

# Human Rights and Toxic Chemicals in the Occupied West Bank (Palestine)

Conclusions from a Joint APN-PANAP Mission in Palestine, May 2016 on the human rights and corporate accountability implications of the use, production, and dumping of pesticides, and the dumping of industrial and domestic waste



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## Overview

Between 1st – 7th May 2016, representatives from Arab Group for the Protection of Nature (APN) and Pesticide Action Network Asia Pacific (PANAP) undertook a joint documentation mission in the Occupied West Bank to better understand the human rights implications of the illegal production, trade, and dumping of pesticides, the dumping of industrial and domestic waste by Israeli settlers, and the culpability of state as well as corporate actors. Through site visits and meetings that were facilitated by the Palestinian Farmers Union and Palestinian Voluntary Work Committee, we had the opportunity to speak with government officials especially the Environmental Quality Authority, union leaders, workers, farmers, pastoralists, medical personnel, educators and students in Hebron, Qalqilya, Salfit, Tubas, Jericho and Tulkarem Governorates. Our understanding of the situation is grounded in the context of the illegal occupation of the West Bank by Israel<sup>1</sup> and the particular impacts of the designation of over 61% of the West Bank as Area C, under full civil and military control of Israel, and in the understanding that corporate agrochemical interests – both Israeli and international – are complicit in perpetuating human rights violations in Palestine. In the following pages we outline the main concerns emerging from our observations and discussions that are in need of immediate international attention. By bringing greater international scrutiny to the human rights violations and environmental harm imposed on Palestinian communities caused by the illegal production, dumping and trade of pesticides and the dumping of industrial and domestic waste by Israeli settlers, it is the intention of APN and PANAP to seek opportunities for challenging the current untenable situation with international pressure in ways that can compliment the commendable responses to these issues that Palestinian civil society and government actors are already taking.

## Key Findings

Toxic emissions and wastewater discharged from illegal Israeli settlements, including but not limited to Israeli industrial settlements as well as the transport and dumping of hazardous chemicals and waste in the Occupied West Bank, violate internationally recognised human rights by denying the residents in the surrounding Palestinian communities the rights:

- to know what chemicals are being used and produced in the settlement zones, and subsequently dumped into the surrounding environment;
- to the highest attainable standard of health and to a healthy environment;
- to life and livelihood and to safe working conditions;
- to be secure in the enjoyment of their own means of subsistence and development;
- of their children to survival and development; and
- to access just and fair redress and effective remedy.

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<sup>1</sup> As reflected, for example, in the UN's *"Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem"* (2013), which states in para. 103: "The settlements are established for the exclusive benefit of Israeli Jews; settlements are being maintained and developed through a system of total segregation between the settlers and the rest of the population living in the OPT. This system of segregation is supported and facilitated by a strict military and law enforcement control to the detriment of the rights of the Palestinian population." Accessed online: <[www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/FFM/FFMSettlements.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/FFM/FFMSettlements.pdf)>

**Based on the meetings and site visits APN and PANAP conducted, several common issues emerged which warrant international condemnation and immediate action. These include:**

1. **Denial of rights to access critical information:** Palestinians are consistently denied access to information about the pesticide products and other chemicals being manufactured and used in the illegal settlements, illicitly traded, and dumped by settlements into landfills, on farmlands, as well as in waterways.
2. **Denial of rights to critical water sources:** Aquifers, springs and rainwater harvesters relied upon by Palestinian communities are being contaminated by illegal industrial and agricultural settlements that discharge noxious chemicals (including wastes created in the production processes of agrochemicals and pesticide run-off from heavily sprayed fields and greenhouse crops).
3. **Denial of rights to the highest attainable standard of health:** By systematically dumping wastes and discharging sewage onto lands used by Palestinians for grazing their herds and farming, as well as into residential areas with high concentrations of schools, Israel is effectively denying Palestinians rights to healthy food, healthy environment and to the very survival and development of children. This situation is vividly illustrated by the increasing levels of respiratory problems, cancers and other illnesses reported in areas surrounding Israel's illegal industrial settlements in the West Bank.
4. **Denial of rights to self-determination and sovereign decision-making:** Palestinians are not in a position to stop the illegal trade of goods into the Occupied West Bank because the Israeli military exercises full control of the border (i.e. the "Green Line")<sup>2</sup> and internal checkpoints. Additionally, the Israeli authorities do not allow the Palestinian Authority to enforce Palestinian laws inside Area C. The Palestinian Authority therefore has extremely limited ways to monitor the movement of products in the West Bank and to properly enforce national prohibitions on the entry of banned or otherwise illegal pesticides in these areas.
5. **Corporations, including those headquartered abroad, are complicit in these violations:** Pesticide manufacturing, use, smuggling and dumping in the Occupied West Bank is made possible due to the complicity of Israeli and transnational corporations that have manufacturing sites within the illegal settlements and provide the Israeli state with equipment and chemicals necessary to sustain the current order. In addition, pesticide companies located abroad continue to have business relations with Israel, and as a result, their products may be implicated in the above described human rights violations.

## **Denial of rights to access critical information**

Palestinians are systematically denied access to information on the products being manufactured by corporations located inside Israel's illegal settlements, the chemicals used in the associated manufacturing processes, as well as the agrochemicals traded into and used in these settlements. In both practice and policy, there is no current channel through which Palestinians can obtain reliable and accurate information on such practices. Notably, given the lack of information the Israel Civil Administration has provided to the Palestinian authorities about what has been and continues to be

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<sup>2</sup> The Green Line is the 1949 Armistice demarcation line between land held by Israeli forces and the Occupied Palestinian Territories of the West Bank and Gaza, and is not considered a permanent border.

dumped, both from these industrial settlements and other Israeli sources, Palestinian officials face a critical lack of specific data about the different toxic chemicals that are continuously leaching into the local groundwater and soil, and too little information to comprehensively assess the cumulative and long-term impacts on both environment and health. This situation was typically described by officials and community members in all of the six Governorates we visited.

In addition to not supplying information to Palestinians, Israeli army personnel surrounding the illegal settlement sites physically prevent Palestinians from collecting and analysing water and soil samples from locations near the settlements. Furthermore, Israel imposes severe restrictions on importing technical equipment into the West Bank that could be used in the analysis of any such samples.

## Denial of Rights to Self-Determination and Sovereign Decision Making

In spite of Palestinian legislation introduced in 2012 intended to restrict the import, trade and use of pesticides in the Occupied West Bank (currently estimated to be about 200 registered active ingredients, approximately equivalent to one-third of the number registered by Israel), the reality of restricting the movement of these chemicals from Israel, across the Green Line in the context of Israeli occupation and settlement expansion is extremely difficult, if not impossible.

We had the opportunity to visit two storage areas in Hebron and Qalqilya where officials are holding confiscated illegal pesticides. In Qalqilya, we were alarmed by the number of containers seized two weeks prior to our visit (in the Qalqilya Governorate alone), including six 20 litre drums of Thionex (endosulfan) manufactured in Israel in November 2014<sup>3</sup> and several containers of Dukalon (paraquat<sup>4</sup> and diquat mixture), all of which are banned by the Palestinian Authority. We also heard government officials representing health, environment, and agriculture ministries as well as academics explain the attempts to phase out methyl bromide,<sup>5</sup> despite it being illegally brought from inside the Green Line. In different regions, community members and officials reported instances of pesticides being stripped of labels, re-labelled or mislabelled before being transported from inside the Green Line to the Occupied West Bank.



Qalqilya: Confiscated Israeli manufactured Endosulfan (Thionex). May 2016.

Credit: Tanya Lee

<sup>3</sup> In 2011, endosulfan was listed under the *Stockholm Convention on Persistent Organic Pollutants* for global phase-out of manufacture and use. Israel has ratified the Convention, but to date, has not yet ratified the amendment listing endosulfan.

<sup>4</sup> The Chemical Review Committee of the *Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade* has recommended the listing of a severely hazardous formulation of paraquat, although a small number of countries have so far blocked that listing. Israel has ratified the Rotterdam Convention.

<sup>5</sup> Listed under the *Montreal Protocol on Substances that Deplete the Ozone Layer*.

Between the establishment of the Palestinian Authority in 1994 and the year 2015, five tonnes of pesticides originating from both inside the Green Line and the illegal industrial settlements were confiscated in transit through Area A.<sup>6</sup> These confiscated items are stored in Jenin under the observation of the Ministry of Agriculture. The PA has no way of safely disposing of toxic chemicals, and currently Israel refuses to take them back.

## Denial of Rights to Water and the Highest Attainable Standard of Health

In each of the Governorates visited, PANAP and APN representatives observed and were told about sites where sewage water from Israeli settlements – industrial, agricultural, and domestic – flows untreated onto Palestinian land, impacting both peoples' health and livelihoods. The Palestinian communities affected by this sewage water have no knowledge of what products are used or manufactured in these settlements, and thus do not know what is in the wastewater. Some farmers have been forced to cease production, harvesting crops, and grazing livestock because of the impact of the unknown toxins in the wastewater. As a result, Israel is effectively denying Palestinians their rights to clean and safe water, and to safely and productively graze their livestock and pursue livelihoods based on farming.

### Faisayel, Jericho

In the village of Faisayel, located in the Jericho Governorate of the Jordan Valley, we heard reports of the dumping of solid wastes transported from inside the Green Line, which contain a high content of lead. In the same village, they are investigating the deaths of 25 cows in 2014. It is suspected that these deaths were caused by the high ammonium content in the water, specifically as connected to sewage water discharges from settlements. While in Faisayel, we were shown documents with laboratory analyses of the sewage water, indicating a very high ammonium content, as well as high pH and nitrates. Near Faisayel, we were informed of incidents dating back to 2010 of liquid waste from the Israeli dumping site of Tovlan being disposed of in the Jordan River.

### Jayyous, Qalqilya

APN and PANAP representatives also conducted a site visit of the Jayyous landfill in the Qalqilya Governorate and spoke with community members, senior officials from the municipal government as well as local representatives of the Ministry of Agriculture. Between 1989 and 2001, Israel dumped industrial and domestic waste onto a one-hectare site belonging to a farming family in Jayyous, without obtaining free, prior and informed consent for usurping the land from either the family or the



*Jayyous landfill: View from the top, where white toxic debris drifts into air. May 2016.*

*Credit: Tanya Lee*

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<sup>6</sup> Personal communication, Ministry of Agriculture, Palestinian Authority. 24th May, 2016.



municipality. The Jayyous landfill, established along the main highway between Qalqilya and Tulkarem remains uncapped, with associated debris and a foul odour constantly drifting into the surrounding area, and unknown chemicals and heavy metals seeping into the soil and groundwater. It is located above the local aquifer that is relied upon by five surrounding villages, and only 500 metres away from one of the main water collection points of Azzuun.

Government officials explained that the landfill is estimated to contain 450,000 tonnes of waste sourced from residential and industrial settlement zones and Israeli military bases. Azzuun municipality undertakes water testing on a regular basis to assess the presence of heavy metals. High levels of lead and other heavy metals have been recorded through this testing and are a suspected cause of the disproportionately high rates of cancer recorded in Azzuun (in comparison to other municipalities). Although there are anecdotal reports of miscarriages, the extent of such instances has yet to be documented as a public health issue connected to the waste dump. Though the landfill was officially closed in 2001 due to pressure from the Palestinian Authority, municipal officials and civil society, no action has been taken by Israel to remove the waste, remediate and rehabilitate the area, or to take responsibility for the ongoing health problems suffered by Palestinian residents.

### **Barkan Industrial Park, Salfit**

In Salfit, we heard how wastewater from the Barkan Industrial settlement is collected in settling tanks and reportedly routinely released each Saturday into pipelines and a sewage channel that runs directly through the Palestinian villages of Bruqin and Haris. The untreated water and sludge seeps into the soil, contaminating the underground aquifer that is relied upon for drinking water by the Palestinian population, and passes directly by water pumping stations that serve residential areas. In addition, it was recounted to us that some farmers graze animals near the wastewater discharges, especially in the summer when the only green grass that can be found is around sewage water. Although scientific analyses have yet to be done, residents and populations in the surrounding area believe that the heavy metals and chemicals have contaminated the milk of local livestock, and as a result, dairy products from the area are reportedly difficult to sell.



*Salfit Area: Palestinian Farmers' Land observed by Israeli Military tanks. May 2016.*

*Credit: Tanya Lee*

Government officials reported to us that the unregulated and unmitigated waste discharges from Barkan have led to the breeding of the Asian Tiger Mosquito and caused the population in Haris and Bruqin to suffer from leishmaniasis as well as other diseases that have never before been present. Children are reported to be particularly vulnerable to falling ill, not only due to their naturally lower immunity, but also because of their exposure to the toxic chemical waste while playing outside. Incidences of cancer, including among children, have anecdotally increased, although a statistical analysis of the degree to which there is a presence of such clusters in the area has yet to be conducted.

Given the lack of access to information about which chemicals are being dumped by the industries located in Barkan<sup>7</sup> and the lack of mechanisms available to hold Israel's Civil Administration accountable for regulating the waste discharges, Palestinian authorities are unable to effectively respond to the resulting public health crisis or make decisions on how to appropriately treat water. Indeed, municipal officials testified that although they want to build a wastewater treatment plant, plans are currently on hold due to the conditionality imposed by Israel that any future plant must also treat the wastewater from the illegal settlements.

### **Yatta and Khirbet Zanuta, Hebron**

In the Hebron Governorate, we conducted a site visit to the village of Yatta, where industrial and domestic wastewater is dumped downhill from settlements (including Kiryat Arba) and accumulates around olive trees, contaminating the soil and killing the trees. This is occurring in what was previously one of the most fertile areas of the West Bank. The situation is directly impacting the livelihoods of more than 200 farmers who cannot harvest their crops for food (which include olives, figs, and grapes). The sewage water runs 14 km long, with a depth of 70 cm, and although it has passed through this land since the early 1980s, it is reported to have become increasingly toxic in recent years. The illegal settlements of Karmaeil and Sousia are also responsible for wastewater flowing onto Palestinian farms near Yatta.



*Hebron Area: Waste discharge from settlement industries poisoning the Palestinian olive tree orchard. May2016.*

*Credit: Tanya Lee*

The village of Khirbet Zanuta, also in Hebron Governorate, sits across from the industrial settlement of Meitarim, which was built on 50 dunums (5 hectares) of confiscated Palestinian land. Residents report that the settlement allows wastewater to run into the valley, previously used for crops and the grazing of animals, which separates it from the village. They noted that the soil has been significantly affected as it is less productive and can no longer be used for food crops. It was also reported that if animals drink from the wastewater they stop producing milk, or produce milk with a bad smell that cannot be consumed.

### **Geshuri Industrial Complex, Tulkarem**

Throughout our site visits, we repeatedly heard how factories that were closed inside the Green Line due to violations of environmental and health regulations relocated inside illegal settlements in the Occupied West Bank. These factories now operate with complete impunity, in violation of Palestinian

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<sup>7</sup> Evidently, some of the only information available about the chemical products used inside the industrial settlement zones comes from testimonials provided by workers. For instance, when APN and PANAP representatives had the opportunity to speak with Palestinians who work in the Barkan Industrial Park, some of the chemicals they identified as being used in one factory included chromium, ammonia and titanium dioxide (a paint pigment) – all of which are discharged into the wastewater or dumped untreated into nearby valleys.



*Geshuri Industrial Settlement, Tulkarem. May 2016. Credit: Tanya Lee*

health, labour and environmental regulations. One such situation is that of the Geshuri Industrial Complex, an illegal settlement located in the Tulkarem Governorate. It contains a cluster of agrochemical and other chemical manufacturing plants but is named after the largest factory, operated by Geshuri & Sons, known to produce pesticides and fertilisers. After being closed down in Israel by a court order in 1982 because of heavy chemical contamination in the surrounding environment for which it was responsible, the Geshuri factory relocated to Area C of the West Bank, adjacent to the Palestinian community of Tulkarem. Ever since beginning its operations in the West Bank, this industrial complex has severely impinged on the entire surrounding population's well-being and collective rights to life.

Tulkarem residents testified that the complex routinely dumps untreated toxic waste and garbage in the surrounding areas. The agrochemical factory discharges a noxious liquid through several nearby Palestinian farms, one of which the owner is trying to manage as an organic farm. Groundwater and soil in some of the area directly surrounding the factories have been rendered infertile and contaminated, resulting in the loss of productive land for growing food and raising livestock. Productive land owned by Tulkarem residents has also been usurped in order to accommodate the expansion of the industries.

Community members and government officials stated that the factories – which run nearly 24 hours, six days a week – close down during the four or five days of the year when the wind blows towards Israeli towns on the other side of the Apartheid Wall.<sup>8</sup> Some of the residents recalled that when one of the factories was required to close because of concerns even by other factory operators, rather than taking appropriate precautions to dispose of hazardous materials and dismantle equipment, the owner purposefully torched the site, causing toxic fumes to envelop the entire community. Other incidents of periodic fires at the site are reported to have left homes, trees and land in Tulkarem covered in black soot. There have been reports of conjunctivitis as well as other eye diseases, and children have proportionately higher rates of asthma in comparison to similar aged populations in the surrounding towns. However, there has been inadequate health monitoring because of a lack of access to the necessary resources.

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<sup>8</sup> Alternately termed the annexation or separation wall.

Working conditions within the Geshuri factories are reportedly deplorable with low wages and no health and safety regulations. The complex effectively functions as a military zone that is closed to any form of monitoring and trade union activity, under protection provided by the Israeli Civil Administration.

Workers, most of whom are Palestinians from Tulkarem and surrounding areas, are under pressure not to disclose the situation they face or any information they may have access to regarding the products they handle. If they are seen to raise too many questions, they may have their work permits withdrawn. Many reportedly work 12-hour shifts, but are only paid for 8-hour days and evidently are frequently ill due to heavy exposure to hazardous chemicals. Although we were informed of several incidents of workers dying from industrial accidents, factory fires and cancers, a comprehensive study enumerating such cases has never been undertaken.

## Denial of Community Rights to Life and Livelihood

### Bedouin Communities in the Naqab

On 4th May, the joint APN and PANAP delegation met with an extended Bedouin family in the Naqab, located inside the Green Line. We heard first-hand how the family – descendants of the Al-Touri lineage – had their land subjected to aerial spraying with glyphosate several times between 1999 and 2003, destroying crops and poisoning livestock and people, and how Israeli forces continue to use other methods aimed at the forcible displacement of this family as well as the wider Al-Araqib community. The Al-Touri family members testified that on one day in 2010, Israeli military forces uprooted 4,500 trees in Al-Araqib and destroyed houses, livestock housing, water tanks, and generators. Since then, the family's home has been destroyed a total of 98 times, with the most recent destruction prior to our visit being 19th April 2016 and new reports that they again had to witness their shelters being demolished on 19th May, two weeks after our visit. The Al-Touri family is now reduced to living in makeshift structures of tarpaulin because of the repeated destruction of their shelter. Exacerbating this ongoing harassment by Israeli forces is the reality that members of the family have been arrested multiple times (typically on the basis of charges for 'trespassing' on their own land), and then pressured to relinquish their land in order for the charges to be dropped.



*Al-Araqib, Naqab: JNF trees planted to disrupt flow of rainwater to Palestinian water collection tanks. May 2016.  
Credit: Heather Aidy*

The Jewish National Fund (JNF), a non-governmental organisation (NGO) established by the World Zionist Organization and asserting itself as a “United Nations NGO”,<sup>9</sup> systematically sets up outposts in the Naqab and plants rows of trees in Al-Araqib, including directly on the Al-Touris’ land. In partnership with the Israeli state,<sup>10</sup> the JNF justifies its tree-planting program by claiming that the ancestral domain of the Bedouin families of Al-Araqib is in fact Israeli “State land”. The JNF plants the trees in such a way that disrupts the flow of rainwater into the family’s water collection tanks. The vast majority of these trees are non-productive, with a significant number of thorn-bearing trees and eucalypts, which destroy the soil and disrupt the hydrological balance.

### **Northern Jordan Valley, Tubas**

In the Northern Jordan Valley (Tubas Governorate), APN and PANAP heard testimonies of ongoing violence against pastoralists perpetrated by the Israeli military and settlers, including demolition of housing, poisoning of livestock, destruction of water sources, and use of live ammunition.

Although residents have documentation to prove the land is theirs, they nevertheless are subject to repeated housing demolitions and are denied permits that would allow them to re-build a home. One farmer testified that his home had been demolished six times, most recently in April 2016. These housing demolitions are reported to have been carried out by Israeli forces using excavator trucks and front-end loaders that are manufactured in the illegal settlements under internationally recognised brand names.



*Tubas, Jordan Valley: Sheep herd grazing at site of wastes, including pesticide containers, dumped into Palestinian lands from nearby settlements. May 2016. Credit: Tanya Lee*

<sup>9</sup> Jewish National Fund website. Accessed at: <[www.jnf.org/about-jnf/](http://www.jnf.org/about-jnf/)>.

<sup>10</sup> The Israel Land Authority is governed by a council of 22 members, 10 of whom are from the JNF ([www.mmi.gov.il/envelope/indexeng.asp?page=/static/eng/f\\_general.html](http://www.mmi.gov.il/envelope/indexeng.asp?page=/static/eng/f_general.html)). Their policy objectives include “designating land areas for public and state requirements” and “safeguarding state land”.

In addition, the farmers described several humiliating and punitive actions perpetrated by the Israeli military forces and settlers, on an ongoing basis. These include:

- Restrictions on freedom of movement, particularly in Area C (only some people are permitted to enter al Hadidiya, while others, including those who have lived in the area for generations, are periodically prohibited from reaching their land);
- Being forcefully denied access to local water resources in Area C and highly restricted in access to water in Area B, by being forbidden to: (i) construct new water wells; (ii) repair old wells; or (iii) draw water from water pumps reserved exclusively for the illegal settlements surrounding al Hadidiya (Ro'i and Beka'ot) and Ein al Beida (Mehola, Sdemot Mehola and Maskiyot);
- Being charged exorbitant prices to purchase water from a tanker (fees paid by Palestinians residing within Area C are 10-13 times more than the prices paid by the Israelis living in the nearby illegal settlements);
- Periodic temporary evacuation ordered by the military forces for people from al Hadidiya and parts of Ein al Beida who are living within Area C;
- Rainwater tanks being confiscated or rendered useless by waste thrown into them by settlers;
- Dumping of waste from settlements on grazing land, including pesticide containers;
- Deliberate poisoning of livestock with pesticides;
- Intentional fires being set by the settlers (under the watch of the Israeli army) to torch the land, leading to a loss of fodder for livestock and also killing livestock directly, and intentionally killing or injuring livestock by running them over with vehicles.

### **Implications of the Apartheid Wall**

Several people we spoke to in various locations pointed out the problems related to the physical barrier created by the Apartheid Wall. The wall often causes flooding as it prevents natural runoff, and it also cuts herders off from lands they previously used for grazing. In addition, it has severe psychological impacts on residents, particularly the elderly and children, given the constant monitoring of the area along the wall with cameras and the physical presence of armed tanks as well as snipers.

### **Palestinian Workers in Israeli Agricultural Settlements**

In the Jordan Valley, APN and PANAP representatives heard from local community members that a reported 10,000 Palestinians work inside the agricultural settlements – a significant number of whom are children. Palestinian workers are given the duty of spraying pesticides, and suffer side effects including impacts on the nervous system, respiratory problems including asthma, infertility particularly of men, and peeling skin / skin allergies. Side effects are reported to begin approximately six months after



*Apartheid Wall, Palestine. May 2016.*

*Credit:Tanya Lee*

starting to use pesticides. Palestinian workers do not have proper equipment to protect themselves, and cannot access any compensation or benefits for work-related illnesses or injuries.

## **Recommendations**

Based on the discussions and meetings in which APN and PANAP engaged in Hebron, Jericho, Qalqilya, Tulkarem, Tubas, and in the Naqab, we are calling on the United Nations bodies, international organisations and international civil society organisations to consider the following recommendations.<sup>11</sup>

### **UN and International Organisations**

In line with the provisions of the United Nations General Assembly Resolution A-HRC-31-L.39 on the “Human rights situation in Palestine and other occupied Arab territories”, all relevant United Nations Treaty Bodies, Special Mechanisms and Human Rights Council and Affiliated Technical Organisations are urged to call on Israel to immediately:

1. Dismantle all industrial settlements, under the guidance of a team of international and Palestinian experts, in order to prevent further damage to peoples’ health and the environment, and to remediate the land and return it to Palestine.
2. Vacate all agricultural settlements on confiscated farmland, remove all pesticides that are not approved by the Palestinian Authority, remediate soil and water resources, and return the land to Palestine.
3. Provide publicly accessible information on all chemicals used and produced inside the illegal industrial settlements (such as through a regularly updated online database), and fertilisers and pesticides used inside the illegal Israeli settlements within the Occupied West Bank.
4. Take concerted action in regard to the landfills and waste sites inside the West Bank that were established and used by Israeli actors, including: removing the wastes and transporting them back to Israeli facilities inside the Green Line for appropriate treatment; remediating contaminated soil and rehabilitating the surrounding land; treating and rehabilitating associated contaminated water sources; and returning the land unconditionally to the rightful Palestinian owners.
5. Turn over control of the current boundaries of the West Bank (including all checkpoints along the Green Line) to Palestinian authorities to allow them to prevent the entry of banned hazardous materials into the West Bank.
6. Halt all human rights violations committed against Palestinian farmers, both in the West Bank and in the Naqab region inside the Green Line, including confiscation of land, waste discharges onto their lands, contamination of water resources, intentionally maiming, shooting and poisoning livestock, and housing demolitions.
7. Instruct Mekorot, as a state-owned water company, to (i) urgently drop all restrictions on Palestinians with regard to the use of water pumps (that currently serve the needs of settlements but are located inside West Bank), (ii) ensure both Palestinian and Israeli

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<sup>11</sup> We take note of the recent United Nations General Assembly Resolution A-HRC-31-L.39 (22nd March 2016), accessed online at: <[www.unwatch.org/wp-content/uploads/2016/03/HRC\\_31\\_39.pdf](http://www.unwatch.org/wp-content/uploads/2016/03/HRC_31_39.pdf)> and intend for these recommendations to reiterate and compliment the provisions therein.

populations are being charged the same fees per cubic metre, (iii) drop restrictions on the operation and maintenance of Palestinian water wells and pumps, and (iv) progressively cede control over all water services to the Palestinians.

8. Facilitate access to the Israeli High Court for petitions from Palestinians, particularly related to pesticide poisoning, ill health, and loss and damage of livelihood assets; and to allow for representation from a lawyer of their choice, including of Palestinian descent, without discrimination or repercussion.

In addition, international organisations, including UN agencies, are called upon to:

1. Assist appropriate Palestinian organisations in the development of laboratory facilities capable of analysing for toxic chemicals inside the West Bank and under full Palestinian control, and the development of Palestinian scientific capacity necessary for operating them.<sup>12</sup>
2. Facilitate the formation of a joint international and Palestinian team of health professionals under the auspices of the UN and other international agencies, in consultation with Palestinian authorities, to carry out appropriate studies on cancer clusters and other health impacts, and the correlation with factory emissions and waste discharges from the illegal settlements.

### **State Parties to the United Nations**

In order to avoid complicity with violations of internationally recognised human rights standards and international humanitarian law, in line with provisions 12, 13 and 14 of the UN General Assembly Resolution A-HRC-31-L.39, all states:

1. Manufacturing pesticides and pesticide-related chemicals (specifically but not limited to China) must immediately halt exports of these products to Israel and cease their own manufacturing in Israel, until irrefutable guarantees are provided by the said State that these agrochemicals will not be illegally traded into – or used within the illegal settlements in – the Occupied West Bank.
2. With companies headquartered within their respective jurisdictions that are involved in the production, sale and promotion of pesticides with Israeli state-based or corporate actors (including Switzerland, Germany, UK and USA) should immediately require them to halt activities until irrefutable guarantees are provided by Israel that these agrochemicals will not be illegally traded into – or used within the illegal settlements in – the Occupied West Bank or used in illegal, inappropriate or inhumane ways.

### **Corporations and their Subsidiaries**

In order to avoid complicity with violations of internationally recognised human rights standards and international humanitarian law, in line with provisions 8, 13 and 17 of the UN General Assembly Resolution A-HRC-31-L.39, all companies and their subsidiaries:

1. Complicit in the manufacturing of pesticides in the Israeli settlements in the West Bank or in supplying the settlements with such products (including via initial export to Israel) should immediately halt their activities, cease implicated trade relations, and withdraw from all interactions with Israeli settlements.

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<sup>12</sup> To date, Palestinians lack the specialised equipment and labs to analyse soil, water, and blood samples that would allow them to gather information about the impacts of the various forms of pollution coming from the settlements.



2. Complicit in the collection, transport or sales of waste from the illegal settlements should immediately cease and desist from such activities.
3. Involved in any manufacturing or sale of equipment that can be used by Israeli state entities to undertake demolitions of Palestinian homes, such as bulldozers and front-end loaders, should immediately cease and desist from business alliances with Israel, until the said State – in policy and action – proves it will permanently put an end to this violent and illegal activity.

### **Civil Society Groups**

International civil society groups are called on to:

1. Work in collaboration with Palestinian counterparts to monitor (i) waste discharges and industrial emissions from the illegal settlements and their impacts on human health; and (ii) human rights violations perpetrated by the Israeli Civil Administration, military and illegal settlers on the Palestinian people through the manufacture, use and discharge of toxic chemicals.
2. Work with Palestinian lawyers, as needed, on tort or other collective cases to hold pesticide companies legally accountable for the poisoning and illnesses experienced by communities exposed to these chemicals.
3. Work with Palestinian farmers (in collaboration with the FAO, as appropriate) to reduce the use of hazardous pesticides through information on and training in agroecology, including organic farming.







العربية لحماية الطبيعة  
Arab Group for the Protection of Nature

**Arab Group for the Protection of Nature (APN)** is a member-based non-profit organisation concerned with the protection of the environment and natural resources against all hazards including the destructive impacts of foreign wars and occupations.

*For more information:*

**Arab Group for the Protection of Nature**  
P.O. Box 811815, Amman, 11181 Jordan  
Tel: +962 (6) 567 3331 | Fax: +962 (6) 569 9777  
E-mail: [info@apnature.org](mailto:info@apnature.org) | Website: <http://www.apnature.org/>

**PAN Asia Pacific (PANAP)**, one of five regional centres of the Pesticide Action Network, is dedicated to the elimination of harm upon humans and the environment by pesticide use and the promotion of sustainable biodiversity-based agriculture. In addition, PANAP helps strengthen people's movements in their assertion of rights to land and livelihood; advancing food sovereignty and gender justice.

*For more information:*



**PAN Asia Pacific**  
P.O. Box 1170, Penang, 10850 Malaysia  
Tel: +604 657 0271 / +604 656 0381 | Fax: +604 6583960  
E-mail: [panap@panap.net](mailto:panap@panap.net) | Website: <http://www.panap.net/>