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News Brief

On International Human Rights Day, Al Mezan and the High Commissioner Organize a Conference, *Gaza and the Right to Water*

On the 61st anniversary of the Universal Declaration of the Human Rights, Al Mezan Centre for Human Rights and the UN Office of the High Commissioner for Human Rights (OHCHR) organized the conference on *Gaza and the Right to Water*. More than 170 persons attended the conference, representing UN agencies, civil society organizations, specialists, INGOs, and the media.

Al Mezan's director, Mr. Issam Younis, and OHCHR's Gaza Office director, Curtis Goering, opened the conference and welcomed the attendees. According to Issam Younis, the purpose of the conference was to discuss critically the current humanitarian situation in Gaza and its effects on the right to water and the right to sanitation, both of which have a direct bearing on human life and the quality of that life.

Since 1967, the Israel has violated the right to water in the Gaza Strip. In addition to serious negligence in the development of water facilities, it has often directly attacked those that do exist and that are essential for the provision of water to the population, a grave violation to international humanitarian law (IHL). Indeed, the Israeli Occupation Forces (IOF) administered both the West Bank and the Gaza Strip in a way that ensured minimal access to water by Palestinians, while allowing excessive access to water by Israeli settlers. Years of excessive use of water from the Gaza aquifer depleted its supply to such an extent that there is no longer a sufficient amount of water for Gaza's population. This has made upgrading the water facilities and finding new solutions to the water shortages essential and yet Palestinian plans to improve these facilities, funded and supported by international donors, have been prohibited owing to Israel's refusal to allow the proper equipment and materials into Gaza. This is a deliberate policy manifested by the illegal Israeli siege of Gaza. It reveals, among other things, Israel's profound disregard for its obligations under international law.

Younis emphasized the fact that Gaza is still occupied Palestinian territory (oPt); a territory that falls under the effective control of Israel which, as the occupying

power, is obliged to respect the rules of IHL. These rules include, first and foremost, ensuring the life and well-being of the civilian population. Israeli policies have brought about results that run counter to its legal obligations: the underground aquifer in Gaza has been depleted. This threatens the future of the entire population of Gaza, above all those living in deep poverty.

Human rights are interdependent and mutually reinforcing. Depriving people of the right to water involves the violation of a wide array of other human rights as well, most notably the rights to life, health, housing, food and work. The silence of the international community in light of these on-going violations illustrates a willingness to sacrifice human rights for political interests.

This conference aims to call greater attention to grave and flagrant violations of international law by the IOF, some of which constitute war crimes. Younis emphasized that Al Mezan's mission in this regard is to ensure that the perpetrators of such crimes are brought to justice. He



He added that the silence of the international community and its failure to fulfill its obligations towards civilians in the occupied territories undermines international security and peace. Unless these are applied equitably across the globe we will never attain a truly universal foundation for human rights, justice and accountability.

Mr. Curtis Goering, the director of OHCHR's Office in Gaza extended his thanks to Al Mezan Centre for Human Rights for its cooperation in organizing this conference. He concurred that the right to water is an inalienable human right, echoing the words of UN Secretary-General Ban Ki-Moon. Mr. Goering explained that while most of us understand human rights as consisting of things like freedom of speech or protection from torture, we need to reach the point where we understand that the right to water is an equally inalienable right as are those things that are required for basic survival. They do not make up a wish-list. Mr. Goering stressed that about one billion human beings, or one in every six persons in the world, do not have access to potable water. The water situation in Gaza is dire because the primary sources of drinking water are polluted by sea, and the sewage treatment plants are running well above capacity. About 90% of the water available in Gaza is not fit for human consumption. If this situation

continues for another few years, safe drinking water will simply cease to exist and disease and death will result.

Mr. Goering emphasized the importance of allowing in the entry of equipment needed for the rehabilitation and development of the water sector, as the Israeli authorities frequently refuse to allow these materials and equipment into Gaza. This situation has worsened since 'Operation Cast Lead,' Israel's last military offensive (Dec. 27th 2008–Jan 18th 2009). He added that the water crisis has been continuous for over 40 years, but that Israel's destruction of about 100 water wells and of about 30 kilometers of water pipes since 2003 represents one of the root causes of the water and sanitation problem in Gaza today.

Goering asserted that governments are obliged to respect the right to water, and Israel as a contracting party to the International Covenant on Economic, Social and Cultural Rights should respect the Palestinians' rights to water. Israel is obliged to end its daily violations of this right in the Gaza Strip as well as in the West Bank.

Goering also stressed that the UN has become increasingly concerned about this issue as water conditions deteriorate worldwide. UN Secretary General Ban Ki-Moon's recent assignation of an independent expert on the right to water and sanitation has highlighted this concern. At the end of his presentation, Mr. Goering outlined certain steps that must be taken in order to salvage the water sector in the Gaza Strip. Above all is the necessity of allowing the free entry of materials, equipment and fuel into Gaza for the construction or rehabilitation of sanitation facilities. Goering called upon the Quartet to intervene immediately to lift the Israeli siege of the Gaza Strip.

Mr. Saber An-Nairab, Human Rights Officer at the OHCHR, then delineated the aims of the conference. He said that while several workshops and conferences have been held on this matter, what happens next on a practical level is crucial. What should we do to solve the water crisis? He then outlined the conference program and the aims of each session.

The first session was facilitated by Mr. Talal 'Okal, political analyst and activist, who welcomed the audience and presented the two speakers in the session. The first panelist was Mark Botel, coordinator of E.WASH Advocacy Task Force who provided a summary of reports about the water situation in the Gaza Strip and the obstacles that hinder access to safe water. He described the various aspects related to the water situation in terms of its availability and quality. He said that

recent reports indicate that only 5% to 10% of Gaza's water is safe, while most of the water suffers from very high levels of contamination caused by bacteria and nitrates. Other contaminants could also be present, he added; however, the authorities do not have the ability to conduct tests to verify whether or not they exist. He also warned that some eighty million liters of raw or partly treated sewage water is pumped daily into the sea alongside Gaza, owing to the inability to build or rehabilitate permanent sewage treatment plants in Gaza. These plants cannot be built because of the Israeli siege. He discussed sanitation problems and their development in North Gaza, where it took five extra years to finish the first phase of a permanent treatment plant. He also talked about the sewage treatment plants in the southern and middle parts of Gaza City and in the mid-Gaza Strip, pointing out that in each location there are leaks of waste water into the aquifer.

Botel said the Israeli siege imposed on the Gaza Strip has prevented the successful conclusion of important water projects, which cannot be implemented without materials and equipment necessary for the construction or rehabilitation of sanitation facilities. He added that although the International Committee of the Red Cross (ICRC) intervened to ensure that Israel allow materials and equipment into Gaza, the attempts were not successful.

Mr. Botel also discussed safe sanitation in the Gaza Strip, pointing out that more than 80 million liters of sewage are discharged daily into the Mediterranean Sea. He highlighted the continuous deterioration of the aquifer as untreated water has leaked into it and mixed with drinking water. He also drew attention to the fact that much of the sea water is not even fit for swimming because of the heavy concentrations of sewage in it. He warned of numerous health risks that could arise as a result, and indicated that this problem could just as easily affect the Israelis as they share the same coast with Gaza. Botel then asserted that the water in the Gaza Strip is full of bacteria. He said that about 57% of private wells in the Gaza Strip are polluted by Chloride and that only 5–10% of well water could be used as drinking water as a result. At the end of his presentation, Mr. Botel praised the efforts of NGOs and the Coastal Municipalities Water Utility in monitoring the water situation, and called for more monitoring of private water-wells.

Engineer Monzer Shoblak, the general director of Coastal Municipalities Water Utility (CMWU), gave the second presentation, entitled *Water and Sanitation in the Gaza Strip: current challenges and future effects*. He said that the CMWU had emphasized the water crisis apart from any political considerations. He highlighted the acute need for clean water in the Gaza Strip. Because population

growth in Gaza has increased the consumption of water, there is an even greater need for clean, potable water and therefore for better and more numerous sewage treatment facilities.

According to Shoblak, the water available in the Gaza Strip is barely enough for half of its population. Each year there is a shortage of between eighty and one hundred million liters of drinking water. There are no adequate sewage treatment plants or pools. This reality threatens human life and health, Shoblak asserted. He added that sea water has leaked into several water wells in the Gaza Strip and it is gradually leaking into the aquifer and contaminating it. The more pressure that is put on the aquifer – the only source of water currently available – the more the sea water will leak into it.

During his presentation, Mr. Shoblak suggested several solutions for the water problem. These included digging new, small wells; re-organizing and monitoring water wells; re-evaluating the amount of water pumped for popular consumption; finding alternative sources of water; and focusing on the best ways to use the available water.

Mr. Shoblak emphasized that the CMWU is currently working on closing the Beit Lahiya sewage treatment plant, as the second phase of the construction of a new plant is nearing completion. This will eliminate the severe water problem in North Gaza, which has lasted far too long and claimed too many lives.



In Khan Younis, in the southern Gaza Strip, Shoblak said that a few temporary sewage treatment pools had been constructed in order to prevent a catastrophe. He mentioned that a new project would be implemented in the coming years to solve the Gaza Valley problems and the Gaza Strip's problems in general.

At the end of this session, the attendees asked questions and commented on the presentations.

The second session was chaired by Mr. Mahmoud Abu Rahma, the Communications and International Relations Coordinator at Al Mezan. Abu Rahma welcomed the panelists and conference attendees. In his presentation,

Mr. Samir Zaqout, Coordinator of Field Work Unit at Al Mezan, summarized the findings of a new report issued by Al Mezan Center entitled, *Environmental Pollution and Sanitation Problems in Khan Younis*. He began by emphasizing the positive cooperation between human rights organizations and those organizations that work on water and sanitation problems.

He pointed out that whereas under normal conditions there is usually only one authority that must answer to issues of human rights, in Gaza there are four making the situation that much more complex. There is Israel, the occupying power; there are the two Palestinian governments, one in Gaza and the other in Ramallah; and there is the international community, which has had an influential presence in the occupied Palestinian territories. He said that the complexity of this situation obliged the concerned parties to cooperate with each other in order to find the appropriate solutions to the on-going problems.

Zaqout reminded the audience of the role Al Mezan played in putting the problem of North Gaza on the agenda of the UN, INGOs and donors over the past few years. He also discussed the sewage problem in Khan Younis, a large city that has never had a sewage network owing to the negligence of the Israeli military administration of the Gaza Strip. He added, however, that the Palestinian authorities are also obligated to seek the means and methods necessary to resolve these problems effectively and to ensure due respect for human rights. Zaqout also noted that people in Khan Younis have been forced to use pools initially created to collect rain water as sewage outlets. Because the authorities have not prevented this from happening a situation has arisen in which sewage water has mixed with rain water and then been injected into the south Gazan aquifer. As a result, the situation has caused a crisis in which the levels of pollution have started to threaten life and health in southern Gaza. It has become incumbent upon the international community to act immediately to enable the Palestinian authorities to implement plans to ameliorate the situation. The international community has an obligation to support these plans, which means that it must also ensure that Israel ends its illegal siege of Gaza. This is the only way the materials essential to the reconstruction of the water and sewage infrastructure can again become readily available.

Mr. Mahmoud Daher, from the WHO office in Gaza, gave the second presentation in this session, focusing on how polluted water in the Gaza Strip has adversely affected human health. Daher extended his thanks both to Al Mezan and the OHCHR for organizing such an important conference. He said the right to water means the right to life. He added that it was extremely important to discuss the deterioration of the water situation in Gaza especially given the serious effect a

contaminated water supply will have on the overall health status of the population in the Strip.

Mr. Daher said that Palestinians have suffered from a series of Israeli incursions, home demolitions, and infrastructure destruction for nine years now. He highlighted the escalation of military actions in Gaza following the Israeli 'Disengagement' and the 2006 Palestinian elections after which the Israeli occupying forces destroyed Gaza's main electricity plant and other facilities, brazen acts of collective punishment in direct contravention of international law. He also blamed the internal division of the Palestinian political factions for adversely affecting the environmental situation throughout the Gaza Strip.

Regarding the water problem, he said the World Health Organization was concerned with the relationship between water and the quality of human life. He pointed to the problems that emanate from the inability to access clean water; problems that affect human health in many ways. People need for water to establish routine hygiene, for cleaning food, clothes and homes. The simple use of soap and water for cleaning could prevent many diseases including the H1N1 virus, which has hit Gaza recently. Daher also highlighted the dangers of having polluted agricultural crops. These, too, can have adverse effects on human health. Having clean sources of water is insufficient in itself for ensuring an adequate standard of health, but it can provide the minimum foundation upon which a cleaner and safer overall environment can be cultivated.

Finally, Daher spoke about the dangers of dumping sewage water into the sea because of the link between contaminated sea water and a variety of diseases. Like the other conference participants, Daher emphasized the necessity of pressuring Israel to allow free access to equipment and materials needed to resolve the water problems and avoid a catastrophe in Gaza. At the end of the second session Mahmoud Abu Rahma took questions and comments and thanked the attendees for their questions and comments.

The third session was chaired by Dr. Alaa Matar, a researcher at Al Mezan who welcomed the participants and the three panelists. Eng. Sufian Abu Samra, the undersecretary of the Ministry of Local Government (MoLG), discussed the environmental effects of water problems in the Gaza Strip. Abu Samra thanked the organizers and explained that the environmental effects could be divided into two categories: 1) drinking water, which forms the main source of suffering for people as it threatens the citizen's health and life; and 2) the random use of the underground aquifer and the leakage of sea water into it, and from there to the water wells which often leads to an increase in the salinity rates of drinking

water to hazardous levels. He explained that the salinity of water has increased particularly in the western half of Gaza City and many people have complained about it. Lab tests have confirmed these complaints.

Abu Samra pointed out that the Al-Shoka area in the east of Rafah town has been the worst affected by the shortage in drinking water. He said that this area has no water network at all. Khan Younis is also suffering badly from similar water problems, and solutions must be found very soon. While it is impossible for one group of people to solve the widespread water and sanitation problems in Gaza, we can begin to solve the most serious problems by working together.

Mrs. Shirin Shobaki, Coordinator of Training and Mass Communication Unit at Al Mezan Centre for Human Rights, presented recommendations and proposed solutions for the water problems presented in the conference. She listed three categories of people obligated to take steps to ameliorate the situation. She started with the Palestinian authorities calling on the two governments to allocate funds immediately to resolve the problems. According to Shobaki, coordination with the appropriate local and international bodies to ensure successful implementation of sewage network projects can significantly better the situation. It is both necessary and possible to allocate the necessary funds to improve water sources in the Gaza Strip, conduct environmental impact assessments before starting any infrastructure or housing projects, monitor the sanitation facilities and treatment plants and their effects on underground water, and improve the coordination and cooperation level between the local authorities and the NGOs working on the environment without involving Israeli authorities at all.

Shobaki directed her recommendations to the international community. She called on the international community to intensify pressure on Israel to lift the illegal siege of Gaza and insisted that the international community intervene immediately to allow the free passage of all the materials and equipment needed to solve the water and sanitation problems in the Gaza Strip. She called on international donors to re-fund the long-term projects related to water; many of whose funding was withdrawn by donors after the Palestinian elections in January 2006. She called the international community to consider these projects from the standpoint of human rights, not politics in order to resolve them justly and without further delay.

Dr. Tareq Mkheemer, Human Rights Officer at the OHCHR, spoke about the right to water from the standpoint of international law and presented relevant recommendations. He presented statistics and figures related to the shortage of

adequate drinking water. Mkhemer emphasized the necessity of enforcing international law, which ensures the right to fresh, potable water. He said that more than 700 million persons all over the world do not enjoy the right to water and more than 10.000 persons die every day for lack of access to safe water. He emphasized the importance of adding the right to water to the political agenda in the occupied Palestinian territories. The UN, he said, should initiate an international plan for the resolution of this problem. He ended his presentation by emphasizing how important it is for Palestinian individuals and organizations as well as the body of international laws to ensure respect for the right to water, the implementation of water projects for solving critical health and environmental issues and at the same time to guarantee human rights, including economic, social and cultural rights.

Following the third session, the chairman, Dr. Alaa Mattar, took questions and comments from the participants and had the speakers provide answers to them. He thanked the organizers of the conference for their efforts, and the speakers and participants for their inputs. He also expressed the hope that the conference successfully highlighted the relevant problems and their resolutions, and that all the actors would use the content of the conference in their planning to work on the right to water in 2010.

Ends