

The Palestinian-Israeli Joint Cooperation in the Water Sector A need to Enhance Cooperation

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Due to water scarcity in the Middle East cooperation must be established between the riparian countries of the water resources. The basis for the joint Palestinian-Israeli cooperation in the water sector was established under Oslo II agreement by which a Joint Water Committee was formed under clause II of Article 40.

Article 40 is considered as the base for water sector planning and projects implementation during the interim period and till final agreement is reached.

During the last nine years, implementation of Article 40 was restricted and extremely slow and resulted in a hindrance towards developing the water sector in Palestine.

There is a high necessity to enhance the present and future cooperation in the water sector by establishing the solid base for this cooperation.

The paper will show a personal experience and a personal perspective for a lasting joint cooperation and will highlight the following issues:

- Why cooperation is a necessity
- Lessons learned from the joint cooperation
- The need to enhance the joint cooperation
- Issues for future bi-lateral cooperation
- Issues for future multi-lateral cooperation
- Conclusions and recommendations

1- The Current Situation in Palestine:

The present situation in the water sector and the challenges to be faced after nine years of joint cooperation in the management and planning of the water and wastewater sectors are summarized by the followings:

- Water resources in the region are scarce, disputed, mainly controlled and utilized by Israel and increasingly costly to be developed, the water resources, particularly in Gaza Strip, are well above the level of stress.
- Water demand is continuously growing due to the population growth, economic development and rising standards of living. Current population in West Bank is 2.2 millions and 1.3 millions in Gaza Strip and is expected to double in 20 years due to natural growth and returnees.
- Water supply and sanitation services are inefficiently delivered as well as inadequate in respect of quantity, quality and reliability. Coverage is limited; around 12% of the populations living in 254 communities are not served and buy water from tankers at a very high cost. 66% of the served populations, being supplied with less than 50 l/c /d, suffer from excessive water shortage in summer time and are forced also to buy water from tankers at a very high cost. The present per capita consumption is 58 l/c/d in West Bank and 81 l/c/d in Gaza Strip which is far below acceptable standards.

- There is insufficient control on water infrastructure development and water losses in the system are excessive. The unaccounted for water in most communities ranges between 30-50% of supply.
- Wastewater treatment is mostly unavailable, inadequate or not functioning, around 30% of the population is connected to the sewage system and wastewater which is potentially a significant source is not yet satisfactorily reclaimed and utilized, less than 1% of the discharged sewage is properly treated.

Despite the above mentioned deteriorating situation and the joint declaration by both respective heads of the Joint Water Committee in their respective media stating that water should be kept outside the current circle of violence, the Israeli Army during its invasions and the military actions accompanied to these invasions, deliberately sabotaged and seriously damaged parts of the developing Palestinian water and wastewater resources and systems. The direct estimated cost for the rehabilitation of the damaged infrastructure in West Bank and Gaza Strip during the last three years is around 70 millions US\$.

In a newly developed action and in the frame of the Israeli Hydro-Political Policy to continue sovereignty and control on the Palestinian water resources and to extend its area further to the east inside West Bank, the Israelis started erecting the Separation Apartheid Wall inside West Bank under alleged security reasons. The erection of this wall will cause great negative impact that have strategic dimensions on the Palestinian being erected on the best utilization areas of the Western Aquifer Basin which forms the most important basin for current and future utilization and thus proceeding any future peace negotiations that might be held between the two sides by implementing the de-facto policy and to impose the Israeli claims that there is no more water in the basin to negotiate on.

In addition to the loss of more than 160 thousands dunums of the best agricultural lands in this stage of the wall, around 23 Palestinian wells pumping around 6.5 MCM/Yr which forms around 30% of the Palestinian share in the Western Aquifer Basin were lost inside the wall as being located to the western side of the wall and east to the 1967 borders due to the access problems and the separation of these wells from the irrigated lands and the communities are supplied from, another 40 wells will be affected of being located in the security zone extending up to hundreds of meters to the east inside the West Bank.

It should be clearly stated here that the political security concept of cooperation will not build real cooperation and will not attain water security.

Due to the recent political situation, the joint cooperation in the water sector between the two sides is on hold and this negatively affect the Palestinian side due to the need of approval by the Joint Water Committee for infrastructure projects before it is submitted to the donor community for funding. Even funds are being reduced to the minimum level, and are being oriented to rehabilitate the damaged infrastructure in Gaza Strip due to the Israelis military operations.

2- The Need to Enhance the Bi-Lateral Cooperation:

During the interim agreement and due to the geographical situation of the Palestinian Authority areas and Israeli controlled areas in the West Bank and Gaza Strip in an intertwined layout of areas A, B and C. The borders between the two sides are to be determined in the final status negotiations, it is clear that the two

sides will occupy areas overlying the Mountain Aquifer which is the main source of groundwater for both sides. The Mountain Aquifer consists of three basins, one flowing east to the Jordan Valley, another is flowing to the west to Israel while the last is flowing to the north east with outlets in the Beit-Shean and Yezrael Valleys inside Israel.

Israel lies down stream of the West Bank for both surface and groundwater. Any increased pumping from either side will negatively affect the other side and any pollution originating in the West Bank will negatively affect the surface and groundwater.

The Gaza Strip is situated over the southern part of the Coastal Aquifer to the south of the Israeli part, flow is largely perpendicular to the coastline, and increase of pumping in the Israeli wells along the borders of Gaza Strip will cause a great negative impact on the quality and flow of groundwater to the Gaza Strip.

The presence of Israeli water resources and distribution systems in the West Bank and Gaza Strip and the dependency of some Palestinian communities on these systems for their water supply add another reason for the need of cooperation.

Due to the critical situation being faced by the Palestinians during the Interim Period, the enhanced cooperation should focus on:

- Continue implementing Article 40 till the agreed quantities of water are supplied to the Palestinians within agreed short time scale.
- Help solve the Palestinians water shortages and water access problems.
- Maintaining water services.
- Protecting water resources from pollution.
- Sharing data and information regarding the water sector.
- Providing a good example of joint work before a final agreement can be signed.

3- Issues for Future Bi-Lateral Cooperation:

Water is a possible cause of tension but also, more importantly, a powerful source of cooperation. However, many longstanding water-related disputes still remain unresolved and the growing demand for finite freshwater resources heightens the risk of future conflicts.

There is no alternative for the Palestinians and the Israelis except to cooperate, and this cooperation should be based on a solid ground that fulfill the needs and demands of each side, this should be based on the equitable share and reasonable utilization of the sustainable yield of the shared water resources and the Israeli should acknowledge the Palestinians as an equal partner and a riparian to the shared water resources and to build joint cooperation committees on basis agreed upon by both sides and should be based on the international law and the international concept regarding cooperation over shared water resources, it should be noted that the promotion of cooperation over shared water resources will be for development, security and peace.

Water should always remain a reason for good cooperation. The issues for the future bi-lateral cooperation are:

- Cooperation with respect to water rights should be based on permanent sovereignty over Palestinian water resources with and without Occupation, regional safety, reciprocal benefits and good neighborhood.

- The whole shared aquifer basins should be considered as one unit and the joint management should be established between the riparian sides based on sustainable management and development of the water resources.
- Cooperation should concentrate on water supply projects so that the normal and decent domestic and agricultural lives of the Palestinians should be improved.
- Development of additional water resources should be based on equity and riparian rights, both sides should cooperate to explore new resources to fulfill the future needs of both sides.
- Cooperation should take into consideration the protection of water resources from pollution, practical measures should be taken to stop the deterioration of the environment.
- A clear and practical mechanism of cooperation should be established to control, inspect and monitor the implementation of the signed agreements.
- Current cooperation should give a positive picture and should be a good base for future cooperation when the final status agreement is signed.
- Cooperation must concentrate on immediate programs to supply water for the un-served communities and to increase supply for the communities that suffer shortage water supply.

4- Issues for Future Multi-Lateral Cooperation:

As the regions water resources transcends the political and administrative boundaries, these resources must be shared amongst individuals, economic sectors, interstate jurisdictions and sovereign nations, while respecting the need for environmental sustainability. This requires the adoption of sustainable transboundary water resources management that is based on respecting partners and co-riparian equitable rights in the shared water resources.

The sustainability of the shared water resources is the core issue for the current and future cooperation; this cooperation should be focused on:

- Sharing water-related benefits among nations for regional economic integration rather than polarized claims for water.
- Balancing competing uses of basin and aquifer resources, especially upstream and downstream uses, in a transparent and participative way for local and regional sustainable development.
- Focusing on poverty reduction, public participation and gender balance to ensure equitable access to water for livelihoods.
- Recognizing the fundamental need of fresh water ecosystems for resource protection and natural risk prevention.
- Protecting water resources and infrastructure during wars and conflicts and post conflict rehabilitation of the water resources and infrastructure.
- Improving our knowledge about the causes of conflicts and potential policy responses to prevent conflicts triggered by competition for the resource among different uses and users, and environmental concerns such as pollution.
- Development of additional water resources such as importing water and desalination to meet the increasing demand on fresh water.
- Developing capacity building on Integrated Water Resources Management and mechanisms and framework of regional cooperation.

The above mentioned requires strengthening the international law and development support for cooperation in shared water resources, this requires greater political will and actions to meet these challenges.

5- Conclusions:

- 1- It is a must to start and continue cooperation on good-will basis to promote peace and stability in the region.
- 2- The solid future cooperation should be based on the recognition of the Palestinian water rights based on equitable utilization, no harm principle and according to demand driving forces.
- 3- Taking into consideration the negative results due to the growing pressure and the lack of cooperation on shared water resources.
- 4- Cooperation can lead to identification of mutual opportunities for development and investment including socio-economic development and prosperity.
- 5- Procedures for protecting and monitoring of shared resources should be developed and applied through a joint management of the shared basins.
- 6- Experiences of riparian countries in developing and managing shared water resources should be shared within a cooperation framework that is vital to the sustainable development to the shared water resources.
- 7- The support of regional and international levels in playing a major role in keeping the momentum for sustainable and continued mechanisms of cooperation for shared water resources should be always there.
- 8- Solving the political and water problems will not be achieved without direct bi and multi lateral negotiations.
- 9- The negotiations must be based on the international law principles.

Finally, peace achievement between nations and states is not only an ethical or a humanitarian issue, it is a very complex process that has to achieve an accepted balance between the interests and demands of both sides and between the two faced power elements, otherwise, the achieved peace becomes not ethical or humanitarian and it can not be called peace, it will be the silence that is being forced by the oppression on the oppressed.

It is hoped that Oslo II will be translated to real terms on the ground between the Palestinians and the Israelis to build trust and peace for now and lasting stability.

References:

- Declaration of Principles, Oslo I Agreement, Sep.13, 1993.
- Oslo II Interim Agreement, Article 40, Sep.18, 1995.
- Joint Water Committee Meeting Minutes, 1996-2003.
- Palestine National Water Master Plan Updated in 2003.
- Sustainable Management of West Bank and Gaza Aquifers Study, New Castle University, July 2003.
- A global initiative for Water Innovation, Stockholm 2003.
- The Apartheid Separation Wall, PWA Publication, March 2003.