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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by Global Institute for Water, Environment and Health, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[28 May 2021]

* Issued as received, in the language(s) of submission only.



Targeting water infrastructure will bring back the life-threatening crisis in Gaza

In a press conference held at the headquarters of Palestine TV in Ramallah Eng. Mazen Ghunaim, the Head of the Palestinian Water Authority, after the hostilities that took place in Gaza in May 2021. He focused on the water prevalent problem and stressed that targeting water and wastewater infrastructure is a serious war crime, especially as it will restore the catastrophic water situation in Gaza, exacerbate the difficult humanitarian situation and restore the life-threatening crisis in Gaza. it's absolutely forbidden to target objects that are indispensable to the survival of the civilian population under international humanitarian law. The 54th article of the first Additional Protocol to the Geneva conventions¹ claims that: "It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works, for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party, whatever the motive, whether in order to starve out civilians, to cause them to move away, or for any other motive."

He stated that "the Israeli aggression destroy the significant efforts made by the Palestinian government and its international partners over the past years, which resulted in a number of strategic programs and projects that led to overcoming the disaster by preventing the collapse of the coastal aquifer, stopping the wastewater flow that pollutes Gaza's sea and valley, and initiated the clean-up of the sea and the restoration of the Gaza Valley as a natural reserve". Many international institutions have already expressed their worries about the delicate water situation in Gaza. In 2019, ICRC had reported² the situation of citizens in the enclaved city: some receive running water once a week only and manage to fill a 500 liters tank to survive. Moreover, Diana a 13 years old girl, go every day after school to a nearby mosque with her young brother to bring clean water to their family that can't afford buying drinking water. As a matter of fact, some gazanias spend as much as third of their income on water and more than a quarter of diseases reported in Gaza is caused by poor water quality and access.

Minister Ghunaim clarified that the Israeli aggression against Gaza has caused 50% shortage in domestic water supply, as a result of the damage of the infrastructure, water resources, main water carriers, networks, pumps and the reservoirs, either directly or indirectly.

He pointed out that one of the Short Term- Low Volume Desalination Plants (STLV) in Gaza have stopped completely while the productivity of the other desalination plants have declined significantly and are threatened to shut-down completely should the Israeli aggression continues. The North Gaza Desalination Plant which produces 6,500 cubic meters per day and serves more than 200,000 inhabitants ceased to operate due to shelling its surroundings, and the inability of technical staff to reach it. The Middle Area Desalination Plant in Deir al-Balah which serve more than 80,000 inhabitants; productivity decrease from a total of 2,500 cubic meter per day to only 1000 cubic meter per day after the aggression as a result of the decrease in electricity supply to 4 hours per day. This is the same reason for the decrease in the productivity of the Southern Desalination Plant in Khan Younis which serves more than 75 thousand people in the western region of Khan Younis and Rafah cities, from a total of 3000 cubic meter daily to 1200 cubic meter per day after the aggression.

The aggression has disrupted a large group of water wells in Gaza either completely or partially as a result of the cutting of power lines, bombing surrounding areas and water pipelines. Wells that were completely damaged include Al_Safa wells in Gaza City, al-Na'ja wells in northern Gaza, and many other wells in Deir al-Balah, Bir al-Maghazi, Khan Younis and Zamo in Gaza. Moreover, partially damaged wells exceed 30. Furthermore, the aggression destroyed parts of the water main pipelines, networks and pumps.

¹ Protocol additional to the Geneva conventions of 12 august 1949, and relating to the protection of victims of international armed conflicts (protocol 1), of 8 June 1977.

² ICRC, "Water in Gaza, A crisis in slow motion", 2019. *Water in Gaza: A crisis in slow motion / International Committee of the Red Cross (icrc.org)*.

the damages to the water sector will have negative repercussions to the quality and quantity of water supply, due to the disruption and suspension of desalination plants. The risk increase as it coincide with Covid-19 pandemic given the importance of water in all health and preventive measures.

the damage to the wastewater sector included the four treatment plants in the Strip, which were completely disrupted. The North Gaza Treatment Plant, which serves 400,000 inhabitants completely stopped resulting in the diversion of more than 32 thousand cubic meter per day of wastewater to random ponds near Beit Lahiya; threatening to sink more than 10,000 citizens in east Beit Lahia and south Umm Al-Naser. The rest wastewater quantities of this plant is now discharged to Beit Hanoun Valley threatening to cause a serious health hazard.

This situation throw Gaza into a vicious circle since the lack of electricity and ineffective sanitation prevents water treatment plants from working in full capacity, as a result in 2019 already more than 108.00 cubic meters of barely treated sewage are flowing daily from Gaza into the Mediterranean coast³.

Few days ago, Al-Bureij Wastewater Treatment Plant -treats 30 thousand cubic meter per day and serves about 600 thousand inhabitants in Gaza and the central Governorates was shut down completely due to the inability of the technical team to reach it, and wastewater was diverted to the sea.

The productivity of the Khan Yunis wastewater treatment plant which serves more than 200,000 inhabitants, and Rafah wastewater treatment plant which serves 150,000 inhabitants, have significantly decreased, and both are threatened to be completely shut down within few days, which means diverting the entire amount of wastewater to the sea, Ghunaim said.

In the wastewater sector, the Israeli aggression led to damages pose significant risks, mainly sewage flooding and health problems in many overcrowded areas, as well as mixing drinking water with wastewater in the affected sites as a result of the damage to water systems⁴. Noting that pipes were already leaking due to the lack of materials and the restriction on imports of goods into the district.

The damage is expected to be greater than what is reported so far, due to the difficulty of conducting a comprehensive assessment in light of the aggression and the movement difficulty for the crews.

To conclude, one should not forget that all conflicts cause environmental harm⁴, this concern was reflected in the international humanitarian law through the first Additional Protocol to Geneva's conventions at its 35th article: "it's prohibited to employ weapons, projectiles and material and method of warfare of a nature to cause superfluous injury or unnecessary suffering" to attend a military objective and the weakening of the opposing belligerent. Furthermore and more clearly, it states at the third paragraph of the same article that "it is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment." At the 55th it adds: "and thereby to prejudice to health of survival of the population" drawing a direct link with the impact on civilians.

Even though Israel is not a state party to the said protocol, the absence of personal applicability does not empty the legal rules of their meaning and therefore material applicability does not follow. Especially that this material substance is easily spotted in customary international law. The state impunity regarding the obvious violations of international norms should cease immediately. Particularly that it's impacting the environment, which is a public good and that "so often, environment is part of the war victims" as declared in 2020 by the UN general-secretary António Guterres⁵.

³ Ibid.

⁴ FRÉDÉRIC JOLI, «L'impact des guerres sur l'environnement», *Principes et droit, CICR. L'impact des guerres sur l'environnement | L'humanitaire dans tous ses états (icrc.org)*.

⁵ ONU INFO, «L'environnement est aussi victime des conflits armés, avertit l'ONU», *ONU, 2020. L'environnement est aussi victime des conflits armés, avertit l'ONU | ONU Info (un.org)*.

GIWEH express our concerns for the water situation in Gaza after the systematic attack to the water resources which is targeting the right to life and right to well-being and health index. We call on the international community to assume its responsibilities and take the necessary measures to stop the aggressive attacks, provide the necessary protection for people in Gaza, and to stop the targeting of infrastructure, holding the occupation the full responsibility for the committed war crimes.
