

## PALESTINIAN ACCESS TO WATER & ATTACKS ON WASH STRUCTURES IN AREA C

As a fundamental element of life and sustainable development, water has been recognized by the United Nations General Assembly, among others, as essential to the realization of all human rights. Indeed, safe, clean, accessible, and affordable water constitutes part of the right to life, adequate standard of living, the right to food, and the right to health. Despite this, access to water remains a critical challenge for Palestinian residents of the occupied Palestinian territory (oPt). The Palestinian population of the West Bank is one of the fastest growing populations in the world, and so is its demand for water. However, meaningful access to and equal distribution of water has been a serious issue since the commencement of Israel's occupation of the West Bank in 1967.

Currently, it is estimated that 659,237 Palestinians in the West Bank have limited access to water, with 480,000 of these persons considered 'vulnerable' as a result. According to the World Bank, the oPt is considered water-scarce with lower to middle-income levels in terms of water. In 1993, the Oslo II interim agreement provided details on water management in the West Bank. Despite stating that 'Israel recognizes the Palestinian water rights in the West Bank', 'both sides recognize the necessity to develop additional water for various uses', and that Israeli authorities are responsible for providing the agreed amount of water to Palestinian communities, Israel today enjoys 87 percent of these shared water resources, with Palestinians only able to access the remaining 13 percent.

Regardless of the specific provisions of the Oslo Accords, Israel, as the Occupying Power in the oPt, must ensure that its conduct in the occupied territory is consistent with international humanitarian law and international human rights law, by which it is legally bound. This would include, for example, the obligation of the Occupying Power to ensure that the basic needs of the occupied civilian population including access to water, are met. If Israel is unwilling or unable to meet such needs itself, it is required to allow and facilitate relief operations undertaken by impartial humanitarian organisations.

As a result of lack of access to public water infrastructure, many Palestinians are forced to bring in water by truck, or to harvest rainwater. These alternative forms of supply are expensive and/or inefficient. For instance, the cost of water trucking can be six times higher than the national price of 5 NIS (1.5 USD)/m<sup>3</sup> in Area C. According to analysis undertaken by the WASH cluster, it is estimated that in some Palestinian communities in Area C, water represents 15 percent of household expenses. The financial costs associated with accessing water are particularly devastating for those communities reliant upon livestock herding. For such herder communities, lack of access to water undermines their ability to maintain their livelihood, substantially increasing the risk of forcible transfer.

In addition, WASH infrastructures in Area C are not immune from the ever-present threat of demolitions and confiscations, facilitated by Israel's implementation of a discriminatory planning policy. In 2020, less than 1 percent of Area C was allocated for Palestinian development by the Israeli Civil Administration (ICA). These highly restrictive planning policies and the associated destruction of private property and humanitarian assistance deny communities access to affordable and safe water, including hygiene and sanitation facilities.

Of the 849 structures destroyed in the West Bank by Israel in 2020 (displacing at least 996 Palestinians), almost 10 percent (84 structures) were WASH structures. This alarming trend has been maintained into 2021, with 30 of the 290 structures destroyed by Israel between 1 January - 21 March being WASH structures. As such, the first quarter of 2021 has seen the highest number of WASH demolitions of any equivalent period in the last 10 years.

The denial of access to water and the impact of increased demolitions on WASH infrastructure is of particular concern during the COVID-19 pandemic. The pandemic has served as a reminder of water's critical importance, adding further burden to communities already prevented from accessing clean and affordable water. Denial of access to water significantly limits the ability of affected households to take preventative measures and slow the spread of the virus. Israel's continued targeting of WASH infrastructure therefore negatively impacts an already dire protection crisis.

### Case Study: Tuba

Tuba is one of 14 Palestinian villages in Masafer Yatta in the South-eastern Hebron Hills and is comprised of 18 households (150 people, incl. 68 children). Community members rely primarily on herding and agriculture as a primary source of income.

However, their traditional lifestyle has been negatively affected by settlement expansion, as well as planning and zoning restrictions. Located in Area C, the community is subject the Israeli planning regime which has limited residents' ability to build homes and essential infrastructure, access grazing lands and water. This has left them vulnerable and with insufficient income. As a result, it has become increasingly difficult for the community to purchase sufficient water, brought in by trucks. These vulnerabilities are further compounded by settler harassment and movement restrictions.

While donor-funded aid has been provided to the community in the form of latrines, rehabilitated water cisterns, distribution of drinking water, water filters, water tanks and protection kits, the vulnerability of the community remains very high. Between 2012 and 2017, the community received a total of 15 stop-work orders and one demolition order.