



## Water Cooperation – or Instrument of Control?

### Summary

The UN and other international organisations claim that water cooperation is crucial to peace and sustainable development. Indeed, 2013 is the UN International Year of Water Cooperation and World Water Day 2013 focuses on this theme. But is this true? What is water cooperation? What different forms can it take? And is it always such a good thing? This policy brief explores these questions, by focusing on one particularly important and celebrated case of water cooperation, between Israel and the Palestinians. It summarises new research based on the negotiation files of the Israeli-Palestinian

'Joint Water Committee', and shows that in this particular context cooperation has led neither to peace nor sustainable development. Instead 'cooperation' has been an instrument of Israeli political control and even colonisation. Based on this evidence the briefing urges policy makers not to simply promote 'cooperation of any sort, no matter how slight', nor exaggerate what water cooperation might achieve. While cooperation can help end water conflicts and support sustainable development, it often doesn't, and sometimes does the reverse.

### Key findings

- Water cooperation is never politically neutral and not always benign; it sometimes contradicts the goals of peace and sustainable development.
- Israeli-Palestinian water 'cooperation' – in the form of a Joint Water Committee (JWC) – has been associated with a significant worsening of the Palestinian water supply crisis.
- Since the establishment of the JWC, Israel has vetoed every single Palestinian application for new wells into the largest shared water resource, the Western Basin of the Mountain Aquifer, and has delayed approval of other well applications for up to eight years.
- The majority of Palestinian applications approved by Israel have been for small, local water networks. The most common feature of Palestinian projects has been two-inch diameter pipelines – the equivalent in diameter to a small drainpipe.
- Israel has repeatedly made improvements in Palestinian water supplies conditional upon simultaneous Palestinian Authority (PA) approval of new water facilities for its illegal West Bank settlements.
- The Palestinian Water Authority has approved every single Israeli application for new water supply facilities for West Bank settlements. This has been done with the knowledge of Palestinian Authority President Mahmoud Abbas and constitutes the first such evidence of the PA lending its official consent to parts of Israel's settlement expansion programme.
- International donors have not challenged Israel's use of the JWC as an instrument of control. Some donors have known that approval of their projects is linked to PA approval of settlement infrastructure, but have preferred to remain silent on the issue.

### About this policy briefing

This policy briefing was written by Dr Jan Selby and is a research output from a study entitled: 'Cooperation, domination and colonisation: the Israeli-Palestinian Joint Water Committee', *Water Alternatives*, Vol. 6, No. 1 (2013), pp. 1-24. Available at: [http://www.water-alternatives.org/index.php?option=com\\_content&task=view&id=45&Itemid=44](http://www.water-alternatives.org/index.php?option=com_content&task=view&id=45&Itemid=44)

### Further information

Please contact Dr Jan Selby, Department of International Relations, School of Global Studies, University of Sussex, Falmer, Brighton, BN1 9SJ, UK

E J.Selby@sussex.ac.uk

## The research

The research underpinning this policy brief provides the first comprehensive analysis of official Joint Water Committee (JWC) negotiation files. It is based upon quantitative and qualitative analysis of JWC files from 1995-2008, including meeting minutes and agendas, project application documents, draft and signed agreements, and written correspondence between Israeli and Palestinian officials. Analysis of these JWC records was supplemented by interviews with Israeli and Palestinian water policymakers and donor organisations.

## The Joint Water Committee: the appearance...

The JWC was established in 1995, as part of the Oslo peace process, to protect the trans-boundary Mountain Aquifer and to support the sustainable development of the Palestinian water sector. It has often been celebrated as a case of successful Israeli-Palestinian cooperation. The Mountain Aquifer is one of the most important water resources in the region, being fed by the relatively plentiful rains of the West Bank – Ramallah receives an average 700 mm rainfall per year, around the same as Edinburgh – and historically providing up to a quarter of Israel's freshwater supplies. The JWC brings together Israeli and Palestinian officials in managing this aquifer on the basis of consensus. Since 1995, it has approved hundreds of projects for new water supply and wastewater systems, whilst limiting unregulated abstraction. The JWC continued to meet right through the violence of the Second Intifada (2000-2005), something which no other joint Israeli-Palestinian committee achieved.

## ... and the reality

In practice, however, the JWC functions as a means by which Israel can control and restrict Palestinian water development and use, continuing the pattern of control Israel established after occupying the West Bank in 1967. Between then and 1995, Palestinian groundwater abstraction was strictly limited, especially from the most

plentiful Western Basin of the Mountain Aquifer, Israel's objective being to ensure that it would continue to receive the lion's share of trans-boundary waters. As a result, by the time of the Oslo peace agreements Palestinians were experiencing an acute water supply crisis.

In turn, the JWC involves the most highly intrusive form of trans-boundary regulation anywhere in the world: every individual new well, pipeline, storage tank or waste water system has to obtain JWC approval prior to its construction. But these rules apply only within the West Bank: within its own territory, including on the Israeli side of the Mountain Aquifer, Israel is free to manage water as it likes. Because JWC decisions have to be taken by consensus, this means Israel can veto any new water facility proposed by the PA.

In addition, under the Oslo interim agreements 60% of the West Bank remains subject to Israeli planning law and military legislation. In this area (the so-called 'Area C'), Palestinian water projects can be vetoed by the Israeli military authorities on security or strategic grounds, even if they have already obtained Israeli approval through the JWC.

## Palestinian projects

The consequences of this have been significant. Since 1995, the Palestinian Authority has submitted more than 600 projects to the JWC. Most have been approved, but an estimated 30-40% have not, including many of the most important ones. Every single Palestinian application for new wells into the crucial Western Basin has been vetoed by Israel. Some wells approved by the JWC have subsequently been vetoed on planning grounds, and then been moved to locations with much lower yields. Some well projects have taken more than eight years to obtain approval.

Many new water supply systems have been approved and subsequently constructed, but most of these have been small, local networks within communities. Indeed, the most common feature of Palestinian projects approved by the JWC has been the two-inch diameter pipeline, equivalent to a small drainpipe. Many new water networks have been approved on the condition that there is 'no additional water' – that is, with no promise from Israel that there will be any water to fill them.

As for wastewater treatments plants, the PA submitted proposals for eight plants in the late 1990s, but in the intervening years only three of these have received full JWC and planning approval, and not a single one has yet become operational.

## Palestinian water crisis worsens under cooperation

The result of this is that, under 'cooperation', the Palestinian water supply crisis has significantly worsened. In 1995, Israel agreed that Palestinian 'future needs' for additional water were in the order of 70-80 million cubic metres per year (mcm/y) – all of this to be developed from the Mountain Aquifer. 18 years on, new PA wells are providing only 13 mcm/y. Although total Palestinian supplies have slightly increased, average water supply per person has decreased by over 25%, and is now only 72 cubic metres per year (for all uses, including agriculture), less than a quarter of the level in Israel. Most towns and villages experience protracted supply cuts each summer, of up to several months on end. By contrast, Israel now has a self-declared water surplus.

The Palestinian water crisis is not limited to the West Bank, however: the situation in the Gaza Strip is even worse. Unlike the West Bank, Gaza has low rainfall and could never be water self-sufficient, especially given its dense refugee population. If there is one Palestinian territory which really needs water cooperation, it is Gaza. This small coastal strip is largely bypassed by Israel's national water network, however, leaving it dependent on internal shallow aquifers which are as a result over-exploited, increasingly saline and largely undrinkable. By contrast, the West Bank, which has relatively abundant water resources, has to depend on water imports: more than a third of Palestinian water supplies in the West Bank are now piped in and purchased from Israel.

## Supporting settlement growth

In addition to vetoing and delaying many projects, Israel has repeatedly made its approval of Palestinian projects conditional upon simultaneous PA approval of water facilities for its settlements. Israel's West Bank settlements are illegal under international law, and are widely regarded



as one of the main obstacles to the two state solution to the Israeli-Palestinian conflict. The settler population of the West Bank has nonetheless doubled since 1995. And the JWC has played a part in this: settlement growth would not have been possible without decent water supplies. Hence since 1995, Israel has submitted at least 135 projects to the JWC, most of them for major water supply lines that connect the expanding settlements into Israel's national water network.

The PA has approved every one of these water supply projects, and has only rejected one Israeli application overall. Approvals have been given with the knowledge of former PA President Yasser Arafat and current President Mahmoud Abbas. 'Cooperation' has thus involved the PA being pressured into consenting to its own colonisation. This constitutes the first such evidence of the PA lending its official consent to parts of Israel's settlement expansion programme.

Comparing Palestinian and Israeli applications to the JWC, a shocking picture emerges. Israeli projects have on average been far larger (including pipelines of up to one metre diameter compared to the Palestinian two-inch pipeline applications); they have been approved around five times more quickly and have been much more likely to be approved. This is despite the fact that Palestinians are experiencing a water supply crisis, and that settlements are illegal under international law.

### International donors

International donors have heavily invested in the Palestinian water sector since 1995, but the returns have been distinctly limited. Projects have often been held up for years by the JWC and the Israeli military. But donors have generally been reluctant to criticise Israeli policies, and have not challenged the vetoes and delays that Israel imposes on Palestinian well drilling. In addition, some international donors have known that Israel's approval of Palestinian

projects was conditional upon Palestinian approval of Israeli settlement infrastructures, but have preferred to remain silent on the issue. Donors have been either wittingly or unwittingly complicit in Israeli settlement building.

### Water cooperation

The UN argues that water cooperation is crucial to peace and sustainable development, and favours water 'cooperation of any sort, no matter how slight'. But as the Israeli-Palestinian case illustrates, this is a mistake. Water cooperation is never above politics. It always reflects and supports particular interests and agendas. Cooperation is sometimes promoted by downstream states – whether Israel on the Mountain Aquifer, or Egypt on the Nile – as a means of limiting upstream water use, and hence can be detrimental to upstream interests. Cooperation agreements and institutions are also often designed to reflect the interests of the powerful. In cases like the Israeli-Palestinian one, they don't help resolve water conflicts, but institutionalise and deepen them.

These are not the only problems associated with water cooperation and international policy discourse on it, however. In some cases, trans-boundary institutions are 'empty shells' which represent donor interests and agendas more than those of their constituent states, and which consequently achieve very little. In other cases, the creation of trans-boundary river basin organisations can pave the way for dam-building and unsustainable models of development that marginalise the interests and livelihoods of local communities.

Moreover, there is little evidence that water cooperation can help promote peace. It is often claimed the 'picnic table talks' on the Jordan River that took place between Israeli and Jordanian officials prior to their countries' peace treaty illustrates the potential of peace-building through water. This is misleading: these informal water talks were but one of many areas of unofficial Israeli-Jordanian cooperation prior to 1994, and there is no evidence that they were crucial in building trust and understanding between the two countries. Even when successful, water cooperation is highly unlikely to be a catalyst for peace.

# Policy implications

## International water cooperation

The international community should not promote 'cooperation of any sort, no matter how slight', nor exaggerate what water cooperation might achieve. Trans-boundary water cooperation can help to end water conflicts and to support sustainable development, but it often doesn't do so. International policymakers should pay more attention to the details of particular cooperative arrangements – asking whose interests and agendas they serve, and who wins and loses from them – and should only provide their political and financial support to those cases which really do help to promote peace and sustainable development.

## Palestinian water supply

West Bank Palestinian communities need more wells. The new Israeli government should relax some of its restrictions on Palestinian well drilling. Given its water surplus, Israel could do this without endangering either its own supplies or the health of the Mountain Aquifer.

International donors should redouble efforts to support the PA to access the quantities of water promised in 1995.

## Water for Israeli settlements

The Israeli government should reconsider its policy of making improved water supplies for Palestinians conditional upon Palestinian approval of settlement facilities. The PA should consider whether to continue approving these facilities, or whether to refuse to do so – and bear the consequences. And international donors should take steps to ensure that they are not unwittingly complicit in Israeli settlement building. They should seek assurances and evidence that JWC approval of their projects is not dependent on PA approval of settlement facilities.

## JWC reform

There is an urgent need for reform of the JWC. Many different options exist. The JWC could be extended to within Israel, as well as to Gaza. Some of its rules could be relaxed. Or the current interim water agreement could be revised. The existing form of 'cooperation' is not conducive to either peace or sustainable development, and it should be in both parties' interests to rectify this. International donors and other third parties should press for JWC reform.

The Global Insights series is published by the School of Global Studies, University of Sussex to bring policy specific research findings to non-academic audiences.

This, and other briefings are available at [www.sussex.ac.uk/global/showcase/globalinsights](http://www.sussex.ac.uk/global/showcase/globalinsights)

## Other readings

Jan Selby, *Water, Power and Politics in the Middle East: The Other Israeli-Palestinian Conflict* (London: IB Tauris, 2003).

Jan Selby, 'Dressing up domination as "cooperation": the case of Israeli-Palestinian water relations', *Review of International Studies*, Vol. 29, No. 1 (2003), pp. 121-38.

Jan Selby, 'Oil and water: the contrasting anatomies of resource conflicts', *Government and Opposition*, Vol. 40, No. 2 (2005), pp. 200-24.

Jan Selby and Clemens Hoffmann, 'Water, conflict and migration: a comparative analysis and reappraisal', *Government and Policy: Environment and Planning C*, Vol. 30, No. 6 (2012), pp. 997-1014.

Ian Black, 'Water under the bridge: how the Oslo agreement robbed the Palestinians', *The Guardian*, 04.02.2013. Available at: <http://www.guardian.co.uk/world/on-the-middle-east/2013/feb/04/israel-palestinians-water-arafat-abbas>