



NEAR EAST UNIVERSITY

GRADUATE SCHOOL OF APPLIED AND SOCIAL SCIENCES

DEPARTMENT OF INTERNATIONAL RELATIONS

***The Role of Palestinian NGOs
in Dealing with Environmental Problems***

MASTER THESIS

By

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Nicosia 2004

Belal Dofesh :

**The Role of Palestinian NGOs
in Dealing with Environmental Problems**

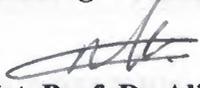


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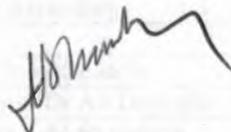
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ACADEMIC YEAR: 2004-2005

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Title :	The Role of Palestinian NGOs in Dealing with Environmental Problems
Description :	This thesis explores the role of Palestinian non-governmental organizations in the development of environmental policy and sustainable development priorities in Palestine. Also focuses on the experiences of environmental NGOs in dealing with environmental problems and damages to Palestinian natural resources due to Israeli military actions, settlement expansion, the construction of bypass roads and building of Separation Wall.
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JURY'S DECISION

<p>The Jury has decided to accept the student's thesis. The Decision has been taken unanimously.</p>
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ACKNOWLEDGMENTS

I am deeply indebted to my advisor, Professor Dr. Jouni Suistola, for his constant support, guidance and encouragement. Without his help, this work would not be possible.

A special thanks also goes to chairman of IR department, Assist. Prof. Dr. Zeliha Khashman, and staff department Assist. Prof. Dr. Esin Başçeri and Assist. Prof. Dr. Ali Dayioğlu. Their assistance and teaching are greatly appreciated. I would also like to thank Mr. Tayseer Al-Shanableh for his help and support.

Last but certainly not least, I would like to express my deepest gratitude to my family. My beloved parents, who have been generous with their love and encouragement, and my brothers for their understanding and moral support, that I received during the past years.

DEDICATION

To every Olive tree in our earthly Paradise

To every martyr who watered the lovely land of Palestine by his blood

To every wounded who fell down on the land of fathers and fellows

To every mother who lost her son .. and accepted that with patience and faith

To all prisoners, detained and exiled Palestinians

To all these, I dedicate this thesis.

Belal Dofesh

ABBREVIATIONS

AIES	Arava Institute for Environmental Studies
ARIJ	Applied Research Institute—Jerusalem
CBI	Consensus Building Institute
CPNP	Children for the Protection of Nature in Palestine
CSO	Civil society organization
DoP	Declaration of Principles
FoEME	Friends of the Earth—Middle East
ICJ	International Court of Justice
IDF	Israeli Defense Forces
IPCRI	Israel/Palestine Center for Research and Information
JEMS	Joint Environmental Mediation Service
MADAR	Center for the Development and Study of Palestinian Society
MEnA	Ministry of Environmental Affairs
MDB	Multilateral development bank
MONGOA	Ministry of Non-Governmental Organizations Affairs
MOPIC	Ministry of Peace and International Cooperation
NGO	Non-governmental organization
OPT	Occupied Palestinian Territories
PNA/PA	Palestinian (National) Authority, used to designate the executive branch
PASSIA	Palestinian Academic Society for Study of International Affairs
PCBS	Palestinian Central Bureau of Statistics
PECDAR	Palestinian Economic Council for Development and Rehabilitation
PENGON	Palestinian Environmental NGOs Network
PHG	Palestinian Hydrology Group
PIES	Palestinian-Israeli Environmental Secretariat
PLC	Palestinian Legislative Council, legislative branch of the PA
PCH	Palestine Council on Health
PLO	Palestine Liberation Organization
PNGO	Palestinian Non-Governmental Organizations Network
PNGOs	Palestinian Non-Governmental Organizations
PRIME	Peace Research Institute in the Middle East
PVO	Private Voluntary Organization
PWA	Palestinian Water Authority
RCSD	Rural Center for Sustainable Development, Hebron
UNRWA	United Nations Relief and Works Agency
USAID	United States Agency for International Development
WAS	Western Aquifer System
WBGS	West Bank and Gaza Strip
WEDO	Water and Environmental Development Organization

INTRODUCTION

"If we were in the situation where we wanted to liberate a country from wild animals, we would not do it the way the Europeans did it in the 5th century. We would not go out with a spear and lance against bears, but rather organize a great pleasurable hunt, drive the animals together and throw a bomb under them."

Theodor Herzl in his book "The Jewish State"¹

Palestine's glorious history as the cradle of civilization and as a focal point of the world's three monotheistic religions has long given it a global eminence which is more significant than its size. It is a tiny piece of land where the compactly coexisting religious, ethnic and political diversity is echoed in the remarkable range of ecological variation found within its close borders.

The West Bank and Gaza Strip (WBGS), as part of the eastern Mediterranean region, constitute one of the richest ecosystems in the world, with a large variety of wildlife resources and a rich base of flora and fauna.

Historic Palestine is positioned at the crossroads between Eurasia and Africa. It hosts over 2,500 species of wild plants, 800 of which are rare, and some 140 of which are limited to particular areas; at least 80 species of wild mammals, and 380 species of birds are native to Palestine. This rich biodiversity is supported by tremendous climatic variation within a small area.

Palestine once covered 26,320km² of land and 704km² of inland water. There were rolling woodlands covered with thickets, forests and grasslands. The 1948 war displaced 900,000 Palestinians, witnessed a massive influx of refugees into a fragile ecosystem and began the destruction of over 419 Palestinian villages. By the time of the 1967 Israeli occupation, Gaza was on the brink of a water crisis with frequent outbreaks of waterborne diseases and increased soil alkalinity and salinity. Palestine is now comprised of two separate landmasses - the WBGS including the Dead Sea, covering a surface of 6,210km².

Admittedly, world's attention has in recent years focused on the political conflict between Israelis and Palestinians while less attention was paid to the environment of the area. Environmental problems do not recognize political, racial or religious boundaries. Although small in size, its unique location at the crossroads of three continents has made Palestine an environmental melting pot for the flora and fauna of Africa, Asia, and Europe. This natural diversity has become an innocent bystander to the destructive practices of occupation.

¹ Manfred Gerstenfeld, "Zionism And The Environment": http://www.manfred-gerstenfeld.net/html/midstream_zionism.html. Visited in 20/9/2004.

Because of the Israeli occupation, expansion and increased construction projects, Palestine now is suffering from a weakened agricultural system, wastewater, solid waste pollution problems and water security issues.

Unfortunately, it is difficult now to recognize the Land which was described by early visitors as a land "flowing with milk and honey". Barren hills have taken the place of what was once rolling woodland covered with thickets and forests. Deserts have replaced grassland. A fetid trickle of sewage now runs where once was the Jordan River. And the Dead Sea has sunk so low that it is now two separate seas and still dropping. As it stands now, the land is degraded, suffering from years of environmental mismanagement and neglect that has only worsened in the past 37 years of Israeli occupation. Palestine is a classic example of the organic relationship that exists between environmental degradation and political conflicts.

This Thesis will try to address the environmental problems in Palestine -defined here as the West Bank and Gaza, including East Jerusalem- and the role of Palestinian Environmental NGOs in dealing with these problems.

Historical Background About Palestine:

Before discussing the subject of this thesis, we would like to provide a little contextual background, which, as we think, will help us to understand the current situation and conditions on the ground, which our study is based on.

The twentieth century has witnessed dramatic geopolitical changes especially in the Middle East, where state boundaries were carved up by superpowers, and remains a source of conflict to this day; the case of Palestine is a striking example. Palestine has a rich history due to its strategic location at the crossroads of Africa, Asia and Europe and to its religious significance for the three monotheistic religions (Judaism, Christianity, and Islam). Palestine has witnessed a parade of conquerors throughout its long history from the Romans at the time of Jesus, to the Ottomans and finally the Israelis.

Palestine 1948-1993:² During the British Mandate, which began in 1920, Palestine's borders were defined to include an area of 27,000 km². In 1947, the United Nations proposed a partition plan to divide Palestine into a Jewish and an Arab state, but because of the unfairness of the plan to the Palestinians, based on the fact that the Palestinian people would be denied their right to self-determination and be controlled by a colonial, minority population, it was naturally rejected. In 1948, the Zionist/Jewish colonial population declared Israel an independent state that would end-up including over 78% of mandatory Palestine, while Jordan and Egypt would administer the remaining lands—the West Bank and Gaza Strip. It was during the establishment of the State of Israel that more than 400 Palestinian villages were completely eradicated by Israel, while other villages and major cities were taken over and replaced by Jewish inhabitants, thus, forming a refugee population numbering in 2002 some 5,000,000 refugees spread across the West Bank and Gaza Strip, the Arab World and worldwide.

² Based on United Nations documents and sources: <http://www.un.org/Depts/dpi/palestine>.

It was in 1967 that another war broke out in which Israel would occupy the remaining 22% percent of historic Palestine, which comprised of the West Bank and the Gaza Strip, with a land area of 6000 km². By 1967, all of historic Palestine was in the hands of the Zionist colonial project that began some 100 years ago. Following the 1967 Occupation, Israel immediately began an intense campaign to colonize vacant Palestinian lands and to segregate Palestinian built-up areas in the West Bank and Gaza Strip. This was part of a long-term vision of incorporating as much Palestinian land as possible into Israel. During the period 1967 to 1986 Israel implemented a series of plans, such as the *Alon and Gush Emunim Plans* (named after Israel's Labor Minister at the time and the ultra-nationalist/fascist settler movement founded in 1974 respectively) with the aim of constructing colonies and segregating the West Bank and Gaza Strip from Egypt and Jordan, whereby it annexed and confiscated over 50% of the West Bank. During this same period, Minister of Agriculture Ariel Sharon (present-day Prime Minister of Israel) spearheaded the colonial philosophy called "Fighting Terrorism," meant to suppress any form of Palestinian resistance to occupation. Not surprisingly, Sharon's strategy to "fight terrorism" came hand-in-hand with an intensification of colonial construction by Israel along the Green Line in order to erase the borders between the West Bank and Israel, paving the way for the annexation of all of historic Palestine.

Therefore, Sharon's plan also indicated that there should be corridors of colonies and a network of bypass roads spread all across the West Bank, connecting the Green Line with the Jordan Valley, in the eastern part of the West Bank. The remaining Palestinian lands, which would not be annexed and posed a demographic "concern," would be unilaterally placed under Israel's administration. Today's map of the West Bank, therefore, comes as no surprise.³

The Oslo 'Peace' Process: Madrid conference on October 30, 1991 was the catalyst for series of non-public talks in Norway between Israel and the Palestinians that launched what became known as the Oslo peace process. In 1993, the Declaration of Principles (DoP), as a guide for peace negotiations based on the principles of "Land for Peace and Security Council Resolutions 242 and 338", was signed between Israel and the Palestine Liberation Organization (PLO). During the 1990s, a series of peace negotiations and interim agreements took place without reaching a final status agreement to end the Israeli occupation of the Palestinian Occupied Territories. On the contrary, this period was marked by the classification of the West Bank into six parts (Areas A, B, C, H1, H2 and nature reserves) that formed countless disconnected enclaves encircled by settlements and bypass roads. In fact, before the suspension of negotiations, the most recent offer to Palestinians by Israel was 18.2% of area A (full Palestinian controlled enclave) and 21.8% of area B (Palestinian civil control, Israeli security control). Since the DoP, the gap between peaceful negotiations in rhetoric and what was taking place on the ground was immense.

In fact, since 1993, the number of settlers and settlements (new and expanded) have more than doubled, enjoying their largest growth and expansion under the Labor governments. The colonial policies that began in 1967 were seeing some of their greatest achievements during the peace process.

³ See Palestine's map, Appendix 4 and 10.

The Second Intifada, 2000: On the 28th of September, 2000, under the Prime Ministership of the Labor Party's *Ehud Barak*, and with his consent, a planned, provocative visit by General Ariel Sharon to the *Al Aqsa Mosque* in Jerusalem, in which he was accompanied by 3,000 soldiers and policemen, took place. The following day, Friday, amidst the regularly large crowd of worshipers on the holy day of the week, thousands of well-armed soldiers returned to the Mosque and shot-to-kill several Palestinians from the West Bank and inside Israel and injuring tens. It was then that the *Intifada*, or Uprising, broke-out. Among Palestinians, it is unanimous that though the Thursday visit of Sharon and the Friday killings were as such a provocation, it was one incident among years of Israeli repression and the eruption of the *Intifada* reflects the collective suffering of Palestinians amidst long-standing policies and rights violations by the State of Israel in relation to the Palestinian people.

Following the massacre in *Al Aqsa*, the Israeli military confronted hundreds of unarmed protestors across the West Bank, Gaza Strip, as well as inside Israel among its Palestinian citizens. Several people were killed daily during the so-called "clashes," which took place during or after funeral processions of those killed by the Israeli military. Pain-struck, rage-filled, stone-clenching, and unarmed, these youth were met, at the countless checkpoints, by Israeli snipers who shot from a distance to the upper bodies of these demonstrators, killing or seriously injuring on site. The shoot-to-kill policy was clear and consistent throughout. According to the Health, Development, Information and Policy Institute, the numbers from the first year of the *Intifada* show that 99.4% of those killed by live ammunition were shot in the upper body (shoot to kill policy), 30% of those killed were children, while 60% of all of those killed were not involved in any clashes, but rather were going about their daily routines at home, on the streets, in schools, and in their cars. The first six months of the *Intifada* were much the same like its first days, where Palestinians, unarmed civilians were killed by the military.

For the last three years, the Israeli military has invaded the Palestinian Territories repeatedly, encircled the cities and villages with checkpoints, and imposed round-the-clock curfews, all the while speeding-up the implementation of its old plan of unilateral separation, based on land confiscation, annexation, and the segregation of Palestinian areas into disconnected entities. Part and parcel to this long-standing policy is the Apartheid Wall which Israel started constructing in June, 2002, on the Palestinian lands to the east of and parallel to the 1949 Green Line in some parts.

Ongoing Israeli Occupation, including land destruction, resource theft, attacks on infrastructure and many others military actions are devastating tools to the Palestinian environment. This thesis will be considered the environmental issues in the West Bank and Gaza Strip and the task of the Palestinian Environmental NGOs in order to protect the environment.

Non-governmental organization:

Along with the rise in public interest in the environment and the trend toward diversification, the number of non-governmental organizations is growing. Especially in view of the complex nature of environmental problems, and government efforts

alone often prove insufficient, the role of NGOs in dealing with environmental problems is becoming increasingly important.

Environmental NGOs play a great role in enhancing public awareness of environmental issues and organizing environmental conservation movements. They also reduce conflicts among relevant parties in implementing environmental policies through persuasion and dialogue for securing political rationality in policies. No one can ignore its significant and indispensable role in this field.

Palestinian NGOs: The situation prevailing in the Palestinian civil society differs from that of other countries (especially Arab countries); not because there is more freedom, but because the conditions which have created them are very exceptional. The lack of an authority, of a state, and of laws, etc., gave Palestinian civil society a major role in sustaining the society. Civil society has constituted an important part of Palestinian society and came into existence in response to particular circumstances and needs. The number of NGOs is estimated at some 1,800-2,000, which is a lot for a small country such as Palestine. In the past, the NGOs offered a variety of much needed services, and there is no doubt that in the absence of any law or authority many of them have made a valuable contribution to the development of the society at large.

The Palestinian NGOs have played a very important and central role in the environment protection and the delivery of a myriad of social services, education, health care, agricultural extension, economic development,etc. There are historical reasons why the Palestinian NGO movement is strong and vibrant. Probably the most important one is that the Palestinians were without a government of their own to provide important services for most of the twentieth century. Palestinian NGOs, because of their historic focus on meeting the needs of the grassroots and reaching out all the peoples, have a strong institutional capacity to deliver social services in areas and to segments of the population that the central authority has simply been unable to reach.

There are many active Palestinian NGOs in the West Bank and Gaza Strip distributed on various sectors. These are mostly charity organizations, youth clubs and sports organizations. A considerable increase in Palestinian NGOs establishment was noticed after the inception of Palestinian National Authority. One third of the Palestinian NGOs were established after 1993.

The Active Palestinian NGOs in the WBGS varies in their missions and programs. Nevertheless, the dispersion of goals and programs is a common symptom with most of them lacking focus on specific goals, objectives and programs. In other words, most of these Palestinian NGOs are not specialized in specific areas but tend to deal with wide varieties of missions and goals. It is realized also that the number of NGOs with general goals is high compared to those who follow specific goals. It reflects the absence of a clear vision among most Palestinian NGOs.

On the other hand, we have faced such a problem in our study. Generally speaking it is very hard to understand the real job of some Palestinian NGOs. Although their work is for environmental concern, they deal with political or humanitarian matters. For that someone may be a little bit suspicious in regard of their role. For example,

this was the problem with PENGON -environmental organization- and its stand against the Israeli Separation Wall (will be discussed in Chapter 3).

The reason to choose this field for study is, that most of the studies about Palestine and Palestinian NGOs are in selected area, peace and conflict resolution, or about human rights problems, which may create the impression that these issues are the only concern for Palestinian and the problems with Israeli occupation.

This study, however, focuses on a different kind of "casualty" of the occupation and standstill of peace process, which is the "Environment". And the role of Palestinian non-governmental organizations in environmental fields, NGOs which have worked with an aim to enhancing the Palestinian environment. And the specific reason behind our focus on these organizations is connected to their significant role in the absence of "government", and the needs of region like Palestine, which ecology: the land is densely populated, semiarid, suffers from water shortage, and has problematic waste management and sewage systems. In addition, the tools of occupation and the different levels of development in Israel and Palestine lead to different environmental stresses. Intensive agriculture and industrial development have damaged the environment.

Through this thesis we are going to tackle the deterioration of the environmental demands overstepping political boundaries. Furthermore, we will explain how non-governmental organizations, working with small budgets and limited personnel, can help to improve the quality of environment in Palestine.

Finally, this thesis will explore the role of Palestinian NGOs in the development of environmental policy and sustainable development priorities in Palestine. The thesis also focuses on the experiences of environmental NGOs in two related components of state and society building.

This paper is comprised of four chapters. Chapter One will review the Palestinian non-governmental organizations and civil society in the Palestinian contexts, and we will focus on the historical evolutions of Palestinian NGOs. Following that we will talk about Palestinian Non-Governmental Organizations Network (PNGO) and the long-standing argument over NGO registration laws in the PA. And will examine NGOs working, particularly in terms of the relations between the Ministry of Environmental Affairs and the non-governmental sector in public outreach. This chapter also will present various types of Palestinian NGOs, detailing particularly their professional and political efforts to shape public debate and policies on the environment and sustainable development. The NGOs are divided into three categories: research institutes and think tanks, environmental education and awareness organizations, and NGOs with shared Israeli-Palestinian membership in the environmental sector. While other institutes and advocacy organizations exist, this thesis presents a representative sample.

Chapter Two addresses the environmental and developmental problems facing the Palestinian Authority. Which are too diffuse, too complex, and too difficult for any one sector of society to address independently. It is clear that capacity must be developed within the private sector, government and non-governmental organizations to manage these issues, and mitigate potential harm to public health and the

ecosystem. The environmental issues that would be addressed, include land confiscation, water and water supply, waste management, agriculture, deforestation and Separation Wall, and many other problems.

Chapter Three, as the Environmental NGOs in Palestinian has vital role to save the local environment from the occupation actions. The work of PENGON and the construction of Israeli Separation Wall, are taken as a case for study. In order to show the significant role of NGOs that can play, in absence of active state role.

In Chapter Four, we will evaluate the role for successful outcomes for Palestinian NGOs in the environment and sustainable development fields, taking a critical look at donors and the cooperation between Palestinian and Israelis in particular. And finally we give proposals for seeking solve to the environmental problems in Palestine, and some suggestions for the future.

CHAPTER 1:

Palestinian Environmental Non-Governmental Organizations

"Never doubt that a small group of committed citizens can change the world. Indeed, it is the only thing that ever has."

Margaret Mead (American cultural anthropologist).

The socioeconomic behavior of the Palestinians tends to be very individualistic due to the various ups and downs in the political environment that shaped their lives throughout the 20th century. In their struggle for freedom and independence they organized themselves under various rulers to preserve and develop their national identity.

Non-Governmental Organizations played and still significant role in the Palestinian history. We will examine in this chapter the evolutions of NGOs and civil society in Palestinian context. This chapter will review some of the analysis addressing these concepts, and examine some of the extant literature on those topics on competing assessments of the Palestinian NGO sector. Following that, this chapter will discuss the Palestinian Non-Governmental Organizations Network (PNGO) and the long-standing argument over NGO registration laws in the PA. And after that we will examine the Ministry of Environmental Affairs (MEnA)-NGOs relations, and the role of Environmental NGOs in dealing with environmental problems. But before that we will give first a small abstract about the NGOs' concept and the role of NGOs in international relations and global policy.

1. Non-Governmental Organizations in World Politics

Principal actors of the world politics are nation-states, but they are not the only actors. The international system consists of nation-states, international organizations, and Non-governmental organizations (NGOs).

NGOs are institutions that are established by non-state actors or at least one side of these organizations is not states. The focus of this study is on NGOs that function at national level in Palestine. But it worth mentioning at first the role of this actor in international level and its influences on political arena.

1.1. The Concept of Non-Governmental Organizations

The term, "non-governmental organization" or NGO, came into currency in 1945 because of the need for the UN to differentiate in its Charter between participation rights for intergovernmental specialized agencies and those for international private organizations. At the UN, virtually all types of private bodies can be recognized as

NGOs. They only have to be independent from government control, not seeking to challenge governments either as a political party or by a narrow focus on human rights, non-profit-making and non-criminal.⁴

But the diversity of NGOs strains any simple definition. They include many groups and institutions that are entirely or largely independent of government and that have primarily humanitarian or cooperative rather than commercial objectives. They are private agencies in industrial countries that support international development; indigenous groups organized regionally or nationally; and member-groups in villages. NGOs include charitable and religious associations that mobilize private funds for development, distribute food and family planning services and promote community organization. They also include independent cooperatives, community associations, water-user societies, women's groups and pastoral associations. Citizen Groups that raise awareness and influence policy are also NGOs.⁵

NGOs exist for a variety of different purposes, usually to further the political and/or social goals of their members. Some example goals include improving the state of the natural environment, encouraging the observance of human rights, improving the welfare of the disadvantaged, or representing a corporate agenda. However, there are a huge number of such organisations and their goals cover a broad range of political and philosophical positions.

The structures of NGOs vary considerably. They can be global hierarchies, with either a relatively strong central authority or a more loose federal arrangement. Alternatively, they may be based in a single country and operate transnationally. With the improvement in communications, more locally-based groups, referred to as grass-roots organizations or community based organizations, have become active at the national or even the global level. Increasingly this occurs through the formation of coalitions. There are international umbrella NGOs, providing an institutional structure for different NGOs that do not share a common identity. There are also looser issue-based networks and ad hoc caucuses, lobbying at UN conferences.⁶

NGOs create and/or mobilize global networks by creating transnational organizations, gathering information on local conditions through contacts around the world, alerting global network of supporters to conditions requiring attention, creating emergency response around world, and mobilizing pressure from outside states.

NGOs also vary in their methods. Some act primarily as lobbyists, while others primarily conduct programs and activities. (For instance, an NGO concerned with poverty alleviation might provide food to the needy.)⁷

⁴ UNESCO Encyclopaedia, *Non-Governmental Organizations*, Article 1.44.3.7:
<http://www.city.ac.uk/city/copyright.htm>. Visited in 25/9/2004.

⁵ The World Bank, *How the World Bank works with Non-Governmental Organizations*, 1990:
<http://www.gdrc.org/ngo/wb-define.html>. Visited in 18/7/2004.

⁶ Peter Willetts, *What is a Non-Governmental Organization?*, City University, London:
www.staff.city.ac.uk/p.willetts/cs-ntwks. Visited in 18/7/2004.

⁷ Wikipedia, the free encyclopedia, *Non-governmental organization*: <http://en.wikipedia.org/wiki/NGO>. Visited in 19/7/2004.

NGOs conduct many kinds of activities within states such as linking to local partners, linking to transnational social movements with complementary skills, working in national arenas to harmonize state policies, providing humanitarian aid, and protecting accompaniment of persons in danger. They also enhance public participation within states by reminding government delegates that they are being watched, enhancing public understanding, increasing transparency of international negotiations and institutions, and provoking public protest.⁸

There are many kinds of NGOs such as transnational, government organized, government-regulated and initiated, business and industry, donor-organized, donor-dominated, people's organizations, operational, advocacy, transnational social movements, quasi, and anti-governmental NGOs. Their number increased (more than 25,000 in the early 2000s) and their effectiveness for transnational politics became more relevant in recent decades. They have become crucial participants in the international policy process.

1.2. NGOs and International Policy

Organizations like Oxfam, Greenpeace, Amnesty International and thousands of others serve the public on a national and international scale. Known variously as "private voluntary organizations," "civil society organizations," and "citizen associations," they are increasingly called "NGOs," an acronym that stands for "non-governmental organizations." While many NGOs dislike the term, it has come into wide use, because the UN system is the main focus of international rule-making and policy formulation in the fields where most NGOs operate.

Charitable and community organizations, separate from the state, have existed in many historical settings, but NGOs are primarily a modern phenomenon. With the extension of citizenship rights in Europe and the Americas in the eighteenth and nineteenth centuries, people founded increasing numbers of these organizations, as instruments to meet community needs, defend interests or promote new policies.

The anti-slavery movement, founded in England in the late 18th century, gave rise to many such organizations and eventually led to the World Anti-Slavery Convention (1840), a milestone gathering to coordinate the work of citizen organizations on an international basis. The World Alliance of YMCAs was founded soon after, in 1855, and the International Committee for the Red Cross came into being in 1863. During the nineteenth century, independent associations of this kind addressed many issues, including women's rights, the condition of the poor, alcohol abuse and municipal reform. Trade unions emerged as a leading force in the NGO movement later in the century.⁹

Today, NGOs address every conceivable issue and they operate in virtually every part of the globe. Though international NGO activity has grown steadily, most NGOs operate within a single country and frequently they function within a purely local

⁸ Muhittin Ataman, *The Impact of Non-State Actors on World Politics*, Abant İzzet Baysal Üniversitesi Sosyal Bilimler Enstitüsü Dergisi, v. 2000-1 n.1. p12.

⁹ James A. Paul, *NGOs and Global Policy-Making*, Global Policy Forum, June 2000: <http://www.globalpolicy.org/ngos/index.htm>. Visited in 14/7/2004.

setting. Some, such as legal assistance organizations, mainly provide services. Some such as chambers of commerce, concern themselves with narrowly-defined interests. And some, such as neighborhood associations, promote civic beautification or community improvement. But many important NGOs, such as those working for human rights and social justice, campaign for broad ideals. At the international level, thousands of organizations are active. According to one estimate, some 25,000 now qualify as international NGOs (with programs and affiliates in a number of countries) – up from less than 400 a century ago. Amnesty International, for example, has more than a million members and it has affiliates or networks in over 90 countries and territories. Its London-based International Secretariat has a staff of over 300 which carries out research, coordinates worldwide lobbying and maintains an impressive presence at many international conferences and institutions.¹⁰

In the field of international relations, scholars now speak of NGOs as “non-state actors” (a category that can also include transnational corporations). This term suggests NGOs’ emerging influence in the international policy arena where previously only states played a significant role. Though NGOs have few formal powers over international decision-making, they have many accomplishments to their credit. In recent years, they have successfully promoted new environmental agreements, greatly strengthened women’s rights, and won important arms control and disarmament measures. NGOs have also improved the rights and well-being of children, the disabled, the poor and indigenous peoples. Some analysts believe that these successes resulted from increasing globalization and the pressure of ordinary citizens to control and regulate the world beyond the nation state.

NGO work on the environment led to the adoption of the Montreal Protocol on Substances Depleting the Ozone Layer in 1987. The International Campaign to Ban Land Mines, an NGO coalition, was prime mover in the Mine Ban Treaty of 1997. The Coalition for an International Criminal Court was indispensable to the adoption of the 1998 Treaty of Rome and another NGO mobilization forced governments to abandon secret negotiations for the Multilateral Agreement on Investments in 1998. In the late 1990s, the NGO Working Group on the Security Council emerged as an important interlocutor of the UN’s most powerful body, while the Jubilee 2000 Campaign changed thinking and policy on poor countries’ debt. At the same time, an increasingly influential international NGO campaign demanded more just economic policies from the World Trade Organization, the International Monetary Fund and the World Bank. These recent NGO victories have often been due to effective use of the internet, enabling rapid mobilization of global constituencies.¹¹

Governments and international organizations at times find NGOs a nuisance or even threatening to their interests. But officials nonetheless look to NGOs for innovative ideas and information. Officials also grudgingly recognize that consultation with (and support from) NGOs gives their public decisions more credibility. Former Secretary General Boutros Ghali affirmed that NGOs “are an indispensable part of the

¹⁰ Ibid.

¹¹ Ibid.

legitimacy” of the United Nations, while his successor Kofi Annan has said that NGOs are “the conscience of humanity.”¹²

2. NGOs and Civil Society in Palestine

The uniqueness of most Palestinian non-governmental organizations (NGOs) is clearly illustrated in their identity as politically-affiliated organizations different from any other NGOs in the world. This reality was precipitated by the conditions of life under Israeli occupation during the seventies, and the absence of a Palestinian governmental body. Since that time, but prior to the ascendance to power of the PNA, many NGOs regarded themselves as activists in the national movement to end the occupation and to pave the way for liberation and independence. Most NGOs were inextricably linked to a particular political party, yet functioned independently in order to implement projects and programs which contributed to the building up of Palestinian Civil Society at large.

2.1. Palestinian Non-Governmental Organizations

Defining NGOs in the Palestinian community is challenging and problematic. As Sheila Carapico writes, non-governmental organizations in the Arab world are a “topic both trendy and controversial.”¹³ Prior to the Oslo Accords^(*) and the establishment of the Palestinian Authority^(**), it could be argued that Palestinian society had no NGOs at all, in the absence of any Palestinian governing authority. Khalil Nakhleh wrote in 1991 that the traditional notion of NGOs was inapplicable in the West Bank and Gaza, because NGOs were typically defined in the context of independent states.¹⁴ Instead, analysts writing prior to the PA’s creation typically referred to “*ahli* (community-based)” organizations, or to “massbased”

¹² for more about the role of NGOs in international relations see: James A. Paul, *NGOs and Global Policy-Making*, op.cit. and Joshua S. Goldstein, *International Relations*, 5th ed, American University, Washington, 2003. p.13.

¹³ Sheila Carapico, “NGOs, INGOs, GO-NGOs and DO-NGOs: Making Sense of Non-Governmental Organizations.” *Middle East Report* Vol. 30, No. 1, Spring 2000: http://www.merip.org/mer/mer214/214_carapico.html. Visited in 15/7/2004.

^(*) The Oslo Accords refer to the series of treaties and interim agreements signed between Israel and the Palestine Liberation Organization (PLO). It was a result of direct negotiation which started in Madrid conference in 1991. The Oslo Accords was begun in secret negotiations facilitated by the Norwegian Foreign Ministry, under the guidance of Terje Roed-Larsen. “Oslo peace process” was launched publicly in Washington on September 13, 1993, when Yasser Arafat and Yitzak Rabin signed a Declaration of Principles. Under the agreement, Israel agreed to withdraw from part of the territories and make way for an independent Palestinian Authority. This was partially achieved through a series of separate agreements throughout the 1990s.

^(**) The Palestinian (National) Authority, known commonly as the PA or the PNA (Israelis, who do not recognize a Palestinian state, always drop the word 'National'), was established in 1993 as part of the Declaration of Principles signed between Israel and the Palestine Liberation Organization. It held its first executive meetings in May 1994, and now holds full or partial control of most major Palestinian population centers in the West Bank and Gaza, although under discontinuous and precarious conditions due to the volatility of Israeli-Palestinian relations.

¹⁴ Khalil Nakhleh, *Indigenous Organisations in Palestine: Toward a Purposeful Societal Development*. Arab Thought Forum, Jerusalem, 1991. p.38.

organizations.¹⁵ These organizations ranged from charitable societies and religious associations formed in the Ottoman and British Mandate eras to activist and resistance groups formed following the 1967 war and the Israeli occupation of the West Bank and Gaza. The Western-styled NGO is a more recent innovation, in the assessment of many analysts of Palestinian associational life.

For the purposes of this paper, the term NGO refers to

“societies or institutions that do not seek to make profit with the aim of distributing them to their members. Each NGO should meet three conditions: it should be independent from the Authority; it should be an institution that serves the public interest; it should be an institution that does not aim at making a profit among its members.”¹⁶

This definition from Mustafa Barghouti is a more conservative definition than other scholars have used. The World Bank assessment of Palestinian NGOs in 1996, drawing on a more expansive definition, concluded that Palestinian NGOs in the West Bank and Gaza numbered roughly 1,200. The World Bank included social groups, sports clubs, trade unions, political parties and other associational bodies in their count.¹⁷ MADAR—the Center for the Development and Study of Palestinian Society—reached a far smaller count, of 393 in the West Bank and 182 in the Gaza Strip. They reached that count using a “narrow definition” of NGOs that excluded sports clubs, unions, cooperatives and international NGOs.¹⁸ The total number of Palestinian NGOs obscures the actual effectiveness and viability of these organizations; numerous observers have commented that the number of genuinely effective NGOs is far smaller. Barghouti skeptically estimates that only 100 are large and effective enough to make substantive contributions to social services.¹⁹

This thesis follows the narrower definition used by Barghouti and MADAR, while recognizing that civil society and associational life take on many forms in any society. In Palestinian society particularly, other associational arenas include village cafés, mosques and churches, municipal councils and youth groups, and myriad other forms.

Typologies of Palestinian NGOs, like those conducted by the World Bank and MADAR, often make note of the date of formation of particular NGOs. MADAR notes that 54% were founded before 1993, and 46% afterward.²⁰ The distinction between pre-Oslo and post-Oslo NGOs is a significant one. In the pre-Oslo days, the Palestinian territories had a “strong and pluralistic infrastructure of NGOs,” tied to historical charitable societies, activism by PLO’s mass mobilization strategy, and the

¹⁵ Lisa Taraki, “Mass Organizations in the West Bank.” In Aruri, Naseer H. (editor) *Occupation: Israel Over Palestine* (Second Edition). Association of Arab-American University Graduates, Belmont, Massachusetts, 1989. p.19.

¹⁶ Mustafa Barghouti, “Palestinian NGOs and their Contribution to Policy Making.” In Abdul Hadi, Mahdi (editor), *Dialogue on Palestinian State-Building and Identity*. PASSIA, Jerusalem, 1999. p.25.

¹⁷ Sophie Claudet, *The Changing Role of Palestinian NGOs Since the Establishment of the Palestinian Authority*. Study prepared for the World Bank, July 1996. p.34.

¹⁸ MADAR—Center for the Development and Study of Palestinian Society. *The Palestinian NGOs: Facts & Figures*. MADAR with support of the Heinrich Bill Foundation—Middle East Office. Ramallah, March 2000.

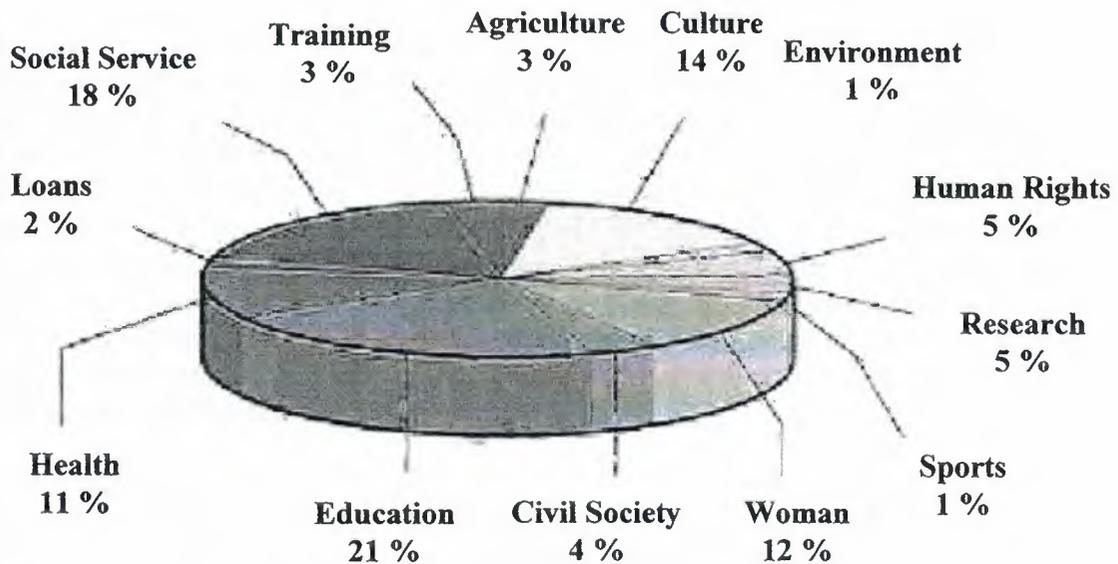
¹⁹ Barghouti. “Palestinian NGOs and their Contribution to Policy Making.” P.29.

²⁰ MADAR, p. 9.

various leftist organizations that were not under the PLO umbrella.²¹ According to Manuel Hassassian of Bethlehem University, “PNGOs [Palestinian NGOs] formed before and during the *Intifada*^(*) have tended to be characterized by a sense of strong ideology and activism. PNGOs established with the signing of the Oslo Accords are perceived to be a function of the new political process. PNGOs with a strong sense of ideology tended to survive better and be more effective than those organizations that were contingent on the peace process.”²² This assessment of pre-Oslo and post-Oslo era NGOs is not unusual. Those NGOs that existed prior to the Oslo process, especially those that were created during the *Intifada* of the late 1980s, used new funding and organizational mechanisms to improve their services while mobilizing Palestinian communities and forming consensus positions on major issues.²³ Their long-term chances of political legitimacy are viewed as more favorable than those Palestinian and binational NGOs whose fates are contingent on continued momentum in the peace process.

Further assessments of Palestinian NGOs have assessed the sectoral distribution of those NGOs active in policy-making, advocacy, rights and social services. MADAR’s narrower analysis of Palestinian NGOs divides 575 NGOs into the following sectors:

Table 1: Sectoral Types of Palestinian NGOs ²⁴



²¹ Rema Hammami, “Palestinian NGOs Since Oslo: From NGO Politics to Social Movements?” *Middle East Report*, Vol. 30, No. 1, Spring 2000.

^(*) The first Palestinian uprising (*intifada*) broke out in December 8, 1987. The uprising continued until 1991, when both sides (Israeli and Palestinian) agreed to meet in Madrid for peace negotiations.

²² Manuel Hassassian, Speech given June 29, 1999. In Adwan, Sami and Bar-On, Dan (editors). *The Role of Non-Governmental Organizations in Peace-Building Between Palestinians and Israelis*. PRIME, Beit Jala, January 2000, p. 28.

²³ Mahdi Abdul Hadi, “NGO Action and the Question of Palestine.” In Abdul Hadi, *Dialogue on Palestinian State-Building and Identity*. PASSIA, Jerusalem, January 1999, p. 68.

²⁴ MADAR, p. 17.

As this chart makes clear, most NGOs are engaged in the provision of social services (education, health, charity, poverty alleviation), while others deal with personal and collective rights and others with research and advocacy. Breaking down NGOs along different criteria, Barghouti depicted five functional categories for Palestinian NGOs:

- a) Charitable societies,
- b) Grassroots societies and mobilizing groups,
- c) Development or socioeconomic organizations,
- d) Research centers,
- e) Human Rights organizations.²⁵

Environmental protection and advocacy is not a major focus of Palestinian NGO activity (and that is normal, Worldwide, little attention is given to the state of nature and natural resources in situations of armed conflict. Because of the human disaster involved, there is often a reluctance to focus on the environmental consequences), but as further sections will make clear, the environment has attracted the attention of multinational agencies, foreign governments, international and indigenous NGOs, and binational Israeli-Palestinian entities.

2.2. Civil Society in the Palestinian Context

Civil Society, is a complex contested term, usually referring to all people, their activities and their relationships that are not part of the process of government. It may also be used to cover all processes other than government and economic activity.²⁶

It is not the purpose of this paper to investigate the concept deeply except in the context of Palestinian societal development, but numerous texts have addressed the historiography of the terminology, and its possible contemporary relevance.^(*) In the Western understanding rooted in the writing of Friedrich Hegel, civil society is defined as those “mediating institutions between the family and the state,” whose vibrance and vitality are viewed as having strong implications for democratization, participatory politics, peaceful development and social inclusion.²⁷ In general, civil society is taken to be that part of society between the level of the state and the individual. It has been used to encompass a wide variety of institutions such as unions, youth groups, women's organizations, educational and religious formations, businesses and even sporting clubs.

In the Palestinian context, Muhammad Muslih noted the difficulty of determining whether traditional Palestinian associational life qualifies as “civil society” in the Western understanding. He also questioned whether Palestinian civil society organizations (CSOs) are comparable to the Western model of civil society, in the absence of an independent Palestinian government and under a succession of foreign occupations. He determined that Palestinian civil society development must be placed in the context of the Palestine Liberation Organization and the Palestinian Authority as ‘state-surrogates’ with parastatal institutional and organizational structures.²⁸

²⁵ Barghouti. “Palestinian NGOs and their Contribution to Policy Making,” p. 63.

²⁶ Peter Willetts, Output from the Research Project on Civil Society Networks in Global Governance, City University, London, 4 January 2002.

^(*) One solid reference is Seligman, Adam. *The Idea of Civil Society*. The Free Press, New York, 1992.

²⁷ Paul Wapner, *Environmental Activism and World Civic Politics*. State University of New York Press, Albany, 1996, p. 5.

²⁸ Muhammad Muslih, “Palestinian Civil Society.” In Norton, Volume 1, pp. 243-245.

Muslih discusses the evolution of Palestinian civil society in the 20th century in three stages, beginning during the British Mandate. This outline of civil society organizations and arenas is not exclusive, but representative. Muslih notes that Islamic civil society has always offered parallel, alternative sources of fellowship, support, and personal expression, with their own publications, clubs, and professional organizations. This table is based on his monograph on "Palestinian Civil Society," in *Civil Society in the Middle East*, Volume 1.

Table 2: Palestinian Civil Society Over Time ²⁹

1917-1948	1949-1967	1967 onward
Religious groups, voluntary associations, town cafés, unions, women's associations	Exile-based civil society networks. Student associations in foreign Arab universities, professional groups	"Political shops" and patronage links, trade unions, economic cooperatives, first Palestinian universities, social work groups under General Union of Charitable Societies

Analyzing civil society in the Gaza Strip, Sara Roy observed differences between West Bank and Gazan civil development. She notes that under the Jordanian control between 1948-1967, West Bank Palestinians were incorporated into municipal and administrative life, and benefited from greater economic and cultural ties with Israel and the larger Arab world. The West Bank experienced greater prosperity and political sophistication than Gaza, where Egyptians suppressed political activity. While most West Bank Palestinians were native or from nearby villages, most Palestinian residents of Gaza were non-native refugees of the 1948 war, packed into refugee camps with little opportunity for societal development. "Unlike the West Bank ... Gaza is a society that has had painfully little experience with institutional development."³⁰

3. The Evolution of Palestinian NGOs:

Civil society organizations and Palestinian NGOs have played a central role throughout the period of occupation in crystallizing Palestinian identity on the ground. They provided a wide range of social services and contributed to the establishment of industrial, agricultural, tourism, housing and public sector infrastructures. In the absence of a national authority, these institutions substituted the role of a national government in many areas.

The Palestinian Liberation Organization (PLO) had mobilized dispersed populations and in the absence of a formal state and had combined state and civil society in its own structures and supported most of these agencies financially. Indeed, the PLO was composed of labor unions, student unions, teacher's unions, women's unions, writers' unions, productive enterprises, research centers, and non-governmental organizations

²⁹ based on Muslih, pp. 245-258.

³⁰ Sara Roy, "Civil Society in the Gaza Strip: Obstacles to Social Reconstruction." In Norton, Vol. 2, pp. 225.

(NGOs), in addition to its own political structures, such as the Executive Committee and the Palestinian National Council (PNC). Civil society flourished in Israeli-occupied Palestine after the breakout of the intifada in December 1987 and the withdrawal of Jordanian public services in 1988. New self-help associations proliferated to fill the vacuum. With the signing with Israel of the Declaration of Principles in September 1993, however, the PLO gained international recognition and established a Palestinian National Authority (PNA) to govern parts of occupied Palestine. The Authority has attempted to assert its control over Palestine's rich collection of NGOs.

In December 1998, the Palestinian Legislative Council (PLC) passed the Law of Charitable Associations and Community Organizations. This law repealed the Ottoman Law of Charitable Organizations and the Law of Charitable Organizations No. 33 of 1966 that were effective previously. In May 1999, the PLC passed an amendment to the law that transferred responsibility for the administration of NGO's to the Ministry of Interior instead of the Ministry of Justice. Since the office of the Minister of Interior remained vacant, however, a new ministry of non-governmental organizations was established in 2000.

With the new conditions that emerged after Oslo, an implicit and sometimes explicit conflict emerged between the new Authority and NGOs, which were traditionally considered an extension to the PLO as a whole.

3.1. Pre-Oslo:

The experience of NGOs in Palestine most probably supercedes that of any other country in the World. Regarding their political role, comparisons may be drawn between them and their European counterparts, admittedly though, without the international dimension. Palestinian NGOs regarded their work as an integral component of national liberation and the desire for a just government. In essence, Palestinian NGOs served as a Para-government, providing the means and motivation to continue the popular struggle for national values.³¹ Palestinian NGOs were the main pillar of development during the pre-Oslo Israeli military occupation. They provided services in health, agriculture, education, communications media, information, human rights, women's issues, and research and training programs. At the same time, they played an active role in the popular resistance to the occupation and maintained a steadfast presence through the long, weary years of negligence and repression. These same NGOs attained a high degree of social, developmental, and political status, and also became tools for social evolution. Palestinian NGOs, strengthened by their political affiliations, functioned for 30 years as a substitute for a national authority. The World Bank has estimated that at the end of 1994, NGOs accounted for 60% (by value) of primary health care services, and 50 % of all secondary and tertiary health care services. One hundred percent of programs for disabled people and preschool children, as well as a sizable proportion of agricultural, housing, small business credit, and welfare services were also provided by NGOs.³² Until the Oslo Accords, to speak of a "non-political NGO" in Palestine was a

³¹ Majed Nassar, "Palestinian NGOs: Prospects in the Post-Oslo Era": <http://www.stelling.nl/konfront/1e1999/5004.html>. Visited in 20/7/2004.

³² Arab Thought Forum, General Report, "Democratic Formation in Palestine", Jerusalem, March 1999: <http://www.multaqa.org/General%20Report/1.htm>. Visited in 15/7/2004.

contradiction in terms. Even nominally a political NGOs, because of the political involvement and activism of their staff members, planned and implemented programs within the context of a political vision. NGO vision and strategy focused exclusively on issues relating to social injustice, marginalized groups, inequality, gender issues, education, agriculture, etc.³³ In short, in the absence of a government, their task was to facilitate the building of a civil society. Consequently, Palestinian NGO work was founded on a political identity, and its effectiveness dependent on the political atmosphere within which it worked. Not so in the post-Oslo period. The emergence of the Palestinian National Authority (PNA) and its role as a signatory to the Declaration of Principles, served to distort even the most basic political concepts operative in the pre-Oslo era.

3.2. Post-Oslo:

Many of the NGOs that began during the Occupation depended on European and American financial support. With the coming of the Authority, the emerging trend among donor countries is to gear financial support primarily to the departments directly associated with the PNA. This has significantly decreased external support previously earmarked to NGOs [The World Bank estimated that the total support geared to NGOs had decreased from 180 million dollars in the beginning of the nineties to around 60 million in 1995/96 respectively]. What has resulted is the closure of several NGOs and the reduction of services provided to marginalized and deprived sectors of society. To underline the gravity of this situation, we cite World Bank statistics that indicate that the NGOs in 1996 were providing 60% of the primary health care services and around half of the secondary care services. This included most programs geared to the handicapped, nurseries, agricultural services, housing for groups with limited income and support to small income projects. A reduction in support to NGOs has extremely serious implications for the maintenance of basic services to sectors which the PNA is still not in a position to handle.³⁴

The developments following the Oslo Accords indicated the need for a framework that would regulate the relationship between the NGOs and the PNA. The department of NGOs in the Palestinian Economic Council for Development and Reconstruction (PECDAR) presented a preliminary proposal for such a framework at the end of 1994. In 1995, the Ministry of Justice presented the charitable societies' draft-law. This law was subject to widespread criticism at all levels, for including items that would limit NGO work in Palestine. It also opened debates between Authority and Palestinian NGOs for a long time. However, this battle came to an end after the draft law was signed by president Yaseer Arafat in 2000. (We will discuss later in this Chapter this long process in details which led to sanction the Palestinian's NGOs law).

As Majed Nassar writes, the new political era, with the emergence of a Palestinian National Authority (PNA), challenges Palestinian NGOs to modify their strategy. In the past, NGO work focused primarily on providing basic needs and enhancing the ability of people to resist occupation. The new reality requires that NGOs participate creatively in the following mandate:

³³ Nassar. Op.cit.

³⁴ Democratic Formation in Palestine, op.cit.

1. To reinforce the concept of national independence
2. To work toward comprehensive development
3. To protect the rights of the underprivileged
4. To facilitate and advocate for the principles of democracy and social justice
5. To defend civil society

According to Nassar, these goals require additional effort in influencing general policy making through advocacy, lobbying, educating and strengthening the Palestinian people in order that they be full participants in political decision making. Rather than focusing solely on political relief work, the concept of comprehensive development must be deepened and treated within a broader context. Some NGOs, especially those politically motivated, have begun a serious and comprehensive evaluation of their activities which included a critical review of aims, purposes and previous modes of operation. The most prominent areas of evaluation were professionalism, democratization, and public accountability. In order to continue their work, NGOs need policy independence and security: independence in their programs and their right to represent any group within society; and security by being accepted and recognized as a legitimate non-governmental voice.³⁵

3.3. Al-Aqsa Intifada^(*) and the Reversion to Nationalism

The refocusing of efforts on a nationalist response to Palestinian-Israeli conflict is not uncommon among Palestinian NGOs. Many of them were formed during the original *Intifada*, and nationalism and an assertion of Palestinian rights were at the core of their initial work. During the years of the Oslo process, however, Palestinian NGOs de-emphasized their ideological formations in pursuit of joint partnerships, international funding, and normalcy. Palestinian Academic Society for the Study of International Affairs for example, published papers by Israeli scholars and debated issues of religious tolerance and peaceful coexistence. Many NGOs published jointly with Israeli NGOs and academics and appeared together at international conferences. While they never forsook their roots as part of the Palestinian national struggle, this emphasis was downplayed. In times of direct conflict and economic closure between Israel and the Palestinian Authority, however, there has been a tendency for NGOs to reclaim their original mantle as Palestinian activists on an intellectual battlefield.³⁶

We have already seen Hassassian's distinction between NGOs formed in the first *Intifada* and those that arose as part of the peace process. The former, he says, are

³⁵ Nassar, "Palestinian NGOs: Prospects in the Post-Oslo Era": *op.cit.*

^(*) The Second Palestinian people's Intifada [Al-Aqsa Intifada] broke out after the provocative visit of Ariel Sharon (before he became PM) to Al-Aqsa Mosque on 28th September, 2000, which angered the Palestinians, Arabs, and Muslims across the world. During Al-Aqsa Intifada, hundreds of Palestinians have been killed and thousands wounded by the fire of the Israeli occupation forces and settlers. In addition, the Israeli forces destroyed the Palestinian public facilities and private properties as well as the infrastructure of the Palestinian institutions in the West Bank, East Jerusalem, and Gaza Strip. Furthermore, Israel imposed a tight economic siege and a complete closure on the Palestinian Territories, and isolated them internally and externally.

³⁶ Michael J. Zwirn, "Professional Success and Political Failure: Environmental NGOs in the Palestinian Authority", April 28.2001, Tufts University. P.39.

more strongly ideological and activist in orientation, and tend to survive political crises that might threaten NGOs formed in the post-Oslo era.³⁷

4. PNGO and NGOs Draft Law

Post-Oslo era witnessed the emergence of many Palestinian NGOs in different fields, which meant new problems and new challenges for Palestinian civil society. That time witnessed arise of an important organization called “Palestinian Non-Governmental Organizations Network” (PNGO) which played a significant role in Palestinian civil society development, and the future of Palestinian NGOs and the Authority-NGOs relations (especially in the debate on the Palestinian Authority draft law for NGOs, which will be discuss in this Chapter).

Before we discuss the different Palestinian NGOs working in environmental field (which will be discussed later in this Chapter), it is important here to discuss in brief the Palestinian Non-Governmental Organizations Network, and their role in the NGOs draft law.

4.1. The Palestinian Non-Governmental Organizations Network (PNGO)

PNGO is an umbrella group dedicated to creating common positions on a range of civil society issues and shared concerns. PNGO was created in response to a myriad of concerns that arose at the time of the Declaration of Principles between the PLO and the State of Israel. According to its website, “A group of concerned Palestinian NGOs saw the necessity to reconsider the role and activities of the NGO sector in the context of the political changes in the area,” and began to conduct a dialogue on a coherent NGO position for future Palestinian state-NGO relations. PNGO has a general assembly of more than 70 member organizations in the West Bank and Gaza, and stresses that it does not intend to substitute for existing non-governmental organizations, merely to provide a mechanism for coordination and advocacy on matters of common concern.

“Coordination, however, is not an end to itself; it is a network of relations which seeks to maximize the effectiveness, viability, visibility and sustainability of Palestinian NGOs at this critical stage in their development, and at this critical stage in the development of Palestinian civil society. The PNGO Network, by definition, is a mechanism sustained by a number of Palestinian NGOs which comprise its membership and which share a similar position in terms of the pressing and urgent need for a healthy civil society in Palestine, democratically organized and governed, which respects principles of human rights and social justice.”³⁸

The PNGO Network is funded by the Centre d'études arabes for le developpement, a Canadian NGO, and the Ford Foundation. It has published a journal in English and Arabic on Palestinian NGO activities, coordinated a boycott of products produced in Israeli settlements in the West Bank and Gaza, and expressed interest in capacity

³⁷ Manuel Hassassian, “*The Role of Non-Governmental Organizations in Peace-Building Between Palestinians and Israelis.*” Op.cit.

³⁸ PNGO website, <http://www.pngo.net/about.htm>. Visited in 13/6/2004.

building activities, but its primary emphasis has remained civil society development, in keeping with the priorities in its initial position paper released after the signing of the Declaration of Principles in 1993. These include freedom of association and organization, the rule of law, promotion of human rights, participatory politics and defense of the rights and interests of deprived groups.³⁹ Its publications and website, including the Palestine Monitor at <http://www.palestinemonitor.org>, emphasize these priorities as well as the publicization of Israeli activities in the West Bank and Gaza. PNGO publishes a newspaper supplement in the prominent Jerusalem newspaper *al-Ayyam* six times per year on “Community Work” that has discussions of civil society and NGO activities, in an attempt to reach an audience that does not follow its policy newsletters in English or Arabic.

PNGO Network has been led in large part by NGOs active in policy research and advocacy, in a range of sectors from international relations to healthcare to development. The PNGO leadership has been strongly engaged in NGO-Authority relations since its foundation, and its rear-guard action against a restrictive NGO registration law forms the most illustrative example of the ongoing evolution in relations between the PNA and Palestinian civil society.

4.2. The Palestinian NGO Draft Law

The debate on the Palestinian Authority draft law on the registration of NGOs, began in 1994 at the founding of the PA, and has flared up repeatedly since. The story of this legislation, and the responses from Palestinian NGOs, is striking not only for its own sake, but in the context of a contemporaneous region-wide crackdown on NGOs. Reportedly, governments in the Middle East held a secret committee meeting of the League of Arab States in Tunis, aimed at blunting the impact of independent NGOs, especially in the field of human rights. According to reports from ministers and activists, the effort to undermine and discredit NGOs took the shape of forming quasi-NGOs staffed by members of intelligence forces, writing restrictive laws on NGO funding, and forcing new elections of NGO boards of directors to include staff from government security or intelligence agencies.⁴⁰

Within the Palestinian Authority, according to Denis Sullivan, there was never any doubt—either among PA legislators or the NGOs themselves—that Palestinian NGOs would be registered and regulated in some way.⁴¹ The question that was so fiercely debated was how, and in what form? There was immense murkiness and lack of transparency in a draft bill making its way through the Palestinian National Authority in 1994 and 1995, and the news about the proposed legislation caused immense consternation among the NGO community. There was a leak of information that the Palestinian law was based on the universally reviled Egyptian Law 32 of 1964, which severely limited NGO autonomy in funding and activities, barred gatherings above

³⁹ PNGO. “The Position of Non-Governmental Organizations of the Occupied Territories in the Light of the Palestinian- Israeli Declaration of Principles,” 1993. <http://www.pngo.net/position.htm>. Visited in 13/6/2004.

⁴⁰ Julia Pitner, “NGOs’ Dilemmas.” *Middle East Report*, Vol. 214, Spring 2000: http://www.merip.org/mer/mer214/pitner_214.html. Visited in 3/7/2004.

⁴¹ Denis J Sullivan, *Non-Governmental Organisations and Freedom of Association: Palestine & Egypt—A Comparative Analysis*. Palestinian Academic Society for the Study of International Affairs (PASSIA), Jerusalem, December 1995, p. 20.

certain sizes, and has resulted in a confrontational and counterproductive NGO-state relationship. Feeling that the Palestinian NGO law would set a precedent for the relationship between state and society, NGOs unleashed a "chorus of rejection" at news of the proposed law, promulgated by returning members of the exile community, rather than the 'inside' activists and academics who had worked in development and advocacy since 1967.⁴²

In May 1995, the PNGO Network began to hold workshops to coordinate policies and positions. These events preceded the formation of a Legislative Council, and the process of legislating was still highly uncertain. PNGO held meetings throughout summer-fall 1995 with the Ministry of Justice, Ministry of Social Affairs, and the Palestinian Economic Council for Development and Rehabilitation (PECDAR), but as the exact nature of the draft law remained secretive, PNGO was forced to take its campaign for transparency to the public. The Network posted ads in the major Arabic newspaper in Jerusalem, met with international donors, and spoke to PA ministers, who responded with the creation of an inter-ministerial steering committee to coordinate NGO activities and regulations. PNGO efforts broadened in late 1995 and 1996, putting pressure on international donors and development agencies, many of which made disingenuous claims of their unwillingness to delve into matters of domestic Palestinian politics. The PNGO released a devastating assessment of the draft law.

"Out of its absolute concern for the national unity and the interests of the Palestinian people, and out of its loyalty to the values of freedom, democracy and civil society, the Palestinian NGO Network calls on the Palestinian Authority to totally discard this proposed draft law, which is full of defects and dangers, and to open a serious and responsible dialogue with the Network, charitable societies on an individual bases, and NGOs, on regulating the relations between them and the PA."⁴³

The second draft of the NGO was publicized sometime later, but removed from consideration in the ongoing political storm, especially as international donors began to grow concerned. PNGO took its case to the World Bank NGO donor group in charge of a \$15 million development assistance purse. Donors and the PNGO Network criticized the draft for its exclusiveness in defining non-governmental organizations, which would have excluded many kinds of civil society organizations that were not classic charitable societies. The draft would have restricted NGO independence in ideology, financing, and management. Additionally, NGOs were concerned over the term "licensing," instead of "registering," which would imply that ministries themselves could dissolve the NGOs. The draft laws were also explicit in a demand for "accountability" that allowed little freedom in NGO decision-making. In short, it seemed that NGO service providers would be restricted to serving as subsidiary branches of development ministries operating with foreign donor support. Finally, requirements for registration, renewal, and funding would have been immensely onerous and certainly vulnerable to political manipulation.⁴⁴

⁴² Sullivan, p. 16.

⁴³ Palestinian NGO Network Position on the Draft Law Concerning Charitable Societies, Social Bodies and Private Institutions, September 1995. Reprinted in Sullivan.

⁴⁴ This brief from Lina Barouch's discussion of the NGO Law in her M.Phil. thesis on Palestinian healthcare NGOs. Cited in Michael J. Zwirn, op.cit.

Palestinian Authority personnel have labored to portray the original intentions of the NGO Law as nothing to fear. According to a Deputy Minister in the Ministry of Environmental Affairs, the sole intent of the law was to ensure that both the PA and donor communities could be sure that funds given to NGOs were spent wisely and on legitimate purposes. The goal to ensure that government and NGOs operated “in harmony” as part of a coordinated national enterprise. “Never in history was the law a threat to anyone” who adhered to basic standards of accountability and transparency.⁴⁵ Yet NGOs perceived the draft legislation as a grave threat to their operational freedom, and were scarcely mollified.

After the first two drafts of the NGO law, the Ministry of Planning and International Cooperation (MOPIC) convened a committee on future drafts of the law, consisting of numerous Palestinian NGO umbrella organizations, academics, and other ministries. The committee reportedly met 45 times before hosting open workshops in November 1996. These workshops set the groundwork for discussions between the Palestinian Authority and non-state institutions including NGOs, universities, charitable societies and religious groups. The Palestinian Legislative Council, formed in 1996, expressed its wishes that all parties could take part in the legislative process through a public hearings and submission of recommendations.

On December 16, 1998, the revised NGO Law, crafted with the support and participation of NGOs, passed its third reading in the PLC. This law stressed both governmental and non-governmental accountability and transparency, and was designed to ensure “an open, symbiotic relationship between the country’s governmental and non-governmental sectors.”⁴⁶ The PNGO and the leading activist NGOs, which had cheered the revised law during its first and second readings, had been prepared to face retrenchment from the PA, but were encouraged that the bill passed three readings.⁴⁷

However, three months after the successful third reading of the bill, the Palestinian Executive Authority substituted an amendment transferring the site of NGO registration from the Ministry of Justice to the Ministry of Interior—the ministry responsible for intelligence and security services. Backed by the NGOs, the PLC rejected the amendment by a vote of 38-12 in May 1999, but campaigns against NGOs in the Executive branch continued. These campaigns were directed especially against human rights NGOs, and took the form of public verbal attacks and legal attacks on the votes that had seemed to ratify the PNGO-approved bill. This back-and-forth ended with the ruling in August 1999 that “the amendment made by President Arafat on the content of the law governing NGOs is procedurally correct.”⁴⁸ With that ambivalent ending, the Palestinian NGO Network achieved some goals, but failed to ensure that the registration of NGOs would take place under the Ministry of Justice. Palestinian Authority President Arafat signed the NGO Law in January 2000, with the

⁴⁵ Interview with Mohammed Said al-H’maidi, al-Bireh, August 3, 2000. By Michael J. Zwirn, op.cit.

⁴⁶ Union of Palestinian Medical Relief Committees. “Palestinian Rule of Law Threatened: NGO Law Changes Made Despite PLC Vote.” UPMRC Newsletter No. 31, October 1999, p. 5.

⁴⁷ Union of Palestinian Medical Relief Committees. “Law Clears First Hurdle as NGOs Push for Democracy.” UPMRC Newsletter No. 29, June 1998, p. 6.

⁴⁸ Palestinian Legislative Council, August 12, 1999, cited in Sophie Claudet, “West Bank and Gaza.” *INJL Journal*, Volume 2, November 1999.

registration under the Ministry of Interior.⁴⁹ The fact that the law was signed into being at all is noteworthy, and important in its kind.

PNGO responded by observing that

“...Although the place of NGO registration remains with the Ministry of Interior instead of the Ministry of Justice, an alteration that is incompatible with the Palestinian Legislative Council's procedures, we welcome this event as a major achievement for Palestinian civil society and its numerous NGOs and community organizations. With the official signature, this NGO Law becomes, in most of its articles, the most progressive law of its kind in the Middle East. The current challenge is to ensure that the rule of this new law will prevail in guiding future government and NGO relations.”⁵⁰

The battle of NGO-PA relations has not ended. The creation of the Ministry of NGO Affairs (MONGOA) in July 1999 continued the debate. Few governments have ever established a ministry explicitly to deal with NGO affairs, but Article One of the Presidential Decree creating the ministry calls for “coordinating and organizing work between all Palestinian NGOs and foreign NGOs and other various governmental Parties. This stems from the principles of complementarity, participation and transparency in planning and execution in order to achieve the comprehensive national plan for the service of the Palestinian community.”⁵¹ Hammami claims that the creation of the new ministry, headed by Hasan Asfour, was a tactical maneuver designed to reassert direct control of NGOs.⁵² Tactical or not, its mandate calls into question many of the gains made in the tortuous process of passing a satisfactory NGO registration law. As of summer 2000, the ministry was too small, inexperienced and underfunded to have delved into many pragmatic affairs, but its representatives have attended conferences and workshops on civil society and cooperation between foreign and domestic NGOs and the PA governmental sectors. It intends to develop offices of Voluntary Activities, Institutional Cooperation and Coordination, Media and Public Relations, Planning and International Relations, Democracy and Human Rights, and Law.⁵³

Clearly, Palestinian NGO attempts to resolve the draft registration law to their satisfaction resulted in a partial success achieved only at great cost, over a period of years. The struggle is indicative of the relative unwillingness of the Palestinian Authority, particularly the executive branch, to surrender oversight powers on independent institutions not tied to the PLO or the Authority. The Palestinian Legislative Council, whose ineffectuality has been increasingly obvious since its formation, has been more accepting of decentralized institutions of power, but in confrontations with the Executive branch it typically backs down. The result is a situation in which non-state institutions are forced to fight to retain autonomy over budgets, policy space and legitimacy against a government jealous of its control over

⁴⁹ You can read the Presidential Decree in Ministry of NGOs Affairs website: <http://www.minfo.gov.ps/english.htm>.

⁵⁰ PNGO website, <http://www.pngo.net>. Or in this site: http://www.icnl.org/journal/vol2iss2/cr_mideast.htm. Visited in 13/6/2004.

⁵¹ Palestinian Authority Presidential Decree No. 4, Concerning designation of competencies of the Ministry of NGO Affairs.

⁵² Rema Hammami, “Palestinian NGOs since Oslo: From NGO Politics to Social Movements?,” p. 19.

⁵³ Ministry of NGO Affairs website, <http://www.mongoa.gov.ps/about.html>. Visited in 5/6/2004.

public spaces and institutions. As a test of civil society in the Palestinian Authority, the registration laws and the new Ministry of NGO Affairs demonstrate the fragility of the position of non-governmental organizations, and are the clearest demonstrations of a persistent antagonism within the executive branch toward independent non-state institutions.⁵⁴

5. MEnA-NGOs Relations in the Environmental Field

Despite what we have mentioned above about the conflict relation between PA and NGOs about the NGOs' law, Ministry of Environmental Affairs (MEnA) acknowledges that NGOs conduct the only public awareness programs on the environment in the West Bank and Gaza, as well as the bulk of environmental monitoring. As early as 1994, a representative of the Ministry of Planning and International Cooperation (MOPIC) stated that the newly-formed PA recognized the importance of environmental awareness, although it was preoccupied with a "national cause which sometimes delays things in terms of priorities." "Most of the people working in the environment are NGOs ... We are determined to give great support to the NGO movement but this is the first time we had an authority. We would like to see more coordination on a central level so that information can be used by all relevant ministries and institutions."⁵⁵

The attitude of the Palestinian Authority toward environmental NGOs has not changed significantly. PA ministries praise NGO efforts in civic education and research, while recognizing the PA's own limitations in funding, expertise and authoritativeness on environmental issues. Palestinian ministries and offices frequently call for greater coordination and centralization of NGO environmental efforts along a common platform of priorities, which the PA itself hopes to set. The Palestinian Environmental Strategy document of December 1999 explicitly says that, "The role of NGOs, women and private sector should be promoted in environmental management, awareness and scientific research." In an interview, acting Deputy Minister of the Ministry of Environmental Affairs Mohammad Said al-H'maidi described NGOs participating in environmental activities "from A to Zed," specifically addressing public awareness, training, research, and environmental education. He said that he expects NGOs to be the main actors in public awareness campaigns.⁵⁶

According to al-H'maidi, MEnA plans to contract with NGOs as well as universities for public awareness and environmental education because they work at the community level, and have greater credibility in some sectors. Also, NGOs have field research capabilities which the Ministry has not yet developed. As of August 2000, MEnA had conducted work only with local, registered NGOs, but he saw no specific conditions under which NGOs could or could not participate. According to the Palestinian Environmental Strategy, there is a matrix of the different spheres of authority for the Ministry of Environmental Affairs, for other ministries, for municipal

⁵⁴ Michael J. Zwirn, "Professional Success and Political Failure: Environmental NGOs in the Palestinian Authority", op.cit p.32.

⁵⁵ Anis Al-Qaq, "The PNA and Environmental Management," in Twite and Menczel, *Our Shared Environment*, Volume One, p. 156.

⁵⁶ Interview with Mohammad Said al-H'maidi, al-Bireh, August 3, 2000. By Michael J. Zwirn, op.cit.

governments, NGOs, universities and the private sector. In action plans for solid waste or sewage treatment, for example, there are proposed allocations of tasks and divisions of labor between these different sectors.⁵⁷ al-H'maidi made specific note of the fact that the basic Palestinian laws on the environment specify implementation "in cooperation with" other institutions. Stakeholder participation in public awareness is one of the MEnA areas in which NGOs play a major role. When MEnA held an awareness program on solid waste issues, 23 local NGOs participated. But al-H'maidi acknowledged that the number of stakeholders were "limited in those whom you can invite" to policy and planning sessions. MEnA invited representatives of those NGOs which it knew had interest in the environment, but also put public announcements in newspapers. "Public participation is a must," said al-H'maidi, before getting approval for a project.

Concluding his discussion on NGO-MEnA relations, al-H'maidi offered his opinion that while NGOs can contribute in drafting policy, he saw their main functions in terms of research, analysis, training and environmental awareness. Additionally, he saw a large role in implementation of MEnA programs as contractors and consultants. One example he gave was the clean-up of Wadi Gaza, in which responsibilities and funding were divided between universities, NGOs and ministries.⁵⁸

Lately, we can realize this successful relations between MEnA and NGOs, in "Israeli Wall" case, there are a good coordination in efforts, contribution in works and activities.

6. Palestinian Environmental NGOs

In the literature on Palestinian NGOs, one of the persistent criticisms is that they are frequently mere political advocacy "shops" that put out information and opinion in English to reach an audience of potential donors, rather than addressing the needs of a local constituency or developing local expertise.⁵⁹ Sara Roy noted her concern that these NGOs are "one-person operations that work in relative isolation. They depend on one individual, and as is often the case, on that individual's political party."⁶⁰

The Palestinian organizations discussed here are larger than mere one-person political shops, but insofar as success or failure may depend on personal access to political decision-makers. The abilities or inabilities of NGOs are to coordinate activities and policy goals as part of larger movements reflect the issue of parochialism: Are NGOs capable of coordinating outside their own narrow sectors of expertise or influence, or outside their own region? What is their role in promoting civil society and protecting the environment?

⁵⁷ Palestinian Environmental Strategy, pp. 24-26, Table 3.1 "Ministry of Environmental Affairs—Responsibility and Task Distribution Matrix."

⁵⁸ Michael J. Zwirn, op.cit p.45-46.

⁵⁹ Christopher Parker, *Resignation or Revolt? Socio-political Development and the Challenges of Peace in Palestine*. I.B. Tauris Publishers, London, 1999, p. 54.

⁶⁰ Sara Roy, "U.S. Aid to the West Bank and Gaza Strip: The Politics of Peace." *Middle East Policy* Vol. IV, No. 4 (October 1996): http://www.geocities.com/cjpipwebsite/0403_roy.html. Visited in 21/6/2004.

We will present here various types of Palestinian NGOs, detailing particularly their professional and political efforts to shape public debate and policies on the environment and sustainable development. The NGOs are divided into three categories⁶¹: research institutes and think tanks, environmental education and awareness organizations, and NGOs with shared Israeli-Palestinian membership in the environmental sector. This Palestinian environmental NGOs which mentioned here, most of them founded prior to the Oslo process—and the binational environmental initiatives that sprung up following the Declaration of Principles.

We are going to present here some organizations as a pattern for each category, and of course not all the organizations working in the environment fields which are hard to count.⁶²

6.1. Research Organizations and Policy Centers

The work of the research institutes is harder to evaluate, because they operate in a policy sphere that is above and separate from the everyday reality of Palestinian life, and their primary audience is a community of policymakers, donors and inter-governmental and non-governmental organizations, rather than the bulk of the local population.

However, the significance of NGOs working in research and policy studies comes in the development of indigenous capacity to address complicated environmental and developmental dilemmas. The development of such policy analysis and research capability is particularly vital, as it enables institutions outside government to assess the impacts of decisions on the environment and society. The NGOs discussed here are developing technical capacity in environmental management systems, geographic information systems and remote sensing, hydrology, and related fields. Their policy areas include economic and political analysis, civil society studies, and public opinion and demographics. Indigenous capacity in all these fields are essential for sound non-governmental assessment and advocacy of environmental policies.

There are three policy and research NGOs discussed here: the Applied Research Institute—Jerusalem (ARIJ), the Water and Environmental Development Organization (WEDO), and the Palestinian Hydrology Group (PHG). All are based in the West Bank and operate professionally much as policy research groups and think tanks operate elsewhere in the world. They publish documents and analyze policy, take positions on issues of public concern, conduct public outreach and political lobbying, maintain websites and publicize their analysts' appearances at conferences and in academic journals.

6.1.1. Applied Research Institute—Jerusalem

ARIJ is a “research institute, not civil society!” emphasized the staff of the Applied Research Institute—Jerusalem. The institute, housed on the main road between

⁶¹ This division is based on study by Michael J. Zwirn, “Professional Success and Political Failure: Environmental NGOs in the Palestinian Authority”.

⁶² See “Environmental Organizations in Palestine”, Appendix 2.

Jerusalem and Bethlehem is the foremost Palestinian environmental science and research center in terms of its sophisticated scientific capabilities, especially remote sensing and geographic information systems. Among other prominent publications, ARIJ has produced an *Atlas of Palestine*, environmental profiles of the West Bank, and various studies of land and water use in cooperation with, and under contract to, the Palestinian Ministry of Environmental Affairs (MEnA).

ARIJ was founded in 1990, making it one of the most senior Palestinian research institutes working in a range of environmental fields. Its initial orientation was toward agriculture, but ARIJ expanded to include a water research unit, environmental research unit, and Geographic Information System unit (GIS) and land-use unit, as well as resource and data analysis center.⁶³ In its staffing, ARIJ pursues scientists and analysts with advanced degrees and quantitative research skills. Its director, Dr. Jad Isaac, is a widely published policy analyst in water and environmental policy, whose work with Dr. Hillel Shuval of the Hebrew University of Jerusalem was the first joint Israeli-Palestinian study of water scarcity and future equitable distribution schemes.⁶⁴ As of summer 2000, ARIJ was staffed by 30 employees with supplementary volunteers. According to Dr. Isaac, ARIJ's primary target audience consists of "policymakers and those with access to power."⁶⁵ Isaac strongly expressed his opinion that the sustainability of the Israeli-Palestinian peace process was contingent on the sustainability of scarce resources; if a future Palestinian state lacks the resources to be viable, the situation will be that of a perpetual conflict. ARIJ's focus on transportation, land use, settlements, environmental assessment, and environmental human rights gives it an unusual breadth in the PA, where institutes tend to have more limited areas of competence.

ARIJ has benefited from what Isaac calls an "exceptional" relationship with the Ministry of Environmental Affairs and the Ministry of Agriculture on major research and scientific monitoring projects, including publishing of major documents and joint management of research. As of mid-2000, ARIJ had four contracts with these ministries, both as consultancies and partnerships on publishing. MEnA's major English- and Arabic language publications on environmental assessment and environmental priorities both make extensive use of ARIJ's research. According to Isaac, the key selling points of ARIJ as a partner are its strategy experience and its expertise in remote sensing and environmental monitoring. One notable recent addition to ARIJ's portfolio is an environmental human rights consultancy for MEnA, as part of a PA five-year human rights action plan. This contract will involve the specification and judgment of which environmental rights should qualify as basic human rights under Palestinian law, including the right of access to clean water, land, sustainable development and a "right to know" about environmental dangers.

Isaac expressed satisfaction with the complementarity of ARIJ's role with the environmental and agricultural ministries, and pressed ARIJ's support for a memorandum of understanding on NGO transparency in funding. ARIJ would desire a role for NGOs and research institutions like that of civil society in a "modern state," in which academics, activists and government cooperate on contracts and research, as

⁶³ ARIJ website, <http://www.arij.org>. Visited in 13/6/2004.

⁶⁴ Jad Isaac and Hillel Shuval (editors). *Water and Peace in the Middle East*. Elsevier Publishing, Amsterdam, 1994: http://exact-me.org/publications_pal.htm. Visited in 10/6/2004.

⁶⁵ Interview with Dr. Jad Isaac, Bethlehem, July 19, 2000. By Michael J. Zwirn.

well as public outreach and civic education, while the governing authority is responsible for legislation and enforcement and compliance. ARIJ takes a position in favor of a participatory role in policy decisions, and favors a stakeholder-participation model like that of the US Environmental Protection Agency, in which businesses, labor groups, municipalities and NGOs take part in decisions on policies and the siting of potential environmental hazards. In general, ARIJ's stated preferences on policy openness and civil society echo those of the PNGO network, but the current political climate has resulted in a reassessment of priorities and stated emphases.

Since the outbreak of the recent *Intifada* in September 2000, ARIJ has released a number of reports documenting the damage to the Palestinian environment, agricultural sector and public health as a result of Israeli policies.⁶⁶ ARIJ's website has ongoing reports of Israeli settlement activities, including economic and ecological destruction on the part of settlers and the Israeli military, at <http://www.poica.org>, a website entitled "Monitoring Israeli Colonizing Activities in the Palestinian West Bank and Gaza." This website is jointly operated by ARIJ and the Land Research Center, an institution which describes its main activities as monitoring land confiscation, "colonizing Israeli activities," and Israeli actions affecting Palestinian agriculture, "issuing statistical-based information and studies on all violations mentioned above," and "offering services to Palestinian farmers."⁶⁷ The European Union is one of the funders of the site, although all documents specify that "views expressed herein are those of the beneficiary and therefore in no way reflect the official opinion of the Commission of European Communities."⁶⁸ The nationalist element in ARIJ's activities in response to the *al-Aqsa Intifada* is fitting in the light of its original mandate in 1990, to "promote sustainable development in the occupied Palestinian territories and the selfreliance of the Palestinian people through greater control over their natural resources."⁶⁹ ARIJ's strong nationalist emphasis, which has been redoubled during the current crisis, is also reflected in a rejection of cooperative ties with Israeli environmental groups in recent years. While ARIJ participated in joint research and publication in the middle 1990s, these ties have since been severed.

6.1.2. Water and Environmental Development Organization

The Bethlehem-based Water and Environmental Development Organization (WEDO), founded in 1987 by Nader al-Khateeb, has both a policy and environmental education orientation. According to its founder, WEDO has ten full-time employees plus advisory experts on a consultancy basis, and various interns and youth groups which conduct some activities.⁷⁰ WEDO works in the fields of water and environmental development generally, not only in water rights but in environmental health and environmental education. Among its most prominent projects was a cooperative venture with the Israel Ornithological Center on the protection of the lesser kestrel, an endangered migratory bird, for which WEDO won a TIME Magazine "Environmental

⁶⁶ Mohmed Ghanayem; Nizar Qattosh and Beatrice Filkin, "Israel's Double Standard Toward Environmental Protection is Highlighted by the Current Situation," 2001:

<http://www.poica.org/casestudies/environmentalprotection>. Visited in 11/6/2004.

⁶⁷ Land Research Center website: <http://www.lrcj.org>. Visited in 20/6/2004.

⁶⁸ ARIJ. "The Myth of Natural Growth: Who Are They Kidding?," April 2001:

<http://www.poica.org/casestudies/natural-growth>. Visited in 11/6/2004.

⁶⁹ ARIJ website, <http://www.arij.org/back.htm>. Visited in 13/6/2004.

⁷⁰ Interview with Nader al-Khateeb, Bethlehem, July 30, 2000. By Michael J. Zwirn.

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⁶⁷ Land Research Center website: <http://www.lrcj.org>. Visited in 20/6/2004.

⁶⁸ ARIJ. "The Myth of Natural Growth: Who Are They Kidding?," April 2001: <http://www.poica.org/casestudies/natural-growth>. Visited in 11/6/2004.

⁶⁹ ARIJ website, <http://www.arij.org/back.htm>. Visited in 13/6/2004.

⁷⁰ Interview with Nader al-Khateeb, Bethlehem, July 30, 2000. By Michael J. Zwirn.

Heroes" award.⁷¹ Other projects include the installation of sewers in Palestinian towns with poor wastewater management systems and training programs for solid waste management.

According to al-Khateeb, WEDO's principal clients are foreign firms and donors in the field of environmental impact assessment, including the US Agency for International Development and the World Bank, as well as the Palestinian Ministry of Environmental Affairs. Other clients include private-sector organizations, like a stonecutter's association. WEDO is a registered Palestinian NGO with extensive ties within Palestinian Ministries, including the ministries of Health, Local Government Affairs, and Industry, as well as the Water Authority. al-Khateeb stressed that WEDO's coordination with MEnA was productive and cooperative, and that WEDO took part in all major MEnA events and programs.

In WEDO's relations with the Palestinian Authority, al-Khateeb was largely satisfied. The registration of NGOs with the Ministry of Interior as specified in the final NGO law, he said, was designed to ensure that an NGO's objectives, targets and finances were legitimate. "As long as they don't interfere with internal policies, it's not a problem." In his opinion, the best rationale for the registration procedure was to make the ministries familiar with an organizations' practices and funding. According to al-Khateeb, the new Palestinian Ministry of NGO Affairs, created in the aftermath of the conflict over the NGO draft law, had little to deal with environment and thus it was not yet a major factor in WEDO's areas of work. This fact has been confirmed by representatives of the Ministry of NGO Affairs.⁷² al-Khateeb stressed that WEDO's concern in NGO-PA relations was in the promotion of transparency on both sides. He respected the rights of the government to know the structure and funding of non-governmental organizations, but observed that decision-making within Palestinian ministries was too opaque, and that process by which the registration law was created was problematic.

WEDO's emphasis is on integrated environmental protection and development, and al-Khateeb saw cause for optimism in the Palestinian inclusion of environmental legislation even in the early stages of autonomy. Regulations on environmental impact assessments for new infrastructure projects already exist, which puts the PA ahead of many other governments at similar stages of development. In al-Khateeb's opinion, the environmental problems facing the Palestinians have accumulated over decades of occupation and poverty, but the Palestinian Authority response to such problems is impressive in context.

6.1.3. Palestinian Hydrology Group

Like WEDO, the Palestinian Hydrology Group was founded during the first *Intifada* in 1987, when it operated as a two-person office in the Palestinian Agricultural Relief Committee. This period witnessed the establishment of numerous NGOs that developed national policy responses to the crisis, in various professional fields such as

⁷¹ Eric Silver, "Heroes for the Planet: A Flight for Peace Begins in a Birdhouse." *TIME*, April 26, 1999: <http://www.time.com/time/reports/environment/heroes/heroessgallery>. Visited in 18/6/2004.

⁷² Interview with Yasser Abu Khader, Legal Advisor, Ministry of NGO Affairs, August 2, 2000. By Michael J. Zwirn.

healthcare, infrastructure, agriculture and the environment. According to its mission statement,

“The Palestinian Hydrology Group is a non-profit, non-government organization that protects and develops the water resources of Palestine. We strive, through community participation, to achieve justice in the service, allocation, and protection of the water resources of Palestine, since the sustainability of this resource is vital for the protection of the Palestinian nation, the protection of future generation, and the protection of the planet.”⁷³

PHG has more than 20 employees, mostly engineers, and approximately a dozen volunteers. It claims expertise in water management training, environmental awareness, spring and aquifer testing, and sanitation and environment. PHG's first major contracts in the late 1980s were in studying the condition of springs and aquifers in the West Bank with Oxfam UK. It branched off as an independent NGO in 1989. PHG has links and professional networks with development officials in the European Union and researchers at Newcastle University in the United Kingdom, and was a founding member of the Eco-Med Forum, the Barcelona-Palestinian NGO network, and the Ecopeace [later, Friends of the Earth—Middle East] Environmental NGO Forum. All are professional NGO associations of environment and development organizations, tying Palestinian and European researchers together on sustainable development concerns.

According to its publications, in its relations with the Palestinian Water Authority PHG attempts to achieve coordination and ensure no duplication of services between organizations. PHG has contracts to provide PWA with information on hydrological conditions, hydrogeology, and environmental hazards to the water supply. The Palestinian Hydrology Group is implementing, in cooperation with an American firm, a USAID-funded water resources program for PWA. PHG has responded to the current *al-Aqsa Intifada* by refocusing its efforts on an emergency water action program “in order to handle the Israeli Zionist measures imposed on locals and their water resources,” which include the closing of waste sites, the cutting off of water and electrical flows, and restrictions on agriculture.⁷⁴ PHG calls for the installation of cisterns and water preservation measures to preserve water security in response to the military crackdown.

6.2. Environmental Education and Awareness NGOs:

While first category dealt with NGOs whose principal influence is in policy and scientific research or advocacy, this category addresses organizations whose principal audience is the general public, through civic and environmental education. They work to shape public opinion and knowledge about environmental issues through workshops, classes, outdoor education, and media campaigns. They often work as partners with MENA in these campaigns, which are funded by donors from outside the Palestinian Authority.

⁷³ PHG website: <http://www.phg.org>. Visited in 25/6/2004.

⁷⁴ PHG website: http://www.phg.org/report_02.html. Visited in 25/6/2004.

We will discuss here the activities of three NGOs working in the fields of environmental education and public awareness. Environmental education and public awareness are activities undertaken by non-governmental groups in much of the world, including the developed world, where traditional pedagogy fails to incorporate environmental sustainability. Additionally, they conduct public outreach efforts directed at adults who may not be aware of environmental hazards and public health concerns within their communities. The three NGOs discussed here have different areas of emphasis. Children for the Protection of Nature in Palestine (CPNP) is a youth group that does outdoor education with a strong environmental component. The Rural Center for Sustainable Development (RCSA) is an NGO in the Hebron area concerned with preserving indigenous rural Palestinian cultures and agricultural practices. WEDO, the Water and Environmental Development Organization discussed in first category, has integrated environmental education into all its water engineering and research projects.

6.2.1. Rural Center for Sustainable Development

The Rural Center for Sustainable Development in the Hebron governorate in the southern Palestinian Authority is a local environmental and cultural NGO founded by two young graduates of Bir Zeit University and the Arava Institute for Environmental Studies (will discuss in category Three). With just two full-time staff members and an estimated annual budget of just \$34,000, RCSA is a very small organization by the standards of environmental NGOs in the Palestinian Authority.⁷⁵ It was formed in May 1999 and received status as a registered non-profit in mid-2000. According to director Tariq Talahmeh, RCSA began life as the Cultural Future Center, an NGO in Hebron that attempted to promote and preserve the local rural culture of small farmers and Bedouin. That region is the least developed, driest and least educated governorate in the PA, and the only governorate with a significant Bedouin population. Its populations lack access to the institutions available in Ramallah, Bethlehem or other areas of the West Bank.

Talahmeh says that the Cultural Future Center did two years of small voluntary projects on behalf of the local people, based on surveys of regional concerns amongst the diverse local populations. They chose participants from a variety of backgrounds, communities, villages, and socioeconomic levels. All of this, he said, "reflects the biodiversity" of the local rural populace, with their different accents and ways of life.⁷⁶ As the Center's areas of interest expanded, it developed conflicts with the Ministry of Interior over its registration and mandate. Talahmeh said that these misunderstandings had come about on the basis of different interpretations of the NGO's charter, and that the Ministry had grown concerned since Palestinian NGOs were receiving so much donor money at the time. Interior didn't want NGOs to pursue political issues, and was concerned that the Center was getting involved in local politics despite its original stated areas of cultural preservation. Talahmeh agreed, and the Ministry suggested a new NGO with more clear, accurate description of goals—in the field of sustainable development.

⁷⁵ Rural Center for Sustainable Development profile, internal documentation. Cited in Michael J. Zwirn.

⁷⁶ Interview with Tariq Talahmeh, Bethlehem, July 30, 2000. By Michael J. Zwirn.

Talahmeh sees many NGOs as ineffectual and wasteful, damaging the popular interest and making political leaders suspicious of all NGOs regardless of their legitimacy and degree of accountability. He blames that perception of NGO profligacy for the increasing restrictiveness of Palestinian laws, especially as applied to newly-formed NGOs. RCSD had numerous legal, tactical, and political hurdles to overcome in the registration process. After he finished the application forms, there were five days of minute line-by-line discussions and debate on the charter for the new sustainable development NGO. Approval was finally given by the Ministry of Interior. Following these earlier experiences, said Talahmeh, RCSD has avoided past mistakes and “became professionals” in dealing with the Palestinian Authority. Talahmeh believes that the PA does have a right to monitor the activities of NGOs, “but in a fair way.” He says that, “Money is coming in the name of the Palestinian people,” and it’s necessary to ensure that those funds are not being wasted or stolen. In RCSD’s experience, the Ministry has been helpful and not too intrusive. He does observe that relations between his NGO and the relevant ministries are on the basis of personal relationships rather than a formalized institutional arrangement—“It’s the Middle East, after all.” There is a risk that a personal relationship will turn sour, and the NGO’s access to political institutions with it.

RCSD chose its English name due to its association with the Arabic word *ras’ad*, indicating places or things over which Allah has placed a moral imperative to protect and preserve. To Talahmeh, this demonstrates RCSD’s concern for local cultural norms and values, and the framework in which RCSD hopes to place its promotion of sustainable development and environmental protection. A number of Palestinian scholars have argued that traditional rural agricultural life is more sustainable than intensive irrigation and development in the fragile Palestinian ecosystem.⁷⁷ RCSD struggles to link these traditional forms of social and agricultural organization with environmental protection, based on the priorities and concerns of different ‘village ambassadors’ who coordinate their development priorities in the region. Talahmeh says that his organization’s first priority is to build general awareness of sustainable practices, of which he says the local knowledge is “less than zero.” RCSD also runs a people-to-people exchange with the Arava Institute for Environmental Studies, which is the extent of its relations with Israeli organizations. Talahmeh does not want to risk alienating Palestinians who oppose normalization with Israel, and does not engage in discussions of larger political issues. Beside, he says, “If we can’t go as students to Israel, we’ll go as laborers.”⁷⁸

RCSD is a very young NGO still trying to build credibility with potential donors. It has very limited resources, and is attempting to develop in a region and sector that is alien to many donors and potential international partners. It has no website and has not published any documentation of its activities, except internally. Its unwillingness to parter with Israeli groups, and its association with some critics of the peace process, makes it unattractive to some potential supporters. Talahmeh claims RCSD is a model of across-the-board inclusiveness, since its board includes members of various political and social movements, including Islamic activists, and is divided equally between women and men. Among its proposed projects are a Palestinian Center for

⁷⁷ Said Assaf, “Overview of Some Traditional Agricultural Practices Used by Palestinians in the Protection of the Environment,” in Twite and Mencil, *Our Shared Environment*, Volume One, p. 1: www.Our-Shared-Environment.net. Visited in 12/6/2004.

⁷⁸ Interview with Tariq Talahmeh, Bethlehem, July 30, 2000. By Michael J. Zwirn.

Heritage Preservation, a national plan for rural development, and empowerment of local populations, including women and nomadic Bedouins. According to its profile,

“The local people are our reference in doing any project. They will take the responsibility to make the decision about their priorities, and we have the role to make these projects more sustainable ... The locals can understand their life better than anyone else, what they want is just tutoring.”⁷⁹

In the current political climate, RCSD has been forced into dormancy. Talahmeh's brother was shot and seriously wounded while passing by a demonstration, and the closures between the West Bank and Gaza have forced an end to RCSD's people-to-people exchange with the Arava Institute. Talahmeh himself has been unable to cross into Israel for any work or liaison activities, and has spent his time organizing food and medical aid for the impoverished villages around Hebron.

Here, as in the criticisms of Roy and Hammami, we see the vulnerabilities of small, highly individualized NGOs dependent on one or two managers working in relative isolation. Yet despite RCSD's structural vulnerabilities, there is much to admire in its goals and means of formation. Talahmeh and his colleagues conducted extensive in-reach into his intended target communities, elicited community insights into priorities and local needs, and worked cooperatively with relevant government officials in adhering to standards of accountability and transparency. While one could criticize the governmental motivation to reconstitute the original NGO under new guidelines, Talahmeh himself was accepting of the need to work with ministries, and encouraged by their involvement.⁸⁰

6.2.2. Children for the Protection of Nature in Palestine

Children for the Protection of Nature in Palestine (CPNP) is noteworthy because it is one of the only environmental organizations in the region affiliated with a religious group. CPNP is part of the Evangelical Lutheran Church of Jordan and Palestine, one of the largest Protestant denominations in the Middle East. Environmental education forms the basis of the group's work, along with biodiversity protection, particularly birds. CPNP was formed in 1992 by Dr. Imad Atrash and is based in Beit Jala, a mostly Christian town adjoining Bethlehem.⁸¹

Since its formation, all of CPNP's major projects have been in environmental education and the study and protection of bird species. CPNP formed an Environmental Education Center in 1998, with objectives of establishing a nature museum, serving as a basis for nature conservation, providing educational assistance and resources to teachers, and promoting responsible ecotourism. CPNP is developing its natural history museum in cooperation with the European Nature Heritage Fund (Euronatur) of Germany. Numerous environmental education projects involve bird migration and protection, including a bird ringing project in cooperation with Israeli and Palestinian scientists, school children and volunteers. Migratory birds are captured, and bands placed around their legs to track their movement patterns. CPNP groups also record bird calls for analysis and send student groups off to various

⁷⁹ RCSD profile. Cited in Michael J. Zwirn.

⁸⁰ Michael J. Zwirn. Op.cit.

⁸¹ CPNP website, <http://www.cpnpeecp.org>. Visited in 19/6/2004.

locations throughout Israel, the Palestinian Authority and Jordan for environmental education field trips. Among CPNP's publications are a series of maps and posters of Important Bird Areas in Palestine, a campaign sponsored by the Dutch Representative Office in Ramallah and Birdlife International's Middle East Division.

CPNP was the Palestinian partner organization for the landmark international project Migrating Birds Know No Boundaries, which brought together Israeli, Palestinian, Jordanian and American bird researchers and environmentalists. The project, sponsored by USAID's Middle East Regional Cooperation (MERC) office, was conducted by CPNP, the Society for the Protection of Nature in Israel, and the Royal Society for the Conservation of Nature in Jordan. The Jordan Valley, which includes the three populations, is one of the world's great centers for bird migration from Africa to Eurasia and back twice each year, and Migrating Birds Know No Boundaries was the first project to incorporate research and conservation efforts. The project gained a great deal of recognition and public support, including private sector donations and in-kind contributions in research from other nations.⁸² For this project as well as their other public education projects, Imad Atrash and CPNP won a Euronatur Appreciation Award for Environmental Education.

6.2.3. Water and Environmental Development Organization

As discussed in the first category, WEDO is an organization that conducts environmental education as well as scientific research and policy advocacy. Nader al-Khateeb is adamant that all WEDO's projects include an environmental education component, since he believes that true sustainability depends on education and awareness.⁸³ He says that NGOs have a lot of responsibility in communities, especially rural sectors, where populations are scattered and not well-served by ministries. His assessment of MENA's position on NGOs as educators and implementers is similar to that of al-H'maidi's.

WEDO has produced an environmental education video distributed in schools at different levels, in Arabic, Hebrew and English. Because WEDO operates within Israel as well as the Palestinian Authority, Hebrew and English (the language of binational relations) are used. al-Khateeb says that women, men and children are targeted with specific environmental education messages, based on their roles in society and the concerns that are likely to resonate with them. Women, for example, are taught of the public health issues related to managing waste in their communities, under the presumption that they are primarily responsible for the health and well-being of their families. WEDO is the Palestinian partner in the West Bank Environmental Clean-up Project (WECUP), along with Israeli Arab and Israeli Jewish members.⁸⁴ WECUP has produced posters and environmental education campaigns aimed at common-sense ways that environmental hazards can be reduced, including waste management around the home, community gardens, and responsible use of

⁸² Migrating Birds Know No Boundaries handbook ("haTziporim haNodedot Einan Yod'ot Gvulot," Hebrew edition)—prepared jointly by Israel Environment Ministry, USAID-MERC, Royal Society for the Conservation of Nature-Jordan, Tel Aviv University, Society for the Protection of Nature in Israel, Children for the Protection of Nature in Palestine, Israel Interior Ministry. See <http://www.birds.org.il/> for more information.

⁸³ Interview with Nader al-Khateeb, Bethlehem, July 30, 2000. By Michael J. Zwirn.

⁸⁴ WECUP website, <http://www.wecup.org>. Visited in 22/6/2004.

water resources. In its acclaimed project on the lesser kestrel, WEDO and its Israeli partner brought Palestinian children from Jericho and Israelis from Jerusalem together to make birdhouses for the endangered kestrel.⁸⁵ The project was originally portrayed more as an exercise in coexistence, but environmental education and appreciation for nature played a genuine role. al-Khateeb said, "We share a common environment ... We have to work together if we are to achieve results. Our kids grew up thinking all Israelis were soldiers who wanted to shoot them. Their kids thought all Palestinians were terrorists. We want to promote the environment as a tool to build peace."

Many binational environmental education campaigns are built along the same lines as the lesser kestrel project, with the goal of teaching tolerance and environmentalism in the same message. It is an entertaining digression, however, to ponder the disproportionate number of binational Israeli-Arab environmental education campaigns involving birds. One might speculate that bird migration, due to its intrinsic transboundary components, makes ornithology a good teaching example for the interconnectedness of ecosystems. Also, bird conservation avoids the potentially troublesome issues involved in teaching about landfills, waste sites and nature reserves, which are wrapped up in the political issue of the control of land. It could be that birds are seen as culturally appropriate and easy to make relevant for children with different backgrounds. Finally, it could just be that people like birds.⁸⁶

6.3. Binational or Multinational Environmental NGOs:

The last category of environmental NGOs operating in the West Bank and Gaza and forming relationships with the Palestinian Authority in environmental sectors is binational (Israeli-Palestinian), or multinational. These groups are usually the largest, best-funded, and most integrated into international networks of researchers, policy advocates and activists. All the NGOs discussed here are funded mostly from the Israeli side or from international partners, although all except the Arava Institute for Environmental Studies claim to be equally Israeli and Palestinian in their orientation and focus. The Israel-Palestine Center for Research and Information (IPCRI) and its affiliated Joint Environmental Mediation Service, and Friends of the Earth—Middle East (FoEME), are all geographically located within the West Bank or East Jerusalem in Palestinian areas. Despite that fact, they are identified mostly with their Israeli and international donors and partners, and face subsequent challenges of legitimacy. All conduct their work primarily in English, the language of Israeli-Palestinian relations, and all face crises associated with the interruption to the Oslo process in the *Al-Aqsa Intifada* and reversion to open hostilities between Israel and Palestine.

6.3.1. Israel-Palestine Center for Research and Information / Joint Environmental Mediation Service

IPCRI, the Israel-Palestine Center for Research and Information, has an unusual stature in binational cooperation. While most binational NGOs were formed in the early 1990s following the Madrid and Oslo Accords, IPCRI was formed during the days of the *first Intifada* in 1988, before the peace process existed. In its literature,

⁸⁵ Silver, "A Flight for Peace Begins in a Birdhouse." P.32.

⁸⁶ Michael J. Zwirn, p. 56.

IPCRI draws an explicit contrast between it and similar organizations that arose after the Declaration of Principles.

IPCRI was born before a Middle East peace process existed ... In 1993, after Oslo, when working on Israeli-Palestinian peace became fashionable, organizations and institutions, academic research centers and private sector initiatives sprouted like mushrooms after the rain. However, after the wave of terror following the Rabin assassination and the election of a right-wing government in Israel, most of the international and local initiatives disappeared as the financial resources for this work [were] diverted to other parts of the world. IPCRI did not disappear. In fact, during this very difficult period IPCRI's agenda swelled with new initiatives as did its legitimacy in the eyes of the Israeli and Palestinian governments ...⁸⁷

Based originally in East Jerusalem, IPCRI was relocated to Bethlehem after the Palestinian Authority assumed control of the city. IPCRI's two co-directors are American-born Israeli Dr. Gershon Baskin and Palestinian Dr. Zakaria al-Qaq, with additional staff and management for its five divisions of operations: Strategic Affairs, Peace Intelligence, Pathways Into Reconciliation, Law and Development, and Water and Environment. With this varied range of activities, IPCRI is engaged in Israeli-Palestinian research and dialogue from the level of high school peace education classes to off-the-record workshops with senior Israeli and Palestinian legislators and military personnel. Its range of publications covers such fields as civil society, the future borders of Jerusalem, economic development and cooperation, and religion in public life. The breadth of IPCRI's work, and its level of contact with the Palestinian and Israeli governments, as well as major funders like USAID, the European Union, and major governments worldwide, makes IPCRI's role a significant one in its fields.

At the time of its foundation, IPCRI stated its guiding principles:

- IPCRI would be established as a fully joint organization based on equal partnership and ownership.
- IPCRI would be managed by two directors - 1 Israeli, 1 Palestinian and on the basis of full parity.
- IPCRI would have a Board of Directors comprised of equal numbers of Israelis and Palestinians, with two Chairmen, 1 Israeli and 1 Palestinian.
- IPCRI's work would be constructive in nature, aimed at proposing political policy options that would enhance the mutual interests of both sides.
- IPCRI would direct itself at enlisting the support and the involvement of people from the center of both societies and not from the fringes.⁸⁸

IPCRI has kept these principles at the fore, while acknowledging greater ease on garnering support and participation from the Israeli side than the Palestinian. IPCRI has the unusual distinction of registration both in Israel and the PA, having been "grandfathered in," despite the general Palestinian unwillingness to registering binational NGOs.

⁸⁷ IPCRI. "A Vision for the Future of IPCRI: A concept paper for the years 2000-2010: <http://www.ipcri.org/index1.html>. Visited in 22/6/2004.

⁸⁸ IPCRI website: www.ipcri.org. Visited in 27/6/2004.

The IPCRI Water and Environment program, founded in 1992, is directed by Robin Twite, O.B.E., a Briton who has spent much of his life in Israel. The program began with a high profile with its *Our Shared Environment* seminars and workshops, and benefited from high levels of cooperation with leading Israeli and Palestinian researchers and activists. Laskier credits this initial effort for raising awareness both domestically and internationally about the fate of the Middle Eastern environment.⁸⁹ The range of IPCRI-affiliated activities runs from such seminars, and training programs in solid waste or nature reserve management, to discussions of public awareness of environmental issues and environmental health. Most of IPCRI's activities are at the policy and training level, with the goal of developing capacity in a range of management issues. IPCRI operates at an institutional rather than implementational level, with participants from environmental NGOs, business leaders and ministries, but does participate in some implementation activities, such as a wastewater project in Hebron with WEDO cooperation.⁹⁰

The Joint Environmental Management Service (JEMS) is IPCRI's latest environmental initiative, in cooperation with the Consensus Building Institute (CBI) of Cambridge, Massachusetts. JEMS aims to introduce the techniques of environmental conflict resolution to the Middle East by training Palestinians and Israelis. The goal is to eventually develop a corps of trained environmental mediators on-staff within ministries, NGOs, and the community to prevent political and cultural conflicts from exacerbating environmental disputes—and vice versa. The project is funded by the V. Kann Rasmussen Foundation, a major funder of environmental projects worldwide, and training has begun with ten Israeli and ten Palestinian participants despite the *Al-Aqsa Intifada*. The training sessions led by CBI's Lawrence Susskind took place in Turkey in December 2000, which illustrates the need to set binational activities outside the context of the conflict. While training has occurred, JEMS' pilot mediation attempts, addressing the badly degraded Jerusalem-Ramallah road and joint sewage management in the Qalqilya (PA)-Kfar Saba (Israel) area, have been halted.⁹¹

The fact that IPCRI's environmental program and JEMS continue to operate during the *Intifada* can be seen as cause for optimism, but on a very basic level its work has been severely curtailed. The office which houses the organization in Bethlehem is often closed because it is on the main Jerusalem-Bethlehem road near border police stations, and clashes are frequent. As a result, IPCRI has relocated to the former campus of the Tantur Ecumenical Institute, in Area C (full Israeli control) between Jerusalem and Bethlehem. But Palestinian staff members cannot always cross borders to attend meetings or do research, and the necessity of training JEMS participants overseas is indicative of the stress that the organization suffers. While there are options to conduct business electronically via e-mail and the telephone, much of IPCRI's mission can be characterized by the wish for Israelis and Palestinians to work together cooperatively and develop productive ties. Nonetheless, staff of CBI and

⁸⁹ Michael M Laskier, "Israeli Activism American-Style: Civil Liberties, Environmental, and Peace Organizations as Pressure Groups for Social Change, 1970s–1990s." *Israel Studies*, Volume 5, Number 1: <http://iupjournals.org/israel/isstoc5.html>. Visited in 12/6/2004.

⁹⁰ IPCRI Water and Environment Program website: www.ipcri.org/envir.htm. Visited in 22/6/2004.

⁹¹ Michael J. Zwirn, *Promise and Failure: environmental NGOs and Palestinian-Israeli cooperation*, Volume 5, No. 4 - December 2001, MERIA: <http://meria.idc.ac.il/journal/2001/issue4/jvol5no4in.html>. Visited in 20/6/2004.

IPCRI report that JEMS has taken off successfully, and other prominent members of the Middle East environmental community confirm that IPCRI and JEMS stand almost alone in that regard during the *Intifada*.⁹²

6.3.2. Friends of the Earth—Middle East

Friends of the Earth—Middle East was founded by South African-born Israeli Gideon Bromberg in December 1994. Unlike the binational NGOs described above, FoEME is a four-nation partnership of Israelis, Palestinians, Egyptians and Jordanians, headquartered in Amman with regional offices elsewhere. EcoPeace, as it was first known, was the first-ever umbrella organization comprising such a membership, and its peak had more than 200 partner organizations. In 1998, EcoPeace became the Middle East chapter of Friends of the Earth—International, the world's largest network of environmental organizations. FoEME is the only Friends of the Earth chapter that operates on a regional rather than national level, and its formation differs significantly from other chapters. While national chapters are usually founded when local environmentalists agree to campaign together on crucial issues, FoEME developed from Bromberg's initiative to create an umbrella organization operating regionally. According to Paul Wapner, FoE's global structure is confederational, with individual chapters allowed to determine their own policies, funding priorities, and so on. They are bound to the global organization "only in name and orientation," and frequently join FoE—International only after years of independent operation on the local or regional level. Groups that apply for membership are reviewed and then put on a year-long probation period before being recognized as official FoE affiliates.⁹³

FoEME is registered in the United States as a non-profit organization, due to the difficulties of registration in Israel and the Palestinian Authority. Most of its funding is from Western consulates and representative offices, and pro-peace Jewish groups in the United States. Additional supporters include European and North American environmental NGOs and a range of peace groups. Palestinian co-director Anis Salah says that EcoPeace originally presented its mission as "supporting peace through environmental issues," a portrayal that quickly became unsustainable as the peace process sputtered. Following the transformation into FoEME and greater links with world environmental forums (FoEInternational, the Global Environment Facility, Euro-Med Partnership), the environmental message became more central to FoEME's mission.⁹⁴

FoEME's objectives include strengthening NGO capabilities in cooperation with governments, assessing the transboundary environmental implications of development projects, forging a common environmental agenda among NGOs, information collection and sharing, and promoting sustainable development and peace in the region.⁹⁵ Some particular projects include renewable energy "solar villages", a regional development plan for the Dead Sea basin, a sustainable tourism initiative in the Gulf of Aqaba, and research on the environmental implications of trade and

⁹² Interview with Hillel Shuval, Medford, Massachusetts, March 27, 2001. Ibid.

⁹³ Wapner. *Environmental Activism and World Politics*, p. 122-123.

⁹⁴ Interview with Anis Salah, Shu'fat, July 19, 2000. Michael J. Zwirn.

⁹⁵ FoEME website, www.foeme.org. Visited in 27/6/2004.

investment in development projects.⁹⁶ According to Salah, interviewed with Zwirn, FoEME is trying to define new links between funding agencies and the Ministry of Environmental Affairs, via the World Bank working group on Palestinian NGOs. Salah described this World Bank forum as the means by which NGOs have their greatest impact on PA policies, because their concerns reach donors directly.

At the interview, Salah described both NGOs and MENA as “in a good mood” about cooperation in a range of implementation sectors, although Salah regretted that the Ministry had developed all its regulations from within, without NGO assistance or participation.⁹⁷ Salah repeated the frequent claim that his NGO’s relations to MENA and other ministries were dependent on personal connections, rather than a solid institutional arrangement. FoEME’s annual General Assembly is open to all regional environmental NGOs, which vote on core priorities for the coming year and elect a four-member secretariat to implement policy. The secretariat and staff conduct most activities, while informing and consulting with member NGOs.

FoEME has been badly battered by the *al-Aqsa Intifada*. “We don’t see any public activity taking place—certainly not for the next three months and maybe not for the next six months,” said Bromberg in an interview in November 2000 with Zwirn.⁹⁸ That period will surely be extended further in the current political climate. FoEME’s project to declare the Dead Sea basin a World Heritage and Biosphere Reserve in the United Nations Economic and Social Council has fallen through, as has its work on a Jordanian-Israeli cleanup of the Gulf of Aqaba and its opposition to a planned USAID-funded Palestinian highway system. The East Jerusalem office in which this interview took place was closed due to fears of violence, and no updates of the FoEME website and or new publications have emerged since early 2000. Reportedly, all cooperation with Egypt has ceased, as Arab professionals who cooperate with Israelis are blacklisted and boycotted.

6.3.3. Arava Institute for Environmental Studies

The Arava Institute for Environmental Studies (AIES), housed in a kibbutz in the southern deserts of Israel, qualifies for inclusion here only because of its key role in educating Palestinian environmentalists. AIES’ board of directors and staff are all either Israeli or American, its registration as an NGO is Israeli (with Canadian and American registration as well), and its program of instruction is in English. Since 1996 a mixed class of Israeli Jews and Arabs, Palestinians, Jordanians, Egyptians and non-Middle Easterners have been taught a wide curriculum of graduate-level environmental science, management, law, policy and ethics in the kibbutz overlooking the Jordanian border. Given its unique location, among its academic specialties are coral reef management in the Gulf of Aqaba, sustainable agriculture, and desert ecology. With a student body of around 30-40 students per semester, AIES has taken its classes on field trips through Israel, the Palestinian Authority, Jordan and Sinai.⁹⁹

⁹⁶ Friend of the Earth—Middle East. “Building Partnerships to Promote Ecologically Sound Development in the Middle East.”

⁹⁷ Interview with Anis Salah, Shu’fat, July 19, 2000. Michael J. Zwirn.

⁹⁸ Elaine Ruth Fletcher, “An Environmental Partnership Pays the Price of War.” *Eretz*, November-December 1999, pp. 62-63.

⁹⁹ Michael J. Zwirn, “Promise and Failure: Environmental NGOs and Palestinian-Israeli Cooperation”, op.cit.

Among AIES graduates are a number of Palestinians working with leading environmental NGOs, including former and current staff on IPCRI, RSCD, and FoEME. Indeed, one of the objectives of the Institute is to create a network of trained leaders in the environmental field who can conduct a dialogue across borders in the Middle East, forming a nexus for future cooperation. With the *Al-Aqsa Intifada*, borders have been closed off to potential Palestinian students and faculty, and pressure within Egypt and Jordan has dissuaded most students from attending. "We thought about whether we should just cancel the whole thing," said program director Miriam Ben-Yosef.¹⁰⁰ Founder Dr. Alon Tal, the American-born founder of numerous Israeli environmental initiatives, explains that AIES continued operation with a smaller student body and greater emphasis on the Israeli Arab community, a previously underserved sector, but that funding from pro-peace NGOs in North America and Israel has fallen precipitously.¹⁰¹ Tal has also launched the Arava Center for Environmental Policy Research, based on recognition that Israel's own environment has languished despite high degrees of funding and awareness. The Center has completed eight projects under contract to various public and semi-public agencies, including the Israeli Ministries of Environment and Health and the Jewish National Fund.¹⁰²

Summary:

Palestinian NGOs have a unique developmental vision based on trial and error and the accumulative experience of the past 37 years. Their achievements so far cannot but be evaluated positively. Their role has had a tremendous impact on the national struggle for liberation and in building the Civil Society. The present decline in their political role, specially after *Al-Aqsa Intifada* must be seen within the current political situation.

There are many NGOs working in Palestine, mainly in the fields of assistance to infancy, women empowerment, small-scale lucrative enterprises, democracy and good governance, environment, etc. To operate, Palestinian NGOs must be registered at the Ministry of Interior. The Ministry, through a special agency, looks after the organizations and coordinates them and the aid donors. The relation between NGOs and the PNA is at this moment in time harmonious.¹⁰³ International NGOs are welcomed, as long as they are in line with the PNA's development objectives, needs and priorities.

Palestinian NGOs are very active in environmental fields, and they have a good relations with Ministry of Environmental Affairs and other PA's Ministries. They are

¹⁰⁰ Tamar Hausman, "Environment Also Intifada Victim." *Ha'Aretz*, January 12, 2001: <http://www.haaretzdaily.com>. Visited in 5/6/2004.

¹⁰¹ Interview with Alon Tal, Medford, Massachusetts, March 1, 2001. Michael J. Zwirn.

¹⁰² Tamar Hausman, "Eco think tank fills state gap." *Ha'Aretz*, January 12, 2001: <http://www.haaretzdaily.com>. Visited in 5/6/2004.

¹⁰³ According to Mr Emad Sha'at, "The Israeli-Palestinian conflict: present and future perspectives", Brussels, 6th of April 2004: <http://www.medeia.be/?doc=1699>. Visited in 10/8/2004.

using information technology to reach the audiences and donors. They also have a dynamic contribution in building Civil Society in Palestine.

We see also in this chapter how the significant the Palestinian NGOs and their role in environmental fields, they are very active, and have great contributions in dealing with environmental problems in Palestine. They are working in the development of indigenous capacity to address complicated environmental and developmental dilemmas. They publish documents and analyze policies, take position on issues of public concern, conduct public outreach of political lobbying, maintain websites and publicize their analysts' appearances at conferences and academic journals. They are conducting public outreach efforts directed at adults who may not be aware of environmental hazards and public health concerns within the community. They establish many of educational camps for students and teenagers in order to cultivate them about the principles of the environmental values. And many other activities.

Palestinian NGOs has played an influential role in environmental issues in Palestine, they have helped to attract many Europeans and Americans who are working in this field, they explained to them everything about the occupation aggressive actions against the environment and give facts about the environmental situations on the ground. The best example for that contribution to change the attitudes in the world's views, we see hundreds and maybe thousands of westerners and Israelis are standing up against building the Separation Wall in West Bank (we will discuss this case in chapter Three).

CHAPTER 2:

Palestinian Environmental Dilemma

"The environment is your existence: it's the earth that you live on, the water that you drink, the air that you breathe... so if the Israelis poison all these things, it means it's a war against your existence... and that's exactly what's happening,"

Jamal Jumah, director of PENGON (the Palestinian Environmental NGOs Network).

A little attention is given to the state of nature and natural resources in situations of armed conflict, because of the human disaster involved, there is often a reluctance to focus on the environmental consequences. Nevertheless, there is no reason to assume that nothing can be done to conserve natural resources and biodiversity. It is sometimes assumed that nature conservation must be in conflict with the rights and traditions of peoples on their domains. In reality, where peoples are interested in the conservation and traditional use of their lands, waters, territories and the natural and cultural resources that they contain, conflicts need not arise. Formal protected environmentalists all over the world can provide means to recognize and guarantee the efforts of many communities who have long protected certain areas such as sacred groves and mountains, urgently requisite to be accredited in the sacred Palestine. In such a situation the works of NGOs and other agencies would be very vital and important.

Maybe the first concern in this thesis is the role of environmental NGOs in Palestine. However, it would be difficult to discuss issue-based NGOs without acknowledging the issues that give them a rationale for existence.^(*) So, this Chapter examines the relations and conditions which determine the action of organizations in the environmental sector.

Follows is a summary of the major environmental issues in Palestine as stated in many Environmental NGOs which discuss this issue.

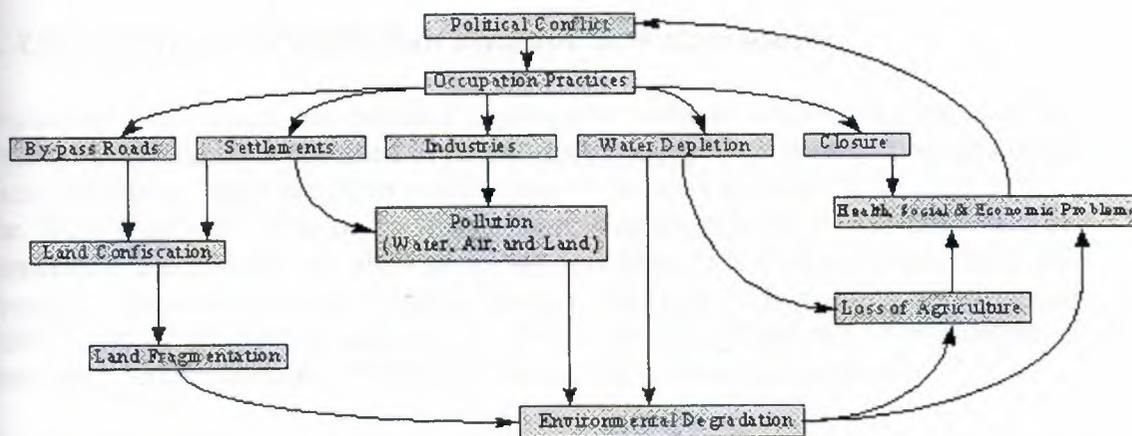
1. The Effect of the Palestinian-Israeli Conflict on the Environment

The case of Palestine is a striking example for the organic relationship between environmental degradation and the political conflict. Sovereignty over natural resources is one of the key elements for any nation to achieve sustainable

^(*) We can realize that most of the Environmental problems which are discussed here, were mentioned as a challenges by 12 Palestinian environmental organizations interviewed by Fida Obeidi. See: Fida Obeidi, *The Impact of the Palestinian-Israeli Conflict on the Environment and the Role of the Palestinian Environmental NGOs in Protecting the Environment*, Peace Research Institute in the Middle East (PRIME) : <http://vispo.com/PRIME/index.htm>. Visited in 21/7/2004.

development and sound environmental management. The case of Palestine is different than other nations as it is passing from occupation to liberation over periods and phases. Without the ability to regulate land use over a contiguous piece of land, natural ecosystems cannot be maintained, the status of the environment cannot be properly monitored, and environmental protection cannot be implemented. The division of Palestine's land into areas A, B, and C has produced two different and parallel planning schemes: one Israeli, to serve the Israeli settlers living in the West Bank and Gaza Strip, and the other Palestinian, to serve the Palestinian people. The plans of the Israeli authority, the controlling power in the area, have systematically hindered the development of the Palestinians and damaged the environment in the process. All these practices have created a geographical discontinuity of the lands under the Palestinian control. This discontinuity has resulted in a major physical impediment towards accomplishing sustainable development in Palestine. Following Figure schematically details such relations and dilemmas.

Table 3: The effects of Israeli occupation practices on the Palestinian environment (*)



Although the peace process is providing increased opportunities for Palestinian self-determination, the fact also remains that Palestine is not only underdeveloped but also still occupied. Sovereignty on land is one of the key elements for any nation to achieve sustainable development and sound environmental management.

Palestinians now have limited access to a large portion of the natural resources in the West Bank. Areas such as the Jordan Valley, and the Eastern Slopes are considered as major natural resources of the region. Palestinians maintained a high natural growth rate reaching 4 %. Population densities in Palestine are high when taking into consideration the strict

(*) Cited in Jad Isaac and Mohammad Ghanyem, "Environmental Degradation and the Israeli Palestinian Conflict", *The Applied Research Institute-Jerusalem*: <http://www.arij.org/index.htm>. Visited in 5/7/2004.

limitations on land use imposed by the Israeli Authorities. Nearly half of the Palestinian population (53%) in Palestine is composed of individuals under age 18.

A major dilemma facing Palestinian decision makers and environmental NGOs is how to promote sound environmental management strategies given the many uncertainties related to the outcomes of the final status negotiations and their implications on the actual land and water resources available to the Palestinians.

Palestinian environmental human rights were and are still violated by the reality of existing conditions. Israel has ignored the state of the Palestinian environment in the midst of the political and social turmoil surrounding its occupation. After more than ten years since the start of the peace process, Palestinians still do not have sovereignty over their natural resources, which is an essential prerequisite for sound environmental management. Some of the Israeli practices which represent an environmentally human rights violation are: confiscation of land, relocation of Israeli industries to Palestinian neighborhoods, the abuse of Palestinian water and other natural resources, and many more. In addition to what was detailed earlier with respect to confiscation of Palestinian land for Jewish colonies, the following represents a summary of some of the violations.

2. Confiscation of Palestinian land for Jewish colonies

Following 1967, Israel has pursued a policy of settling Jewish immigrants in the Palestinian territories it occupied in an attempt to change their demographic character. Since that time, Israel has either confiscated or declared as closed areas over 55% of the West Bank and 22% of the Gaza Strip, thereby placing it out of Palestinian ownership. Palestinians are allowed to use less than 15% of their water resources. Presently, there are 18 Israeli settlements in the Gaza Strip housing an estimated 5,000-7,000 Israeli settlers, and another 167 in the West Bank with a population of more than 380,000 settlers, 190,000 of them in and around East Jerusalem.¹⁰⁴

So, the total number of the Israeli settlements in the West Bank and the Gaza Strip is 185, and the total surface area of these settlements measures 10183.5 hectare. The following chart demonstrates the distribution of the Israeli settlements in the West Bank and Gaza Strip:

Area	Number of Settlements	Total Surface Area in Hectare
West Bank	167	8419.9
Gaza Strip	18	1763.6
Total :	185	10183.5

¹⁰⁴ Jad Isaac, "The Environmental Impact of the Israeli Occupation,"
<http://www.palestinecenter.org/cpap/pubs/20000314ib.html>. Visited in 14/6/2004.

Also, there are areas under the Israeli control that are bigger than the area on which these settlements are built. These settlements are built on agricultural lands and woodlands.¹⁰⁵

Both *Labor* and *Likud* Israeli governments have maintained progressive expansions of these settlements. To achieve this goal, they have confiscated Palestinian land, demolished their houses, and uprooted thousands of trees. Since 1993, there was a 52.49% growth in housing. In September 1993, there were 32,750 family housing units in Israeli settlements on the West Bank and Gaza Strip. Between September 1993 and July 2000 construction was begun on 17,190 housing units, 2,830 of these were begun during the *Barak* administration. Building settlements is usually compounded by construction of a series of by-pass roads. These are built for the use of Israeli settlers, to link Israeli settlements to each other and with Israel, and to avoid contact with the Palestinians. The construction of by-pass roads commonly occurs along the perimeter of Palestinian built-up areas. A 75-meter "safety zone" on either side of these roads restricts Palestinians from any type of construction activity. These practices have fragmented both Palestinian land and people, leading to overcrowding of towns and cities and loss of open space. Between 1994 and 1997, paving was begun on 139.6 km of Israeli by-pass roads in the West Bank and Gaza. During the same period, road paving was completed on 159.2 km. *Al-Majnoonah* area /Dora in Hebron was confiscated for establishing an army encampment. *Al-Jamrorah* area in Tarqumia was closed to be military area for practicing purposes.¹⁰⁶

According to PASSIA, the number of the settlers in the West Bank and Gaza Strip reached 400,000 distributed into 297 areas. These settlers control 8.5% of the land while 3 million Palestinian are living in only about 4% of the land. The Israeli settlement expansion project continued during the Peace Process, where the growth rate in the number of settlers reached 31% between the years 1996 and 2001 compared to a 2% growth rate in the Israeli population. These rates give evidence to the aggressive Israeli approach towards confiscation and the establishment of settlements in Palestinian territories.¹⁰⁷

Furthermore, The Israeli government encourages its Israeli citizens inside the green line area to settle in the West Bank through a number of incentives. First the Israeli ministry of housing gives a grant equivalent to 15,000 dollars to every Israeli who decides to settle in the West Bank and Gaza Strip. Second, these settlers pay lower taxes for the government in comparison with the regular Israeli citizen who lives inside the green line. Third, the Ministry of Tourism and the Ministry of Industry support the Industrial areas and the settlements in the West Bank and the Gaza Strip with what exceeds 65 million dollars. Finally, in the year 2000 the Israeli army and the Ministry of Transportation paid 40 million dollars for the construction of bypass roads for settlements. All these incentives are aimed to increase the standards of living for the individual settler, while at the same time, lowering the standards of living for

¹⁰⁵ Palestinian National Information Centre (PNIC), *Israeli Violations of the Palestinian Environment*: http://www.pnic.gov.ps/english/Environment/Environment_Israeli%20Violations.html. Visited in 10/7/2004.

¹⁰⁶ Fida Obeidi, op.cit.

¹⁰⁷ Palestinian Academic Society for the Study of International Affairs (PASSIA), 5 May 2003: <http://www.passia.org/meetings/2003/wallreport.htm>. Visited in 15/7/2004.

the Palestinian farmers who are forced to pay the price for the wellbeing of the Israeli settler with their lands, income, and the safety of their families.

Since Israel occupied the Palestinian lands in 1967 and up to the eve of *Al-Aqsa Intifada* that erupted on 28th September, 2000, Israel has confiscated 56.16% out of the total surface area of the Palestinian lands, depriving Palestinians from their resources and sources of their sustenance.

3. Depletion of Water Resources

Palestinian entitlements for water include the underground water of the West Bank and Gaza aquifers, in addition to their rightful shares in the waters of the Jordan River as riparian. The annual renewable freshwater water of this aquifer ranges from 600 Million Cubic Meters (MCM) to 650 MCM. **The hydrological system related to the West Bank** can be divided into three major aquifer Systems, the Western, the Northeastern and the Eastern Aquifer System (or basins).

- The Western Aquifer System, which is the largest, has a safe yield of 362 MCM per year. Israel exploits most of the water of this aquifer system through 300 deep groundwater wells. The Palestinians, however, are limited to utilize 22 mcm/year from this aquifer system.
- The Northeastern Aquifer System has an annual safe yield of 145 MCM. Palestinians are limited to 42 mcm/year while Israel utilizes 103 mcm/year.
- The Eastern Aquifer System has a safe yield of 100-150 MCM per year (of which 70 MCM are brackish). It lies entirely within the West Bank territory and was used exclusively by Palestinian villagers and farmers until 1967. After 1967, Israel expanded its control over this aquifer and began to tap it, mainly to supply Israeli colonies implanted in the area. Out of the Eastern Basin, the Palestinians extract 54 MCM/year and the Israelis extract 40 MCM/year.¹⁰⁸

The main **Gaza Aquifer** is a continuation of the shallow sandy/sandstone coastal aquifer. About 2200 wells tap this aquifer with depths mostly ranging between 25 and 30 meters. Its annual safe yield is 55 MCM, but the aquifer had been over-pumped at the rate of 110 MCM resulting in a lowering of the groundwater table below sea level and saline water intrusion in many areas. The main sources of salinity are deep saline water intrusion from deeper saline strata, sea water intrusion, and return flows from very intensive irrigation activities.¹⁰⁹

The Jordan River, the only permanent river, can be used as a source of surface water in Palestine, which is an international river basin. The riparian of the Jordan River are Lebanon, Syria, Palestine, Israel and Jordan. The current allocation of the Jordan River water resources in the region is not the outcome of agreements, negotiations or equitable principles. Rather they reflect the asymmetries of power in existence and the

¹⁰⁸ Jad Isaac and Mohammad Ghanyem, "Environmental Degradation and the Israeli Palestinian Conflict", op.cit.

¹⁰⁹ Ibid.

abilities of the strong to impose their wills on the weak. The full control of Israel over the headwaters of the Jordan River has led to reduce the Arab water shares in the River basin far beyond those that any rational allocation system consistent with basic international law governing trans-boundary resources would entitle them to. Israel has unilaterally diverted most of the waters of the Jordan River through its national water carrier to irrigate the Negev desert. Consequently, the River Jordan, which, in 1953, had an average flow of 1250 MCM per year at the *Allenby Bridge*, now records annual flows of just 152-203 MCM. The Palestinian use of the Jordan River before 1967 was through 140 pumping units. Immediately after the occupation these pumping units were either destroyed or confiscated by Israeli authorities. In addition, large irrigated areas of the Jordan Valley used by Palestinians were closed as a military zone and later given to Jewish Settlers.¹¹⁰

Israel has restricted Palestinian water usage and exploited Palestinian water resources. Presently, more than 85% of the Palestinian water from the West Bank aquifers is taken by Israel, accounting for 25 % of Israel's water needs. As a result of Israeli policies, Palestinians are currently utilizing 246 MCM of the water resources to supply 3 million Palestinians in both West Bank and Gaza Strip with their domestic, industrial and agricultural needs. For comparison, the less than six million Israelis are utilizing 1959 MCM. On a per capita basis, water allocation to Palestinians is 82 m³ compared to 340 m³ for Israelis.¹¹¹

Jewish settlers in both the West Bank and Gaza Strip consume huge amounts of the scarce Palestinian water resources. The 5,500 settlers in the Gaza Strip and 400 thousand settlers in the West Bank including East Jerusalem are consuming 10 and 65 MCM per year respectively. Israeli settlements in both the West Bank and Gaza Strip consume unsustainable amounts of water. While the annual per capita Palestinian domestic / urban / commercial / industrial / tourist water demand is estimated to an average 25 cubic meters, an Israeli uses an average 125 cubic meters per year. Jewish settlers receive continuous water supply, largely from Palestinian water resources, while Palestinians are receiving intermittent supply of water especially during summer months. At present, there are still more than 220 Palestinian communities in the West Bank (25% of total Palestinian communities) that are not linked to public water distribution systems and Israel is hampering the efforts of the Palestinian Water Authority to provide them this essential service. Most Palestinian communities are experiencing water shortages during summer time and a water black market for supplying Palestinian homes with water through tankers at extremely high prices is developing. In addition, Hebron, Bethlehem and Qalqilia Districts suffered from destruction to their main water lines, and work in the under construction *Salfiet* wastewater treatment plant was interrupted.¹¹²

A report from the Palestinian Hydrology Group (PHG) indicated that more than 200 Palestinian villages have suffered water cuts during the current hostilities (from September 2000 –May 2001). For example, the villages of *Azmut, Talfit, and Umm el Tut* in the Nablus district, which receive their water through Israeli settlements, have all suffered from water cuts.¹¹³

¹¹⁰ Jad Isaac and Mohammad Ghanyem, op.cit.

¹¹¹ Ibid.

¹¹² Al Quds Arabic Newspaper # 11400, Saturday May 19, 2001.

¹¹³ PHG website, <http://www.phg.org>. Visited in 12/6/2004.

The Israelis are extensively utilizing natural resources to serve the settlements and Israelis on occupied land while the Palestinians are being denied the access to their resources. While the Israelis are digging wells in search of more water, Palestinians are blocked from using already dug-up wells. Running water resources, such as *Ein El-Oja*, have been drying up lately due to the extensive pumping and drainage of water and overuse of natural resources.¹¹⁴

Coastal aquifer management programs (CAMPS) intended to improve the water situation for approximately 1.20 million Palestinians over the next 20 years have missed the implementation of their second phase as experts have pulled out from the area. The main water pump in Jenin, was out of use for long periods of time due to repeated power cuts and replacement parts being stuck in Israeli airports.¹¹⁵

A recent study on Gaza Strip water resources, conducted by the Palestinian Water Authority, shows that groundwater in the area is decreasing fast. In 1975, the amount was about 1,200 cubic metres, but in 1995 the amount dropped to 800 cubic metres. With more Israeli settlements and growth in the Palestinian population, the study predicts that the groundwater aquifer will dry out by 2020.

4. Pollution caused by Jewish settlers

The Israeli settlements common location on top of hills overlooking Palestinian communities, for various reasons of security and intimidation, allows them to easily pollute Palestinian land. The wastewater from many settlements is collected and discharged to the nearby valleys without treatment. Many cases of pollution have affected the adjacent Palestinian communities. *Wadi Qana, Qatanna, Nahhalin, Al-Khader, Al-Jania, Al-Walajeh, Dura* and *Bani Na'im* are some examples of affected localities.¹¹⁶

Israeli settlements in the occupied Palestinian territories are environmentally unsustainable, incongruent with indigenous land use and are a source of regional conflict. Palestinian objection to the existence of Israeli settlements in the occupied Palestinian territories is not limited to the issue of their illegality. These settlements impose a serious threat to the sustainability of Palestinian natural resources and continue to be one of the leading causes of their degradation. The actions of the settlements and industrial zones seem to indicate a double standard towards environmental protection, with practices differing in the Palestinian territories and Israel.

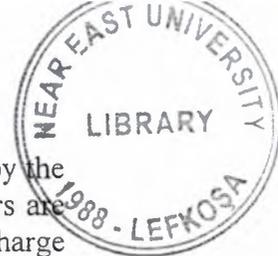
Most settlements are built on confiscated Palestinian agricultural or communal grazing lands, which have led to the uprooting of thousands of fruit trees and, as a result of the reduction in land cover, has increased soil erosion.

It has been estimated that in 1997 the 300,000 Israelis living in the West Bank and East Jerusalem produced nearly 30 MCM of wastewater annually. This is to be

¹¹⁴ Fida Obeidi, op.cit.

¹¹⁵ Jad Isaac and Mohammad Ghanyem, op.cit.

¹¹⁶ Jad Isaac, "The Environmental Impact of the Israeli Occupation," op.cit.



compared with an estimated 31MCM of wastewater produced in the same year by the 1,870,000 Palestinians living in the West Bank. Thus, despite the Israeli settlers are less than one sixth of the Palestinian population in the West Bank, they discharge similar amounts of wastewater. The *Kfar Darom* Israeli settlement in the Gaza Strip releases its sewage and chemical waste left from the industrial plants to the Palestinian *Al-Saqa Valley* in the central part of the Gaza Strip.¹¹⁷

Other Israeli settlements in the West Bank are primarily cattle and livestock farms. The manure from these farms is also dumped in concentrated form into Palestinian valleys and agricultural lands, destroying the soil structure and polluting water resources. In addition, the dumping of animal manure creates breeding grounds for mosquitoes and flies, increasing the potential of major diseases. An example is the village of *Nahalin*, southwest of Bethlehem, where livestock farm effluents from the nearby *Rush Tsorim* colony are dumped on village land.

Field surveys have indicated the Palestinian communities affected by the discharge of untreated sewage from settlements. The available information shows that settlements in all Palestinian districts discharge untreated sewage. In addition to affecting these Palestinian communities, much of this discharge occurs in the recharge area of the shared Western aquifer. This affects the drinking water supplies for both Israelis and Palestinians. Recent water samples analyses of spring water in *Salfiet* District near *Ara'el* Israeli settlement showed contamination with *E.coli*. Wastewater discharges from *Ara'el* settlement in *Salfiet* District have been discharged as raw sewage to a dry creek passes less than four meters from *Salfiet* drinking water well.¹¹⁸

Israeli colonizing activities have long caused problems for Palestinians because of their wastewater disposal methods. During the current *Intifada*, settlements have continued to dump untreated wastewater into valleys leading to Palestinian agricultural land and population centers.

The village of *Beit Omar* is greatly affected by sewage dumping from nearby Israeli settlements. Their case provides a vivid example of human suffering and environmental damage from sewage dumping. *Beit Omar* is an agricultural village located 15 kilometers northwest of Hebron city. The village buildings and agricultural areas are located on a hillside surrounded by mountains on two sides and by the Israeli settlements of *Gush Etzion* and *Karme Zur* on the other two sides.¹¹⁹

Etzion colony is the largest colony built on *Beit Omar* agricultural land housing approximately 2,200 populations. On its establishment in 1967, *Etzion* colony contained a small unit for wastewater treatment. However, it seems that with the vast expansion of this colony and the subsequent increase in its population, the wastewater treatment plant soon became unable to meet the large quantity of effluent from the colony. Annually, in October for the past few years, the untreated wastewater has been channeled into a valley, which leads to the agricultural lands of the *Beit Omar*

¹¹⁷ Jad Isaac and Mohammad Ghanyem, op.cit.

¹¹⁸ Ibid.

¹¹⁹ Mohmed Ghanayem, Nizar Qattosh & Beatrice Filkin, "Israel's double standard towards environmental protection", (ARIJ), 2001:

<http://www.arabmediawatch.com/modules.php?name=News&file=article&sid=181>. Visited in 18/7/2004.

village. This coincides with the harvest time for the grapes. October 2001, around 30-35% of the agricultural land has been severely damaged by the wastewater dumping. Such damage affects the income of approximately 5,000 inhabitants of *Beit Omar*. The crops from approximately 800 dunums^(*) of orchards and grapevines have been lost (about 400 tons).¹²⁰

In addition to the wastewater from *Etzion* colony, there is also pollution from *Karme Zur*. *Karme Zur* is an agricultural colony located to the northeast of *Beit Omar*. The colony has several large livestock dairy farms. The manure from these farms is collected in cesspools at the edge of the farm. Frequently, when the cesspools become full, their contents are dumped into the valley of *Beit Omar*, covering extensive agricultural areas and destroying cultivation and trees.

In 1991, Israel ratified the International Covenant on Economic, Social and Cultural Rights. This obligation makes these actions clearly illegal. Israelis living in settlements are able to discharge their water in ways that would be unacceptable in Israel. Palestinians have no control over these practices and no information as to the content of the water being discharged. It is important that firm and immediate action be taken by all concerned parties to stop the dumping of sewage by the Israeli settlements so that there might be an end to people's suffering from the negative impacts of such careless practices. These Israeli activities show a total disregard for the Palestinian people and their environment. The social costs inflicted by sewage dumping from Israeli settlements should be covered by the Israeli authorities as part of their responsibilities as occupiers of the Palestinian territories and the Palestinian natural resources.¹²¹

During the month of February 2001, Israel discharged over 3.5 Million cubic meter of wastewater mixed with rainwater into Gaza Strips northern towns. Up to now no data are available to describe the extend of the damage and its impacts on the surrounding environment. Since the water table in the area is so high, possible contamination of the coastal aquifer is imminent.

Similarly, solid wastes from Israeli settlements are dumped without restriction on Palestinian land, fields, and side roads. The solid waste generated in West Jerusalem, for example, is transferred to the unsanitary dumping site of Abu Dies in the West Bank which overlays the infiltration area of the eastern sector of the aquifer. The settlements of *Ari'al*, *Innab*, *Homesh Alon Morieh*, *Qarna Shamron*, *Kadumim* and many others dispose their solid waste at different locations in the West Bank.¹²² Moreover, many military camps and settlements inside the green line dispose their solid waste in Palestinian areas.

5. Industrial wastes from the Jewish colonies

Israel has moved many of its polluting industries from places inside Israel to areas near the 1967 border or inside settlements. For example, *Geshuri* Industries, a manufacturer of

(*) One dunum = 1,000 square meters = ¼ acre.

¹²⁰ Ibid.

¹²¹ Jad Isaac and Mohammad Ghanyem, op.cit.

¹²² Jad Isaac, "The Environmental Impact of the Israeli Occupation," op.cit.

pesticides and fertilizers, in *Kfar Saba* has been moved to an area adjacent to Tulkarm inside the West Bank since 1987. It is worth mentioning that the reason behind the movement is the plant's closure by an Israeli court order in 1982 because of its environmental effects on land, public health and agriculture. The waste from the factory has damaged the citrus trees and polluted the soil in the area, in addition to the potential damage to groundwater. As a further example, the Dixon gas industrial factory, which was located in *Netanya*, has been moved into the same area of Tulkarm.¹²³

The Israeli industrial sector has followed the way of thinking of the government. The Israeli government constructed at least seven industrial zones in the West Bank. These occupy a total area of approximately 302 hectares, located mainly on hilltops, which often result in the flow of industrial wastewater into adjacent Palestinian lands. Information about industries in the Israeli industrial zones is not accessible to the Palestinians. The indicators for these industries can be guessed from the wastewater flowing from the industrial area and from the solid waste found in nearby areas. It is estimated that at least 200 factories are located in the West Bank. Some of the products are identifiable, but detailed information on quantities produced, labor, and waste generated is not available. Aluminum, leather tanning, textile dyeing, batteries, fiberglass, plastics, and other chemicals are among the major industries within these Jewish settlements.¹²⁴

Evidences show that pollution prevention measures are not followed inside the Israeli factories. The industrial solid waste generated by these factories is often collected and dumped in areas near Palestinian villages as well. The *Barqan* industrial zone is a clear example of polluting the environment. Aluminum, fiberglass, plastic, electroplating, surface coating, waste oil recycling, metal fabrication and military industries are found inside *Barqan*. The industrial wastewater flows untreated to the nearby valley, damaging agricultural land, which belongs to the three Palestinian villages of *Sarta*, *Kufr A-Deek*, and *Bruqeen*, and polluting the groundwater with heavy metals. Chemical analyses of the collected soil samples from the discharge area within the village of *Bruqeen* revealed that elevated concentrations of heavy metals and organic solvents are present. Solid wastes generated from these facilities are dumped in a municipal dump site near the village of *Jayous* in the northern part of the West Bank.¹²⁵

Furthermore, wastewater from Israeli settlements in the West Bank is not restricted to domestic effluent. Many settlements house industries such as plastics, pesticides, leather and tanning, aluminum, asbestos, batteries, cement and canned food factories. The wastewater from these settlements contains carcinogenic and hazardous compounds such as chromium, zinc, cadmium and acidic compounds. It seems that part of the reasons firms had been relocated within the West Bank is the ability to avoid Israeli environmental restrictions and regulations.

6. Deforestation and Uprooting of Trees

A forestation programs in the West Bank and Gaza were first implemented during the British Mandate and it accelerated during the Jordanian Administration, but were stopped

¹²³ Ibid.

¹²⁴ Fida Obeidi, op.cit.

¹²⁵ J.Isaac, *An Environmental Human Rights Action Plan for Palestine*, 2000.

completely following the Israeli occupation. According to study by the Ministry of Agriculture, the total forest area within the officially designated areas decreased from 300,736 dunums in 1971 to 231,586 dunums in 1999. More than half of the decreased area was in Gaza, where 95% of the forests disappeared (from 42,000 dunums in 1971 to 2,000 dunums in 1999). About 80% of destroyed areas of official forest are attributed to the Israeli occupation as a result of establishment of military bases (2%) settlements (78%) and bypass roads (less than 1%). Only 14% of forests were cut down by local people and 6% of the forest has changed to private ownership. Only 35 % (80,101 dunums) of the current 231,686 dunums of official forest area is accessible to the Palestinians. The Israeli army and the Jewish settlers have uprooted more than million fruit trees mainly olive trees.¹²⁶

Trees play a major role in preserving the environment and ecological balance of the area. The various kinds of trees, most notably the olive tree, are also a basic part of the Palestinian landscape, culture and heritage. The role of trees could be summarized as follows:

- 1- Improve air quality by trapping and holding harmful dust particles. Leaves absorb carbon dioxide and other poisonous gases and, in turn, replenish the atmosphere with oxygen and utilize carbon dioxide.
- 2- Have a cooling effect on the climate in the hotter months and reduce noise pollution by absorbing sounds.
- 3- Improve water quality by reducing the impact of rainfall — directly resulting in less runoff and erosion. This enhances groundwater recharge and increases the ability of soils to retain moisture. As a result, soil fertility and productivity is increased.
- 4- Stabilize soils and prevent the movement of sediment and chemicals into streams. The roots of trees trap pollutants that would contaminate groundwater.
- 5- Sustain and promote wildlife diversity by providing structure for the local ecosystem and make a suitable habitat for many animals and birds that otherwise would be absent.¹²⁷

In addition to the injuries and death of thousands of Palestinians, in the Palestinian territories for the last three years during current *Intifada* have been exposed to physical and property destruction of houses and different other buildings. The Israeli authority has also completely destroyed large Palestinian agricultural fields containing thousands of dunums of agricultural products. These actions are probably the most environmentally damaging of all the current Israeli army activities. More than 4,000,000 m² of cultivated Palestinian land has been deliberately destroyed by Israel since the outbreak of the *Intifada* in late September 2000, and between September 2000 and March 2001 a total of 2975 dunums of land were shaved by Israeli forces in the Gaza Strip (Israeli army uses this expression to indicate complete removal of any living thing from the surface of the area). The documented cases of cleared land from trees in the Palestinian territories already reach 271,797 trees. The total damage that the agricultural sector suffered is estimated to be \$129,318,010 just in the period between September 29, 2000 and December 31, 2001.¹²⁸ If an average tree sequesters

¹²⁶ Jad Isaac, "The Environmental Impact of the Israeli Occupation," op.cit

¹²⁷ The Apartheid Wall Campaign, *Impact on Water and the Environment*, Report # 1, November 2002.

¹²⁸ Report by the Palestinian Ministry of Agricultural.

about 6 kg. Of CO₂ a year, then the total additional load of CO₂ will remain in the air accumulate to 1.6 Million kilogram or 1630 tons per year.¹²⁹

The indirect impacts on agriculture have also been very severe. As a result of the closure, farmers have been prevented from reaching their fields and have been prevented from taking their goods to market. The agricultural inputs have become less accessible and more expensive, and transportation costs (in those cases where transport is possible) have risen. In those cases where it has been possible to sell the produce, farmers have often been forced to sell their crops at much reduced prices. The value of losses has been huge.

7. Military Areas, Bases, and “Nature Reserves”

Approximately 2,180,000 dunums (35% of the total area of the West Bank and Gaza Strip) are considered as natural grazing areas. The Eastern Slopes region makes up most of the Palestinian Territories rangeland. It represents about 1,500,000 dunums or 69% of the range area. Of the total grazing area only 700,000 dunums are accessible to Palestinian livestock owners, while the remaining 1,480,000 are currently not accessible as a result of land confiscation for the Israeli settlements, nature reserves or closed military areas. This led to overgrazing and progressive desertification in these areas.¹³⁰

Moreover, Israel has declared 290,970 acres of the West Bank (20.2% of its total area), mostly in the Jordan valley, as closed military areas, and has created an additional 29 closed military areas in Gaza (420 acres). Moreover, Israel maintains 71 military bases in the West Bank (totaling some 9,563 acres). Although most of these areas have low agricultural value, they constitute the major grazing areas in the West Bank. Since Palestinian pastoralists are denied access to these areas, the remaining grazing areas suffer from severe overgrazing and are under threat of permanent desertification. Furthermore, the wildlife and rich biodiversity that characterize these areas are harmed by the use of heavy military vehicles and tanks. Israel has also created 48 West Bank “nature reserves” (covering 5.68% of the West Bank), mostly on the Eastern Slopes and in the Jordan valley. Palestinians question the ecological value of these reserves, which they view as another method used by Israel to deny Palestinians access to their land.¹³¹

Besides that, in Gaza, *Al-Hayat Al-Jadeeda* newspaper reported that Israeli bulldozers have buried 5000 chickens in *Dir al Balah* along with tens of goats and more than 200 trees. Health officials warn against a health disaster due to the accumulated corpses that could've not been collected. Elsewhere in the strip, pigeon farms on rooftops have been wiped out by Israeli bombardment that took place on Nov. 27. 2001. Fishery sector has reportedly loss an access of 1,000,000 USD due to continuous closure. In the northern Governorates of the West Bank and in Gaza, the Israeli bombardment has burned a big pet store where rabbits, birds, fish, puppies and kittens along with different types of flowers and roses have been set ablaze. And in Jericho, where

¹²⁹ Ministry of Environmental Affairs (MEnA), Volume Tow:
<http://www.mena.gov.ps/Pub/report2/report.htm#cl>. Visited in 10/7/2004.

¹³⁰ Fida Obeidi, op.cit.

¹³¹ Jad Isaac, “The Environmental Impact of the Israeli Occupation,” op.cit.

Beehive loss has increased to 500,000 USD, Bedouins' tents have been destroyed along with cattle farms in an area majoring 120 square meters.¹³²

Moreover, Ministry of Environment Affairs in its report marked on the first year of *Al-Aqsa Intifada* that, the retaliatory acts of the Israeli occupation forces against the Palestinian people resulted in the death of thousands of birds and animals. These acts included destroying of animals' pens and fields, in addition to running over farm animals or shooting at them bullets or tear gas. The losses in the animal wealth were as follows:

- 45 poultry coops were destroyed
- 15 animal shelters were demolished
- The Israeli measures caused the death of about 98.356 birds in addition to destroying more than 2395 beehives and the death of more than 792 sheep and goats, as well as 59 cows.

The previous data illustrated the amount of damage caused to the animal and vegetable production sector in all the Palestinian governorates. The reports of the Ministry of Environment Affairs referred to the excessive use of chemical and military weaponry that resulted in the intimidation and driving away birds and animals. According to birds' observers, a number of birds that that used to fly over the areas in their migration are no longer crossing the region, and the number of some other birds has decreased. Some Palestinian municipalities mentioned that the Israeli army units were shooting intentionally at domestic animals leaving their carrions to decay and preventing crews of the municipalities to take them away. Consequently, these acts add more burdens on the environmental tragedy.¹³³

8. Illegal Movement of Hazardous Waste from Israel to Palestine and Stealing Palestinian Sand

Israel illegally transfers hazardous and toxic wastes generated inside Israel into the West Bank. The Palestinian Authority has discovered several cases:¹³⁴

- In 1998, Israel has illegally transferred 2-3 trucks filled with toxic and hazardous waste to two locations in the northern area of the West Bank. The first location is near the eastern border of the Tulkarm municipality. The second dumping site is located in close proximity to the residential area of *A'zoun* municipality and 50 meters from their groundwater well used for drinking purpose.
- The Israeli company *Telbar*, moved its medical waste disposal site from *Afulla* to a site close to the colony of *Yafit* in the Jordan valley.

¹³² MenA report, op.cit.

¹³³ PNIC, *Destruction of the Animal Wealth*:

http://www.pnic.gov.ps/english/Environment/Environment_Present%20Situation.html. Visited in 25/7/2004.

¹³⁴ The Palestinian Society for the Protection of Human Rights and Environment-LAW: <http://www.lawsociety.org>. Visited in 21/7/2004.

- The Palestinian Environmental Authority has also discovered the transfer of hazardous and toxic wastes generated from a paint factory located in the Israeli settlement "Ganim" into *Umm Al Tut* village.¹³⁵

Illegal movement of hazardous waste is banned by international conventions (Basel Convention), to which Israel is a signatory.

Moreover, according to a study published by The Center for Development Work in Ramallah, Israeli companies are flooding the Palestinian market with internationally banned pesticides. Their Israeli manufacturers are also using Palestinian land to test new pesticides.¹³⁶

On the other hand, Palestinian National Information Centre¹³⁷ marked that, the Israeli occupation forces have started stealing the Palestinian sands and transferring them inside Israel by huge trucks under protection of the Israeli Army. From 29th July, 2002 to 4th March, 2003, the Palestinian sources managed to record a number of 2555 Israeli trucks that transferred huge amounts of sand from the area nearby *Netzarim* settlement in Gaza. The amount of sands transferred by Israeli trucks is estimated to be tens of thousands of cubic meters of clean yellow sand.¹³⁸

The removal of such amount from that small area would certainly cause hazardous environmental effects which might be recovered after tens or maybe hundreds of years.

9. Solid Wastes Management in Palestine

With the existing management system of solid waste, Palestine faces an increasing solid waste management problem. Over the past 37 years, management of solid waste at all stages of collection, transportation and disposal has not been given enough attention from the Israeli occupier. The pressure on the Palestinian environment from solid waste management practices is further intensified by the considerable amount generated by Israel settlers. Solid waste from Israelis is dumped without restriction on Palestinian lands, fields, and side roads. Palestinians have no access to information about the composition nor the disposal of solid waste generated by settlers; however, evidence shows that much of this waste is being disposed of on the many illegal dumped sites within the Palestinian Territory. The solid waste generated in West Jerusalem, for example, is transferred to the dumping site of *Abu Deis* in the West Bank. A number of settlements and military bases are also known to dump their waste on Palestinian land, including *Enav* near *Tulkarm* and *Homesh*, *Elon Moreh* near *Nablus* and *Ariel* near *Jayous*.¹³⁹

Regarding the Israeli solid waste generation within the Israeli settlements in the West Bank and East Jerusalem, it is assumed that an individual generates about 1.8 kg

¹³⁵ For more information see in "Appendix 3" chart which gives details about "the Israeli factories that cause contamination and serious environmental harms".

¹³⁶ Jad Isaac, "The Environmental Impact of the Israeli Occupation," op.cit.

¹³⁷ PNIC website: <http://www.pnic.gov.ps/english.html>. Visited in 28/6/2004.

¹³⁸ Palestinian National Information Centre, op.cit

¹³⁹ Jad Isaac and Mohammad Ghanyem, op.cit.

daily. Thus, the total annual quantity of solid waste generated by settlers is estimated to be 224,000 tons of solid waste i.e. about 614 tons per day. It is estimated that approximately 500 thousand tons of domestic waste is generated yearly by the West Bank Palestinians, i.e. about 1,370 tons per day.¹⁴⁰ Again about one sixth of the population generates about one half of the solid wastes quantity.

Furthermore, throughout the months of hostilities, the Israeli authority has restricted the mobility of Palestinians within the Palestinian territories, and between the Palestinian territories and the rest of the world. This has been done by placing checkpoints or digging deep ditches at the entrance of each Palestinian city or town so that nobody is able to exit or enter into a different location from where they are. The restricted mobility of Palestinians has disabled and prevented solid waste from being delivered to the disposal sites. In addition, work on the Hebron-Bethlehem joint landfill project funded by the European Investment Bank has stopped (as a result of worker and materials being prevented from reaching the site). Preparations for the GTZ/KFW solid waste project in Ramallah have also been halted. The World Bank sanitary landfill project in Jenin has stopped, and two projects in Tulkarem (the installation of an incinerator in Anabta along with Italian landfill project) have been delayed indefinitely.¹⁴¹

The solid waste generated in **Nablus city** for example, is normally collected and disposed of at a disposal site in the Jordan Valley near the Israeli colony *Beqa'ot*. However, due the closure imposed by the Israeli army and the restricted mobility of Palestinians, this site is currently inaccessible. The municipality has been obliged to draw up an alternative waste disposal plan. Fortunately for the residents of the city, garbage collection has continued throughout this period, though collection now occurs between 3-4 am as opposed to the normal 6-7 am in order to avoid clashes. Disposal of the collected garbage is the real difficult problem the cities are facing. Nablus city is now using an alternative temporary disposal site, located in a residential area. Beyond some spraying of insecticides, this site has no environmental controls. Nablus city produces around 150-200 tons of waste per day. The temporary site has a capacity of somewhere between 4000 and 5000 tons, providing temporary storage for 33 days of waste at the most.¹⁴²

Hebron city is another example. In addition to the extended periods of closure suffered by Palestinian areas, Hebron has also been placed under curfew. This has made solid waste collection very difficult. In addition to the restrictions on access, many workers are unwilling to enter area H2 due to the tensions and the fear that colonists will target them. As a result, only one truck has been entering this area to collect refuse. In normal times, four trucks are used to collect rubbish.¹⁴³

The closure of waste site and the use of such sites by Israeli users, has also led to further impacts including:¹⁴⁴

¹⁴⁰ ARIJ, 2000.

¹⁴¹ Jad Isaac and Mohammad Ghanyem, op.cit.

¹⁴² Mohmed Ghanayem, Nizar Qattosh & Beatrice Filkin, op.cit.

¹⁴³ Ibid.

¹⁴⁴ Jad Isaac and Mohammad Ghanyem, op.cit.

- The fear of disposing hazardous material, this is valid as it happened before in a number of sites. The impact of this depends on the nature of the disposed material and waste
- The future possibilities of having joint systems or any form of cooperation are no further considered with these practices in mind.
- The monitoring system for the disposal sites is no further working, and previous results and reports are not valid any more.
- The newly opened by pass roads to enable Israeli trucks reaching the sites was on the expense of Palestinian agricultural land.

10. Palestinian Wastewater

Many Palestinian communities are not connected to mains sewage systems and rely on cesspits and tankers for their wastewater disposal. Extensive periods of closure over the past few months during *Al Intifada* and numerous permanent roadblocks erected by the Israeli forces have made it impossible for tankers to reach villages. In Tulkarem and Jenin districts, municipality workers have been prevented from accessing the wastewater treatment stations. According to Palestinian Hydrological Group (PHG), more than 20 towns have suffered from extreme water shortage due to:

- Road closure and military checkpoints that prevented water tankers from distribution.
- Turning off the water supply originated in the nearby settlements.
- Israeli National Company has nullified the water provision for Palestinian counterparts, responsible for distribution.¹⁴⁵

The inability to provide maintenance services to waste water systems, as in Tulkarem, Bir Nabal, and in Beit Sahour, lead to the escape of raw sewage into the agricultural land, wadies, and possibly to the ground water aquifers. If this the case, the soil contamination can be reversible as well as the wadi contamination with the rain water washing, but the ground water pollution can be irreversible and impacts may start be evident soon. The cost of handling the damage is increasing daily as the deterioration is still going on.

The stored material for the *Salfit* new wastewater plant was a target for two Israeli rockets. The financial loss is great, but importing these items from Germany will take time, and that is only if the cost was covered. Otherwise, the completion of the treatment plant will take few more years.

Elsewhere, in Gaza residents have reported that numerous wells and cisterns have been collapsed and buried as a direct result of the land leveling by Israeli bulldozers.

¹⁴⁵ MenA report, op.cit.

And Israeli troops have prevented local people from reaching nearby springs to get their daily share of water.¹⁴⁶

11. Noise, Transportation and air pollution problems

Under normal conditions, the main cause of noise pollution in Palestinian towns is transportation. Since 29th September 2000, clashes have added to the noise pollution. However, most of the noise disturbances have come from Israeli shelling from helicopters and tanks, helicopters hovering over towns and an increase in sonic booms from military aircrafts being flown over population centers. Constant sleep deprivation and fear caused by this noise pollution can be assumed to have a very severe impact on the psychological well being of the population particularly children.¹⁴⁷

The current political situation has caused a complete blockade of all Palestinian main roads in areas B and C. Naturally this has caused Palestinians to search for alternative tracks and secondary roads by which to enter and exit area "A". In those cases where an alternative route can be found, it is usually along unpaved roads, which lack any transportation management. The traveling time is increased, causing increased vehicle emission and damage can be done to land. Another important air emission factor is the roadblocks set up by Israeli army on main roads at the entrance to area "A". Palestinian cars at road blocks are often required to wait idle in long queues and some cases for long period of time while the motor is kept running.

Beit Jala as a case; a common way to drive from Bethlehem to Hebron is to go via *Beit Jala* on to the By-pass road. To travel from one side of *Beit Jala* to the other is normally a short journey of around 400m. However, the roadblocks that have been built by the Israeli army mean that the only way to travel between these two points is by taking a circuitous route around the hillside. The length of this route is around 5.6 km.¹⁴⁸

Two other air emissions are emitted by Israeli activities into the West Bank environment. The first air emissions from the heavy traffic in Tel Aviv, where Air pollution at the Tel Aviv urban area are moved to the West Bank by the Western winds. Studies showed that NOx generated from the traffic at Tel Aviv is found as Ozone at Bethlehem, Jerusalem and Nablus. The second emissions have been generated from the uncontrolled and unmonitored Israeli industries scattered within the West Bank.¹⁴⁹

The used tear gas, three types of which are observed so far, can lead to blindness, dermatitis, shortness and difficulties in breathing, irritation to various skin parts, edema as well as bronchitis.

¹⁴⁶ Ibid.

¹⁴⁷ Mohamed Ghanayem, Nizar Qattosh & Beatrice Filkin, op.cit.

¹⁴⁸ Jad Isaac and Mohammad Ghanyem, opp.cit.

¹⁴⁹ Mohamed Ghanayem, Nizar Qattosh & Beatrice Filkin, op.cit.

Some of these impacts may take some time before becoming clear, but those subjected to direct contact with tear gas in the previous *Intifada*, have developed such symptoms and cases. The possibilities of cancer cases or impacts on human genes, or genetic mutations are not scientifically proven yet, but there is evidence in Palestine that this is a valid case. The number of miscarriages due to direct contact with gas is higher than in any other place in Palestine.¹⁵⁰

12. Other Environmental Problems

In its report, dated in December 21.2000, Ministry of Environmental Affairs marked some of problems caused by Israeli occupation,

Depleted Uranium: MEnA accuses the Israelis of using weapons containing depleted uranium. "Given Israel's own nuclear program and well developed military industry, MEnA says, the likelihood is that Israel is a manufacturer of depleted uranium (DU) ammunition. The firm *Rafael* of Israel is named in numerous reports as being a manufacturer. But even if this were not the case, Israel has been able to import DU weapons from the United States."

Radioactive Effects: MEnA says also: "Whether from shells or from the scrapings from tanks moving around the countryside, radioactive materials enter into the land, the water and the whole food chain, contaminating the densely populated West Bank and Gaza, where water is a scarce resource. Wanton radioactive contamination of this region is a crime against all of humanity and a threat to the entire region now and for generations to come,"

Medical Wastes: What is certain is that medical waste is not being disposed of properly, water supplies are being contaminated, and agricultural crops and trees are being destroyed, the Palestinian ministry said in its report. An average of 20 tons per day of medical waste is being produced and stored in an unhealthy way due to closure, MEnA said. Closure is an Israeli policy that restricts the movement of Palestinians out of their home villages.

The ministry estimates the overall economic loss in the environmental sector at US\$20 million as of December 1, 2000.¹⁵¹

Israel's Separation Wall: The path that the wall is taking through the West Bank is resulting in massive land confiscation, de facto annexation, and destruction of cultivated lands. The impact on the water supplies to the areas around the Separation Wall is a serious concern. A number of water wells will be lost to communities near the Separation Wall. And construction activities will affect the hydrology of the watersheds causing changes in water quantity and quality, stream channel morphology and groundwater well levels. Surface water flow will be altered and there will be an

¹⁵⁰ Jad Isaac and Mohammad Ghanyem, opp.cit.

¹⁵¹ EDC News, *Environment as a target of war: The case of Israel/Palestine, GAZA*, February 5, 2001: <http://ens-news.com/ens/feb2001/2001L-02-05-01.html>. And the other report, "Impact of Israeli aggression on the Palestinian Environment": <http://www.poica.org/casestudies/environmental-protection/mena1.htm>. Visited in 10/7/2004.

increase in erosion and sedimentation, thus groundwater levels may be lowered in the vicinity of the Separation Wall.

In Qalqilya for instance, approximately 3,000 dunums of agricultural land have been or will be confiscated. This figure represents nearly 50% of the city's agricultural land. Qalqilya was once known as the West Bank's "bread basket". Approximately 19 wells in the city will be confiscated, representing approximately 30% of the city's water supply.^(*)

Summary :

Years of neglect, occupation and abuse have created a multitude of environmental hazards throughout Palestine, resulting "a catastrophic environment". The effects of the Israeli occupation on the environment are particularly serious in the West Bank, where chemicals have been dumped, wildlife habitats disturbed, and water polluted.

The Occupation has destroyed every aspect of the Palestinian environment, making life on the land unlivable. Palestinian land continues to be used as dumping grounds for all forms of garbage, while Israel builds dangerous chemical factories illegal inside Israel in Palestinian areas. Since the start of the *Intifada*, Israel has uprooted over 1,000,000 trees and destroyed thousands of hectares of agricultural land under the pretense of "security". Settlements, bypass roads, military training areas, road blocks, Separation Wall and siege that cut the Palestinian areas into cantons making mobility for Palestinian impossible, as well as thousands of tons of garbage that has accumulated for close to Four years -this is Palestinian environmental reality. The long-term effects of the environment and health will be felt for generations.

It is obvious that the Israeli occupation is the main reason for environmental problems in Palestine. Because of the Israeli occupation, expansion and increased construction projects, Palestine now suffers from a weakened agricultural system, wastewater, solid waste pollution problems and water security issues.

Out of a conviction that sustainable peace is only possible to solve these problems through just and equitable utilization and management of natural resources between Israelis and Palestinians.

^(*) We will discuss the environmental effects of the Israeli wall with more details in the next Chapter.

CHAPTER 3:

Case Study: The Role of "PENGON" -As an Environmental NGO- Deals With The "Israeli Separation Wall" -As an Environmental Problem-

"I think the wall is a problem...it is very difficult to develop confidence between the Palestinians and Israel with a wall snaking through the West Bank."

President Bush, July 25, 2003

"If you want to put a fence on something that is a recognized border, then put a fence on your property line. But the more you intrude in Palestinian areas... that would prejudice subsequent negotiations as to what a Palestinian state may look like, that's a problem."

Secretary of State Colin Powell, October 5, 2003

After the freezing of peace process in the Middle East, the situation generally becomes more dramatize. Israel exploits such a situation and started to build a Separation Wall inside the West Bank resulting that huge damages to the Palestinian people in all aspects of life especially in environment.

Many non-governmental organizations in Palestine and others in the world took the concern this matter and started to hold it as first work priority. The most active one among those organizations is the environmental organizations, they start to organize protests and campaigns, publish reports, and collect financial support for the affected families around the Wall.

Maybe someone argues that the Israeli Separation Wall is a political issue more than an environment matter. So why it takes the concern of Environmental NGOs. In spite of the Wall case considers as a political concern, I think it's an environmental issue, because the wall causes many environment problems, like:

- The confiscation of Palestinian lands.
- The uprooting of thousands of trees.
- Will cause the decrease of water sources,
- Will effect the flora and fauna in the region.
- Will cause devastating of biodiversity.
- Will increase the desertification.
- Will cause changes in the microclimate.

And many others environmental problems. For that, "the Wall case" becomes one of the most important matter for the Palestinian Environmental NGOs. In other words, the wall is not only a political problem as an obstacle to the Palestinian state, it is also severely devastating tool to the Palestinian environment.

Moreover, because of the current situations, the other NGOs in Palestine whose work is related to political situation are suffering from lack of fund because of stopping of peace process, and the environmental organizations likely are not affected because

their natural work are not connected with politics. They continued their work effectively, and getting the financial support from appointed countries in the world like before.

Now while the Wall is a major issue for most of the Environmental NGOs and general population in the West Bank, we will concentrate here on the active organization among the others whose are working in this case, which is "Palestinian Environmental NGOs Network (PENGON)", it has launched a campaign from October 2002, based on documentation, researches, development of information tools for public awareness (through media and a new website), international advocacy, and many other activities. For that we will take this organization as a case for our study to see its role in Environment problems, especially the Separation Wall.

So, first of all we will highlight on the separation wall, and the damages which causes on Palestinian environment. And after that we will talk about PENGON and its campaign against the construction of this wall, its activities and accomplishments.

1. Israeli Separation Wall (*)

The environment and the natural resources of the West Bank continue to be a major casualty of the Occupation. The systemic uprooting of trees, destruction of agricultural land, and confiscation and destruction of the water supply is devastating. The building of the Separation Wall intensifies these problems in the surrounding areas and poses immediate and long-term destruction and degradation to the Palestinian environment and natural resources.

In 1961, the world was transfixed as the Soviet Union enclosed West Berlin, Germany, in the 96-mile, 12-foot-high Berlin Wall. The social implications of the wall had a profound impact on world politics for nearly 30 years. In 2004, the world remains largely ignorant of the fact that Israel is building a 200-mile, 25-foot-high "Wall" around the West Bank of Palestine.

The construction of the Israeli Separation Wall began on the 16th June 2002, in the northern West Bank districts of Jenin, Tulkarem, and Qalqiliya; at the end of July 2003, Israel announced the "completion" of so-called "first phase", which stretches some 145 km (90 miles). However, the Israeli government continues to raze land, destroy shops, homes, and infrastructure in these areas as well as pave way for the "buffer zone". Simultaneously, destruction for and building of the Wall has been taking place in northern Jerusalem by *Qalandiya* and *Kafr Aqab*, in the neighborhood *Abu Dis* in eastern Jerusalem, and around *Bethlehem*, *Beit Sahur*, and *Beit Jala*. The latest announcements of the Israeli government predict the completion of the Wall by 2005.¹⁵²

(*) Palestinians have named it (Apartheid Wall) after the reviled South African term meaning "apartness." Israelis misleadingly referred to as the "The Security Fence". For more details, see articles "*Don't Call it a Wall*" and "*'Wall' a Misnomer*" By Ran HaCohen in Anti War website: <http://www.antiwar.com/hacohen/?articleid=2898>.

¹⁵² PENGON, *Frequently Asked Questions about the Apartheid Wall*, October 4th, 2003: <http://stoptthewall.org/news/faqs.shtml>. Visited in 22/8/2004.

In total the Wall will run 752-786 km,¹⁵³ inside the West Bank. And is being built deep within the West Bank as it zigzags throughout 10 out of the 11 West Bank districts¹⁵⁴. Without extensions, the Wall is estimated to be at least three times as long and twice as high as the Berlin Wall^(*).

According to PENGON, "If the Wall is completed in its entirety, 54% of the West Bank lands will be walled into these ghettos with another some 4.5% imprisoned into enclaves. With nearly half of the West Bank being de facto annexed by Israel, it is expected that nearly 16% of the Palestinian West Bank population will be isolated "behind" the Wall and another 18.7% will be separated from their lands. And only 12% of historic Palestine will remain if the Wall is completed."¹⁵⁵

The Wall is estimated to cost \$3.4 billion if completed in its entirety, approximately \$4.7 million per kilometer¹⁵⁶. Part of this bill will likely be underwritten by U.S. grants and loans to Israel, which is the largest recipient of U.S. foreign aid.¹⁵⁷

Israel maintains that the Wall is a temporary structure to physically separate the West Bank from Israel and thus to prevent suicide attacks on Israeli citizens¹⁵⁸. However the wall's location, begins at the northern most point in the West Bank and runs through the western districts of the West Bank to the north of Jerusalem; the Wall is not being built on or near the 1967 Green Line¹⁵⁹ and at points reaches 16 km (some 10 miles) deep right into the heart of the West Bank in order to annex major Israeli Jewish-only settlements. After cutting through neighborhoods and villages in East Jerusalem, the Wall picks up by Bethlehem and continues south to Hebron. In eastern West Bank, a second wall begins again in the northern West Bank and, running somewhat parallel to the first wall de facto annexes the Jordan Valley, extends south to Jerusalem where it connects with the first Wall, and thereafter stretches through the southern West Bank.^(*) Which suggest it is more realistically an additional effort to confiscate Palestinian land, facilitate further colony expansion and unilaterally redraw geopolitical borders all the while encouraging an exodus of Palestinians by denying

¹⁵³ Based on Israeli Army recommendations. See Appendix 8.

¹⁵⁴ According to Palestinian Central Bureau of Statistics, seven governorats were affected directly by the wall until now, Jenin, Tulkarem, Salfit, Qalqilia, in the north of the West Bank, Jerusalem, Ramallah and AL-Bireh in the middle and Bethlehem in the south.

^(*) See Appendix 5: "the comparison between Berlin Wall and Israeli's Wall".

¹⁵⁵ Updated Anti-Apartheid Wall Campaign Poster Map Map, PALDIS for the Anti-Apartheid Wall Campaign, July 25th and 30th, 2003: <http://stopthewall.org/maps/57.shtml>. Visited in 14/8/2004.

¹⁵⁶ UN Office for the Coordination of Humanitarian Assistance (OCHA), *The West Bank WALL: Humanitarian Status Report*, July 2003. (other sources said 2.8\$ million per kilometer)

¹⁵⁷ The Bush administration has mentioned the possibility of imposing economic sanctions on the country if it builds the Wall by subtracting \$1 from U.S. loan guarantees for every dollar Israel spends on construction. However, the administration itself is split and the pro-Israel lobby has scoffed at the idea. Many in the region are skeptical that Bush will act, given his record of almost unconditional support for Israel's actions and the imminent U.S. elections.

¹⁵⁸ According to PENGON: "At the cost of 12 million NIS(New Israeli Shekel) or 2.8 million USD per km, the Wall is not a "temporary" measure but the continuation of Israel's theft of Palestinian land and iron grip of Palestinian resources." "Experience has long shown that, in the absence of external pressure, particularly from the United States, Israel has never relinquished any land it has occupied".

¹⁵⁹ According to a December report by the Palestinian Monitoring Group only 9% of the total wall length calculated to date (752km) will follow the Green Line.

^(*) see Appendix 8: The Wall route.

them the ability to earn a living from their land, reach their schools or work places, access adequate water resources, or reach essential health care.¹⁶⁰

The Wall takes on a variety of forms (see figure 5); In most places the wall consists or will consist of a three metre-high **fence**; however, in some places it takes or will take the form of an eight metre-high **concrete wall**.

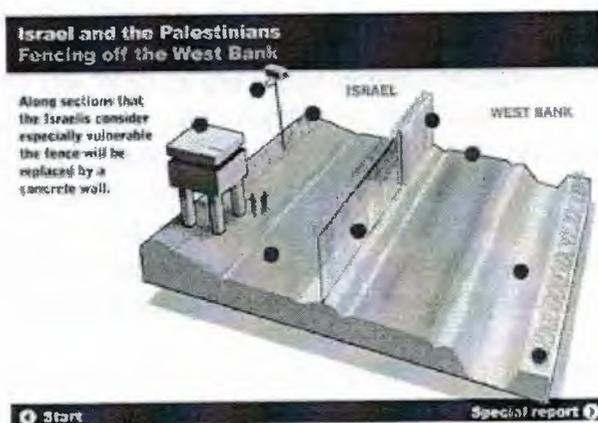
- In some areas, the Wall is an entire regime of obstacles comprised of trenches, electrified fences, razor wire and military roads. There is also a 70-100 metre-wide (approximately 230-330 feet) "buffer zone" (security zone). The zone will comprise electronic movement sensors, thermal imaging and video cameras, a four metre-deep moat, a two-lane patrol road, sniper towers, stacked rolls of barbed wire and fine sand to detect footprints of trespassers¹⁶¹.

- In other areas, (notably in Occupied Palestinian Jerusalem and around the Palestinian city of Qalqilya) the Wall is an eight-meter high Wall of solid concrete with armed sniper towers positioned every 300 meters¹⁶².

In Bethlehem and Jerusalem, the Wall is made up of a combination of these edifices. At this point in time it is not known exactly what proportions of the length of the barrier is fence versus wall, or if the fence is merely a temporary state until a wall can be built in all areas.

Regardless of the Wall's structural differences, the implications are the same for Palestinians – an environmental disaster, the inability to travel for employment, medical care, and education atop of the theft of land and resources by and for Israel.

Figure 5: Israeli's wall form.¹⁶³



¹⁶⁰ The Palestine Monitor, *Fact Sheet-Apartheid Wall*:

<http://www.palestinemonitor.org/factsheet/factsheet.html>. Visited in 3/8/2004.

¹⁶¹ see Appendix 6.

¹⁶² see Appendix 7.

¹⁶³ Interactive wall graphic, see The Guardian website:

<http://www.guardian.co.uk/flash/0,5860,743170,00.html>. Visited in 20/8/2004.

The Wall, as well as the Occupation itself, comprises a wide range of violations to international law. A major violation of the Apartheid Wall is the unilateral demarcation of a new border in the West Bank that amounts to effective annexation of occupied land (United Nations Charter, art. 2.4).

Furthermore, destruction for and building of the Wall has amounted to numerous more violations of the IV Geneva Convention (IV GC) including the destruction of land and/or property (art. 53) and collective punishment (art. 33).

Under Article 1 of the International Convention on the Suppression and Punishment of the Crime of Apartheid (1979) the Wall constitutes a "Crime against Humanity". It divides populations on the basis of race and ethnicity and discrimination against residents in the West Bank to benefit illegal Israeli settlers and thus complies with the definition of "apartheid".¹⁶⁴

lastly, The **advisory opinion of the International Court of Justice (ICJ)** On July 9, 2004, has declared that the wall being built by Israel, "the occupying Power, in the Occupied Palestinian Territory, including in and around Jerusalem, and its associated régime, are contrary to international law." The Justices informed Israel that it is "under an obligation" to stop work on the wall, dismantle those portions of the wall that have been built, annul the legislative régime erected to support its construction, and render compensation for the damage it has already inflicted on the Palestinians in the Occupied Territories. Finally, the Justices called upon the United Nations--especially the General Assembly and the Security Council--to "consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated régime, taking due account of the present Advisory Opinion."¹⁶⁵

1.1. The Environmental Impacts of the Wall

The first affected by the Wall is the environment, because construction of the wall will mean the removal of tens of thousands of trees and will effect the hydrology of the watersheds. This will cause changes in water quantity and quality, stream channel morphology and groundwater levels. Surface water flow will be altered, and there will be an increase in erosion and sedimentation. Besides that Palestinian property within 35 meters of the wall has been or will be destroyed by the Israeli army. This includes homes, farms, agricultural land, greenhouses and water wells.

Construction activities and the long-term presence of a continuous 25-foot-high impervious barrier will cause a decrease in populations of animals and plants. The wall will cause habitat loss from the footprint and construction. Some species may disappear completely.

On 31 July 2003, the Israeli Ministry of Defense announced the completion of the first phase of the security barrier, officially launched on 16 June 2002. The first stage

¹⁶⁴ These are only a few of the articles in international conventions and declarations which the Wall infringes upon. For more analysis and examples of the Wall under international law, see: *The Wall Under International Humanitarian and Human Rights Law*: <http://stophthewall.org/activistresources/12.shtml>.

¹⁶⁵ see Appendix 9, for summary of the ICJ's decision.

comprises a 145 km (90 miles) long section extending from *Salem* checkpoint in the northwest Jenin district, through the Tulkarm and Qalqilya governorates, to *Masha* village in the Salfit area. Though this section is officially complete destruction has continued in the area, as further extensions of the Wall are taking place to enable Israel's annexation of land occupied by settlements.

1.2. Land Confiscation, destruction and Uprooting trees

The path that the wall is taking through the West Bank is resulting in massive land confiscation, de facto annexation, and destruction of cultivated lands. So far the completed section has appropriated 107 square kilometers of Palestinian land constituting 1.9% of the West Bank. If the entire wall is completed it is projected that more than 43% of the West Bank will be taken by Israel and will be located outside the wall which will serve to enclose the remaining 57% in Ghettos.¹⁶⁶

The uprooting of trees is also an environmental concern. Construction of the Separation Wall will uproot and shave tens of thousands of trees. Although an environmental impact assessment of the Separation Wall has yet to be performed, the trees that have been uprooted will have an impact on the environment as a whole. In addition, the Separation Wall itself is a physical barrier to the terrestrial ecosystem.

So far the fence construction has already uprooted an estimated 102,320 Palestinian olive and citrus trees, demolished 75 acres of greenhouses and 23 miles of irrigation pipes. It now rests on 270,558 dunums of confiscated land, and its projection guarantees the confiscation of a further hundreds of thousands dunums.¹⁶⁷

The Wall is only meters away from a number of small villages, or hamlets, which have been told by the military that proximity to the Wall, will render most of their community to be demolished. To date some 218 buildings have been demolished in the village of *Nazlat 'Isa*, the majority of which have been stores, an important source of income and survival for a number of communities; 5 homes have also been demolished for the Wall. At least an additional 75 stores, 20 factories, 20 homes, and 1 primary school have demolition orders which are expected to take place in the very near future.¹⁶⁸

The damage caused by the destruction of land and property for the Wall's construction is irreversible and undermines Palestinians' ability to ever recover.

1.3. Confiscation of water

Israel's separation wall will not only engulf vast tracts of Palestinian farmland. It will also put Israel in control of a significant portion of the West Bank's water resources.

Water is a central issue in the Palestinian-Israeli conflict. The permanent water shortage in the region means that vast expanses of Palestinian West Bank farmland are currently drying out. Already, thousands of families do not have running water in

¹⁶⁶ Palestine Monitoring Group Trend Analysis, Israeli Separation Wall Activity Update December 10, 2003.

¹⁶⁷ The Wall In Palestine: Facts, Testimonies, Analysis and Call to Action PENGON June 2003.

¹⁶⁸ Anti-Apartheid Wall Campaign Fact Sheet The Wall's "First Phase".

their homes. Once the fence is up, the situation will deteriorate even further as the wall will engulf scores of Palestinian wells.

The Palestinians are in control of 17 percent of the West Bank's total water resources. The remaining 83 percent are used by Jewish settlers or diverted into Israel. The total amount of water, including water for agricultural and industrial use, allocated to the Palestinian population in the OPT (Occupied Palestinian Territories) amounts to some 227 liters per capita per day. The corresponding amount for Jewish settlers in the OPT is 4000. Tens of wells have already been annexed by Israel, depriving the Palestinian population in the West Bank of some 18 % of their share of the WAS (Western Aquifer System). However, Israel will not only confiscate wells. Eventually, it will also be in near-total control of the entire WAS, which produces approximately 50 % of the West Bank's fresh-water resources. Israel ensures this control by building the wall in such a way that it leaves the most productive zones of the system on the Israeli side of the fence.¹⁶⁹

According to Palestinian Central Bureau of Statistics (PCBS) last report, "the total Confiscated Wells since the building of the Expansion and Annexation wall until end of February 2004, is about 49 wells, Destroyed by 29 east the wall and 19 in localities surrounded by the wall, one well in localities West the wall. The biggest portion of the confiscated Wells was for Qalqilia (31 wells), and Jinin (15 wells), Tulkarem (2 wells), and one in Jerusalem."¹⁷⁰

These wells' total discharge is equal to more than 6.7 cubic meters (MCM), which are either to be totally lost or extremely difficult to access and control. The Wall is separating water sources and networks from agricultural lands. Upon laying the groundwork for the Wall, Israeli bulldozers have destroyed some 35,000 meters of water pipes used for both agricultural and domestic use. A number of villages are to lose their only source of water.¹⁷¹

Palestinians fear that in future negotiations Israel will argue that there is no urgent need for water in the West Bank, since large tracts of irrigated Palestinian farmland will have been confiscated.

1.4. Palestinians separated from land and resources

The fence has relocated a great deal of rich farmland and water wells to the Israeli side of the wall. At least 115 Palestinian towns and villages have so far been directly affected by the wall which cuts them off from their land and resources. Of the 47 Palestinian towns and villages along phase one of the wall's route 21 are separated from more than half of their land by the fence. At least 36 groundwater wells and over

¹⁶⁹ Eva Balslev and Sune Segal, "Security or segregation, The humanitarian consequences of Israeli's wall of separation", (EAPPI): <http://www.wcc-coe.org/wcc/what/international/palestine/eap.html>. Visited in 10/8/2004.

¹⁷⁰ Palestinian Central Bureau of Statistics, Survey on the Impact of the Expansion and Annexation Wall on the Palestinian Localities that the Wall Passed Through, March 2004: http://www.pcbs.org/press_r/s_wall/q1_2004e.pdf. Visited in 25/8/2004.

¹⁷¹ PENGON, Apartheid Wall Campaign, "KNOW THE FACTS...ABOUT THE WALL!", May 2003.

200 cisterns are isolated from their communities by the Wall with an additional 14 wells threatened for demolition in the Wall's "buffer zone".¹⁷²

The land confiscation, destruction, and severe restriction of movement will mean the loss of thousands jobs. Israeli closures and the Wall around the communities in the Tulkarem district prevent residents from traveling for employment, which has caused the unemployment rate to swell from 18% in 2000 to 78% in the spring of 2003.¹⁷³ In Qalqiliya, where the Wall hermitically seals the city with one Israeli military controlled checkpoint, nearly 10% of the 42,000 residents have been forced to leave their homes due to the city's imprisonment, closure of the market, and inability to find work.¹⁷⁴

Furthermore, it is estimated that 36 communities east of the wall will be cut off from their agricultural land. In most cases, agricultural production constitutes the villages' main or only source of income. In these 36 communities alone some 72,000 Palestinians will thus be partly or totally deprived of their livelihood. In total, the livelihood of some 210,000 Palestinians has been or will be negatively affected by the first section of the wall.¹⁷⁵

1.5. More Land Grab in Phase Two

The mid-section of the wall approved by the Israeli cabinet at the beginning of October 2003 will stretch 230km, from *Biddya* to *Beituniya*. The construction of this section alone will isolate 350 square kilometers of Palestinian land, placing 58 communities, between the wall and the Green Line. The walls path will further impact upon 108 other communities who will lose land and access to essential resources.

As the fence began reaching into the West Bank, settlers and religious groups sought to have the route drawn so that as many settlements as possible would be on the Israeli side. The complete construction of the wall will see 54 illegal Israeli settlements, built on Palestinian West Bank land, and 142,000 settlers incorporated into Israel.¹⁷⁶ Ariel Sharon's cabinet looks set to insist this phase of construction be routed 13 miles into the West Bank to put *Ariel*, a settlement with about 20,000 residents, on the Israeli side of the fence.

Moreover, approximately 33 kilometers of the "Jerusalem envelope" have been constructed: in the north four kilometers from *Kalandia* checkpoint to *Opher* military camp in the Ramallah area, and the rest from *Gilo* settlement to *Beit Sahur* in the Bethlehem area. According to PENGON, "the northern Jerusalem Wall is isolating 15,000 Jerusalem ID holders, living in *Kufr Aqab* and *Qalandiya* Refugee Camp from the city, their familial and social ties, and public services."

To facilitate easy access for the illegal settler communities of East Jerusalem a ring road is now being built, connecting the various settlements to one another and to

¹⁷² UNRWA, *The impact of the first phase of security barrier on Palestinian refugees Report*, 2 October 2003.

¹⁷³ PENGON, Apartheid Wall Campaign, "KNOW THE FACTS...ABOUT THE WALL!"

¹⁷⁴ PENGON, Frequently Asked Questions about the Apartheid Wall, op.cit

¹⁷⁵ Eva Balslev and Sune Segal, op.cit.

¹⁷⁶ OCHA report December 2003. op.cit.

Jerusalem whilst encircling the Palestinian neighborhoods. More than 658 dunums of land will be confiscated for the purpose alone, and approximately 40 Palestinian homes will be demolished, leaving the remaining residents trapped between roads and walls.¹⁷⁷

1.6. Gates and Checkpoints problem

The villagers that are isolated by the construction of the wall are completely dependent upon soldier's willingness to let them pass through a limited number of gates. Israeli officials said 41 agricultural gates have been installed in the completed 145km of phase one to allow Palestinian farmers access to their lands. In fact only 23 gates have been constructed so far and the free access through those is already limited and sporadic.

These gates are yet another aspect of the Israeli apparatus of closure, sieges, curfews and 734 checkpoints that have been a long time in use to curtail freedom of movement, depriving whole communities access to health, education, work and their lands. The wall is institutionalizing the stranglehold on these communities and solidifying the denial of basic human rights.¹⁷⁸

1.7. The Flora and Fauna and Hydrologic system will be affected

The associated environmental effects of construction of the Separation Wall will be extensive to both the hydrologic system and the flora and fauna of the region. Animals respond to noise pollution caused by construction. They alter their activity patterns and heart rates and production of stress hormones increases. Birds and other animals that communicate by auditory signals may be affected by construction noise. Some species of animals show abnormal reproductive behavior in response to noise. Construction activities kill animals and plants directly and may limit long-term sight productivity for species by exposing low nutrient subsoils, reducing soil water holding capacity and compacting surface materials.

There will be severe long-term environmental effects due to the presence of the Separation Wall. As a result of the habitat loss, the microecology of the area is impacted and weeds, pests and pathogens which are often exotic (alien) will possibly invade and thrive in the disturbed areas. These species then spread to adjacent areas becoming a problem for native species and as a result diminish the native diversity of the ecosystem. The Separation Wall will create displacement factors that will affect animal distribution and movement patterns and some populations will be fragmented. Habitat fragmentation of both flora and fauna reduce genetic diversity. The remaining small populations are then vulnerable to all the problems associated with rarity: genetic deterioration from inbreeding and random drift in gene frequencies, and environmental catastrophes.¹⁷⁹

The Separation Wall will also cause changes in the microclimate which will also have an affect on the flora and fauna in the area. Migratory patterns of some species will be

¹⁷⁷ PENGON, Frequently Asked Questions about the Apartheid Wall, op.cit

¹⁷⁸ OCHA report December 2003. op.cit.

¹⁷⁹ John Reese, *Environmental Disaster in Palestine*, Earth First Journal: <http://www.earthfirstjournal.org/efj/feature.cfm?ID=189>. Visited in 2/8/2004.

interrupted and certain bird species may avoid the area thus interrupting their flight patterns. Even pollen dispersal will be interrupted. As with construction activities related to the Separation Wall surface water patterns will be interrupted and will have continued affects on the surface water quantity and quality of the area as well as groundwater levels.

As a result of both construction activities and the long-term existence of the wall populations of resident species and groundwater will be impacted. Groundwater and surface water quality and quantity will be reduced. Native flora and fauna populations will be reduced and some species may disappear completely from the area of the Separation Wall.¹⁸⁰

As a result of this obvious environmental damages, many organizations are a raise working against building this Wall. PENGON is one of that most active organizations, that plays a significant and vital role in such issue.

2. Palestinian Environmental Non-Governmental Organizations Network:

PENGON seems different from any other organizations discussed in the previous Chapter. It founded in the beginning of current *Intifada* in April 2001. And located in Jerusalem. It is a coordinating body among the Palestinian NGOs working in the field of the environment. It is formed of 21 member organizations whose mandates cover a wide and interconnected range of environmental issues. The important of this organization comes from its role against the Separation Wall, which is now heading the Palestinian Anti-Apartheid Wall Campaign, the only coordinated Palestinian NGO and grassroots effort against the Wall, that began in October 2002 just three month's after the Wall's commencement.

The idea of establishing a network of Palestinian environmental organizations, was initiated by a group of organizations active in the field of the environment. The Network was formally established during a meeting of the General Assembly, including those that instigated the idea, that was held in April 2001 at the Ministry of Palestinian NGOs Affairs. This group of organizations was brought together because of the importance and urgency of protecting the Palestinian environment at a time when the efforts of the existing organizations working in the field were all too dispersed. The belief was that these efforts should be brought together both in order to struggle against the Israeli violations, but also to give the environmental problems their global dimension. During the first General Assembly meeting of the Network, the internal regulations were endorsed, and a Coordinating Committee which included representatives from seven environmental organizations responsible for supervising the work of the Network, was elected.

¹⁸⁰ The Apartheid Wall Campaign report, *The Wall Impact on Water and the Environment*, November 2002. For more information see: John Reese, *Israel's Apartheid Wall*, Earth First! Journal : <http://www.earthfirstjournal.org/efj/index.html>. Visited in 2/7/2004.

PENGON is now the only environmental network for Palestinian environmental organizations in both the West Bank and Gaza Strip, it was founded three years ago, following the start of the *second Intifada*, "due to the increased demands and responsibilities of Palestinian environmental organizations to defend the Palestinian environment". It describes itself as

"a non-profit, non-governmental organization whose role is to serve the Palestinian environment by acting as a coordinating body for the Palestinian environmental organizations located in the Occupied Palestinian Territories (West Bank and Gaza Strip)."¹⁸¹

The goals of the Network can be summarized as the bringing to the surface the environmental issues of Palestine through the raising of the level of cooperation and coordination among the members. All this in order to protect and develop the natural resources for the purpose of achieving their endurance while protecting the biodiversity and wildlife of Palestine. The Network deals with pollution and desertification, growth, the encouragement of environmental tourism, and the growth and development of the employment of new and alternative energy resources.¹⁸²

According to its mission statement,

"...[PENGON] It aims to serve Palestinian environmental issues by coordinating endeavors between the member organizations, strengthening and building the efficiency within each organization, and enhancing relations within the Network as well as with other organizations domestically and abroad, such as local government agencies and international environmental organizations."¹⁸³

PENGON has, according to its by-laws, a General Assembly consisting of all of its members, as well as a Coordinating Committee of seven of those members, who are elected every two years by the General Assembly. And it's Coordinated now by Jamal Juma'.

Fundamental to PENGON's work is to ensure that the Palestinian environment is dealt with within the context of the Occupation and thereby calling on environmental efforts to work hand-in-hand with social justice causes while integrating social, economic and cultural rights as a part of environmental protection and defense. And it gives special attention to international awareness, advocacy and mobilization, along with focusing on south-south cooperation, to support its efforts.¹⁸⁴

PENGON has developed web page on internet which provide links to the web pages of all its members. Its regularly updated with information regarding the environmental situation in Palestine. The publication of PENGON has, *The Palestinian Environment Watch*, a quarterly newsletter dealing with Palestinian environmental issues, "shedding light on the destructive measures against the Palestinian environment". The

¹⁸¹ PENGON website: www.pengon.org. Visited in 10/8/2004.

¹⁸² PENGON's quarterly, "ENVIRONMENTAL WATCH ONLINE", number 1, march 2002: <http://www.pengon.org/watch/watch.html>. Visited in 20/8/2004.

¹⁸³ PENGON website, op.cit.

¹⁸⁴ Ibid.

Newsletter also document the activities of the member environmental NGOs. The articles written by member organizations as well as other local and international experts and published in both Arabic and English. "Its sent free of charge to the relevant organizations and individuals worldwide and domestically and its useful to academics, policy-makers, and educators".¹⁸⁵

By PENGON activities, the Network contributed domestically to many popular events related to the environment. This includes the participation in the International Environment Day organized by the municipalities of Ramallah and Al-Bireh, in coordination with PENGON. The main activity was planting trees on roadsides. At the occasion of the International Clean-Up Day, the Network published a public awareness leaflet about swage water, the risks they present, and their methods of treatment. The Network also circulated a number of reports and letters among friends and allied institutions around the world to uncover the Israeli practices against the Palestinian environment. Funded by the Heinrich Boll Foundation and in cooperation with the Media Institute of Birzeit University, the Network organized a training course for preparing media reports about the environment. It took place between 18 and 21 November 2001 in Ramallah. The participants were public relations employees of member organizations. Local newspapers were also invited to benefit from the course. Also PENGON has contributed in many international conferences throughout the world and represents Palestine in a various events internationally. Such as "Earth summit" which took place in Johannesburg, South Africa in September 2002, were it established a national committee that participated in the Conference.

At present the Network is very active in the "Israeli Separation Wall" case, and they are working on their Campaign against the Wall, which entitled "Anti-Apartheid Wall Campaign".

2.1. Anti-Apartheid(*) Wall Campaign

Meanwhile, Palestinian communities and local and international nongovernmental organizations (NGOs) are mobilizing to stop the Wall. To support these communities in their struggle, the Palestinian Environmental NGOs Network (PENGON) created the Anti-Apartheid Wall Campaign in 2002. Campaign coordinator Jamal Juma' explains the campaign name this way: "We are witnessing a 21st century apartheid, which will lay siege to Palestinians within fragmented, disconnected cantons, taking

¹⁸⁵ PENGON website: <http://www.pengon.org/publications/publications.html>. Visited in 10/8/2004.

(*) **Apartheid** literally means separation, but this universally accepted term, which is often times referred to as "colonialism of a special type" embodies within it the major components of displacement through colonization, including its changing policies and measures in which expansionism and racism subjugate and eradicate a people. Apartheid was officially made a universal term by the United Nations in the 1976 "International Convention on the Suppression and Punishment of the Crime of Apartheid" [The 1976 United Nations International Convention on the Suppression and Punishment of the Crime of Apartheid can be found at: <http://stopthewall.org/internationallaw/470.shtml>]. Apartheid began and is rooted in the very establishment of the colonial Jewish State, both in law (de jure) and in the implementation of its goals on various levels (de facto), including mechanisms used to justify its practices to avoid its legalization. Apartheid is characterized by forcible transfer of populations, land control, labor exploitation, humiliation and murder. [Anti-Apartheid Wall Campaign: www.stopthewall.org.]

final possession of the Palestinian right to live in freedom, in a state like any other people."

The Apartheid Wall Campaign was born out of an October 2, 2002, meeting of the Palestinian Environmental NGOs Network (PENGON) General Assembly, where it was decided that the Network and its members must make the Separation Wall a priority in its work, and stating clearly that successful efforts on behalf of the Separation Wall must be joint and widespread, both in local efforts, and international advocacy. Since then PENGON has prioritized work on the Campaign due to its urgency. The Campaign is the only national, coordinated effort of its kind taking places against the Wall.

PENGON serves as the Campaign headquarters and functions within the Campaign as the NGO Campaign organizer and national and international advocate against the Wall on behalf of the local communities. PENGON launched the Stop the Apartheid Wall Campaign to support communities affected by the wall and to mobilize against construction. The larger context of Israel's escalating policies of Occupation and domination over Palestinians, land confiscation, and the road to forced displacement including poverty, homelessness, hunger, and despair, is the core of the Campaign. Mainly a volunteer effort, the Campaign consists of three subcommittees (Advocacy and Media, Research and Information Collection, and Social Mobilization) and is supported by a large social base.

The Campaign has established three Emergency Centers (each is a contribution from Palestinian Agricultural Relief Committees (PARC), Union of Palestinian Medical Relief Committees (UPMRC), and Palestinian Hydrology Group (PHG)) in the northern West Bank where local communities and international solidarity activists collect information, coordinate actions and programs, and pursue legal strategies regarding the Wall. Furthermore, the Campaign has succeeded in generating international attention to the Wall and its expected consequences through extensive outreach and providing visits to communities that are affected by the Wall.

The Campaign is the only such coordinated effort addressing the disastrous impact of the Wall on Palestinian livelihoods and aspirations and welcomes solidarity groups globally to join them in mobilizing against Israel's Separation Wall.

The Campaign sees its aim as two fold: "on the one hand, to work and mobilize against the Apartheid Wall and its immediate and expected consequences to environmental and human rights; and on the other hand, to shed light on the expanding stranglehold of the Occupation, marked by checkpoints, closures, siege, settlements, and the Apartheid Wall. The larger context is the underlying motivation behind the Campaign."¹⁸⁶

2.2. The Anti-Apartheid Wall Campaign demanding

The campaign is a Palestinian national grassroots movement that calls for the Wall's elimination, works to educate local and international journalists, coordinates the

¹⁸⁶ The Campaign, Report # 1 , November 2002: <http://www.pengon.org/wall/report1.html>. Visited in 10/8/2004.

resistance of Palestinian communities, and lobbies the Palestinian Authority to take a strong, unequivocal stance against the Wall. According to PENGON,

"The Anti-Apartheid Wall Campaign's mission is to **Stop the Wall**. The Campaign calls for:

- 1) the immediate cessation of the building of the Wall,
- 2) the dismantling of all parts of the Wall and its related zones already built,
- 3) the return of lands confiscated for the path of the Wall, and
- 4) the compensation of damages and lost income due to the destruction of land and property (this compensation is in addition to, not instead of, restitution of land)."¹⁸⁷

2.3. Campaign Strategies

In order to fulfill the Campaign's mission to stop the Wall, and to support the communities along the path of the Wall in their struggle to safeguard their lands and their future, and to be a unified voice of the Palestinian struggle against the Wall, the Campaign seeks to¹⁸⁸:

- Support the communities in their struggle against the Apartheid Wall,
- Coordinate efforts among local civil society organizations to address local, national and international actors,
- Raise awareness on the national and international levels about the implications of the Wall on Palestinian communities and national aspirations, including social, economic, cultural, psychological, political and legal impacts,
- Link the issue of the Wall with that of the Occupation and its consequences to life and land, most notably through advocacy efforts,
- Minimize the current impacts of the Wall on communities in order to support them to remain on and protect their lands
- Mobilize solidarity for the communities affected by the Wall,
- Activate international organizations, movements and actors to support the Campaign.

The Anti-Apartheid Wall Campaign "sees its role as dual, as both a national coordinating effort and as a voice for and by the local communities affected by the building of the Wall. The national effort is based on the knowledge that the Wall is an integral and large scale part of Israel's plans to confiscate and annex Palestinian lands, isolate Palestinian communities, and deny any prospects for survival in their villages and homes. The Wall is therefore not only the negation of Palestinian national aspirations and right to self-determination, but also a tool in the creeping "transfer" of the population and the realization of the Zionist/Israeli expansionist plans."¹⁸⁹

¹⁸⁷ PENGON, Frequently Asked Questions about the Apartheid Wall, October 4th, 2003: <http://stopthewall.org/news/faqs.shtml>. Visited in 15/8/2004.

¹⁸⁸ Ibid.

¹⁸⁹ Stop the wall website, *The campaign*: <http://stopthewall.org/news/thecampaign.shtml>. Visited in 25/8/2004.

2.4. Campaign Activities ¹⁹⁰

In order to help thousands of families whose very existence on their land is being threatened and who are to live in walled, isolated ghettos, PENGON is focusing on organizing initiatives against the Wall through information collection and documentation, networking nationally with other grassroots and national actors and international organizations based in Palestine and abroad. The Campaign is focusing on worldwide solidarity around the struggle against the Wall.

Coordination between PENGON members and multiple actors enables the Campaign to continually produce comprehensive reports, updates, and fact sheets which are disseminated through the Campaign's advocacy network.

Taken together, the Campaign's activities fulfill the Campaign's mission by mobilizing various resources and organizations for the stop the Wall efforts. The activities can be broken down into the following areas:

Grassroots Mobilization: The Campaign supports community efforts to mobilize against the Wall and for protection of their land by encouraging community and district wide meetings to organize activities, coordinate efforts and answer community demands. The Emergency Centers, for instance, hold weekly meetings with affected communities in order to coordinate efforts that reflect popular needs and calls as well as organize district wide meetings to form bridges with local communities and national actors. Such mobilization has promoted lobbying with PENGON and the communities on a national and international scale.

NGO and National Coordination: The Anti-Apartheid Wall Campaign is coordinated by PENGON—a network of Palestinian NGOs—, shared policies and collective efforts in achieving common goals; finding that to achieve common goals Palestinians organizations on various levels should work together in creating policies and promoting them.

The network includes some of the leading Palestinian NGOs, which are actively involved in the Campaign. Coordination is guaranteed by regular meetings between the campaign and district coordinators, meetings of the Steering Committee as well as continuous contacts with many local and national actors.

Information Collection: The collection of up-to-date information is a continual challenge for the Campaign as Israel's efforts to undermine local, national, or international resistance to the Wall are partly based on creating a lack of information. Israeli authorities have never publicly announced the map of the Wall and military orders for confiscating land which the Wall will raze or illegally annex to Israel have been given at unpredictable and varying times in order to prevent a collective response from communities. The path of the Wall is not consistent with military and contractors' maps and there are multiple instances where the Wall's path was altered in order to confiscate additional water resources or agricultural lands to the West side of the Wall. The Campaign has been able to receive up to date information and last-

¹⁹⁰ Most of the information which given here are collected from "Stop The Wall" website: www.stophthewall.org.

minute changes on the Wall and its communities due to the Emergency Centers in each region and elaborate on the scattered pieces of information in order to get a clear view of the Israeli plans, produce comprehensive maps and to denounce the whole project to the public.

International Advocacy: The Campaign's international advocacy targets a variety of groups and individuals in hopes of both creating greater worldwide awareness on the issue as well as sparking interest in mobilizing against the Wall and the Occupation. The Campaign mobilizes supporters to make the issue heard in their own countries and areas, to pressure governments and other decision makers and actors through popular, grassroots pressure which is to include the targeting of various publics' opinions on the Wall and the Occupation.

The Campaign produces material in both Arabic and English, which has been translated into a number of other languages. Material includes fact sheets, newsletters, PowerPoint presentations and reports. Some 2,500 copies of Campaign Report #1¹⁹¹ were produced and disseminated, while thousands read the report online. The second Campaign report *The Wall in Palestine: Facts, Testimonies, Analysis and Call to Action* first published in July 2003 is already going into its second edition¹⁹² and will continue to be distributed widely. The book which entitled "*The Wall in Palestine*"¹⁹³, as with all Campaign material is downloadable on the "STOP THE WALL" site for use in mobilization against the Wall.

The Campaign, through PENGON and the Emergency Centers, is constantly meeting with and leading tours for international organizations, solidarity groups, and media around the Wall as well as giving lectures to inform them of, and update them on, the Wall. Working with the media in particular has increased the much needed exposure of the Wall and its current impact on the communities.

Public Awareness: Though, of course, the communities are most aware of what is happening in their areas and around the Wall, severe restriction of movement has had a serious impact on the extent to which all Palestinians are aware of what is taking place in other localities. Restriction to movement has also meant that certain actors who would otherwise get the word out about the Wall are limited to what they can access themselves. The Campaign therefore has a particular role in spreading information collected in regard to the Wall and what is taking place in communities' areas. The Campaign is organizing women's meetings in areas to be affected by the Wall in order to facilitate their participation in the Campaign. Another example of public awareness has been displaying a Wall exhibition in Bethlehem, co-sponsored by the Bethlehem Peace Center, which has traveled to Ramallah and will continue to different cities in the West Bank. Lastly, Campaign materials, including comprehensive maps of the Wall, fact sheets, and publications, are disseminating widely to communities on a local and national level.

National Lobbying: The Campaign is a non-governmental Palestinian effort and also looks to lobby the Palestinian Authority in order to ensure that the Wall is given its

¹⁹¹ See this Report in PENGON website: <http://www.pengon.org/wall/report1.html>.

¹⁹² You can find last Campaign reports here: <http://stopthewall.org/news/factsheets.shtml>.

¹⁹³ The Book: "*The Wall in Palestine*" available free of charge in "STOP THE WALL" site: <http://stopthewall.org/activistresources/12.shtml>.

due place in the policies and activities of the PA. The Campaign sees that the call to stop the Wall should be a condition from the PA of Israel for any further "negotiations". The processes that have been taking place since the Oslo Agreements in 1993 have continuously widened the divide between the rhetoric of the signed agreements, and what is taking place on the ground, as the Occupation has furthered its stranglehold on the Occupied Territories in the past 10 years. Through the Campaign, local communities have succeeded to demonstrate their claims to the PA and to meet with PA officials in order to urge them to take the people's will into their agenda.

Legal Aid: The Campaign is helping the communities to get legal support. In the past year, there have been various cases brought before the Israeli's Occupation courts by Palestinian and Campaign organizations which have called for the cessation of the Wall and the halting of destruction to property in the northern areas and in Jerusalem. The court decisions, a number of which have reached the Israeli High Court, have consistently come out against the cessation of the Wall and in agreement with the destruction and confiscation of land and house demolitions for the "security of the State of Israel", which the courts have repeatedly stated takes all precedent.

The Campaign continues to support and coordinate legal actions against the Wall as they help the communities and the families affected by the Wall to gain much-needed time. Though such actions may be a means to denounce the devastating plans and actions of the Israeli government, they do not and cannot replace the Campaign and the call to stop the Wall.

Service Provision: The organizations' PENGON members involved in the Campaign have for years provided services and run projects throughout the West Bank, including but not limited to land, water, agriculture and health. Through these organizations, the Campaign looks to:

- Repair damaged infrastructure affecting the lands and the communities
- Plant trees in areas where the vegetation has been uprooted or is under treat of being razed.
- Provide technical and extension support,
- Restore service facilities to which access has been lost.

The Campaign has succeeded in gaining great interest by international organizations, agencies and solidarity groups that want to support the communities through the Campaign and the participating organizations with the expectation of channeling funds to prevent the current catastrophe from turning into the status quo. A number of coordinating meetings have taken place among international organizations to support the idea of coordinated efforts among the Palestinian NGOs and the international agencies in relation to the Wall.

The Campaign see these efforts to be necessary in order to enable the communities to stay on their lands and to continue to defend their rights emphasizing at the same time that no humanitarian action can render this crime more sustainable.

2.5. The Campaign's Accomplishments¹⁹⁴

Nearing the Campaign's two years mark, it has succeeded in the following areas:

- Mobilizing thousands of Palestinians—individuals, NGOs and grassroots organizations—to support and be involved in the Campaign.
- Organizing three Emergency Centers which are active in tens of communities.
- Organizing tens of demonstrations on a local and national level.
- Organizing a permanent camp on the de facto annexed or confiscated lands in Jayyous.
- Promoting appeals for support and solidarity from the local communities to the national and international authorities.
- Producing numerous publications, including reports, fact sheets, press releases, and maps.
- Meeting and touring with hundreds of journalists (print, broadcast and film) and representatives of international organizations.
- Contributing to the worldwide publication of hundreds of articles about the Wall.
- Gaining the involvement of international solidarity groups worldwide to support the Campaign efforts.
- Producing presentations, presenting them and disseminating them to activists.
- Having Campaign material voluntarily translated into various languages and disseminated.
- Attracting thousands of hits on the PENGON website for the reading and download Wall material and the launching of the Campaign site.
- Building of a massive Wall photo archive, with over 1,000 quality digital pictures, disseminated free of charge to activists, organizations and journalists to be used for advocacy and awareness.
- Displaying a Wall exhibition in Bethlehem, co-sponsored by the Bethlehem Peace Center, which has traveled to Ramallah and will continue to different cities in the West Bank and Gaza Strip and, hopefully, abroad.

Ultimately, accomplishments for the Campaign are not measured in quantity but in relation to stopping the monstrous structure and measure. The Campaign had hoped that, after its efforts, "the Wall would be more known worldwide and that voices to call for its cessation would be many".

The Campaign is well established in Palestinian communities, especially those around the Wall. Greater efforts must now be given to international advocacy as well as lobbying to ensure that the Wall is on the top of the national agenda. The Campaign works closely with international organizations and solidarity groups based in Palestine as well as solidarity groups worldwide struggling for the end of the Occupation.

Since June 2003 the Campaign has called for the International Day Against the Wall to be held on the 9th of November in each year, the day of the fall of the Berlin Wall.

¹⁹⁴ Based on information given in correspondences with "Anti-Apartheid Wall Campaign" by E-mail.

Many networks and countries have already committed to support the campaign and to contribute to the success of the International Day Against the Wall.

Currently they are in the planning stages, of leading a mobilize for *International week of Action against the Apartheid Wall*, which would focus on the environmental degradation the Wall has caused and will organize a huge protests world widely. This event took place in November 9-16, 2004.

Lastly, we must mention here that PENGON has a great contribution in support the Palestinian stand in International Court of Justice (ICJ), by a leading a huge protestations in Hague during the time of ICJ's decision in February-July 2004. These efforts by PENGON's campaign and the Palestinian Authority succeeded to tack a decision pro-Palestinian stance against Israel, which will support and enhance the Palestinian position against the Wall in the future, and may lead to movement from International Community for dismantle this Wall.

Summary:

The environmental devastation caused by the separation wall is clearly visible, and the situation continues to deteriorate with each section build. Already thousands of trees have been uprooted, and acres of agricultural land have been destroyed while farmers are forcibly separated from their land. These problems are a few on a long list of the environmental damages the wall has caused.

PENGON has working hard to educate the public of these environmental damages, while at the same time sparking the interest of other NGOs to these issues. PENGON's Anti-Apartheid Wall Campaign is the engine of the Coalition Against the Separation Wall. At the Environmental Power Convention they lead a panel discussing the environmental damages caused by the wall. they are active in educating the public about these damages through flyers, sites, and tours of the Wall.

The campaign is bringing together most of Palestinian Environmental organizations, as well as local grassroots efforts and actors in the various localities affected by the wall. The campaign brings together NGOs and local groups and movements in order to best answer to the needs of those affected by the Wall and to stop building it. PENGON in this case has played a significant role, which showed us how NGOs can work during the absence of governments and the stand-off of official cannels, how they can succeed where the state failed or may can't work.

The International Court of Justice (ICJ) has declared the Wall project as such illegal bolstering the calls of the Palestinian Anti-Apartheid Wall Campaign to stop and dismantle the Wall, to pay reparations and return all confiscated lands. It has reminded all states of their obligation "not to render aid or assistance in maintaining the situation created by such construction".

We should say here that PENGON did a great work in this case, even it may not lead to stop building this wall. But that is not Because of the lacks of efforts by Palestinians, that because Israel state is a state "over the law" for many years. For that

the future of the Wall seems unclear even after the ICJ's decision, because Israel refused to recognize and to implement it, as this decision is non-binding, and for the next step in the security council the veto most probably will be taken by USA to stop any decision condemning Israel. Even if that won't happen, Israel from now they are saying that will be not implemented like other previous decisions, and they didn't implement any resolution before and will do the same in the future.

Despite world-wide condemnation of the Wall (including ICJ's decision and UN General Assembly Resolution demanding that Israel stop and reverse the Wall's construction) and even United States and European concerns, the international community has taken no action that has had any effect to stop the construction of the Wall in Occupied Palestinian Territory.

The international community's inaction in stopping Israel's construction of the Wall continues to teach Israel that it is above the law.

CHAPTER 4:

The Evaluation of Environmental NGOs Role

"While environmental damage is a common consequence of war, it should never be a deliberate aim"

(UN Secretary-General Kofi Annan said in a message marking the International Day for Preventing the Exploitation of the Environment in War and Armed Conflict.)

After we discussed the works of Palestinian NGOs in environmental field, their activities and significant roles in environmental issues, and the environmental problems that they are covered and work in, we are going here to evaluate these efforts and attempts, and the problems that these organizations face, and their relations with governments and donors, following by some prerequisites to develop their positions and functions. And we will end with the ideas that we conclude from the study and some suggestions for the future.

1. Professional Successes and Political Failures

The discussion of environmental non-governmental organizations in the Palestinian Authority cannot be concluded with a blanket assessment of their activities as successful or unsuccessful. It must be recognized that each of the NGOs discussed in the preceding chapters has different constituencies, different supporters, and different goals. Their ability to achieve preferred outcomes in their policy or implementation initiatives is quite different from their ability to promote their preferred models of public policy formation and participatory politics.

The Palestinian environmental NGOs have achieved substantive accomplishments in the professional fields of environmental monitoring, water and land research, and environmental education, which must be considered absolutely essential to further progress in sustainable development. We also find that attempts by NGOs to create inclusive models for policy development, create legitimate political space for alternative voices, promote democracy in the Palestinian Authority through the Palestinian Legislative Council, and liberalize the PA's approach to state-society relations, have generally failed.

This mixed result reflects the compromises that Palestinian NGOs made along the course of the Oslo process. By adopting standards of accountability and professionalism and content areas demanded by potential Western donors, and pursuing normalized relations and professional ties with Israeli counterparts, they became attractive as recipients of development assistance funds and technologies. But by pursuing these very attributes and practices that made their sector attractive to outside governments and private donors, NGOs became vulnerable to criticism inside

the Palestinian Authority—much of it opportunistic and unjustified—that they represent outside interests and not the legitimate concerns of the Palestinian people.¹⁹⁵ These attacks on the basis of legitimacy have escalated immeasurably during periods of crisis like the *al-Aqsa Intifada*, during which a for-or-against mentality develops. The NGOs that are most vulnerable to these opportunistic criticisms are groups promoting or representing binational cooperation, but also those vigorously promoting alternative models for Palestinian political and policy development. While it could be argued that there were few funding options other than Western governments, it should also be noted that some NGOs have managed to balance support from Western and local donors and clients. WEDO conducted studies for the local private sector, Palestinian ministries, and foreign development agencies, and conducted outreach within both Arab and Jewish sectors in Israel.

Only those policy and research NGOs that had established political legitimacy dating to the first *Intifada* have managed to consistently thrive in the current climate of PA-NGO relations. Palestinian environmental NGOs outside the policy sphere are in more favorable positions in the Palestinian Authority, insofar as they collect information, oversee development projects, and pursue education campaigns as part of a “coordinated” effort with priorities set by MENA. These NGOs that cooperate with PA ministries—by assuming the Authority’s preferred roles in implementation—operate quite successfully, because of their implicit acknowledgement of PA supremacy in determining policy priorities. But when NGOs push for inclusion in policy-making or legal protections for non-governmental freedom of association and freedom of movement, they are persistently rebuked by PA executive branch, even if the Legislative Council may be supportive.¹⁹⁶

The Palestinian Authority approach to NGO relations can be characterized as more authoritarian than authoritative. The PA cannot claim that it successfully meets the needs of its citizens, and in its struggles with other centers of power— Hamas, non-governmental organizations, municipal councils and traditional elders and families, or Israeli occupiers—it resorts to crude political thuggery or more sophisticated media and legal campaigns to cut off the public policy sphere from NGOs that are not seen as PLO-friendly partners.¹⁹⁷

2. The Assessment of NGOs’ Activities

It is worth mentioning that the organizations’ activities which are discussed in this study did not cover all the environmental elements in the area. The Palestinians live under conditions of significant water stress. Water shortage is a serious problem facing most districts in the West Bank and Gaza Strip, not only due to the arid and semi-arid climatic conditions and rainfall variability in the area, but also due to the Israelis’ strict control over the Palestinian water resources. Most people in rural areas depend on rainwater harvesting as their source for freshwater. These people suffer from a shortage in water supply during winter months and almost have no water supply during summer months. Most of research applied in the water sector is related

¹⁹⁵ Such a problem mentioned by Samiramis Kutlo(Center for Environmental Diplomacy Director).

¹⁹⁶ Michael J. Zwirn, p.77.

¹⁹⁷ Ibid. p.78.

to the treatment of wastewater for reuse in agriculture and in rehabilitation of wells. A few organizations (Palestinian Hydrology Group (PHG)) have widened their activities to include energy management and conservation.

Groundwater and surface freshwater studies are very limited. The main reasons are the full Israeli control and the prohibition of the Palestinian access to these resources. No real research has been applied on the air the Palestinians breathe. Atmospheric science is one of the fields that none of the organizations have looked at yet. The Applied Research Institute of Jerusalem (ARIJ) has recently implemented instrumentation for the measurement of some of the atmospheric indicators, including the temperature, humidity, pressure, and concentration of a few gases in the atmosphere, such as sulfur dioxide and nitrogen dioxide. Marine ecology, soil ecology and solid waste management are other examples of areas that lack research. In conclusion, the activities of the most NGOs on:

- Water and wastewater management
- Energy conservation
- Agricultural services
- Rural development
- Environmental awareness campaigns
- Environmental summer camps
- Cleaning and tree planting campaigns
- Against building the Israeli Wall.

Most of the above activities are conducted on a local scale, that is, within the West Bank and the Gaza Strip. Maybe just the Anti-Apartheid Campaign is the exception one, it became an international movement and has activities and supporters all over the world, especially after the ICJ's decision.

3. Israeli-Palestinian Governmental Relations and NGOs

Palestinian environmental NGOs agreed in their orientations regarding the environment and peace process, that a comprehensive peace process would help in resolving the Israeli violations against the Palestinian environment. But the current peace process was not seen as helping the environment. Since Oslo, three new major settlements were officially established by Israel: *Lapid*, *Kiryat* and *Menora*. At the end of 1998 these had a combined population of 12,212. In addition, between 1996 and 1999, the settlers established over 42 unofficial settlements, less than 10 of these were subsequently dismantled. There are 145 official settlements on the West Bank and Gaza Strip, but about 200 independent localities. Unfortunately, the Israeli practices against the Palestinian environment still exist. Of course the main reasons for this are the negative stance of the Israeli government toward the Palestinian Authority and toward the peace process. The Israelis are not committing themselves to the peace agreements. However, the Palestinian Authority has attempted to enhance the environmental situation since its emerging in the West Bank and Gaza strip through:

- Creating an environmental ministry to protect the environment and set environmental standards for the regulation of polluting sources.
- Strengthening the poor environmental infrastructure it inherited after 30 years of Israeli occupation.

The binational environmental cooperation (either in joint Palestinian-Israeli NGOs or in cooperative ventures between Palestinian and Israeli professionals and activists) is desperately vulnerable to the ebbs and flows of the Palestinian-Israeli conflict. This is troubling not only for binational NGOs but also for Palestinian environmental NGOs which have thrived on 'normalization' and funding and partnership relations with pro-peace donors, development agencies, and Israeli environmentalists. The additional problem of different developmental stages and priorities is an obstacle to substantive cooperation between Israeli and Palestinian environmental NGOs. Binational networks of environmental leaders, like those created through IPCRI forums, professional associations, FoEME and the Arava Institute, are failing to live up to their initial promise due to continued hostility and closed borders. It is noteworthy, however, that as Israeli-Palestinian governmental relations plunged into hostility following the outbreak of the *Intifada*, the working group that remained operational the longest was the water group, made of representatives from the Palestinian Water Authority and *Mekorot*, the Israeli equivalent. This continued relationship, and JEMS' continued work in environmental conflict resolution training, illustrate some potential in the environmental and water sectors for renewed cooperation once the security situation improves.¹⁹⁸

Nonetheless, it appears clear that environmental quality within the Palestinian Authority will continue to decline in terms of infrastructure, public health, undeveloped areas, trees and agriculture, and air, water and soil quality, so long as the occupation continues. Particular crises in water and land are already seen, as supplies of drinking water have been seriously diminished and agricultural land has been rendered off-limits due to continued occupation and the creation of "security zones." Most likely to be affected are those communities adjacent to Israeli areas (for security reasons) like those around "Israeli Wall", and those semi-rural areas on the outskirts of sprawling Palestinian cities.

4. The Experience of Cooperation With Israeli Environmental NGOs

The shared ecosystems between Israel and Palestine favored the joint action of the Palestinian NGOs with Israeli environmental NGOs. The cooperation between Israelis and Palestinians in the environmental sector began with great optimism in the early and mid 1990s, but has fallen sharply in the current political climate. The vulnerability to outside political and security crisis is clear, and indeed has been so since previous crises during the Netanyahu administration and conflicts over Hebron and the Israeli tunnel in 1996. During all these periods, binational cooperation has been severely curtailed, but has always recovered. The current *Intifada* may follow a similar pattern, but in the death toll, economic dislocation, and political hostility, it seems certain to last far longer. And the election of Ariel Sharon assuredly poses another obstacle for the renewal of binational NGO cooperation.

The difficulties that are likely to arise between Israeli and Palestinian NGOs include management structures and funding. According to Nitza Nachmias and Amiram Bogot, Israeli NGOs are heavily dependent on state funding via allocations or contract

¹⁹⁸ Michael J. Zwirn, p.77.

vehicles, and stake out policy issue areas or provide social services as “franchises” for the state, whereas Palestinian NGOs provide the bulk of social services instead of the PA, with funding from outside donors.¹⁹⁹ They see similarity between Israeli and Palestinian NGOs only in the realm of advocacy for rights or empowerment. These differences in structure, organization, audience, aims, and funding will pose continual challenges for Israeli and Palestinian NGOs attempting to cooperate in the environmental field, and for those binational NGOs with joint staffing and management.

In the cooperation projects between Israeli and Palestinian NGOs, the organizations' leaderships summed up the cooperation to be positive, overall. They saw that both the Palestinian and Israeli organizations benefited from this cooperation. Although this cooperation encountered a number of obstacles that disturbed the dynamic of the joint projects. These include:²⁰⁰

Freedom of movement or the accessibility: Restrictions over the Palestinians' traveling to the Israeli areas have very often been applied. The Israeli government has rejected permits of some workers in joint projects to enter areas that are considered to be under Israeli control. As a result, many joint projects have been stopped. Many Palestinian NGOs have suffered this problem. Some examples of these NGOs include the following:

- The Soil, Water and Environment Institute at Hebron University that stopped a project with Galilee Society for the reason mentioned above
- Palestinian Agricultural Relief Committees that cancelled some joint programs due to the rejections of the permits of the Palestinian trainees who were supposed to participate in training courses that were held in Israel
- The Center for Agricultural Services that stopped a joint project with The Ben-Gurion University of the Negev.

Cultural differences: This difficulty is generally noticed during summer camps especially those that deal with teenagers. While the Palestinian community is characterized as conservative, this is not always the case with the Israeli community. The relationship between the male and the female participants in the Israeli community is more open than that in the Palestinian community. In summer camps there are many instances where some of the Israeli scouts practiced things that are considered to be shameful/ prohibited/ unacceptable in the Palestinian community. The director of children for the Protection of Nature in Palestine (CPNP) had to deal with this kind of problem in some of the summer camps that he organized.

Political disturbances, closure of the PNA areas, and break-out of the conflict: As in cases of the opening the tunnel beneath the Al-Aqsa mosque and the visit of Sharon to the Moslems' Holy site in Jerusalem that resulted in the killing of thousands of civilian Palestinians and the wounding of more than ten thousand in the period *Al-*

¹⁹⁹ Nitza Nachmias and Amiram Bogot, “The Role of NGOs in Developed and Developing Countries: Comparing Israeli and Palestinian NGOs.” International Society for Third-Sector Research Fourth International Conference, Dublin, Ireland, July 5-8, 2000.

²⁰⁰ Fida Obeidi, “The Impact of the Palestinian-Israeli Conflict on the Environment and the Role of the Palestinian Environmental NGOs in Protecting the Environment”, Peace Research Institute in the Middle East (PRIME) : <http://vispo.com/PRIME/index.htm>. Visited in 21/7/2004.

Aqsa Intifada. Joint projects are affected with the ups and downs of the peace process. According to this situation, there is no clear statement from the Palestinian Authority regarding joint projects with the Israeli side. The Palestinian Energy and Environment Research Center had to stop a joint project that it started in 1996.

Lack of information: No information is supplied by the Israelis about the environmental facts within the Israeli lands. The Applied Research Institute of Jerusalem (ARIJ) faced this obstacle in a joint project about management of the Jordan River as international river basin. According to them, the Israelis refused to supply the Palestinians with any information about the Israeli activities in the Jordan River basin.

Different interests in the same project: There are different in Palestinian and Israeli interests in the same joint project. The Israelis interested in publicizing joint project to show other countries that things are going well between both sides and there is always cooperation, regardless of the political situation. For Palestinian, in doing so, the Israelis are trying to influence international general opinion, not to do real work.²⁰¹

Whatever these problems are, Maybe the main problem that faces all the organizations is the lack of funding. Large organizations depend on international funding for the projects they conduct. Some funders require the project to be bilateral (composed of a Palestinian and an Israeli partner), something that not all the organizations prefer. Small organizations secure their funds through donations and membership fees that are minimal.

5. The Palestinian Environmental NGOs and Western Donors

The work of Palestinian NGOs in creating alternative centers for political power in NGO networks and the PLC has failed, at least on the short term. The NGO sector, once an authentic alternative political arena to the PLO and Hamas, has been transformed into a sector of educated middle-class development assistance professionals, funded from the outside, without the necessary political legitimacy to propose a participatory democratic Palestinian political sphere.²⁰² All these factors represent serious challenges not only for the NGOs themselves but for the Western donors who have funded and supported them. The civil society dilemma within the Palestinian Authority is 'nested' within a broader international system, in which donor agencies and governments play a sizable role.

Western donors must reassess their relationship with NGOs in the environment and development sectors, in light of the current situation. It is evident that major donors and international development agencies have contributed, quite inadvertently, to the present distress for environmental and development NGOs. Their contributions to the nongovernmental sector have weakened the potential political credibility of NGOs, and created the perception of NGOs as a privileged class of educated élites. The funding of binational environmental NGOs as a means of supporting the Oslo process

²⁰¹ Fida Obeidi, op.cit.

²⁰² Michael J. Zwirn, p.78.

has had particularly negative unintended consequences, as it has inextricably linked the cause of environmental protection to the waxing and waning of the negotiations.²⁰³

The relations between NGOs and western donors have another negative side, Samiramis Kutlo talked about the NGOs and “the use of trust”, because of extreme indulgence of donors toward NGOs, which led sometimes to a kind of exploitation for such forgiveness. She says “I heard about NGOs but there offices were their mobiles, you don’t find for them any office, so I think that most of the problems were the donors, because if I want to run a project, the first thing is that I must ask the donor to visit me quarterly through the schedule of the project and see in his eyes where I reach and what I have done before sending me the rest of the money and not just reporting him and use his trust to me.” She continues by saying that “... most of the money goes to people whom they are excellent in finding a way to get money but not to use them in the right way, and ... there are NGOs whom they really work in a clean way and believe in their work but the donors don’t know about them because they don’t know how to lie and cheat.” She added “No Justice in getting money”.²⁰⁴

The United States Agency for International Development, due to restrictions on funding the PA directly, is obliged to spend money on behalf of Palestinians solely via NGOs. This assistance has traditionally been given to international NGOs which partner with Palestinian NGOs, including Catholic Relief Services, the Young Men’s Christian Association (YMCA), and American Near East Refugee Aid. Little USAID money goes directly to Palestinian non-governmental organizations, and notably, little USAID effort is made in pursuit of Israeli-Palestinian cooperation, except for Middle East Regional Cooperation (MERC) research in science, agriculture, and the environment. USAID’s annual budget for the Palestinians is \$75-85 million, emphasizing democratization, water resources, microlending and business development.²⁰⁵ According to a senior USAID official, USAID’s strategic priorities encourage NGOs to submit proposals for cooperative agreements—a process midway between a contract tender and a grant proposal. International NGOs have greater experience and familiarity with such procedures than small local NGOs, and are more capable of meeting USAID’s accountability requirements. Likewise, the World Bank’s \$15 million NGO fund often supported outside NGOs working within the Palestinian territories.

Development agencies from the European Union, its member states, Canada and Japan are the major contributors to the environmental NGOs discussed here. While UNRWA is not a true funding agency, its ubiquity in Palestinian social service provision makes it a significant actor of NGO concern. To a lesser extent, the remaining additional funding agencies that sustain environmental NGOs in the Palestinian Authority are mostly private and Western-based. They include Jewish organizations, private development NGOs, peace and reconciliation groups, and others with interest in the Middle East. Few operate principally within the environmental sector.

²⁰³ Ibid. p.79.

²⁰⁴ Samiramis Kutlo, director of “Center for Environmental Diplomacy”, correspondence by E-mail, 20/7/2004.

²⁰⁵ USAID website, http://www.usaid.gov/regions/ane/newpages/one_pagers/wbg.htm. Visited in 2/6/2004.

The role of development and relief agencies and Western donors in the evolving PANGO relationship cannot be overstated. Because both NGOs and the Palestinian Authority are reliant on development assistance, there are inherent conflicts for financial and technical resources. For a time, the size of the overall development 'pie' for the Palestinians expanded fast enough to minimize the visibility of the conflict, but those days have long passed. Since the initial euphoria over the Declaration of Principles, with a decline that began with Yitzhak Rabin's assassination and the election of Binyamin Netanyahu, the overall foreign support for the peace process—as reflected in dollar contributions—has failed to meet the promised amounts.²⁰⁶ This has led to a deficit between expectations and realities, which only compounds the political and security crisis.

Improvement in donor-NGO relations requires an understanding by donors of the development of endogenous civil society organizations. The infusion of funds from Europe and North America following the Declaration of Principles created an artificial market for opportunistic NGO formation on the part of Palestinian educated professionals, and that seeming artificiality contributed to the political vulnerability of the non-governmental sector. Future funding programs should be devoted more to grassroots organizations, than to the ambitious binational programs. Small community-level programs in education, water resources and environmental health, with an emphasis on realizing benefits for human populations, should be prioritized over biodiversity and more abstract environmental concerns. All of these efforts could be directed at support of NGOs that develop from the community level in response to genuine environment and development needs. This may require more effort from donor agencies than mere requests from proposals; it necessitates ground-level research to determine where viable groups representing broad constituencies may arise. This is difficult work that not all development agencies and donors are capable of accomplishing, but it is essential if donor-support non-governmental organizations in Palestine are to regain the political credibility and viability that they have ceded since the forming of the Palestinian Authority.

6. The Future of NGOs and the Relation with Peace Process

The success or failure of more recently-formed NGOs is viewed as a function of the fate of the Oslo process. This applies a hundred-fold for those Israeli-Palestinian cooperative NGOs that sprung up in the early-mid 1990s during the most optimistic periods of the peace process. Such institutions exist also in the business, health, and

²⁰⁶ From the signing of the Declaration of Principles through November 1996, an estimated \$2.996 billion in loans, grants, guarantees and in-kind assistance was pledged to the Palestinian people by the European Union, United States, Japan, Saudi Arabia, and Norway, in descending order by amount. (From Palestinian Development InfoNet. "Development Assistance to the West Bank and Gaza: An Overview," March 1997. <http://www.arts.mcgill.ca/MEPP/PDIN/pdoverview.html>) Yet by the end of 1998—several years later—the actual amount spent (1994-1998) was only an estimated \$2.5 billion, despite numerous supplementary promises of aid during the peace process evolution. (From Netherlands Ministry of Foreign Affairs, IOB Policy and Operations Evaluation Department, "Review of the Netherlands development programme for the Palestinian territories, 1994-1999." IOB Evaluation No. 282. The Hague, November 1999.) This is part of a larger trend, more pronounced in recent years, of widely publicized promises of massive development funds from a country, followed by far smaller amounts actually reaching the Palestinian territories. [cited in Michael J. Zwirn].

social welfare sectors. It is a rude fact that for this period of time, Israeli-Palestinian cooperation on the environment was viewed as a helpful proxy for supporting the peace process, and when the peace process withered, so did donor support for cooperation on the environment. This applies for a range of development and aid initiatives, as relayed in one mournful anecdote in *Washington Post* article.

To feed newly impoverished Palestinians, the World Food Program last month sent word to wealthy donor countries that it needed \$3.9 million in additional funding. The request was met with silence.

"Donors say they're here to fund the peace process, not the Palestinian people per se," said one aid official, who spoke on condition of anonymity. "Now there's no peace process, so there's less enthusiasm about giving money."²⁰⁷

During the most idealistic periods, when IPCRI (Israel/Palestine Center for Research and Information) hosted its first "Our Shared Environment" conferences, speakers were forthright about the attractiveness of linking environmentalism to the process of building peace and mutual tolerance. Robin Twite of IPCRI opened the first volume of *Our Shared Environment* with the following call:

"All those who love the land between the Jordan and the Mediterranean [...] can readily see that its future is threatened by rapid uncontrolled development, population increase, political tension and many other dangers. The conference underlined the need for all concerned parties to work closely together if they are to achieve a future in which [all] can look forward to a life spent in a harmonious and positive environment. Nothing else will do."²⁰⁸

This attitude has dominated much of the discussion on cooperative Israeli and Palestinian environmental management. Indeed, the plenary session in the 1995 conference was entitled "The Role of Environmental Issues in Promoting International Understanding and Cooperation in the Middle East." Yet there is a crucial and perhaps deadly counterpoint to this perception. If donors and participants see environmental cooperation primarily as a vehicle for promoting co-existence and peace, then when the peace process fails, where does that leave the environment? As we have seen from numerous writings since the *al-Aqsa Intifada* began, it is in crisis. In conversations, many activists working in binational NGOs regretted their overwhelming dependence on the ebb and flow of the peace process, but few seemed able to suggest alternatives. With one exception all the binational environmental NGOs were formed in the immediate afterglow of the signing of the Declaration of Principles, when the environment was viewed as an issue around which Israelis and Palestinians could rally together. Since that time, the appeal of cooperative environmental initiatives has faded rapidly.²⁰⁹

On the surface, there is a natural attraction to environmental issues as a means of drawing Israeli and Palestinian communities together. As the title of the IPCRI conference noted, environmental benefits and risks are shared between communities and across borders. It is as impossible for Israelis to draw a curtain over Tel Aviv to

²⁰⁷ Lee Hockstader, "Sanctions Suffocating Gaza Fragile Economy", *Washington Post*, December 6, 2000. p.26.

²⁰⁸ Twite, "Toward a Common Future," in Twite and Mencil, *Our Shared Environment*, Volume One, p. 3.

²⁰⁹ Michael J. Zwirn, op.cit. p.58-60.

prevent transboundary air pollution as it is for Palestinians to stop the hydrologic processes that carry their wastewater into pre-1967 Israel. Around the world, environmentalists call for collective responses to transboundary environmental threats. These same appeals that motivate the world's environmental activists—a common ecological heritage facing common threats—do exist in Israel and Palestine; they are simply harnessed to the hopes for resolution of a particular political conflict. It is when that political conflict takes a turn for the worse that the environment suffers.

7. Prerequisites for Better Role to Environmental NGOs

Further development of the capabilities and successes of environmental NGOs in Palestine depends on a range of factors. The most pressing is a cessation of the current Israeli violation and a restoration of a peace process based on the principle of a structured and negotiated Israeli withdrawal from the Gaza Strip and West Bank to 1967 borders.

But besides that, the fate of environmental NGOs in the Palestinian Authority, for any long-term progress to be made in environmental protection, sustainable development, and civil society liberalization, must be met with some prerequisites.

Democratized political institutions in the Palestinian Authority are essential for NGO development as capable, competent institutions in their fields of work, whether as educators, implementers, or policy developers and advocates. But mere democratization and the 'rule of law' is not enough. Changing attitudes among donors and development agencies, new foci for international and binational cooperation, and better NGO management are also vital.

-Donors and Development Agencies: In discussions with NGO leadership, relations with donors and funders thus play a necessarily prominent role. The funding mechanisms that sustain the NGOs discussed in this thesis are varied, including direct grants, open bids for contractual services, payment on a project basis, donations of technical assistance and in-kind services, and numerous other mechanisms. Donors, or clients depending on the circumstance, include foreign development agencies, private non-governmental donors from the West, the Palestinian Authority, and Israeli NGOs.

If there are two single recommendations that could be made such donors, they could be summarized as follows. First, donors should not fund environmental groups if their primary concern is the peace process. Second, donors should respond to domestic demand in the NGO market, rather than pushing resources into an already glutted system.

In addition to this primary concern comes some more general concerns, reflected elsewhere in this paper. Donors in the environmental sector should orient their concerns toward the community level, in order to meet genuine indigenous concerns. This will necessitate a more accepting understanding of the links between development and the environment in an impoverished society. When children lack clean water and sufficient food, and streets are strewn with broken glass and rusted-out frames of automobiles, it is difficult to create compelling arguments for concern over bird migration—as hard as well-funded donors might wish it so.

-International and Binational NGO Cooperation: Although there is much to fault in the execution of the partnerships between Palestinians and Israelis in environmental NGOs, and the attempted joint and larger regional environmental cooperatives, the evident need for such partnerships remains undeniable. But for future positive developments in Palestinian sustainable development and environmental protection, Israeli cooperation with Palestinian NGOs must come on Palestinian terms. This means a focus on reaching underserved populations in rural and village areas with development assistance and an improved physical and organizational infrastructure. Israeli NGOs and partner organizations can help build capacity for these initiatives within the Palestinian environmental sector based on transfers of technological and organizational techniques, and a restoration of NGO and university ties on the basis of scientific cooperation.

On a related note, Palestinian and joint Israeli-Palestinian environmental NGOs would benefit from better institutional ties with European and international researchers and advocates. Surprisingly few of the NGOs surveyed made a point of pursuing networks with international NGOs in the environmental field.

-NGO Management: Finally, necessary prerequisites for achieving more favorable scenarios for NGO freedom, civil society development, the advancement of participatory politics and environmental protection include changes in the ways that Palestinian environmental NGOs are managed, and the partnerships that they pursue.

Aside from the questions of target audiences, geographical location, and internal structure, NGOs should pursue better business relations, and links to other non-governmental sectors including universities and municipalities. The only NGOs that discussed their relationships with the burgeoning Palestinian private sector discussed their work as consultants.

Clearly, there is a pragmatic reason for environmental NGOs to work productively with industrial sectors, because industry is linked to many potential environmental concerns. But there is also a political incentive. Both industry and NGOs have reasons to be troubled over the difficulty of registering operations legitimately in the Palestinian Authority, and both are vulnerable to the frequently haphazard and predatory practices of officials working in the name of ministries. Corruption and nepotism are equally harmful to both the NGO and for-profit sectors, and this offers a common incentive for better relations. This incentive is shared with universities and independent scholars, all of whom could benefit from Palestinian liberalization in academic affairs and freedom of speech and publication. A final possible sector for cooperation exists in the municipal and regional governments, many of which are closer to their communities' environmental and developmental needs than the Authority ministries, and which may be productive partners for NGO cooperation.

8. Environmental Problems and Israeli Occupation

In chapter Tow we indicted the environmental problems that seem as challenge for NGOs and others who works in this field, we saw that most of that problems are caused by Israeli government and its military actions. In our attempts to find the ways

for solving these problems we should understand the real reasons which stand behind that actions.

The Israeli occupation forces claim always that the reason behind the military actions which affects the Palestinian environment is for "security". But, the security claim behind it is logically baseless.

Reasons Behind the Environmental Damages by the Israeli Military Forces: The Israeli military decision for environmental destruction including the uprooting of trees, or the prevention of waste vehicles to reach the disposal sites, or the damages made to water or electricity networks, may have been taken on military basis only. But it is known in the military services that commanders on the field take directions from superiors at different levels. This leads to say that it was not a quick decision taken in the field by a commander who was forced to take it, but a carefully studied one.

Such decisions always have reason, and given the history and Israeli attitude in dealing with the Palestinian Environment and natural resources, one can underline the following reasons behind such decisions, including:

- 1- To create direct pressure from Palestinians on the leadership or the resistants not to use such areas and fields
- 2- To add to the economic difficulties which may again lead to direct or indirect pressure on the leadership to take certain decisions
- 3- To show the hard line of the Israeli possibilities which may lead to state of fear among the public
- 4- On the long run, Palestinian farmers or those affected may decide to abandon boarder areas for their activities, an action which pleases Israeli government as it creates a buffer free and clear zone.

Israeli Separation Wall: The Wall is not protecting Israeli citizens inside Israel; it is instead consolidating Israel's occupation, its illegal colonies and the ongoing colonization of Palestinian land. The Wall has been routed around Israel's illegal colonies and their planned expansion and is therefore a land grab rather than a security measure.

If Israel were truly interested in its security it would: (1) abide by international law and withdraw completely from the Occupied Palestinian Territory it occupied in 1967 and/or (2) build the Wall on the Green Line²¹⁰ (or inside Israel) rather than in Occupied Palestinian Territory.

Israel has long used the façade of "security" for the continued colonization of Palestinian land, and the notion of a "security" Wall neatly fits into Israel's long-term goal of annexing as much Palestinian land as possible with as few Palestinians as possible.

²¹⁰ According to PENGON, "It is entirely unacceptable to build the Wall on the 1967 Green Line—there is a fundamental injustice in caging in an entire population. While the 1967 Green Line is advocated by the UN and many others to be the "international border" between Israel and the West Bank, the fact is that, following the 1948 war and the Zionist proclamation of the State of Israel, communities were forcibly and artificially divided into east/west by this "border". However, the residents continue to share social services, markets, and familiar ties. To advocate that the Wall could be built on the 1967 Green Line is to legitimize the forcible separation of these communities." [Frequently Asked Questions about the Apartheid Wall, PENGON, October 4th, 2003: <http://stopthewall.org/news/faqs.shtml>. Visited in 15/8/2004.]

The Wall, which is set to be finished in 2005, enables the Israel government to unilaterally:

- Creating a de facto "border" between the West Bank and Israel,
- Completing the Israeli/Zionist project of "Greater Jerusalem" to entirely annex the capital of historic Palestine,
- Annexing nearly all of the settlements in the West Bank into the "Israeli controlled" area "outside" the Wall,
- Forcibly expelling residents near the Wall from their land and home, thus becoming refugees, some for the second or third time, and continuing the racist Zionist slogan/policy of "a land without people".

Valuing of long-term consequences and impacts : While immediate and short-term environmental impacts and consequences of military actions are often very visible and significant, it is a difficult task to predict reliable long term impacts for a number of reasons.

Reasons may include the possible trends industry may take after the military activities to recover and compensate for the losses. This may lead to pressure on natural resources and production of large quantities of waste.

At the same time, land use patterns may change dramatically to meet the new facts resulted from such activities. On the other hand, the health impacts of inhalation of tear gases, or pullets poisoning, or humans disabilities may take some time to show.

Liability for war-caused environmental damages in Palestine: The International law for environmental damages caused by warfare gives Palestine the right to address this issue at the international forum. This includes the compensation for all damages caused by Israel, and a method of stopping further damages. International Court of Justice's decision is one good example for such an attempts which must continue.

Conclusion and Suggestions for the Future

Environmental harm has long been a camp-follower of war. But Palestine's problems are particularly acute, the area (especially the Gaza Strip) being densely populated, arid and with already stretched natural resources.

Ongoing Israeli Occupation, including land destruction, resource theft, humiliation, attacks on infrastructure and, in general, the devastating stranglehold brought upon them by the process of dispossession which was Oslo, left Palestinians no choice but to intensify their struggle for liberation and justice. With occupation, checkpoints, curfews, deadly incursions and finally the Separation Wall, Israeli forces have been consistently escalating their plans to totally ghettoize the Palestinian people and destroy their environment. At least 3,000 Palestinians (including 550 children) have been killed since September 28, 2000 – and the uprising for freedom and social justice is still going on. The Israeli occupation is not only killing the Palestine human population, but also the Palestinian ecological habitat, life it self.

This thesis describe the damages to Palestinian natural resources due to Israeli military actions, settlement expansion, the construction of bypass roads and building

of Separation Wall. It especially highlights the environmental damage during the current *Intifada*, damage to water, soil, plants and animals which could be irreversible.

We can clearly conclude that Israel uses the environment as a mass punishment against the Palestinians.

We see through this thesis that the impacts of occupation and the current hostilities on the Palestinian environment are in two-folds. Firstly, there are actions of the Israeli army and colonists which directly damage the Palestinian environment. Such actions include the uprooting of trees, destruction of houses (during the *Second Intifada* 2441 completely 2105 partial), bulldozing of agricultural land (leveling 29813 donums) and the construction of Separation Wall and new bypass roads. Secondly, there are indirect effects of the situation, particularly of the closure and curfews that have been imposed on Palestinian cities, towns and villages, such as air pollution, medical wastes, and solid waste (dumping sites are mainly located in areas B and C).

It is clear that the Israeli occupation and absence of control over land is the main factor affecting the state of land degradation in Palestine. This situation affects also all aspects related to land conservation and land use planning.

This thesis has concluded for a solution, that an immediate action is needed to avert irreversible degradation of the environment in the Occupied Palestinian Territories. Protracted conflict in the region is damaging water reserves, soils, forests and native species, possibly beyond repair.

The thesis points to continued violence of Israeli occupation and political stand-off in the region - particularly since the breakdown of the peace process in 2000 - as being the largest contributing factor to environmental decline. The lack of cooperation between the Palestinian Authority and Israel is "worsening the situation on a daily basis".

All these indicate that the environmental problems in Palestine are simply enormous. The only option it seems is for NGOs to cooperate in addressing Palestine's environmental plight.

There is a precedent. The Israeli-Palestinian Joint Water Committee has maintained a safe and reliable water supply for the region, even throughout the years of *Intifada* that brought the latest violence to the region.

For that our concern come on the role of NGOs in environmental field. That in such a situation, NGOs can play a great role. Palestinian-Israeli NGOs that working together for the region's environment could foster cooperation in other areas, too. "Environmental cooperation can be a tool in the peace process".

Palestinian environmental NGOs located in Gaza strip and the West Bank, including East Jerusalem, differ in their size, scope, focus, sophistication and flexibility. There are a few organizations that are committed to a specific area of specialization; others are trying to cover as many areas as they can. Therefore, it is hard to characterize the Palestinian environmental organizations according to their scope and focus. A few

NGOs are quite sizable and employ large staff, but most are small, new, still in the first stages of defining their missions and are run by volunteers who are struggling to find funding. Funding is the major problem that both large and small organizations face.

This thesis explores the role of Palestinian non-governmental organizations (NGOs) in the development of environmental policy and sustainable development priorities in the Palestinian Authority. The thesis focuses on the experiences of environmental NGOs in two related components of state and society building: First, in their contribution to institution-building and policy-making in the environmental sector within the Palestinian Authority; second, in the larger process of expanding civil liberties, developing a functional model of participatory politics, and furthering Palestinian civil society.

This paper argues that while environmental NGOs have recorded small but substantive achievements in civic education and capacity building for environmental protection, they have largely failed in the promotion of participatory policy-making in the Palestinian Authority.

At the time, because of the enormous environmental and development problems facing the Palestinian communities, and of the need to build capacity within indigenous institutions to confront and manage them. We think that strengthening non-governmental organizations offered the best opportunity to confront environmental challenges facing the region.

Although that the political events in status quo, are still that strong non-governmental organizations and civil associations offer great promise, but it is increasingly clear that focusing on NGOs and civil society alone cannot provide all the answers in a tightly constricted policy space. Those NGOs that have succeeded in their limited professional endeavors in the environmental sphere have been generally unable to prevail in achieving their vision of Palestinian social and political organization, in which communities, associations, businesses, activists and an elected legislative branch can direct the priorities of the Palestinian Authority. The security crisis in current situation and Israeli attacks can bear the blame for some of the travails of the NGO community, as can corruption and a host of other factors, but the closing message is that the state still matters— even when the state is weak, does not control all its territory, and is not formally recognized as a state. Donors, scholars, and activists working in environmental protection and sustainable development must acknowledge that fact as they continue their vital work. While the NGO sector and the advancement of civil society have enormous value, it does not substitute for capable governance and other needed institutions in developing nations struggling with the need to provide for their people while protecting their fragile environments.

The current situation has highlighted the extent of damage to the Palestinian environment that is inflicted by the Israeli occupation. We see throughout this thesis, how big is the environmental problems in Palestine, so, the role of NGOs regardless of how they are active and energetic, is not so enough. To be sure it needs a collective efforts from the Palestinian Authority and the Civil Society, and support from International community and other states, in order to save the Palestinian environment

from occupation destruction, which put the environment in Palestine day by day in more danger.

Pressure needs to be placed on Israel, perhaps through the international community, to cease such activities. It is essential that this damage be accurately recorded so that a clear comparison can be made between the way Israelis act in the Palestinian areas and in Israel. But most importantly, until Israel withdraws from the Palestinian Territories occupied in June 1967, there should be an environmental audit for the Israeli actions against the Palestinian environment. Environmental management in Palestine is particularly critical. The limited natural resources and destructive policies of Israel impose a challenge to Environmental NGOs and those are working in this field.

- Israel needs to apply the Geneva Convention in Palestine. This means that confiscation of land, construction of settlements, annexation and closure of Jerusalem has to be halted.
- Utmost priority should be given to restore Palestinian water rights over the surface and ground water resources in final status negotiation so that the PNA can supply all its citizens with their water needs.
- Exert pressure on Israel to fulfill its obligations related to water allocations according to signed agreements.
- Secure Palestinian sovereignty over its water resources.
- Include the issue of compensation for Israel's past and current use of Palestinian natural resources.
- Israel need to grant immediate permission to the Palestinian Water authority to construct water networks within and between districts to provide people with water.
- Israel should allow Palestinians full freedom to implement wastewater treatment plants in most suitable areas.
- Emphasize the need for ultimate withdrawal of Israel from all Palestinian land occupied in June 1967 including the evacuation of settlements, abolition of closed military areas, annexation and closure of Jerusalem and reexamining the ecological significance of nature reserves.
- Demand an immediate halt on tree cutting by the Israeli army and settlers.
- Ensure that Israel provide Palestinians with all the data and information on land and water as well as on settlement activities
- Israel should implement all the United Nations Resolutions, including 242 and 338, in which a full independent Palestinian state in the territories occupied in 1967.
- Israel must implement ICJ's decision and the willingness of the international community that should be stopped and dismantled the Separation Wall.

It is obvious that the environmental issues in Palestine have connected ties with the occupation existent, and most of the problems are caused by occupation. So, it's quite clear that there is no Solution for the environmental problems in Palestine, without solving the Palestinian question. And it seems to be impossible in near future, with current hostility and failure of peace process.

The environmental situation needs an immediate action, and serious movements from international community to put the occupied Palestine territories under immediate international protection, in order to save the Palestinian people and environment, and to pressure Israeli for unconditional withdrawal from Palestinian Territories and implement the United Nations resolutions regarding the Palestinian cause.

Maybe in this thesis we put all the responsibility of the environmental problems in Palestine on Israeli occupation. Of course most of the problems come from the occupation, but that does not mean that the Palestinian Authority has nothing to do with these problems. It has a part of the responsibility, and it can work to improve the environment and to enhance the role of NGOs and those who are working on this field.

Solving the environmental problems in Palestine, does not depend on the work of Environmental NGOs, even they have a great contribution in this area, but it is the responsibility of the states in first , Palestinian Authority and Israeli Government.

Here are some suggestions in order to give the best solutions for environmental problems and enhancing the role of NGOs in such field:

Keep the environment out of the conflict: At the beginning of the *Second Intifada*, an agreement between Israeli and Palestinian water authorities was made to keep water and wastewater issues out of the conflict. This agreement should be supported and respected by all parties, and should be extended to all environmental issues, including solid waste management, hazardous wastes and protection of biodiversity. The international community should give its full support to keeping the environment out of the conflict.

Build on regional solutions: From the economical and logistical perspectives, many environmental solutions relating to the freshwater supply, wastewater, solid waste and hazardous waste management should be built on the regional, cross-border cooperation. For example, the water company that serves both Israel and the Occupied Palestinian Territories continues to function despite the conflict. This kind of technical cooperation should be encouraged to minimize costs and find efficient solutions for environmental management.

Revitalize the cross-border cooperation between environmental authorities, experts, scientists and NGOs: Regular and open exchange of information would enable environmental experts, scientists, authorities and NGOs to seek timely and cost-effective solutions to environmental problems and to make reasonable plans for regional environmental management. A better exchange of information is acutely needed.

Make environment a priority: In the Occupied Palestinian Territories and in the whole region, many environmental threats meet. These include water scarcity, pollution of aquifers, rapid population growth, burden on the environment from refugees, overgrazing, loss of forests and vegetation cover, land degradation, desertification and the effects of global climate change. Environmental issues and projects have to be among the highest priorities for the Palestinian Authority, but also for the international community and donors.

The international community and donors should support sustainable development and environmental cooperation: When the international community and donors are financing and supporting projects in the Occupied Palestinian Territories, all projects should meet demanding environmental criteria. Important elements of the projects should be the analysis of cross-border environmental impacts and promotion of cross-border environmental cooperation. Israel should take all steps to facilitate the passage without restriction and delay of imported materials for construction, repair and maintenance related to the implementation of these projects. There have been delays in the approval of locations for construction of donor-funded environmental infrastructure. Efforts should be made by Israelis and Palestinians to speed up the process of approval, for example by making the negotiation process more efficient when there is a need to modify plans.

Develop environmental cooperation as a confidence-building tool: During the conflict, a minimum level of environmental cooperation is essential to safeguard natural resources and to prevent health risks and long-term degradation of the environment. Environmental cooperation should also be used as a confidence-building tool between Israelis and Palestinians, to facilitate other steps in the peace process.

Promote environmental education: Environmental education should be promoted, targeting students at the primary and secondary school levels through curricula, and also by including appropriate modules in university courses. The general public should be sensitized using various media and other channels. It is essential that all Palestinians are fully aware of the value of the environment and the need to protect it, as well as the risks of damage.

Strengthen the enforcement of environmental laws: The enforcement of environmental laws and standards should be strengthened, including through the further application of penalties. The role of the courts, the police and private law professionals in enforcement should be clarified. The role of economic incentives as an enforcement mechanism should be increased. Major awareness-raising and capacity-building efforts should be carried out, directed at Palestinian Authority officials and stakeholders, concerning all aspects of the Environmental Law, to support its effective implementation and enforcement.

Give NGOs an effective role: One of the negative aspects of the current conflict is that very few non-governmental organizations in the Occupied Palestinian Territories and in Israel have cross-border cooperation. The role of the civil society and NGOs is vital and therefore cooperation between NGOs should be encouraged. Also, inside the Occupied Palestinian Territories, the NGOs should be given more room to influence policy-making.

Encourage NGO cooperation between Palestinians and Israelis: All stakeholders should support cooperation between NGOs in the Occupied Palestinian Territories and Israel. The international community and donors should help the Palestinian NGO society play an important role regionally and internationally.

Support the role of NGOs inside the Occupied Palestinian Territory: Discussing environmental issues, the presenting different opinions and challenging the authorities are normal functions that NGOs carry out in democratic societies. The Palestinian National Environmental Action Plan also recognizes the important role of the NGOs. A strengthening of the capacities and the role of NGOs, and preserving of their independence, should be encouraged. An important aspect related to NGO activities is access to all information, and this should include full transparency on donor-funded environmental projects.

The NGOs must be one body with the Ministries: The NGOs must work with the governmental organizations such as ministries as one body, because this gives them more power in front of donors, and also the NGOs can have endorsement letters from the government, also can have an idea about the policy of the government concerning planning for the country. The problem in Palestine is that you seldom find such organizations as NGOs which believes of working together with the Ministries, and this is wrong.

The role of a third Party: Third party can play an important role in Palestinian environmental disaster and help in dealing with Israeli to solve these problems. As example, there are some sources of pollution in Areas C, where the Israelis have full control. A third party can play the mediator role between both sides in order to solve environmental problems in these areas without conflicting with the current political situation or putting the Palestinians in a weak spot that the Israelis can exploit in the future.

For instance also, third parties can help:

- Implement some technical solutions for some environmental problems that are related to the current political situation.
- Provide financial support and instruments.
- Create a balance between the Israeli and Palestinian sides.
- Combine the data collected by each side in a joint project and come up with a neutral report that will be satisfactory to both sides.
- Arrange contacts, especially when it is difficult for the Palestinians to go to Israel or vice versa.

The practical solution would be the intervention of the third party. But, It is not always possible for the third party to solve problems related to the political situation. A third party can sometimes arrange meetings outside of the countries where the parties can meet and talk away from the political disturbances. Mediation assistance that a third party can provide is very helpful in joint projects. Palestine is a growing country that has suffered from long years of Israeli occupation with no environmental infrastructure and minimal funds for environmental research. On the other hand, Israel is a stabilized country with long years of experience in the environmental sector and with large financial resources. A third party should pay attention to this imbalance in any project composed of Palestinian and Israeli environmental problems.

The Palestinians live under a severe environmental situation. Weak environmental infrastructure resulting from the long years of the Israeli occupation, lack of financial resources, the continuous Israeli violations against the Palestinian environment, and the non-commitment of the Israeli government with the peace process agreements regarding water resources and other environmental elements, all participated in deteriorating the Palestinian environment. As could be concluded most of the environmental problems in the areas are politically sensitive and could never be solved without aid from external actors. The continuing confiscation of Palestinian agricultural lands for the construction of Jewish settlements/ colonies and Separation Wall, the intentional disposal of Israeli waste and hazardous materials in Palestinian lands and the exploitation of water resources that has resulted in severe water stress for most of the Palestinians are example of environmental problems that are difficult to solve without the interposition of a third party.

Finally, while the violence escalates in Palestine, the environmental impact of the occupation and the role of NGOs whose work in this field, rarely find representation in any studies. I hope this thesis succeeds to fill this gap, and gives a good contribution in this field, and I hope the highlight on this subject of study, will be useful for researchers and the scholars in International Relations, giving them better understanding and clear image for what is happening on the ground in Palestine.

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West Bank Environmental Clean-Up Project, www.wecup.org

Wikipedia (encyclopedia), <http://en.wikipedia.org/wiki/NGO>

APPENDIX 1:

Actors in Environmental Policy-Making

There are numerous players in the environmental field operating within the Palestinian Authority, and between the PA and the outside world, including Israel. This is a representative, but not a complete, list of actors.

- 1) Palestinian ministries and governmental offices
 - a) Ministries of Agriculture, Environmental Affairs, Health, Transport, Planning and International Cooperation
 - b) Palestine Economic Council for Development and Rehabilitation
 - c) Municipal governments, village councils and regional governorates
 - d) Palestinian Water Authority
 - e) Palestinian Energy Authority

- 2) Non-Governmental Organizations
 - a) Exclusively Palestinian NGOs
 - b) Binational (Palestinian-Israeli) NGOs
 - c) International NGOs with local representation or affiliates

- 3) Lending agencies, international organizations and foreign development banks
 - a) World Bank and International Monetary Fund
 - b) US Agency for International Development, and Japanese, European and Arab foreign development agencies
 - c) Relevant United Nations offices (UN Relief and Works Agency, World Health Organization, UNDP, UNICEF, etc.)

- 4) Israeli Civil or Military Authorities, in Areas C and B as appropriate
 - a) Israeli settlement governments
 - b) Israeli Defense Force

APPENDIX 2:

Environmental Organizations in Palestine

This is some of these organizations:

- The Local Committee for the Protection of Nature
- The Center for Agricultural Services
- The Association of Environment Protection
- Renewable Energy Research Center
- Palestinian Society for the Protection of Environment and Nature
- The Palestinian Environment and Energy Research Center
- Generation for the Protection of Nature
- Water and Environment Studies center
- Palestinian Agricultural Relief Committees
- MA'AN Development Center
- Wildlife Palestine Society
- Environmental Protection and Research Institute
- Green Peace Association
- Development and Environment Association
- Land Research Center
- Water and Environment Organization
- Applied Research Institute of Jerusalem
- Union of agricultural work center
- Khuza'a Permaculture Center
- Society and Environment Protection Charitable Association
- The Palestinian Center for Regional Studies
- National Bureau for the Defense of Land and Resistance to Settlements
- Arab Development Society
- Committee to Revitalize Tourism
- Children for the Protection of Nature in Palestine
- Palestinian Academic Society for the Study of International Affairs
- The Palestinian Society for the Protection of Human Rights and Environment-LAW
- Water and Soil Environment Research Unit
- Benevolent Wadi GAZA Society
- Nutrition and Environment Research Unit
- The Palestinian Society for Striving Against Industrial Pollution
- Al-Ard Society for Environmental Awareness and Protection
- The Center for Agricultural Services (TCAS)
- The Center for Development in Primary Health Care (CDPHC)- Al Quds University
- Institute of Water Studies, Birzeit University
- Development and Environment Association—Baladna Cultural Center
- LAW-The Palestinian Society for the Protection of Human Rights and the Environment
- Palestinian Agricultural Relief Committees
- The Palestinian Association for Cultural Exchange (PACE)
- Palestinian Hydrology Group (PHG)
- Roads and Environmental Safety Center (RESC)
- The Society for Environmental Protection
- Union of Agricultural Work Committees(UAWC)
- Union of Palestinian Medical Relief Committees (UPMRC)
- Water and Environment Department-Ramallah Municipality
- Water and Soil Environmental Research Unit (WSERU), Bethlehem University
- Water and Environmental Studies Center (WESC)
- Wildlife Palestine Society (WLPS)
- Water and Environmental Development Organization
- Children for the Protection of Nature in Palestine
- Friends of the Earth—Middle East
- Arava Institute for Environmental Studies

APPENDIX 3:

The Israeli Factories that Cause Contamination and Serious Environmental Harms

Governorate	Settlement	Factory	Environmental Damage for Palestinians
Ramallah	Ateret	Aluminum factory, food cans factory, and plastics factory	Discharging alkaline materials that cause desertification
	Giv'at Hadasa	Plastics factory	
	Kfar Etzion	Avocado factory	Giving off an unpleasant smell and producing harmful wastes
	Nili	Aluminum factory	Discharging alkaline materials that cause desertification
	Hallamish	Leather factory	Using toxic material such arsenic and chrome causing harm to the soil where they are buried in the nearby dump.
Hebron	Kiryat Arba'	Alcoholics factory	The linking of the two sewage systems in the settlement and Hebron causes more pressure on the system.
	Siramex	Unknown factories	Establishing a dump (6 hectare) in which wastes are buried in the lands of Yatta and Kharib nearby Hebron.
Nablus	Homesh	Aluminum factory and Chemical Cleaners factory	The settlement disposes of the industrial wastes in a place near Arraba, Qalqilya, Burka, and Sabastiya Valley.
	Allon Moraih	Aluminum factory, Food Canning factory and Household Paints factory	Wastewater is discharged into the olives groves.
	Shilo	Aluminum factory and Leather factory	
	Aytamar	Aluminum factory	
	Majdlim	Household Paints factory, Leather factory and Plastics factory	
Jenin	Homesh	Batteries factory and Candles factory	This factory uses the toxic cadmium, which causes damage to the land and agriculture when mixed with water.
	Ginnat	Gas factory	

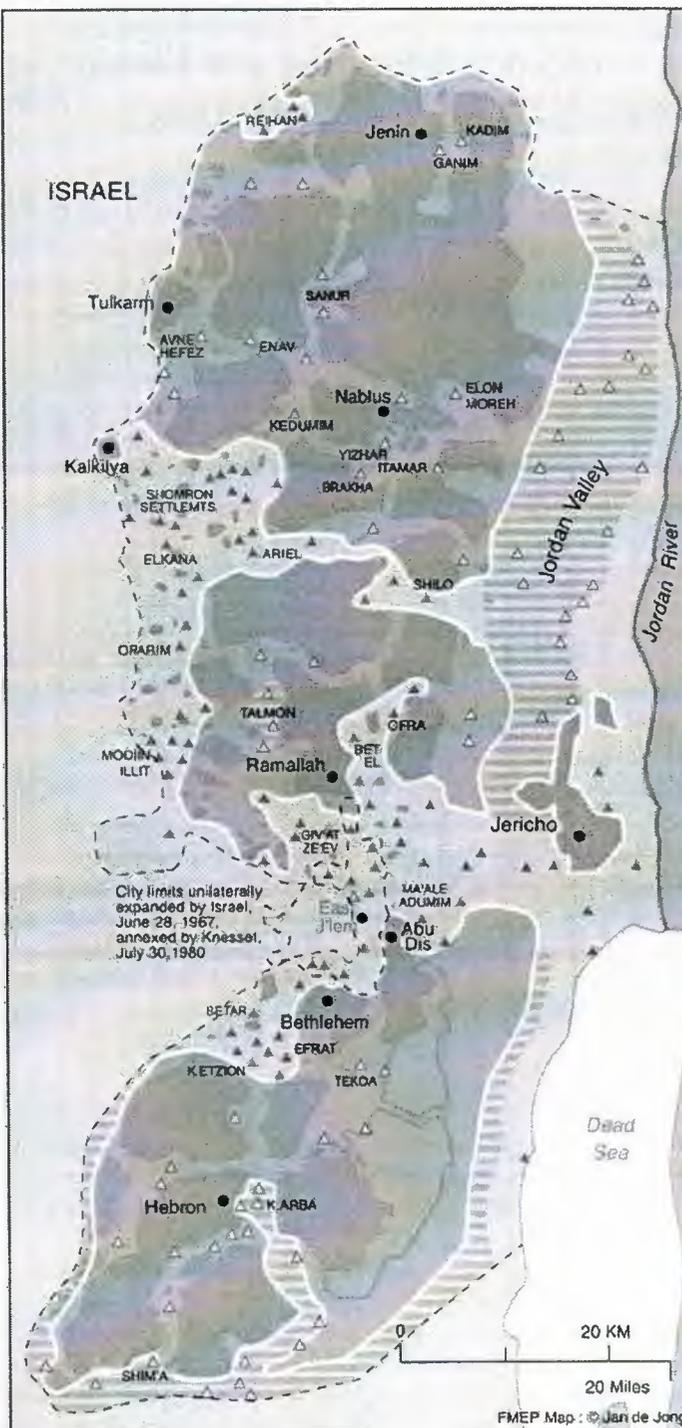
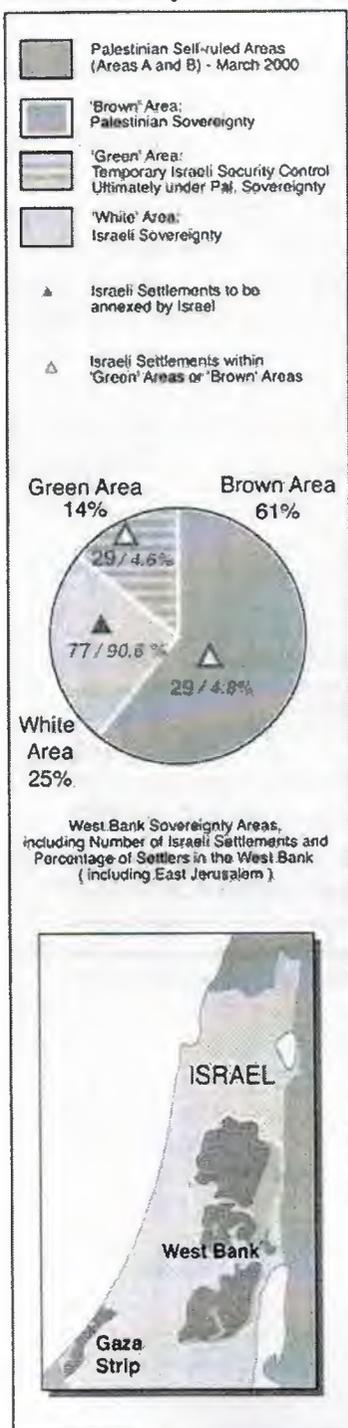
Tulkarem	Israeli Non-governmental factories	Pesticides factory	The liquid and gaseous wastes cause harms to residents and agriculture. This factory was first opened in Kefar Saba. The demonstrators managed to oblige the Israeli authorities to shut it down and relocate in Tulkarem.
		Shihaf Factory for Wool and Asbestos	Burning the wastes of this factory produces toxic gases.
		Dioxin for Gas	Giving off unpleasant smells as well as storing large amounts of gas which can cause an environmental disaster. This factory was first opened in Netanya and now it is in Tulkarem.
		Factory of chemical fertilizers, pipes, and water filters.	Repairing the old pipes and water filters by using large piles of sand results in the spread of unbearable dust in the area.
Salfit	Barkan Area (More than 80 factories)	3 Aluminum factories, wool factory, and several plastics factories.	The largest Israeli industrial area in the West Bank. The wastes of this area are buried in the agrarian lands.
Jericho	Al-Khan Al-Ahmar area (The second largest Israeli industrial area in the West Bank)	Factory of plastic equipments	Causing air and noise pollution
		Factory of rubber and leather	Causing air and noise pollution
		Ikstal Factories for Aluminum	Using toxic substances in the production process made the Israeli Environment Authority protest against the industrial drainage of these factories.
		Watirom Factory for Aluminum Melting	Belching out heavy black smoke.
		Dotara Factory	The products are unknown as the materials are secretly delivered to the factory. Wastes of tin and cans are buried nearby Al-Aizariyya where several factories are available.

Source: Palestinian National Information Centre.*

* PNIC, Israeli Violations of the Palestinian Environment:
http://www.pnic.gov.ps/english/Environment/Environment_Israeli%20Violations.html

APPENDIX 4:^{*}

West Bank Final Status Map Presented by Israel - May 2000



^{*} West Bank Final Status Map Presented by Israel May 2000, *Palestine facts*: http://www.fmep.org/images/maps/map0007_2.jpg

APPENDIX 5:

Israeli Wall and Berlin Wall *

Israel's Separation Wall, dubbed the "Apartheid Wall" or "Berlin Wall" by Palestinians, has increasingly attracted international media attention, largely due to the hard-to-ignore scale of the project.

The most obvious historical parallel to the barrier is the Berlin Wall, which was 96 miles long (155 kilometers). Israel's barrier, still under construction, is expected to reach at least 403 miles in length (650 kilometers). The average height of the Berlin Wall was 11.8 feet (3.6 metres), compared with the current height of Israel's Wall -- 25 feet (8 metres).

Israel's Wall is therefore planned to be four times as long and in places twice as high as the Berlin Wall.

Relative sizes of the Berlin Wall and Israel's Apartheid Wall

This graphical representation accurately shows relative height and length of the Berlin Wall next to Israel's Wall, although the vertical/horizontal orientations within each graphic are not to scale.

Berlin Wall

96 miles long (155 kilometers). Average height 11.8 feet (3.6 metres).



f Human height

Israel's Wall

To be at least 403 miles long (650 kilometers). Maximum* height 25 feet (8 metres).



f Human height

*It is not clear whether the shorter fence sections are a first or final stage of construction

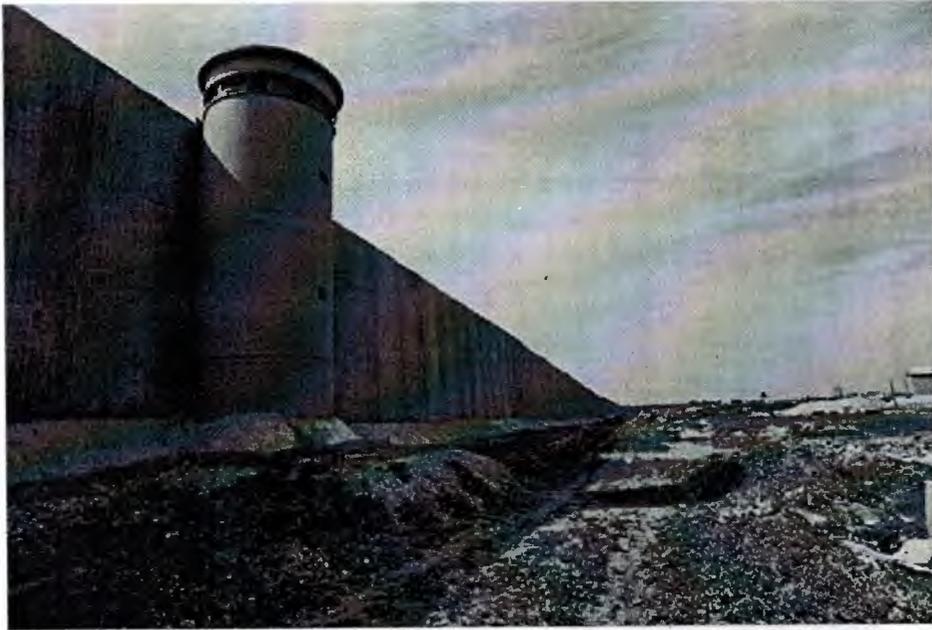
GRAPHIC: ELECTRONICINTIFADA.NET

* Nigel Parry, *The Electronic Intifada*, "Is it a Fence? Is it a Wall? No, it's a Separation Barrier", 1 August 2003: www.electronicIntifada.net. Visited in 15/8/2004.

APPENDIX 7:

The Wall Around Qalqiliya *

A twenty-five foot high concrete cage cuts residents off from their agricultural land, necessary for their survival, and prevents you from traveling even 5 minutes out of the City. A single gate, open at the whims of the occupying army, controls 100,000 residents.

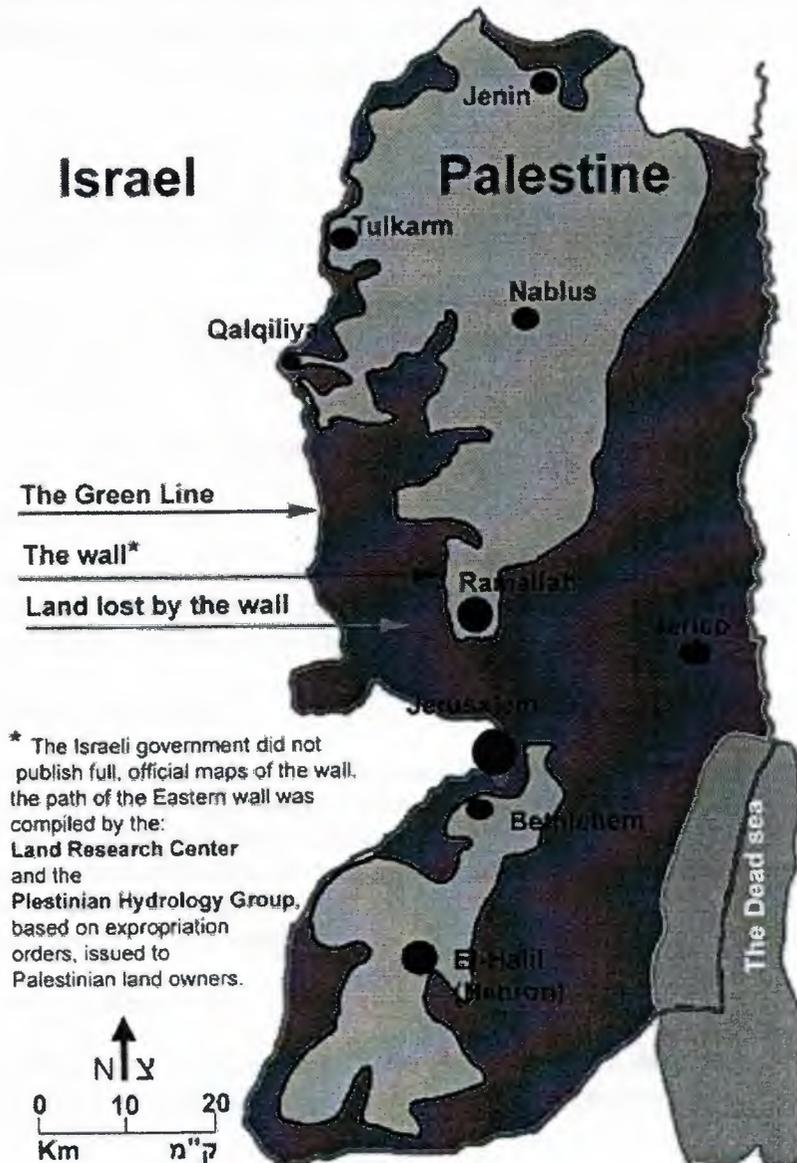


* cited in The Electronic Intifada: www.electronicIntifada.net.

APPENDIX 8:

The Actual Wall's Map

The following map, prepared by Palestinian sources – based on the parts of the wall already erected, those under construction, and confiscation orders issued to land owners – shows approximately what Israel is up to. Leaving the lion's share of the West Bank outside the Wall in Israeli hands, even what looks like two contiguous Bantustans are in fact crisscrossed by chains of Israeli settlements and roads-for-Jews-only.



The UN Resolution of 1947 allocated 45% of British Mandate Palestine to a Palestinian State. In 1948, Israel occupied 78% of the land, leaving just 22% – the West Bank and Gaza – to the Palestinians. This is all they have been demanding since 1993. Now, Israel is robbing more than the better half of these 22% left. Six million Israelis are to have about 90% of the land (and water), whereas three-and-a-half million Palestinians, many of them refugees, are pushed to starve into what is left, locked behind gigantic walls in open-air prisons, with no land, no water and no hope.

APPENDIX 9:

Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory

ADVISORY OPINION

The Court finds that the construction by Israel of a wall in the Occupied Palestinian Territory and its associated régime are contrary to international law; it states the legal consequences arising from that illegality

THE HAGUE, 9 July 2004. The International Court of Justice (ICJ), principal judicial organ of the United Nations, has today rendered its Advisory Opinion in the case concerning the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (request for advisory opinion).

In its Opinion, the Court finds unanimously that it has jurisdiction to give the advisory opinion requested by the United Nations General Assembly and decides by fourteen votes to one to comply with that request.

The Court responds to the question as follows:

— “A. By fourteen votes to one,

The construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated régime, are contrary to international law”;

— “B. By fourteen votes to one,

Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto, in accordance with paragraph 151 of this Opinion”;

— “C. By fourteen votes to one,

Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem”;

— “D. By thirteen votes to two,

All States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction; all States parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of

War of 12 August 1949 have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention”;

— “E. By fourteen votes to one,

The United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated régime, taking due account of the present Advisory Opinion.”

Reasoning of the Court

The Advisory Opinion is divided into three parts: jurisdiction and judicial propriety; legality of the construction by Israel of a wall in the Occupied Palestinian Territory; legal consequences of the breaches found.

Jurisdiction of the Court and judicial propriety

The Court states that when it is seised of a request for an advisory opinion, it must first consider whether it has jurisdiction to give that opinion. It finds that the General Assembly, which requested the opinion by resolution ES-10/14 of 8 December 2003, is authorized to do so by Article 96, paragraph 1, of the Charter.

The Court, as it has sometimes done in the past, then gives certain indications as to the relationship between the question on which the advisory opinion is requested and the activities of the General Assembly. It finds that the General Assembly, in requesting an advisory opinion from the Court, did not exceed its competence, as qualified by Article 12, paragraph 1, of the Charter, which provides that, while the Security Council is exercising its functions in respect of any dispute or situation, the Assembly must not make any recommendation with regard thereto unless the Security Council so requests.

The Court further refers to the fact that the General Assembly adopted resolution ES-10/14 during its Tenth Emergency Special Session, convened pursuant to resolution 377A (V), which provides that if the Security Council fails to exercise its primary responsibility for the maintenance of international peace and security, the General Assembly may consider the matter immediately with a view to making recommendations to Member States. The Court finds that the conditions laid down by that resolution were met when the Tenth Emergency Special Session was convened; that was in particular true when the General Assembly decided to request an opinion, as the Security Council was at that time unable to adopt a resolution concerning the construction of the wall as a result of the negative vote of a permanent member.

The Court then rejects the argument that an opinion could not be given in the present case on the ground that the question posed in the request is not a legal one.

Having established its jurisdiction, the Court considers the propriety of giving the requested opinion. It recalls that the lack of consent by a State to its contentious jurisdiction has no bearing on its jurisdiction to give an advisory opinion. It adds that the giving of an opinion would not have the effect, in the present case, of circumventing the principle of consent to judicial settlement, given that the question on which the General Assembly requested an opinion is located in a much broader frame of reference than that of the bilateral dispute between Israel and

Palestine, and that it is of direct concern to the United Nations. Nor does the Court accept the contention that it should decline to give the advisory opinion requested because its opinion could impede a political, negotiated solution to the Israeli-Palestinian conflict. It further finds it has before it sufficient information and evidence to enable it to give its opinion, and emphasizes that it is for the General Assembly to assess the usefulness of that opinion. The Court concludes from the foregoing that there is no compelling reason precluding it from giving the requested opinion.

Legality of the construction by Israel of a wall in the Occupied Palestinian Territory

Before addressing the legal consequences of the construction of the wall (the term which the General Assembly has chosen to use and which is also used in the Opinion, since the other expressions sometimes employed are no more accurate if understood in the physical sense), the Court considers whether or not the construction of the wall is contrary to international law.

The Court determines the rules and principles of international law which are relevant to the question posed by the General Assembly. The Court begins by citing, with reference to Article 2, paragraph 4, of the United Nations Charter and to General Assembly resolution 2625 (XXV), the principles of the prohibition of the threat or use of force and the illegality of any territorial acquisition by such means, as reflected in customary international law. It further cites the principle of self-determination of peoples, as enshrined in the Charter and reaffirmed by resolution 2625 (XXV). As regards international humanitarian law, the Court refers to the provisions of the Hague Regulation of 1907, which have become part of customary law, as well as the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, applicable in those Palestinian territories which before the armed conflict of 1967 lay to the east of the 1949 Armistice demarcation line (or "Green Line") and were occupied by Israel during that conflict. The Court further notes that certain human rights instruments (International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and the United Nations Convention on the Rights of the Child) are applicable in the Occupied Palestinian Territory.

The Court ascertains whether the construction of the wall has violated the above-mentioned rules and principles. It first observes that the route of the wall as fixed by the Israeli Government includes within the "Closed Area" (between the wall and the "Green Line") some 80 percent of the settlers living in the Occupied Palestinian Territory. Recalling that the Security Council described Israel's policy of establishing settlements in that territory as a "flagrant violation" of the Fourth Geneva Convention, the Court finds that those settlements have been established in breach of international law. It further considers certain fears expressed to it that the route of the wall will prejudice the future frontier between Israel and Palestine; it considers that the construction of the wall and its associated régime "create a 'fait accompli' on the ground that could well become permanent, in which case, . . . [the construction of the wall] would be tantamount to de facto annexation". The Court notes that the route chosen for the wall gives expression in loco to the illegal measures taken by Israel, and deplored by the Security Council, with regard to Jerusalem and the settlements, and that it entails further alterations to the demographic composition of the Occupied Palestinian Territory. It finds that the "construction [of the wall], along with measures taken previously, . . . severely impedes the exercise by the Palestinian people of its right to self-determination, and is therefore a breach of Israel's obligation to respect that right".

The Court then considers the information furnished to it regarding the impact of the construction of the wall on the daily life of the inhabitants of the Occupied Palestinian Territory (destruction or requisition of private property, restrictions on freedom of movement, confiscation

of agricultural land, cutting-off of access to primary water sources, etc.). It finds that the construction of the wall and its associated régime are contrary to the relevant provisions of the Hague Regulations of 1907 and of the Fourth Geneva Convention; that they impede the liberty of movement of the inhabitants of the territory as guaranteed by the International Covenant on Civil and Political Rights; and that they also impede the exercise by the persons concerned of the right to work, to health, to education and to an adequate standard of living as proclaimed in the International Covenant on Economic, Social and Cultural Rights and in the Convention on the Rights of the Child. Lastly, the Court finds that this construction and its associated régime, coupled with the establishment of settlements, are tending to alter the demographic composition of the Occupied Palestinian Territory and thereby contravene the Fourth Geneva Convention and the relevant Security Council resolutions.

The Court observes that certain humanitarian law and human rights instruments include qualifying clauses or provisions for derogation which may be invoked by States parties, *inter alia* where military exigencies or the needs of national security or public order so require. It states that it is not convinced that the specific course Israel has chosen for the wall was necessary to attain its security objectives and, holding that none of such clauses are applicable, finds that the construction of the wall constitutes “breaches by Israel of various of its obligations under the applicable international humanitarian law and human rights instruments”.

In conclusion, the Court considers that Israel cannot rely on a right of self-defence or on a state of necessity in order to preclude the wrongfulness of the construction of the wall. The Court accordingly finds that the construction of the wall and its associated régime are contrary to international law.

Legal consequences of the violations found

The Court draws a distinction between the legal consequences of these violations for Israel and those for other States.

In regard to the former, the Court finds that Israel must respect the right of the Palestinian people to self-determination and its obligations under humanitarian law and human rights law. Israel must also put an end to the violation of its international obligations flowing from the construction of the wall in the Occupied Palestinian Territory and must accordingly cease forthwith the works of construction of the wall, dismantle forthwith those parts of that structure situated within the Occupied Palestinian Territory and forthwith repeal or render ineffective all legislative and regulatory acts adopted with a view to construction of the wall and establishment of its associated régime, except in so far as such acts may continue to be relevant for compliance by Israel with its obligations in regard to reparation. Israel must further make reparation for all damage suffered by all natural or legal persons affected by the wall's construction.

As regards the legal consequences for other States, the Court finds that all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction. The Court further finds that it is for all States, while respecting the United Nations Charter and international law, to see to it that any impediment, resulting from the construction of the wall, in the exercise by the Palestinian people of its right to self-determination is brought to an end. In addition, all States parties to the Fourth Geneva Convention are under an obligation, while respecting the Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention.

Finally, the Court is of the view that the United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and its associated régime, taking due account of the present Advisory Opinion.

The Court concludes by stating that the construction of the wall must be placed in a more general context. In this regard, the Court notes that Israel and Palestine are “under an obligation scrupulously to observe the rules of international humanitarian law”. In the Court’s view, the tragic situation in the region can be brought to an end only through implementation in good faith of all relevant Security Council resolutions. The Court further draws the attention of the General Assembly to the “need for . . . efforts to be encouraged with a view to achieving as soon as possible, on the basis of international law, a negotiated solution to the outstanding problems and the establishment of a Palestinian State, existing side by side with Israel and its other neighbours, with peace and security for all in the region”.

Composition of the Court

The Court was composed as follows: Judge Shi, President; Judge Ranjeva, Vice-President; Judges Guillaume, Koroma, Vereshchetin, Higgins, Parra-Aranguren, Kooijmans, Rezek, Al-Khasawneh, Buergenthal, Elaraby, Owada, Simma and Tomka; Registrar Couvreur.

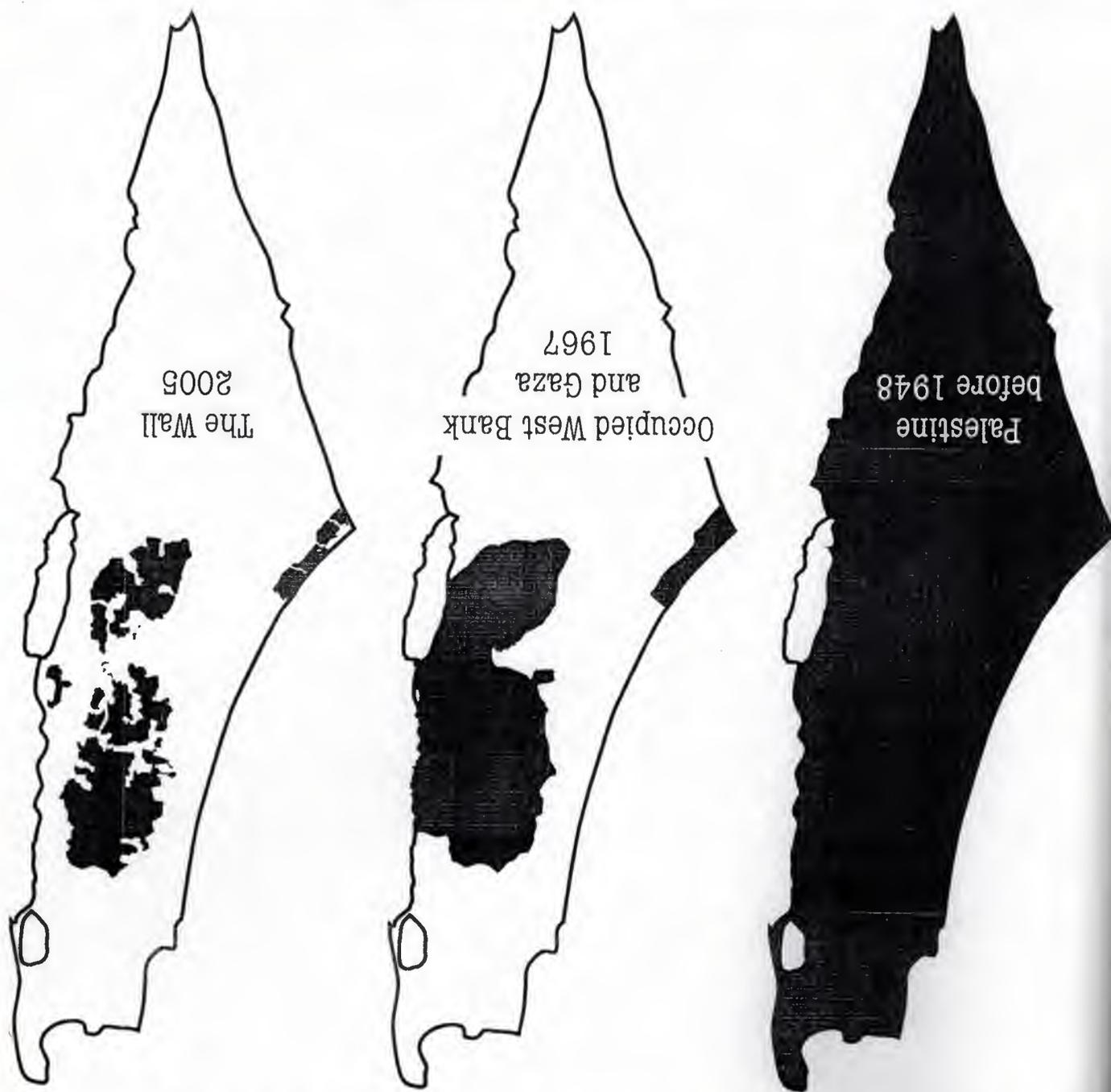
Judges Koroma, Higgins, Kooijmans and Al-Khasawneh append separate opinions to the Advisory Opinion. Judge Buergenthal appends a declaration. Judges Elaraby and Owada append separate opinions.

A summary of the Advisory Opinion is published in the document entitled “Summary No. 2004/2”, to which summaries of the declaration and separate opinions appended to the Advisory Opinion are attached. This Press Communiqué, the summary of the Advisory Opinion and the latter’s full text can also be accessed on the Court’s website: (www.icj-cij.org).^(*)

^(*) International Court of Justice Decision: <http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>.

www.stopthewall.org - Palestinian grassroots Anti-Apartheid Wall Campaign

TEAR DOWN THE WALL!



NO TO BANTUSTANS! STOP ISRAELI APARTHEID!