

Date: June 11, 2017
Reference: 10005

To
Mr. Avigdor Lieberman
Minister of Defense

By fax: 03-6976218

Dear Sir,

Re: Warning against humanitarian crisis in Gaza due to possible reduction of electricity supplied by Israel

On behalf of Gisha, we are contacting you urgently with regards to the matter in reference, alerting you that any reduction of electricity supplied by Israel to Gaza will cause a certain humanitarian crisis in the Strip. The State of Israel bears responsibilities towards the residents of the Gaza Strip, under both Israel's domestic law and international law. As such, Israel must act to find a solution that allows for a supply of electricity that ensures residents are able to lead their lives in acceptable conditions. Details as follows:

1. Some two weeks ago, the Coordinator of Government Activities in the Territories (COGAT), Maj. Gen. Yoav Mordechai announced that Israel was planning to reduce the amount of electricity it sells to the Gaza Strip. According to Mordechai, an internal conflict between the Palestinian Authority in Ramallah and Hamas in the Strip has resulted in a decision by the Palestinian Authority to withhold funding for Gaza's electricity. A similar message was conveyed following a meeting between Minister of Finance Moshe Kahlon and Palestinian Prime Minister Rami Hamdallah, also attended by Maj. Gen. Mordechai.

See: http://www.mako.co.il/news-military/security-q2_2017/Article-a0069a57ddf3c51004.htm (Hebrew)

http://www.mako.co.il/news-military/israel-q2_2017/Article-587dc9da6597c51004.htm?Partner=rss (Hebrew)

2. We hope that there is no need to remind you that **the situation in Gaza is already grave and dangerous**. Israel has been supplying Gaza with the meager amount of 120 megawatts of electricity for years. Gaza's sole power plant has been out of commission since mid-April due to a financial dispute between the Palestinian Authority and Hamas. Since then, between 80 and 100 percent of the electricity available to the two million residents of Gaza has been supplied by Israel (the exact portion depends on the supply from Egypt).
3. The diminished supply of electricity has serious and far-reaching implications: one hundred million liters of untreated sewage are pumped into the Mediterranean Sea daily; residents receive no more than four hours of electricity at a time, followed by at least twelve hours of blackouts; water desalination stations cannot operate; sewage cannot be pumped away from residential areas; generators are over-extended; entire hospital wings are shut down during blackouts, and people who rely on life-saving equipment are at risk. **Given this dire situation, experts are already warning of an imminent humanitarian crisis.**

4. As you know, even when the power plant in Gaza is fully functioning, the total amount of electricity available to residents, including electricity purchased from Egypt, only amounts to about half of demand. This severe deficit developed throughout the years of Israel's control over the Strip. Even after the implementation of the disengagement plan in 2005, Israel has continued to control many aspects of life in Gaza, in effect steering its economy.
5. There is no denying that the Palestinian Authority, the de-facto government in Gaza, Egypt, and the international community share collective responsibility for the dire state of Gaza's infrastructure. Nevertheless, this does not counteract Israel's significant accountability for the situation.
6. Given this background, Israel cannot claim to be a service provider responding neutrally to a client's request. Israel's absolute control over entrance of construction materials and spare parts needed for repair, maintenance and development of Gaza's infrastructure is sufficient proof of Israel's direct responsibility. Given its extensive control over life in the Strip, Israel is responsible for enabling normal life for its residents. Israel also bears responsibility for finding solutions that would allow the continued supply of electricity at existing capacity, and for taking active steps toward increasing supply, to suit modern life in acceptable conditions for Gaza residents. Israel's responsibilities are enhanced in this matter, given that the taxes paid by Gaza residents are collected and held by Israel.
7. The need for a providing regular supply of electricity arises not only from the duty to uphold the rights of Gaza residents. Senior officials in Israel's military and political establishment have been consistently claiming for years, and particularly so since 2014, that improving living conditions in Gaza and supporting its economic development are in **Israel's interests**. Israel's current plan stands in stark contrast with the positions of experts, and as such, threatens stability in the region and the outbreak of another unnecessary round of hostilities.
8. Given all of the above, Gisha warns that any reduction to the electricity supply will further exacerbate the situation in the Strip, which is calamitous and unstable as it is, and could lead to a humanitarian crisis. **Reducing the amount of electricity supply is a red line that must not be crossed. We urge you to ensure that this suggestion is taken off the table entirely, and not implemented under any circumstance. In its place, you must strive to bring Gaza's infrastructure to a level that meets the needs of its residents.**

Sincerely,

[signed]
Tania Hary
Executive Director

[signed]
Osnat Cohen-Lifshitz
Director of the Legal Department

CC: Prime Minister of Israel and members of the Ministerial Committee for National Security