed by the Palestinians, the consent of Israel's representatives on the Joint Water Committee is insufficient. If the project is located in Area C of the West Bank, which remains under

7. For an updated summary of this contention, see Zvi Eckstein, "Is the Water and Agriculture Sector in Danger," *Water and Irrigation* (in Hebrew), Issue 404, June 2001, pp. 30-33.

8. State Comptroller, *Annual Report 51B*, 2001, pp. 761-767.

9. *Ibid.*

10. *Ibid.*

11. *Ha aretz*, 5 October 2000.

12. In early 2001, the Water Commissioner's Office cancelled Savyon's water allocation for agricultural use. See State Comptroller, *Annual Report 51B*, footnote 8.

complete Israeli control, the Supreme Planning Committee and the official in charge of water matters, each of the Civil Administration, must also give their approval. Because the Oslo Accords created dozens of islands of Areas A and B (comprising some forty percent of the West Bank) with no territorial continuity among them, the transport of water from place to place often requires movement through Area C.

The Civil Administration delays approval of Palestinian water projects that have already been approved by the Joint Water Committee. As of July 2001, the Civil Administration had before it seventeen requests that were submitted from 1997 to 2000 by the Palestinian Water Authority. On 26 June 2001, B'Tselem requested the Civil Administration's response on this matter, but has not yet received a reply.

In the Oslo II Agreement, which was signed in September 1995, Israel agreed that the Palestinians would be allowed to increase the quantity of water they extract from the Mountain Aquifer for household and urban use by some thirty percent during the interim period (1995-1999).¹³ According to the Agreement, this increase will result entirely from the drilling of new extraction wells and not from a redivision of existing sources. Responsibility for new drillings is divided between the two sides nineteen percent by Israel and eighty-one percent by the PA. Israel performed its part of the Agreement within the time allotted to it. As of today, more than three years after the interim period ended, the PA produces and supplies approximately two-thirds of the amount of water that it undertook in the Agreement. The two sides disagree over the reasons for the slow

pace of performance, and B'Tselem does not have the ability to determine which party is responsible for this failure.

The additional water quantities that Israel and the PA developed pursuant to the Interim Agreement led to a certain improvement in the supply of water for household and urban use in various areas of the West Bank. The southern part of the West Bank felt this improvement only in 1999 and in subsequent years. However, in the summer, many Palestinians continue to suffer from frequent disconnection of the water network. These disconnections result from the allocation programs that various cities are compelled to implement because of the increased demand in summer months.

Residents without a Water Supply

B'Tselem's research conducted during June 2001 indicates that 218 Palestinian communities are not connected to a water network.¹⁴ A few of the communities included in this list have an internal water network, but it is no longer in use, usually because water is not supplied to the network. The 218 towns and villages on the list are home to 197,000 residents, comprising ten percent of the Palestinian population in the West Bank (not including the areas that Israel annexed in the Jerusalem area). The average number of residents in each of these communities varies greatly depending on the district: in Hebron District, for example, the average number of residents is 370, while in Nablus District, the number is 2,200 people per community.

13. All the water-related matters of the Oslo II Agreement are found in article 40 of the Annex on Civil Affairs (Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, Washington, D.C., 28 September 1995).

14. The source of the basic information is the lists provided to B'Tselem by the official in charge of water matters, on behalf of the Palestinian Ministry for Local Government, in each of the West Bank districts. B'Tselem cross-checked the data from these lists with information from other sources, among them checks made by B'Tselem fieldworkers, data from the Palestinian Water Authority, and information provided by the Palestinian Hydrology Group. For a complete list of the communities and the number of residents living in each, see the appendix.

District	Number of Communities	Number of Residents
Hebron	94	34,000
Bethlehem	0	0
Nablus	36	79,500
Ramallah	4	5,500
Salfit	4	10,000
Qalqilya	14	12,500
Tulkarm	10	4,000
Jericho	0	0
Tubas	13	12,500
Jenin	43	39,000
Total	218	197,000

These figures only relate to those communities that have no working water network. They do not include the residents who are not connected to a household water network for other reasons, such as the failure to connect their house to the network, or those residents who do not receive water through the network in the summer because the water pressure is too low to supply homes at high altitudes within the community. The precise number of all such residents is unknown. B'Tselem's figures accumulated in various districts of the West Bank clearly show that thousands of Palestinians fall within this category.

Due to the lack of the pipelines to supply water to their homes, residents without a water network rely on one or more of three water sources: collection of rainfall, collection of water from springs, and purchase of water from water tankers.

Private collection of rainfall is extremely common among Palestinians in the Occupied Territories, and not just in communities that are not connected to a water network. The water is

usually collected on roofs and stored in cisterns in the yards alongside the houses. The water collected is generally sufficient only during the rainy season (November to March). In most areas of the Occupied Territories, the amount of rainfall in the winter of 2000-2001 was from ten to twenty percent less than the multi-year average, thus reducing the quantity of water from this source that was available for household use.¹⁵

Some residents of communities without a water network obtain water from springs near their homes by filling bottles and jerricans. The West Bank contains 114 springs, most of which are primarily used for irrigation. The most bountiful springs lie in the Nablus and Jericho districts (fifty-two springs). The water flow in the other springs is generally negligible.¹⁶ In drought years, as was the case in 1999, the flow in all the springs falls significantly, and in some instances ceases completely.

Unlike the water that flows through pipes, the quality of the spring water consumed by residents of the Occupied Territories is not controlled by the Palestinian Authority, even though spring water is more likely to be polluted and brackish. This increased susceptibility is due to the greater likelihood that sewage from nearby towns and villages, and pesticides and fertilizers used by local farmers, flow into the springs.

The third source of water is the purchase of water from water tankers. For residents of communities connected to a water network, purchased water provides an additional source for the summer months, when water supply is irregular. For residents of communities without a water network, water tankers are the most important source, and, in the summer, the only source of supply for some of them. The tanker owners buy most of the water from the Palestinian municipal water networks and the rest from

15. Israel Central Bureau of Statistics, *Israel Statistical Monthly*, May 2001.

16. Palestinian Ministry of Planning and International Cooperation, *Regional Plan for the West Bank Goverment: Water and Wastewater Existing Situation* (PNA, Ramallah, 1998), chap. 2.2.3.

Israeli settlements and Palestinian-owned private agricultural wells. Regarding the agricultural wells, the water quality is not subject to any quality control, which, as noted above, is true also of spring water.

The price of water purchased from the tanker owners is determined by "market forces." The PA makes no attempt to intervene and set a maximum price. For this reason, water obtained from tankers is several times greater than the price paid for water supplied by a water network. The price paid by a consumer for water from a water network fluctuates between NIS 3-5 per cubic meter, while the price charged for water from a tanker fluctuates between NIS 15-40 per cubic meter. The expense entailed in purchasing water has always placed a heavy financial burden on residents of the villages without a water network, who generally are poor. This financial burden has increased since the outbreak of the current *intifada*, during which many families lost their primary source of income and the percentage of families living in poverty increased significantly.¹⁷ As the testimonies given to B'Tselem indicate, some village residents are unable to purchase water from the tankers. In the summer, therefore, their only option is to collect water from the springs. In communities that do not have springs nearby, the very poor residents are compelled to cut back on expenses for other basic commodities to enable them to purchase water.

Since the beginning of the *intifada*, Israel's harsh restrictions on freedom of movement in the Occupied Territories have created great difficulties for tanker drivers to regularly reach the homes of residents who need water. The problem results primarily from the physical roadblocks (dirt piles, concrete blocks, and

trenches) that the IDF places throughout the West Bank. These obstacles make journeys to many villages a long and complicated operation, requiring travel along improvised dirt roads. The IDF does not inform the population of the location of the physical roadblocks, so the drivers are unable to plan their route and estimate its length.¹⁸

In addition, B'Tselem documented a number of cases in which IDF soldiers prevented tanker drivers from crossing staffed checkpoints. Testimonies given to B'Tselem regarding several cases that occurred near the Beit Furik checkpoint (three kilometers southeast of Nablus) state that IDF soldiers beat and humiliated tanker drivers transporting water to Beit Dajan and Beit Furik (see, for example, the testimony of 'Azam Abu Jish, below). In other cases, in addition to delaying the transport, the security forces spilled the water in the tankers onto the ground (see, for example, the testimony of Mahmud Abu 'Aram, below). Furthermore, in recent months, the movement of Palestinians, including that of tanker drivers, has also been impaired by prohibitions on crossing, by delays, and by acts of violence by settlers (see, for example, the testimony of Izdihar Muhammad Sh'aban al-Jenazreh, below).¹⁹

The consequences of the water shortage among this population are broader than the trouble inherent in bringing water from the springs and the uncertainty of waiting for a water tanker to arrive after placing an order for water. The water crisis also impairs the residents' ability to maintain proper cleanliness and hygiene. For example, in summer months, most of the residents are unable to permit themselves more than one or two showers a week, which they

17. According to the Palestinian Central Bureau of Statistics, in the first quarter of 2001, the median income of a household in the Occupied Territories fell by forty-eight percent, unemployment increased from eleven percent before the *intifada* to thirty-eight percent, and the percentage of families living in poverty increased to sixty-four percent, compared to twenty-one percent before the *intifada*. Palestinian Central Bureau of Statistics, *Impact of the Israeli Measures on the Economic Conditions of Palestine Households*, April 2001.

18. Regarding restrictions on the freedom of movement during the *intifada*, see B'Tselem, *Civilians Under Siege: Restrictions on Freedom of Movement as Collective Punishment*, January 2001; B'Tselem, *No Way Out: Medical Implications of Israel's Siege Policy*, June 2001.

19. For a discussion on these activities since the outbreak of the current *intifada*, see B'Tselem, *Tacit Consent: Israeli Law Enforcement on Settlers in the Occupied Territories*, March 2001.

IDF Soldiers' Gunfire at Water Containers in al-'Arrub Refugee Camp

The al-'Arrub Refugee Camp lies midway between Bethlehem and Hebron, in Area B, which is under Israeli security control. Since the beginning of the al-Aqsa *intifada*, the camp has been a focal point of violent clashes between some of its residents and the IDF. Testimonies given to B'Tselem by residents of al-'Arrub indicate that, on 9 and 10 July 2001, Israeli soldiers entered the camp and deliberately fired at water containers on the roofs of the residents' homes. These containers are used to supply water for household use.

In his testimony to B'Tselem, Muhammad 'Abd al-Rahman al-'Aziz Mahfuz, 42, described the events:

On Monday [9 July 2001], it was quiet in the camp. There were not any incidents or clashes. Around 4:00 P.M., I heard shots and saw soldiers who had left their post and entered the camp's market. The soldiers fired randomly at several water containers on roofs of the houses. The shooting lasted for around twenty minutes. Then the soldiers broke into my shop.

According to the summary prepared by the head of the camp, 'Issa Salem Khamis Abu Khiran, the gunfire on 9 July punctured six water containers and, on 10 July, fourteen water containers.²⁰

On 17 July, B'Tselem requested the Judge Advocate's Office to investigate the incidents and, if offenses were committed, to prosecute those responsible.

generally take by using a bucket; water used for washing eating utensils, the floors, and laundering clothes is collected for reuse; some residents improvise toilets outdoors, usually only a hole, a less hygienic method than if they were to use the toilet in the house, to save water. Research in the Occupied Territories that was conducted in the early 1990s indicates that the water shortage is one of the primary causes of infection and skin diseases among residents of villages without household water supply, and among children, in particular.²¹

Reasons for Lack of Water Infrastructure

The existence of communities without a water network results from Israel's policy of neglect in infrastructure investment throughout the period of occupation. Two comprehensive studies on the economy in the Occupied Territories conducted by independent bodies – the World Bank and a research group from Ben-Gurion University – examined Israel's fiscal policy from the beginning of the occupation to the beginning of the peace process, in 1993.²² The two studies indicate unequivocally that,

20. The testimonies were given to Suha Ziyad on 14 July 2001.

21. Ana Bellisari, "Public Health and the Water Crisis in the Occupied Territories," *Journal of Palestine Studies*, vol. 23(2), 1994, pp. 52-63.

22. World Bank, *Developing the Occupied Territories: An Investment in Peace* (Washington, D.C., 1993), vol. 3; Arie Aron, Israel Luski, Avia Spivak, and Jimmy Weinblatt, *The Palestinian Economy – Between Imposed Integration and Voluntary Separation* (Brill, New York, 1997), pp. 30-34.

throughout that period, Israel's expenditures in the Occupied Territories (not including expenditures for security and the settlements) were significantly less than the taxes it collected from Palestinians in the Occupied Territories. The gap between revenues and expenditures flowed regularly into the State treasury. This policy resulted in underdevelopment of the Palestinian economy, including significant delay in development of water infrastructure.

As a result, in 1995, on the eve of the signing of the Oslo II Agreement, twenty percent of the population of the West Bank lived in communities without any water infrastructure.²³ Since 1995, the PA, with the help of donor states and organizations, connected many communities to a water network. Numerous plans for connecting other communities could not be implemented because of a lack of funding.

Another obstacle is the Civil Administration's policy of delay in approving water-related projects in Area C of the West Bank. For example, the Palestinian Water Authority requested the Civil Administration to approve the laying of main conduits and construction of water networks for Dir Musa, Hebron District, on 12 July 1998, for Z'atreh, Nablus District, on 2 October 1998, and for seven villages south of Nablus, on 29 March 2000.²⁴ In each of the three cases, the Civil Administration has not yet replied to the requests.

However, the primary problem was and remains the lack of Palestinian access to the water sources. Connecting a community to a water network causes an immediate increase in consumption in comparison with the previous situation, in which the residents purchased water from tankers at inflated prices. Therefore, without increasing the quantity of water for all the residents of the Occupied Territories, connecting additional communities to an existing water network will reduce supply to the other consumers.

For example, at the end of 2000, construction work was completed on a new water network for eleven villages in Jenin District. More than 40,000 people live in these villages, a number comparable to the city of Jenin.²⁵ This network was connected to a central well that supplied water to Jenin, which led to a significant decrease in water supply to the city: in the summer of 2000, residents of Jenin continuously received water throughout the season, but from the beginning of June 2001, the city implemented an allotment plan in which each house received water only twelve hours a week. This deterioration in the water situation resulted not only from initiation of supply to the neighboring villages, but also from the reduction in the quantity of water that Mekorot and the West Bank Water Department supplied to Jenin in June, which was less than half of what it had supplied during the previous months.²⁶

23. Taher Nassereddin, "Legal and Administrative Responsibility of Domestic Water Supply to the Palestinians," in Feitelson and Haddad (eds.), *Joint Management of Shared Aquifers, the Fourth Workshop* (PCG and Truman Institute, Jerusalem, 1997), pp. 117-126.

24. The villages: Burin, Madmeh, 'Asira al Qibliya, Tell, 'Iraq Burin, Sarra, and 'Urif. Although these villages are located in Area B, some of the main conduits are planned for Area C, making Civil Administration approval necessary.

25. The villages: Zububa, Rummana, 'Arabbuna, Silat al-Harithiya, 'Anin, al-Yamun, Kafr Dan, al-Hashimiya, al-'Araqa, and Kafr Qud.

26. The head of the Jenin Water Department, Wadah al-Labdi, provided this information to B'Tselem in a letter of 5 May 2001.

Destruction of "Illegal" Water Reservoirs on South Hebron Mountain

In the southern West Bank, in the area of Yatta, lie several communities in which dozens of Palestinian families live in caves and huts and make a living from farming and grazing their flocks. Over the past few years, the Civil Administration has sought to expel these families on the grounds that they did not have the right to live there and that they did not obtain permits to build their homes.

On 4 July 2001, after Palestinians killed Yair Har Sinai, a resident of the Susiya settlement, the Civil Administration and the IDF decided to destroy houses in five Palestinian communities in the area, in which some 1,000 Palestinians lived. The villages were Susiya, Wadi a-Rahim, Kherbat a-Nabi, Amneyzil, and Kherbat a-Natshe. In addition to destroying sheds, fences, and baking ovens, the soldiers and Civil Administration personnel threw stones and sand into pits dug into stone. The residents used these pits to collect rainwater in the winter and for the water they purchase in Yatta during the summer. This water is used for both household purposes and to water their flocks and for irrigation. Throwing the stones and sand into the pits made the water unusable.

International humanitarian law prohibits any attack or destruction of facilities vital to the survival of the civilian population, regardless of the reasons for the attack. Furthermore, it is expressly forbidden to attack facilities that supply drinking water or water for irrigation.²⁷

27. First Additional Protocol to the Geneva Conventions, of 1977, article 54(2).

Testimonies

Hadab al-Fawwar, Hebron District: Testimony of Izzahar Muhammad Sh'aban al-Jenazreh²⁸

I have ten children. My husband used to work in Israel, but now, due to the al-Aqsa intifada, he is unemployed. Ever since I got married and moved to the village, around twenty-six years ago, I have had a water problem that can't be solved. The village is hooked up to a water network that is thirty years old. It has been out of use since the Gulf War and not a drop of water flows through the system. Even before then, the water supply via the network was irregular and the water pressure was very low.

We are financially unable to dig a cistern to collect rainwater, like others in the village who have a higher standard of living than we do. Therefore, we use donkeys to haul water to the house. My husband and our big children used to go twice a day to the al-Raqba springs, around a kilometer from the village along the Hebron-Beersheva road, near the Aduriyim army base. They would fill up bottles, put them on the donkeys, and bring them over the hill to the village.

When the recent events began, I forbade my husband and children to go to the springs because there were Israeli soldiers on the road and because of the repeated persecution and attacks by settlers, who travel along the road, against men and youngsters from the village. So, instead of them going, I go to the springs four times a day. Each time, I bring sixty-four liters, and it takes me more than an hour. There are lots of women and children at the springs waiting their turn. Several times an army jeep

came to the springs and made everybody leave. Going there is very tiring and leaves me less time to take care of my children and the house.

Although the living conditions of the villagers differ from family to family, most get their water in the same way that we do. Most have cisterns under their homes, where they store the water that they bring. But we store our water in large tin containers in front of the house. Few residents buy water from the tankers, which is expensive. We can't afford it.

The problem of getting water taught us how important it is to save every drop. I usually wash the children only once a week. Sometimes I give into them and let them shower a second time during the week. We use an outdoors toilet. The toilet in the house is not yet ready. Because of the water shortage, we did not take the trouble to complete the work to install it.

Adh Dhahiriya, Hebron District: Testimony of Yunis Muhammad 'Abd Tim Jabarin²⁹

I live with my wife, eight children, and mother in a house in the Qanan al-Sawwan neighborhood of Adh Dhahiriya. My house is served by the water network in Adh Dhahiriya, which is twenty-five years old. However, for the past five years, not a drop of water has reached my home from the network because of the reduction in the quantity of water supplied to the town. Another reason is that my house is located at a high elevation. Consequently, we have had a real water problem these past several years.

28. The testimony was given to Musa Hashhash on 30 June 2001.

29. The testimony was given to Musa Hashhash on 26 June 2001.

However, there is a collection cistern near our home in which rainfall is collected during the winter. We generally do not use this water because it is polluted. But there are times when we have no choice, and we use the water to wash the floor, water the trees, and flush the toilet.

The water shortage forces us to buy containers of water. Normally, a nine-cubic-meter container, which is sufficient for twenty days, costs NIS 150. Because this is a substantial expense for me (I have been unemployed for more than eighteen months), sometimes we have no water. The difficulty in getting around because of the events of recent months aggravates the problem.

In the beginning of June, for example, we ran out of water. I went to a water-tanker owner and asked him to bring a container to the house. I emphasized that we had no water. The fellow, Muhammad Rateb, from Adh Dhahiriya, explained that it was impossible to bring the water, because all the roads leading to the water sources were closed, as was entry to the town itself. I went to another tanker owner and received the same response. Then I called a Beduin from the Beersheva area. He said that it was pretty hard to get it to me and that he may not succeed. Finally, he managed to bring a container, for which I paid NIS 350. To pay for it, I had to borrow NIS 200 from my brother-in-law. I added NIS 100 that I had and promised to pay the water-tanker owner the remaining NIS 50 when I have the money.

The difficulties that I mentioned often resulted in our not having water for ten to twenty days. We have to save as much water as possible. In such situations, my wife and daughters ask the neighbors for water. The neighbors give them water, only for drinking and cooking, in soft-drink bottles and in buckets. Other

needs, such as washing and bathroom use, stop altogether. For example, we detached the apparatus that supplies water to the toilet and shower. We use water from a bucket to flush the toilet. As for washing, we heat a small amount of water in a bowl and in that way try to save as much water as possible. We have gotten used to showering once every five to seven days. The situation is intolerable, especially in the summer.

Al-Tabqeh, Hebron District: Testimony of Taysir Khalil Hamdan Abu Ras³⁰

I live with my wife, ten children, and unmarried brother in a small two-room house. Until the beginning of the events, I made a living from working in Israel. My greatest problem today is managing to supply water to my large family and my flock of ten animals. Our poor financial situation creates a severe water shortage for us. Unlike many residents in the village, I cannot afford to buy water from the tankers, whose price these days in NIS 150 and even higher.

Our sole source of water is the al-Paridis springs, which is two kilometers from our home. I bring home water on the back of a donkey. My sons Rami, 12, and Nader, 10, walk to the springs every day along a pot-holed path, sometimes early in the morning and sometimes at sunset. Each trip takes them from an hour-and-a-half to three hours because they have to wait in a long line of people who come for the same purpose. The spring water is polluted, murky, and at times contains worms, so we have to strain it through kerchiefs before using it for drinking and cooking. Because of the difficulty in getting the water, we save every drop. One way we do that is by closing the toilet in the house, and we usually use the outdoors toilet.

30. The testimony was given to Musa Hashhash on 30 June 2001.

**Al-Majaz, Hebron District:
Testimony of Mahmud Musa
Shadeh Abu 'Aram**³¹

I live with my wife and four children in al-Majaz, a village located eighteen kilometers east of Yatta. We have to buy water in Yatta when there is no more water in the collection cisterns. The water we buy is for drinking and watering our livestock.

On Thursday, 31 May, around 6:30 P.M., my cousin Nasser 'Alu Khalil Muhammad and I were going to my home. We were on a tractor hauling a four-cubic-meter container of water. At the entrance to a-Sawanch Village, near the bypass road Route 60, which passes around eight kilometers from Yatta, we saw an army jeep parked along the road. The four soldiers standing alongside the jeep stopped us and did not want to let us continue along the road. They took our identity cards and made us stay there for about two hours. Finally, following a prolonged argument in which we explained that we needed water and had to take it to the village, they let us go. But one of the soldiers opened the tap of the container before ordering us to leave the area immediately. We started on our way to the village with the water running. After travelling for several meters, when we got far enough away from the soldiers, we stopped the tractor and my cousin closed the tap, but most of the water was already gone. We went back to Yatta the next day, bought some more water, and brought it to the village without being delayed by the soldiers.

**Burin, Nablus District: Testimony
of Walid Sa'id Mahmud 'Eid**³²

I am married. Twenty people live in my home, among them my children and grandchildren. We all make a living from farming and raising

our flock of animals. These days, it has been very hard to supply water for my family. Because the primary source of water for Burin residents is the al-Balad springs, whose flow is weak, the village council set up an arrangement according to which each resident is entitled to draw water for fifty seconds a day. Together, my family and I were allowed to draw water for seventeen minutes a day. This amount of time enables us to fill twenty jerricans of water. This quantity is insufficient to even meet our family needs, so there is no water for the animals on a regular basis. For this reason, I sometimes wait at the springs for four or five hours to get an additional five minutes of water to fill another five jerricans.

Due to the water shortage, we reuse the water twice or more for household use. We put a bucket under the sink to collect the water and use it again, rather than have it drain into the sewer. The water for cleaning purposes is also used for irrigating some of the crops near the house. I also put empty cola cans inside the toilet bowl to lessen the amount of water used when flushing the toilet.

**Beit Dajan, Nablus District:
Testimony of 'Azam 'Abdallah
'As'ad Jish**³³

Beit Dajan Village has a grave water shortage. One of the reasons for the shortage is that most of the residents make a living from raising livestock, such as goats and chickens. I have been driving a water tanker for some seven years, during which I have transported water from Nablus to Beit Dajan. The entire village has only three water tankers, and, normally, when Israel does not impose a closure, we transport around thirty containers a day, that is, each tanker makes ten trips. Today, due to the prolonged closure and army checkpoints on

31. The testimony was given to Musa Hashhash on 24 June 2001.

32. The testimony was given to Hashem Abu Hassan on 27 June 2001.

33. The testimony was given to Hashem Abu Hassan on 11 June 2001.

the road leading from Nablus to Beit Furik and Beit Dajan, each tanker can make two trips at the most. The trips have become a nightmare for us.

On Saturday [8 June], at 8:00 P.M., I drove, along a dirt road that crosses the lands of Salem Village, from Nablus to Beit Dajan. I was with two other tanker drivers, Sabah 'A'arf Hanaisheh, from Beit Dajan, and Yusuf Abu Halaleh, from Beit Furik. An Israeli army vehicle was parked on the main road, but I did not see it because it was dark. When I approached it, I saw two soldiers striding toward me with their weapons aimed at me. They ordered us to stop, and we stopped. They ordered us to drive in the direction of the Nablus-Beit Furik checkpoint, and they drove behind us in their vehicle. When we got to the checkpoint, one of the soldiers said to me,

"Don't you know that you are not allowed to drive along this road?" I said that I have to transport water for the residents and animals in the village. He responded: "Let them die, you are forbidden to travel on this road," and he struck me forcefully with his hands. Then they opened the tap of the tanker and splashed water on me until my clothes were wet. Then they hit me again. This lasted until 10:30 P.M., during which the soldiers beat me all over my body and insulted me.

The tankers lost a great quantity of water. We take a risk in transporting water, but we have no choice. We have to do it because the village residents need water. The water container that I brought in this case, for example, was intended for a person who has children and raises chickens and goats on his farm.

Conclusions

In recent months, the Israeli media has been swamped with reports on the water crisis in Israel, the anticipated reductions in uses of water, and ways to improve the situation. Most of the reports relate to the relevant water sources as if they belonged entirely to Israel. This perception completely disregards the fact that Israel's two primary water sources – the Mountain Aquifer and the Jordan River Basin – are shared with Palestinians in the Occupied Territories, although Palestinian access to these sources is extremely limited.

Most Israelis know about the water crisis principally via television. For them, the most immediate effect of the crisis is the possibility that restrictions may be placed on watering public gardens or washing their cars with a hose. However, residents of communities that are not connected to a water network routinely suffer as a result of the water crisis and are unable to supply their basic household needs.

International law dealing with water sources that belong to more than one state provides that utilization of water from those sources must be based on the principle of "equitable and reasonable use."³⁴ As this report and previous reports of B'Tselem show, Israeli policy flagrantly breaches this principle. Therefore, even if Israel's water sector is currently facing a severe crisis, Israel is not allowed to attempt to cope with its problem by disregarding the needs and rights of others who share its water sources, among them Palestinians in the Occupied Territories.

Israel's responsibility for the water crisis in the Occupied Territories also results from its position as the occupier. This status obligates it to ensure the protection of human rights in the Occupied Territories and in those areas in which it has effective control. Furthermore, the right to water is a fundamental right of every person and is incorporated in several international conventions to which Israel is party.³⁵

This reality obligates Israel to ensure that residents of the Occupied Territories receive at least the minimal amount of water necessary to meet their household needs. Even more so, Israel is forbidden to intentionally harm residents' efforts to obtain water privately, which Israel has done, for example, by restricting the freedom of movement of water tankers.

Restrictions on the PA's control over the water sector in the Occupied Territories does not exempt it from responsibility for those aspects of the water sector in which it is able and obligated to act. These include responsibility for realizing as rapidly as possible the additional quantities of water agreed to by Israel in the Oslo II Agreement and for supervision of the prices and quality of the water sold by means of tankers.

In light of the severe water crisis currently confronting residents of villages that are not connected to a water network, whose severity is likely to increase as the summer progresses, B'Tselem urges the government of Israel to:³⁶

34. This principle is deemed international customary law applying to all states, and is formulated in the UN Convention on the Law of the Non-Navigational Uses of International Watercourses, 21 May 1997. For a discussion on implementation of this principle, see *Thirsty for a Solution*, chap. 6.

35. For a discussion on the right to water under international law, see *Thirsty for a Solution*, chap. 1.

36. Regarding the equitable division of shared water sources, see *Thirsty for a Solution* chap. 6.

- operate, at least until the rainy season arrives and in addition to the regular supply provided by Mekorot, regional filling stations throughout the West Bank, at which owners of tankers can purchase water for supplying residents lacking sufficient water;
- ensure that the tankers are allowed to move about freely and without delay at checkpoints;
- hasten the handling of requests submitted by the Palestinian Water Authority for approvals for water projects.

Appendix: Communities in the West Bank without a Water Network (in parentheses, population of community)

Jenin

'Aba (150)
Abdulah Al Yunis (120)
Abu Anker (10)
Ad Damayra (260)
A-Haish (20)
Al 'Attara (940)
Al Hafira (70)
Al Jadida (4300)
Al Kharoobi (30)
Al Khuljan (430)
Al Kufeir (60)
Al Manshiya (140)
Al Mentar Al Kharbeyyeh (30)

Al Mentar Ash Sharqiya (20)

Al Mutila (230)
Al Qussor (120)
Al Sa'ydeh (110)
Al Sebain (30)
Al Sheik Sa'ced (190)
Arab Al Hamdun (50)
Arab Al Iswaitat (440)
Arabbuna' (750)
Barghasha (60)

Beit Qad (770)

Bir Al Basha (1150)
Deir Abu Da'if (4660)
Faqu'a (3070)
Imreiha (380)
Jalbun (2200)
Jarba (60)
Marat Al Rahi (10)
Mas'ud (50)
Mcithalun (6170)
Misliya (1980)
Raba (2680)
Sir (680)
Siris (4440)
Suruj (40)
Um Kaboob (80)

Umm ar Rihan (330)
Umm Dar (510)
Wadi Al Dabe'h (330)
Zabda (730)

Tubas

Al Farisseyyeh (180)
Al Hadeceyeh (160)
Al Ras Al Ahmar (70)
Atoof (90)
Hemseh (20)
Ibzeek (50)
Kashdeh (30)
Ras Al Far'a (610)
Salhab (60)
Tammun (9020)
Tel Alhemmech (110)
Wadi Al Far'a (2020)
Yerzeh (30)

Tulkarm

'Akkaba (230)
'Izbat Abu Khamcis (40)
Al Hafasa (140)
Al Maskoofi (190)
An Nazla al Wusta (370)
An Nazlat ash Sharkiya (1450)
Kafa (310)
Kafr Rumman (770)
Khirbet Jubara (290)
Kur (290)

Nablus

'Ammuriya (280)
'Asira al Qibliya (2020)
'Awarta (5130)
'Ein Shibli (180)
'Iraq-Burin (680)
'Urif (2500)
Al Aqrabaniya (790)
Al Mas'udeyyeh (20)
An Nassariya (1190)

Aqraba (6990)
Beit Dajan (3170)
Beit Furik (9170)
Beit Hasan (1050)
Beit Imrin (2540)
Beita (7750)
Burin (2270)
Duma (1950)
Farush Beit Dajan (1020)
Ijnisinya (490)
Jalud (400)
Jurish (1220)
Kafr Qallil (2200)
Madama (1460)
Majdal Bani Fadil (1930)
Nisf Jubail (450)
Osarin (1440)
Qaryut (2180)
Qusra (3920)
Sarra (2550)
Talfit (2640)
Tell (4180)
Yanun (140)
Yasid (2020)
Za'tara (50)
Zawata (1680)
Zeita Jamma'in (1730)

Qalqiliya

'Izbat al Ashqar (350)
'Izbat Jalun (120)
Ad Dab'a (230)
Arab Abu Ferdeh (90)
Arab Al Ramadeen Al Shamali (60)
Arab Alramadeen Al Janubi (160)
Baqat al Hatab (1470)
Beit Amin (960)
Far'ata (550)
Hajja (2120)
Immatin (2050)
Izbat Abu Salman (350)

Kafr Thult (3660)
Ras at Tira (330)

Hebron

*Arab az Zuweidin (500)
Abdeh (150)
Abu Al 'Urqan (400)
Ad Deir (250)
Ad Deirat (330)
Ad Duweir (590)
Al 'Uddeisa (1250)
Al Buweib (460)
Al Faqir (350)
Al Heila (850)
Al Hijra (580)
Al Karmil (2490)
Al Sarra (1520)
Al-Alaqa Al-Tehteh (100)
Al-alka Al-Fuka (80)
Al-Arroos (780)
Al-Khamjat (120)
Al-Mawrek (500)
Al-Mentar (340)
Al-Tabkeh (1220)
An Najada (200)
Anab Al Kabir (260)
Ar Rifa'iyya (280)
Arab Al-Fraijat (360)
Arab Ramadin (2610)
At Tuwani (90)
Baqqar (30)
Beer Muslem (160)
Beit Maqdam (600)
Beit Mirsim (240)
Bireen (150)
Deir Musa (200)
Fuqeiqis (270)

Hadab al 'Alaqa (460)
Hadab al Fawwar (1570)
Hamrush (50)
Huraybet Al-Nabih (60)
Hureiz (850)
I'zeiz (600)
Imneizil (230)
Imreish (1050)
Iskeir (140)
Jala (220)
Jaroon Al-Luz (50)
Karma (1160)
Kerbet Heskeh (180)
Khallet al 'Aqed (180)
Khallet al Mariyya (1080)
Khallet 'Arabi (160)
Khallet Saleh (360)
Khashem al Karem (500)
Kherbet Abu Hamed (100)
Kherbet Al Maqura (90)
Kherbet Al Meshraf (50)
Kherbet Al-Fakheet (20)
Kherbet Al-Majaz (30)
Kherbet Al-Manhthareh (110)
Kherbet Al-Rahweh (40)
Kherbet Al-Tabban (30)
Kherbet Beer Al-'ad (120)
Kherbet Besem (60)
Kherbet Dier Shams (50)
Kherbet ghwain Al-Fuka (50)
Kherbet Isfi (30)
Kherbet Salameh (290)
Kherbet Shuwaikheh (100)
Kherbet Tawameen (30)
Kherbet Wadch (60)
Khuraisch (30)
Kurza (660)

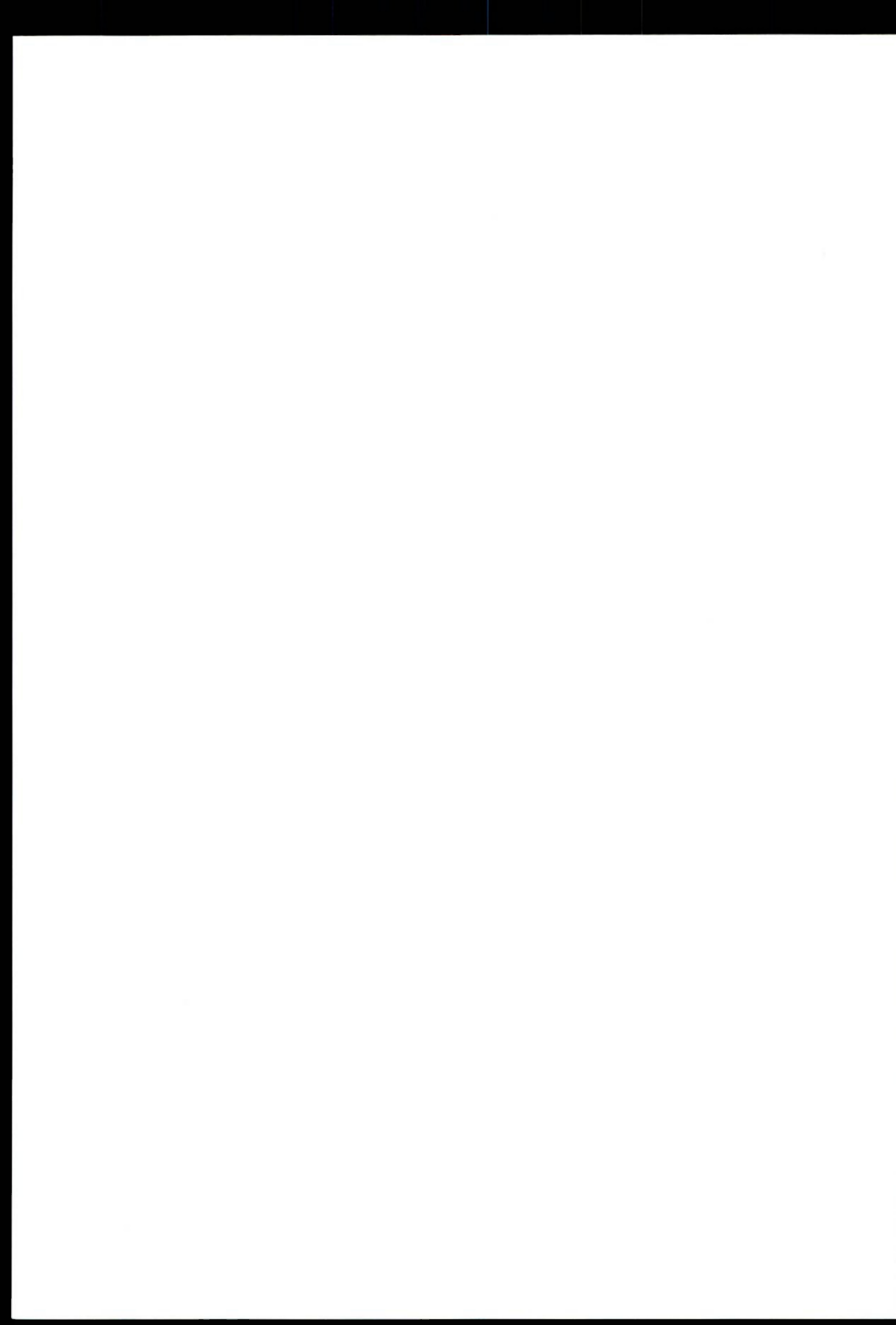
Ma'in (200)
Marah al Baqqar (170)
Mghayer al Abeed (30)
Qalqas (770)
Qanan Al-Nejmeh (140)
Qanan Al-Nimer (90)
Qawawees (40)
Qeela (780)
Qinan Jaber (350)
Qurnet ar Ras (230)
Rabud (520)
Ras Al-Jura (220)
Sarooreh (60)
Sha'b Al-Baten (40)
Shamalleyyet (80)
Al-Haweyyeh
Sumreh (30)
Taruseh (50)
Taweel Al-Sheeh (160)
Turrama (480)
Um Al-Butom (70)
Wadi Al-Kelab (30)
Wadi Al-Reem (80)
Wadi Al-Sada (190)
Wadi Obaid (130)

Ramallah

*Ajul (1210)
*Ein Qiniya (670)
Al Mughayyir (2010)
Deir as Sudan (1820)

Salfit

Brukin (3140)
Farkha (1320)
Iskaka (940)
Kafr ad Dik (4420)



Response of the IDF Spokesperson*

Israel Defense Force
I.D.F. Spokesperson's Unit
Public Relation Branch
9 Itamar Ben Avi St., Tel-Aviv
Military Post 0100
Telephone: 972-3-6080339/40
Fax.: 03-6080334
29 July 2001



B'Tselem – Mr. Yehzekel Lein

Re: B'Tselem Report on the "Water Shortage in the West Bank"

Dear Mr. Lein:

Our response to the report on "The Water Shortage in the West Bank" is as follows –

The IDF enables the passage of vehicles carrying humanitarian goods such as water tankers, medications, basic foods, and the like. Extraordinary cases are examined and handled.

Regarding the incident that occurred on 8 June 2001, in which B'Tselem describes IDF soldiers delaying water tankers in the Beit Dajan district, taking the documents of one of the drivers, and beating him, the IDF is unaware of the case and it has been forwarded for investigation. The IDF recognizes that there is no underground infrastructure for the underground transport of water to Beit Dajan Village. Therefore, despite the closure, the IDF allows the movement of water tankers.

Regarding the cases of 9 July and 10 July 2001, which describe IDF soldiers deliberately firing at water containers in the al-'Arrub refugee camp, the IDF is unaware of the cases and they have been forwarded for investigation.

The case of 31 May, according to which an army jeep stopped Palestinians near Route 60, involved a routine comprehensive check that is conducted on everyone crossing the checkpoint, and its objective is to protect the community and maintain security.

Concerning the incident on 4 July 2001, in which IDF soldiers blocked up water pits, the IDF acted pursuant to demolition orders issued following violation of High Court of Justice rulings prohibiting a change in the status quo existing at the time of the ruling (29 March 2000).

The IDF harshly condemns incidents in which soldiers act violently against innocent persons. Where such cases are uncovered, they are handled with severity. Although there are thousands of friction points with the residents and a relatively small amount of complaints, the IDF continues to endeavor to reduce the number of exceptional cases to none at all.

Sincerely,

s/

Major Efrat Segev
Head, Public Relations

* Translated by B'Tselem

Response of the Coordinator of Government Operations in the Territories*

State of Israel
Ministry of Defense

Ministry of Defense
Coordinator of Government
Operations in the Territories
Telephone: 03-6976712
Fax: 03: 6977718
22 July 2001

B'Tselem – Mr. Yechezkel Lein

Re: B'Tselem report on the water crisis in the West Bank
Reply of IDF Spokesperson of 22 July 2001

1. This document will present specific comments on the B'Tselem report on water.
2. A number of comments on the water situation in Judea and Samaria follow:
 - A. Regarding the introduction:
 - 1) The Joint Water Committee approves or rejects projects both in Areas A and B and in Area C.
 - 2) The Joint Water Committee is the only committee that operated regularly both prior to and following Camp David.
 - B. Regarding the background data chapter:
 - 1) The third successive year of drought led, in 2000, to a ten percent cut in the overall quantity to the general population of Israeli and Palestinians in Judea and Samaria.
 - 2) Implementation of the additional quantities of water pursuant to the Oslo Agreement led to approval of dozens of new drillings for Palestinians that have not yet been implemented.
 - 3) JWC approvals for projects executed in Area C require the approval of the head of the planning division (of the Civil Administration) because they generally involve laying additional construction infrastructure near each project and establishing access paths from the main road. All these actions require building permits, as is the case also in other places in the world.
 - C. Regarding the chapters on residents without a water supply:
 - 1) We do not have information on water quality control because the joint

* Translated by B'Tselem

supervision teams that measured both the levels and quality of drinking water have not functioned for nine months due to the events [al-Aqsa *intifada*].

- 2) We do not establish water prices in the Palestinian Authority, and we are unable to interfere and affect them.
- 3) The Palestinians requested us to establish three water supply points – “*gamalim*” [camels] (Magen Shaul, Neve Yerek, Gush Etzion) - to supply water to villages that are not connected to an Israeli network or a Judea and Samaria network. Staff work was performed with the Palestinians and the Americans (who were requested and agreed to finance the *gamalim*), but the Palestinians decided not to take advantage of these points.

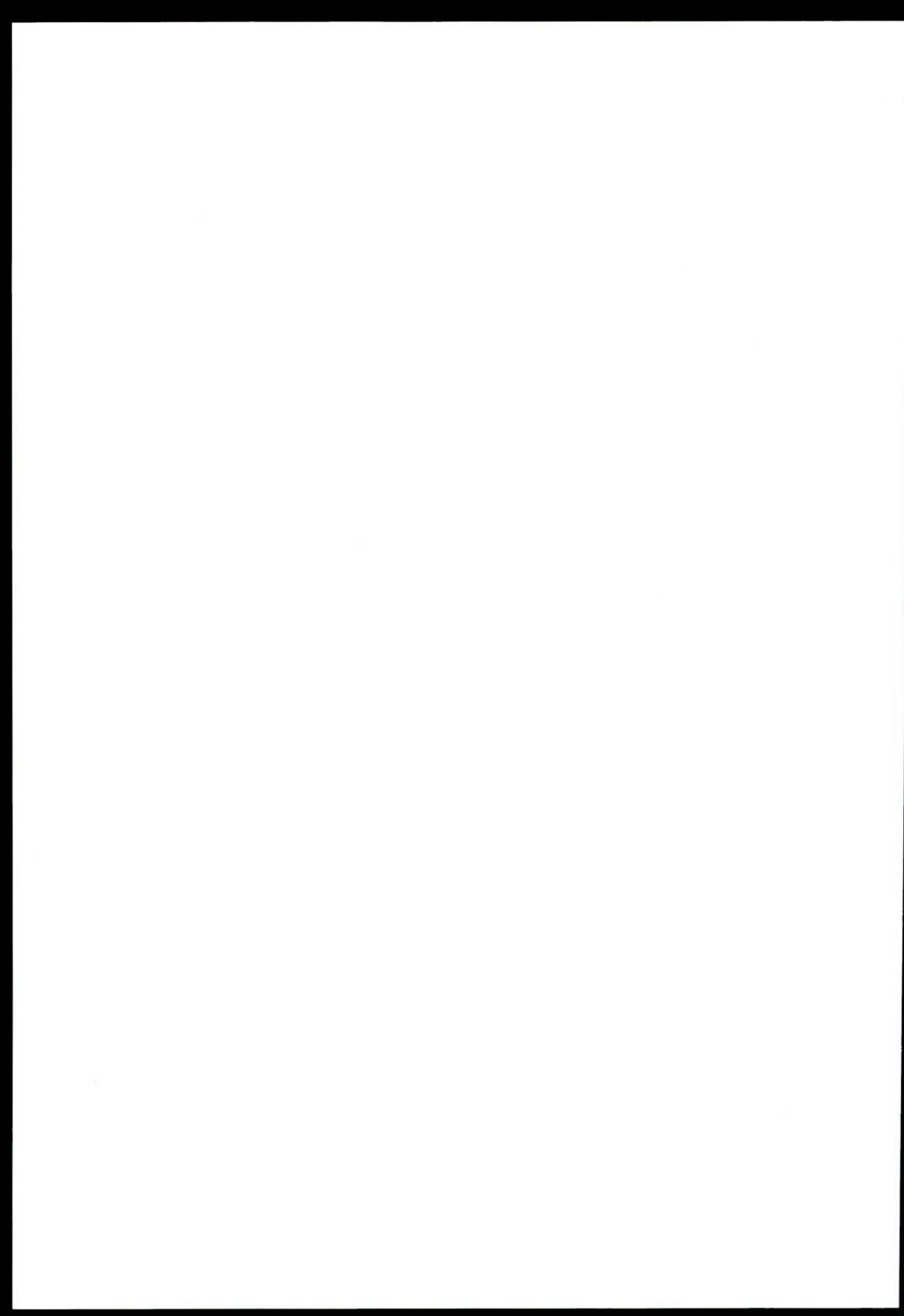
D. Regarding the list of communities not connected to a flowing water network:

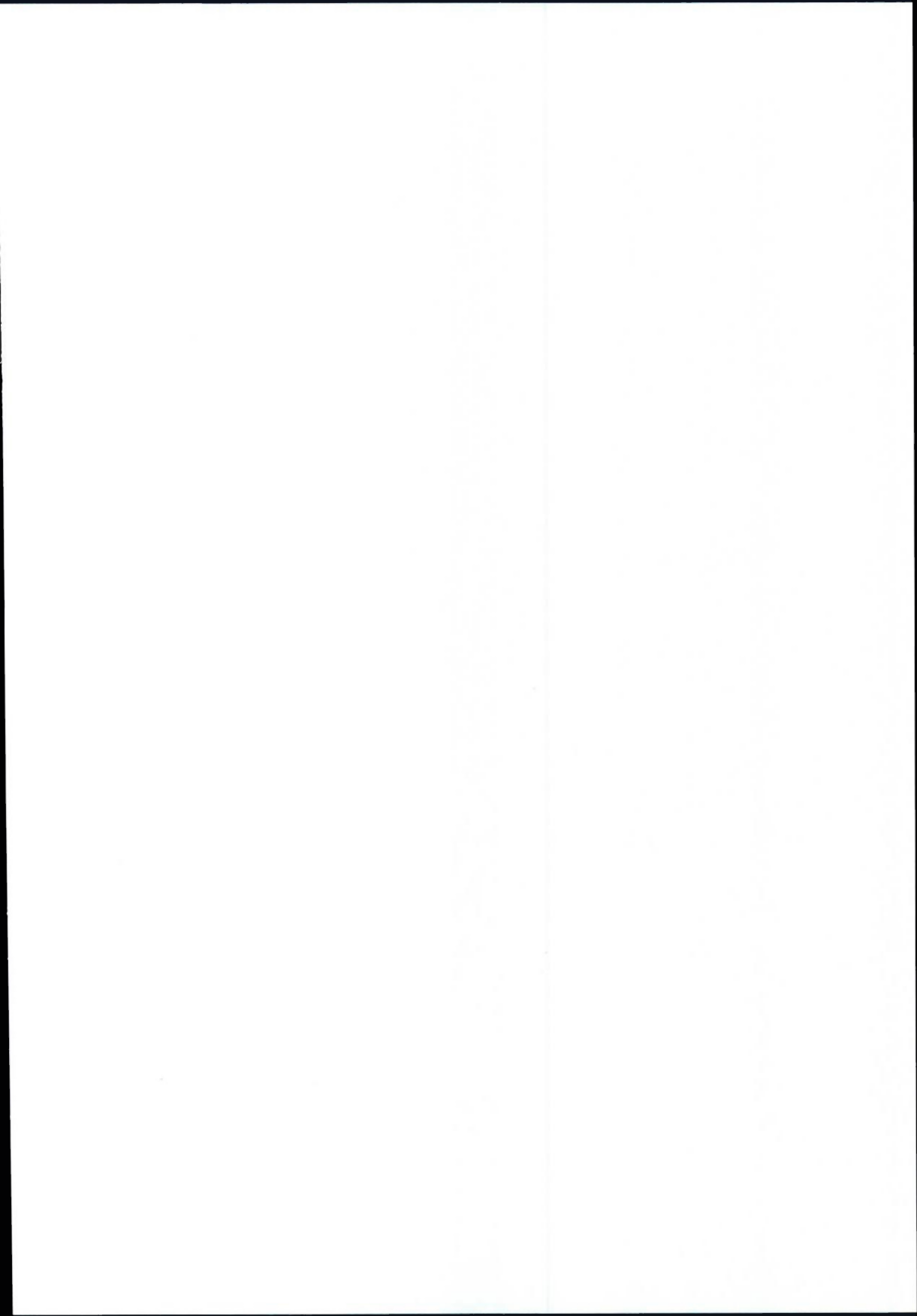
- 1) The decision whether to connect a specific community to a flowing water network is made by the Palestinian Authority, and Israel cannot influence these decisions.
- 2) A large number of these communities are defined as *kherbas*, i.e., a small number of houses (five to ten), so it would be extremely expensive for the PA to connect them.
- 3) I wish to point out that, according to the Agreement, we undertook to supply the PA with 28 mcm [million cubic meters] for Judea and Samaria and 5 mcm for Gaza.
- 4) In practice, we currently supply more than 35 mcm to Judea and Samaria and 5 mcm to Gaza, and we are willing to supply an additional 5 mcm to Gaza, but, because of internal Palestinian problems, this is not being implemented.
- 5) The above exists despite the continuous thefts of water from the lines, and despite the illegal drillings and the lowering of the water levels, causing damage to both populations.
- 6) The Israeli and Palestinian water commissioners issued a joint statement calling for avoiding damage to the water networks.
- 7) The Civil Administration and Mekorot handle and repair malfunctions despite the grave security situation in the area, at the risk of life.
- 8) Because our work with the Palestinians is a joint activity, it must be continued despite the water shortage and despite the many security difficulties. Israel is aware of the Palestinians hardships, real hardships and hardships resulting from illegal activity (theft of water primarily), and tries, together with the Palestinians, to find daily solutions to ensure the flow of water and to improve the quality of the water.

Sincerely,

s/

Semadar Uziel, Captain
Public Complaints Office and
Information Coordinator





בִּיטְסֵלֵם

מרכז המידע הישראלי לזכויות האדם בשטחים (ג.ר.)
"ז-סיגמ" מרכז המידע והתעמולה לחقوق האדם בשטחים
BTSELEM-The Israeli Information Center for
Human Rights in the Occupied Territories

רחוב התעשייה 8 (קומה 4), ירושלים 93420
טלפון: 02-6735599 פקס: 02-6749111

شارع هتسيا 8، (الطابق الرابع)، القدس 93420.
تلفون 02-6735599 - فاكس: 02-6749111.

8 HaTa'asiya St. (4 th Floor), Jerusalem 93420
Tel.02-6735599 Fax: 02-6749111

F-mail: mail@btselem.org <http://www.btselem.org>