

Mandates of the Special Rapporteur on the human rights to safe drinking water and sanitation; the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Special Rapporteur on the right to food; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the human rights of internally displaced persons; the Independent expert on the promotion of a democratic and equitable international order and the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967

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(Please use this reference in your reply)

11 June 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the human rights to safe drinking water and sanitation; Special Rapporteur on the human right to a clean, healthy and sustainable environment; Special Rapporteur on the right to food; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the human rights of internally displaced persons; Independent expert on the promotion of a democratic and equitable international order and Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, pursuant to Human Rights Council resolutions 51/19, 55/2, 58/10, 51/21, 50/6, 57/7 and 1993/2A.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **numerous and serious alleged violations of the Palestinian people's human right to safe drinking water and sanitation which could entail the use of water as a weapon of war, right to food, as well as the right to a clean, healthy, and sustainable environment, and to the highest attainable standard of physical and mental health, related to the actions of Israeli authorities in the Gaza Strip since October 2023, particularly concerning the deliberate and systematic obstruction of Palestinians' access to an adequate amount of safe drinking water required for survival and the fulfillment of the right to life and the widespread destruction of essential civilian infrastructure, including water and sanitation infrastructure and water sources with the intention of rendering impossible to access in the future safe water for drinking and food production.**

According to the information received:

Context on Water Sources in Gaza before October 2023

Israel, as the occupying power, continues to exercise control over the airspace, territorial waters, land crossings, water supply, electricity networks, electromagnetic sphere and civilian infrastructure in Gaza.¹

The only natural source of water in the Gaza Strip is the coastal aquifer, shared with Israel. However, groundwater in Gaza is severely affected by salinization and contamination due to long-standing Israeli policies. In Gaza, more than

¹ [Application instituting proceedings and Request for provisional measures](#)

97 per cent of water from a coastal aquifer is contaminated, making residents dependent on water from Israel.

Whereas the 1995 Oslo II accord established a system of coordinated Israeli-Palestinian water management in the West Bank, no such system was established for Gaza, leaving it reliant on its coastal aquifer, which was already severely overexploited before that period. This overexploitation was aggravated by the blockade of the Strip as the basic needs of an overcrowded population with 1.7 million living in refugee camps had to be met. During 1948-49, Gaza's population grew fourfold, so 3/4 of its population became refugees, forcibly displaced by Israel from their homes. As a result of this overexploitation, the aquifer was salinized by marine intrusion, in addition to being contaminated by the infiltration of fecal discharges. The aquifer extends beneath both Gaza and Israel, with Gaza downstream at the end of the basin. Unlike Gaza, which is solely reliant on the Coastal Aquifer, Israel has other natural water sources, such as the Mountain Aquifer and the Jordan River through the National Water Carrier system. While Israel has invested in water infrastructure to bring water from the Jordan River and the mountain aquifer to its coastal aquifer cities, they have largely and intentionally denied Gaza from access to these broader regional water resources.

Despite that, Israel has installed numerous deep wells along the Gaza border, significantly reducing the groundwater reaching Gaza. Additionally, agricultural runoff from Israeli settlements introduced dangerous levels of nitrates into Gaza's groundwater.

The Israeli blockade, in place since 2007, severely restricted the import of essential materials for building and maintaining water and sanitation infrastructure, including pipes, pumps, chlorine, and fuel, under the consideration of being dual-uses materials. This prevented the construction of wastewater treatment plants, while existing ones were poorly functioning due to the frequent power outages imposed by Israel, resulting in raw sewage being discharged daily, which contaminated the aquifer.

These policies, widely condemned by international bodies as violations of the human rights to safe drinking water and sanitation and humanitarian law, created the dire conditions that made Gaza's groundwater almost entirely undrinkable even before the current conflict.

Prior to October 2023, while the average daily per capita consumption in Israel was more than 200 liters, the World Bank reported that, in Gaza, *“the average domestic water supply was about 82 liters per capita per day, already below the international standard of 100 liters set by the WHO. The population relied on a polluted and rapidly depleting aquifer which was controlled by Israel as the occupying Power. The main sources of drinking water in the Gaza Strip were short-term low volume desalination plants, three connections with the Israeli water operator Mekorot, and brackish water desalination plants.”*²

² [Water in Gaza: Scarce, polluted and mostly unfit for use – occupied Palestinian territory | ReliefWeb](#)

On the other hand, overcoming the difficulties, the sewage service networks in Gaza covered most areas, with four functional wastewater treatment plants and over 20 pumping stations.³

Deliberate Destruction of Water and Sanitation Infrastructure and Obstruction of Access to Water in the Gaza Strip

On 9 October 2023, following the attacks of the armed wing of Hamas and other Palestinian armed groups, the former Israeli Defense Minister, announced, "A complete siege on Gaza... No electricity, no food, no water, and no gas – it's all closed." Similar statements were also made by members of the Israeli military leadership. These statements were followed through, leaving the Palestinians in the Gaza strip in a dire humanitarian crisis, preventing the entry of essential materials and equipment needed for the maintenance and repair of Gaza's water infrastructure, as well as the energy needed for the operation of the desalination plants and the sanitation plants.

Since October 2023, Israeli military operations have also repeatedly damaged or destroyed critical water infrastructure in Gaza, including water wells, reservoirs, pipelines, irrigation channels, sewage pumping stations, desalination units, and water treatment facilities using water as a weapon of war in clear violation of the Fourth Geneva Convention (relative to the Protection of Civilian Persons in Time of War). With over half of water and sanitation facilities inaccessible⁴ in the Gaza Strip, water insecurity is deepening, adversely impacting the fundamental human rights to safe drinking water and sanitation and as consequence the right to life of the Palestinian people.

In February 2024, Israel confirmed⁵ that its troops were flooding the underground tunnels with seawater, with the intention of combating Hamas' underground network of tunnels, jeopardizing water sources for the future by intensifying salinization of the aquifer.

As of January 2025, the water, sanitation and hygiene (WASH) Cluster estimated that 78 per cent of the population in Gaza is at risk of sanitation-related threats from rodents and pests, 42 per cent from solid waste, 26 per cent from sewage, and 46 per cent from excreta or sewage release.

Israel's destruction of 73 sewage pumping stations, along with the damages to the sanitation networks amidst Israel's actions preventing their repair, has led to the collapse of wastewater treatment; resulting in around 130,000 cubic meters of wastewater being discharged daily into the environment, infiltrating into the aquifer, and flowing into the Mediterranean Sea.⁶

³ [Humanitarian Situation Update #284 | Gaza Strip | OCHA](#)

⁴ [Humanitarian Situation Update #280 | Gaza Strip | United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory](#)

⁵ [\(19\) Israel Defense Forces on X: "The IDF has implemented new capabilities during the war, with the aim of neutralizing underground terrorist infrastructure, including by channeling large volumes of water into them." / X](#)

⁶ [Water as Warfare: Israel's Policy to Make Gaza Unlivable and Eradicate Palestinian Existence | Palestinian Centre for Human Rights](#)

According to the Interim Rapid Damage and Needs Assessment of the Gaza Strip (IRDNA), which was conducted jointly by the United Nations, European Union, and World Bank and published on 18 February 2025, over 89 per cent of Gaza's water and sanitation infrastructure has been damaged or destroyed, requiring extensive rehabilitation efforts, with estimated damages totaling USD 1.5 billion and losses totaling USD 64 million only for the WASH sector and with restoring WASH sector needs amounting to USD 2.7 billion in Gaza.⁷

The WASH Cluster has highlighted significant concerns regarding extensive damage to sewage infrastructure, resulting in untreated wastewater accumulating in stormwater ponds, posing serious public health and environmental hazards. The damage in the water distribution network, estimated at 50 to 65 per cent,⁸ also impacts water accessibility due to the water leaks and losses through those networks. At present, all six wastewater treatment plants have sustained damage.

The second water pipeline, Deir al Balah (Bani Saeed) pipeline, has been out of service since January 2025 after incurring damage, and Israeli authorities have repeatedly denied coordination requests from the Municipality to grant safe access for its repair within the designated “no-go” zone. At the same time, severe shortages of diesel fuel and maintenance materials have disrupted the operation of local groundwater wells, and the cut-off of electricity to the Southern Gaza Desalination Plant has left the Gazans with unreliable water supply.

Meanwhile, the third water pipeline to northern Gaza, Al Muntar pipeline, which once delivered nearly half of the water for Gaza and North Gaza governorates, has ceased operations on 3 April 2025.

Several allegations of unlawful destruction of water infrastructure across Gaza also mention the destruction of a water reservoir in the Tall-Sultan neighborhood in Rafah. The media offered testimonies that Israeli army commanders directly gave the order to blow up this reservoir. Satellite imagery analysis has provided further evidence, pinpointing the destruction to have occurred between 24 and 27 July 2024. The loss of this water reservoir has had devastating consequences for the local population, impacting their access to clean and safe water and sanitation.

Targeting Water Personnel and Trucks

Deliberate attacks on and targeting water personnel and aid workers have also been allegedly reported and documented, in what can be seen as an intentional attempt to prevent reparations. On 26 December 2023, an Israeli warplane allegedly attacked and killed a water engineer working with the Coastal Municipalities Water Utility (CMWU) and his two children while they were driving to pick up water tanks. CMWU employees reported that their vehicles are clearly marked with "water" and a code shared with Israeli authorities and

⁷ [Gaza-RDNA-final-med.pdf](#)

⁸ [Humanitarian Situation Update #280 | Gaza Strip | United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory](#)

the ICRC.

Additionally, on 21 January 2024, a UNICEF and CMWU warehouse storing over 2,000 water infrastructure items, was reportedly hit by a guided missile, resulting in casualties and significant damage to essential WASH equipment. The warehouse was reportedly designated as a ‘non-conflict zone’ and its coordinates had been shared with the Israeli military in a process known as deconfliction, intended to protect humanitarian workers and infrastructure.

In April 2024, a Canadian humanitarian organization, the International Development and Relief Foundation (IDRF), reported that its key water-aid truck was bombed in Gaza. The truck, clearly marked with the organization’s name and a maple leaf, was parked outside the Tuffah district in northern Gaza when it was struck. The IDRF described the incident as a “targeted” attack as the truck had been delivering clean drinking water to tens of thousands of Palestinian people in northern and central Gaza, serving as a vital lifeline.

Several other incidents have been reported on targeting water trucks or civilians attempting to transport water to their families. On 4 April 2025, three children were reportedly killed and others injured when a bicycle carrying water was hit in Khuza'a in eastern Khan Younis. On that same day, there were reports of an Israeli attack on the Ghabayen water desalination plant in Al-Tuffah neighborhood, east of Gaza, murdering 23 Palestinians and wounding several others.

Blockade and Restriction of Essential Supplies

Israeli authorities have systematically obstructed access to safe drinking water throughout 2024 and 2025, including the deliberate cutting off and severe restriction of water supplies piped from Israel into Gaza, extensive destruction of critical water and sanitation infrastructure, obstruction of essential maintenance and repairs of civilian objects, restricted access to agricultural water, and blocking of critical water-related humanitarian aid.

People in Gaza are living on the brink as they struggle to survive amidst no humanitarian aid (no food, clean water, fuel, and medicine) allowed to enter for over 11 weeks, since 2 March 2025, and a temporary resumption of aid delivery on 19 May 2025.⁹ In particular, Israel has been accused of reducing the amount of water allowed to enter the Gaza Strip by preventing emergency water deliveries under its humanitarian aid blockade. This has resulted in water shortages and rationing, forcing residents to rely on unsafe and contaminated water sources.

The electricity shutdown and severe fuel shortages collapsed desalination plants and the sanitation plants in service. The lack of fuel exacerbates the situation further, as without a reliable electricity supply, it is almost impossible to operate pumps to extract groundwater, circulate water through distribution networks, desalinate drinking water, and manage water deliveries via trucks.

⁹ [Humanitarian Situation Update #292 | Gaza Strip | OCHA](#)

Fuel shortages have resulted in a reported reduction of 30 per cent of all essential water and sanitation services in Khan Younis.

Israeli authorities have continued to block repair materials and additional water infrastructure materials, including chlorine needed for water disinfection to decrease the risk of water-borne diseases, from entering Gaza. This obstruction hinders the repair of damaged infrastructure and the improvement of the water supply and public facilities.

In November 2023, in some of the most overcrowded shelters in the south of Gaza, there was one toilet per 600 internally displaced persons (IDPs), and little to no running water.¹⁰ It is projected that the situation today is much worse, with most people not having access to a toilet, making open defecation the only option.

The principal desalination facility in southern Gaza has also seen its water production output reduce by 85 per cent since early March 2025.

As of 8 April 2025, just one of the three Mekorot water supply pipelines from Israel into Gaza remains operational, the Bani Suheila connection in Khan Younis.

On 21 and 22 April 2025, OCHA¹¹ reported that Israeli forces carried out strikes in Gaza City, North Gaza, and Khan Younis, destroying more than 30 bulldozers and other heavy equipment vehicles, some of which had been donated during the ceasefire period. The destroyed vehicles included critical construction machinery, utility vehicles, and portable facilities. Additionally, the strike destroyed a sewage suction truck and a mobile water tanker with a five-cubic-meter capacity. Several other vehicles also sustained partial damage, including a vehicle for manhole maintenance, five municipal service vehicles, a 936 loader, two tractors, a garbage compactor truck, a solar distribution tanker, and a mobile generator used to power water wells. The municipality has reported that, as a result, it had to suspend all essential services, such as street clearing, waste disposal, sewage maintenance, and water supply, significantly worsening the humanitarian conditions and increasing the public health risks.

Having wastewater treatment infrastructure damaged and non-operational, coupled with restricted access to critical areas to repair them, sewage is currently being diverted into lagoons, such as the Sheikh Radwan and Al Saftawi lagoons,¹² facing frequent overflow risks and putting tens of thousands of Palestinians in Gaza at risk of sewage flooding.

The Al Saftawi stormwater basin in southern Jabalya, North Gaza was initially built to manage rainwater runoff from a 1.25-square-kilometer area with a

¹⁰ [Gaza's Water Crisis Puts Thousands at Risk of Preventable Death - occupied Palestinian territory | ReliefWeb](#)

¹¹ [Humanitarian Situation Update #282 | Gaza Strip | United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory](#)

¹² [Humanitarian Situation Update #284 | Gaza Strip | OCHA](#)

capacity of 27,000 cubic meters. It typically drains stormwater into the sea via a pump station and pressurized pipeline. However, due to severe damage affecting both sewage systems and drainage infrastructure, the basin is now collecting untreated sewage and is unable to discharge it. Currently, the basin's water level stands at six meters, just shy of the critical flood threshold of 6.2 meters, posing an immediate flooding risk to nearby residential areas with dire implications for public health in an already compromised region.

On 4 May 2024, the Municipality of Jabalya an Nazla, in North Gaza, warned about the widespread sewage overflow due to the lack of essential equipment and machinery, which were destroyed in Israeli airstrikes in April 2025. Over 90 per cent of the municipality's heavy machinery, including the only "jetter" truck used for sewage suction, are currently out of service, with the situation further worsened amidst a growing infestation of rodents and insects in overcrowded displacement shelters.

As of 31 May 2025, according to the WASH Cluster, displacement orders and the creation of an Israeli-militarized "no-go" zone have disrupted 75 per cent of all WASH facilities in the Gaza Strip, leaving over 461 WASH assets and facilities inaccessible (out of 618). Affected sites include over 69 per cent of groundwater wells (233 of 336); 72 per cent of desalination plants (33 of 46); 34 of 67 wastewater pumping stations; 16 of 29 lagoons or stormwater basins; and more than 71 per cent of temporary waste dumps (51 of 72) and 83 per cent of water reservoirs (43 of 52).

The International Organization for Migration (IOM) reports that 90 per cent of the civilian population in Gaza, amounting to around 1.9 million people, have been displaced due to the conflict; more than half of whom are children. Many families have also been forced to move multiple times, finding shelter in makeshift tents or even outdoors, with extremely limited access to essentials like safe drinking water, sanitation, food, and fuel.¹³

Women and girls bear a disproportionately heavy burden, as limited WASH facilities compromise menstrual hygiene, dignity, and health, heightening risks of infection and social exclusion. With 65 per cent of Palestinians in Gaza having less than the minimum recommended 6 liters per person per day for drinking and cooking, with much of the scarce water available contaminated and salinized, and with over 90 per cent of households experiencing water insecurity, families are faced with impossible choices between rationing drinking water, hygiene and safety.¹⁴

The absence of privacy in overcrowded conditions, combined with limited water access, also makes menstrual hygiene a significant challenge for women and girls, jeopardizing not only their physical health but also their dignity and emotional wellbeing. UNFPA¹⁵ estimates that, as of February 2025, at least 690,000 women and girls in Gaza lack sustained access to essential hygiene items, and are being deprived of privacy, clean water, and secure sanitation

¹³ [Gaza Response | IOM Regional Office for Middle East and North Africa](#)

¹⁴ [Gaza Reported Impact Snapshot 03 April 2025 draft4](#)

¹⁵ [UNFPA Palestine | Palestine Situation Report #15 February 2025](#)

facilities, which heightens risks of infections and worsens their health conditions.

Palestinian farmers in Gaza have also been affected by Israeli restrictions on water access, which has limited their ability to irrigate their crops and sustain their livelihoods. This has had a devastating impact on the agricultural sector in Gaza and contributed to food insecurity in the region, amidst 83 per cent of agricultural wells damaged as of 12 April 2025¹⁶.

On 12 May 2025, the Integrated Phase Classification (IPC) declared that there is a “high risk” of famine in Gaza within the next few weeks, with as many as one in five residents facing starvation.¹⁷ Similarly, on 13 May 2025, the World Health Organization declared Gaza to be enduring “*one of the world’s worst hunger crises, unfolding in real time*,” referencing data from the Gaza Ministry of Health that reports at least 57 children have succumbed to malnutrition since the aid blockade began.¹⁸

Long-Term Legacy of Toxic Contamination and Salinization of Water Sources

Surface and groundwater resources have also been impacted, with contamination of the coastal aquifer and damage to the water facilities, affecting the drinking water of the Palestinian residents in the Gaza Strip. Allegations have been raised regarding the contamination of Gaza’s water supplies, including Israel’s pumping of seawater into tunnels, which has a potentially catastrophic impact on the aquifer, the primary source of freshwater for the region and sole source of natural drinking water in Gaza, and could even render Gaza uninhabitable.

Israel’s military aggression has halted all sanitation operations, leading to increased discharge of untreated wastewater into the sea and its infiltration into the aquifer. Power shortages also raise a constant threat of sewage flooding in areas adjacent to drainage reservoirs, due to blocked pumping stations. Additionally, many stormwater collection basins have allegedly filled up with wastewater, creating serious risks to public health and the environment.

The intrusion of seawater into the aquifer and the flooding of seawater into the water canals also cause and aggravate salinization. This, coupled with the contamination with sewage, makes the water undrinkable and unsuitable for irrigation of agricultural lands, amidst the spread of pathogens, particulate organic matter, and hazardous chemicals from munitions, unexploded ordnances, and fuel spills into wadis and agricultural lands. This, in turn, has a cascading effect on the entire ecosystem, affecting agriculture and public health, hence the overall habitability of the Gaza Strip.

As reported by UNEP¹⁹: “hazardous materials contained in munitions cause direct and immediate toxicity to flora and fauna (causing mortality, reduced

¹⁶ [Humanitarian Situation Update #292 | Gaza Strip | OCHA](#)

¹⁷ [IPC Gaza Strip Acute Food Insecurity Malnutrition Apr_Sept2025_Special_Snapshot.pdf](#)

¹⁸ [Gaza: 57 children reported dead from malnutrition, says WHO | UN News](#)

¹⁹ [Environmental_impact_conflict_Gaza.pdf](#)

growth, stress, disease and damage to organisms) and/or bioaccumulation through food webs, leading to concentrated amounts of these substances in some organisms when they enter the environment. Some types of hazardous materials persist for a long time in the environment (in soil, groundwater, seawater and marine sediments), causing impacts that can last for decades.”

The marine environment has also been polluted by the constant flow of untreated water and wastewater into the sea, adversely impacting the marine ecosystems and human health.

Impact on Health in the Gaza Strip

The World Health Organization (WHO) estimates that individuals need 50 to 100 liters of water daily to cover basic needs, and in protracted emergencies, at least 15 liters per person per day for drinking and hygiene. Between October 2023 and today, actions by Israeli authorities have left most of Gaza’s two million residents without even this emergency minimum vital amount of water, leading to deaths and widespread illness, due to water pollution, lack of sanitation and hygiene, and dehydration combined with hunger, mainly in children and infants.

With destroyed houses and land, families have been compelled to live in makeshift tents with no water access, especially as water wells in the vicinity had also been destroyed by the Israeli attacks. The lack of clean water has forced many Gazans to rely on non-potable sources, such as saline-brackish agricultural wells, which expose them to waterborne diseases (diarrhea, polio, cholera, hepatitis, and skin infections) with long-term health implications that go far beyond the immediate effects of the conflict. Other than undermining the right to health, this water scarcity also complicates safe cooking and personal hygiene, further heightening the risk of disease, malnutrition, dehydration, and inadequate hygiene.

In January 2024, UNICEF reported that cases of diarrhoea in children under five in Gaza rose from 48,000 to 71,000 in just one week starting 17 December 2023. The report also highlights the deadly cycle of malnutrition, dehydration, and disease, with children at high risk of death from preventable illnesses due to lack of food, clean water, and medical care.

The high salinity of the little water available to the population creates serious problems of kidney failure, as well as dehydration problems, especially in people with diarrhoea and much more acutely and fatally in children and infants, who in many cases end up dying, without the necessary medical attention, dehydrated and malnourished. On the other hand, persistent diarrhoea, especially in children and infants, blocks the absorption of nutrients, which accelerates and worsens malnutrition in the current context of widespread famine.

In February 2024, the World Health Organization (WHO) and United Nations Children’s Fund (UNICEF) issued a joint report²⁰ that highlighted the high risk of further spread of epidemic-prone diseases due to “overcrowding, inadequate water, sanitation and waste management, lack of medical/ infection prevention and control and basic hygiene supplies, disruption of routine, vaccine-preventable disease programs, and a dysfunctional health-care system, including staffing issues due to conflict.”

In June 2024 alone, a total of 2,006 cases of bloody diarrhoea were officially reported to the World Health Organization. Environmental samples collected in Gaza tested positive for circulating vaccine-derived poliovirus type 2, signaling ongoing circulation in the environment.

In February 2025, WHO and UNICEF warned²¹ that current conditions in Gaza, including overcrowded shelters and damaged WASH infrastructure, are ideal for the further spread of poliovirus, in addition to heightening the risks of communicable disease outbreaks.

On 4 March 2025, WHO warned²² that, “lack of water and sanitation threatens the health, dignity and, survival of women and girls in Gaza. The inability to maintain hygiene increases anxiety and stress, deepening the mental health crisis among those displaced.”

On 5 April 2025, UNICEF²³ reported that in the north of the Gaza Strip, families now rely entirely on water trucking, while in central and southern areas of Gaza, water production has been reduced by 85 per cent due to power cuts to the southern desalination plant, while also having the main water pipeline damaged and inaccessible for repairs. This has reduced the daily drinking water ration for 1 million people, including 400,000 children, from 16 litres per person per day to just 6 litres per person per day. UNICEF forecasts that if fuel runs out in the coming weeks, this ration could drop below 4 litres, forcing more families to rely on unsafe water sources and hence raising the risk of disease outbreaks, particularly among vulnerable groups such as women and children.

In May 2025, UNICEF reported that acute watery diarrhea accounts for a quarter of disease cases recorded in Gaza.²⁴

Without prejudging the accuracy of the information received, we wish to express our serious concern about the grave impact of Israel’s military actions on civilians in Gaza, including loss of life, bodily harm, destruction or damage to civilian objects, loss of livelihoods and ecosystems, and environmental destruction. We are concerned that many such acts have violated international humanitarian law, international criminal law, the Geneva List of Principles on the Protection of Water Infrastructure of 2019, the 1948 Genocide Convention, and the Rome Statute of the International Criminal Court. The Israeli authorities’ actions and their use of water as a

²⁰ [Infection prevention and control and water, sanitation and hygiene measures in health-care settings and shelters/congregate settings in Gaza: Technical note, 22 February 2024](#)

²¹ [Mass polio vaccination campaign to continue in the Gaza Strip \[EN/AR\] - occupied Palestinian territory | ReliefWeb](#)

²² [WHO in occupied Palestinian territory on X](#)

²³ [More than a million children in the Gaza Strip deprived of lifesaving aid for over one month - UNICEF](#)

²⁴ [Humanitarian Situation Update #286 | Gaza Strip \[EN/AR\] | OCHA](#)

weapon of war against civilians also undermine the right to life, the right to an adequate standard of living, including safe drinking water and sanitation, food, and adequate housing, the right to the enjoyment of the highest attainable standard of physical and mental health, and the human right to a clean, healthy and sustainable environment.

We are particularly concerned with the spate of large-scale damage to or destruction of civilian objects in Gaza, particularly water and sanitation facilities, electricity networks, transportation services, and other essential services, in some instances making settlements virtually uninhabitable. Likewise, we are concerned about the long-term consequences of the contamination of water sources which could be catastrophic, potentially rendering Gaza uninhabitable due to the lack of clean and safe drinking water sources. These actions have created a dire water situation in the Gaza Strip, where residents are struggling to meet their basic water needs, impacting the public health, sanitation, physical health, and mental wellbeing of the Palestinian population in Gaza. We wish to also raise grave concern regarding the unlawful attacks on personnel and equipment needed for repairs to water and sanitation infrastructure. The harm to these civilian objects does not appear to be lawful under international humanitarian law, including where civilian objects are deliberately attacked; attacks are launched expecting to cause excessive civilian casualties relative to the military advantage anticipated; attacks are indiscriminate, including by the use of high explosive weapons with wide area effects in densely populated urban areas; or there is a failure to take all feasible precautions to verify that an object is military and civilian casualties would not be disproportionate. Some acts may also attract liability under international criminal law, both as war crimes and crimes against humanity.

The deliberate, disproportionate and indiscriminate destruction of water and sanitation infrastructure is a prima facie violation of the human right to safe drinking water and sanitation. The systematic collapse of water and sanitation infrastructure drives communities deeper into vulnerability, exacerbating waterborne disease risks and eroding human dignity. These actions pursued by Israel, if proven, could amount to a pattern of conduct “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction” as mentioned in the Convention on the Prevention and Punishment of the Crime of Genocide, art. II(c).²⁵

In addition to the deliberate contamination of water sources, we share our grave concern that the systematic targeting of Gaza’s water-supply infrastructure, including the destruction of pipelines, the disabling of pumping stations, the suspension of electricity to treatment facilities, and the denial of fuel convoys, effectively precludes any meaningful post-conflict restoration or reparative process. Such measures not only violate the occupying Power’s obligations under article 56 of the Fourth Geneva Convention to “ensure and to restore, as far as possible, public health and hygiene,” but also amount to a form of collective punishment expressly prohibited by customary international humanitarian law and envisaged as a war crime under articles 8(2)(b)(ii) and 8(2)(e)(i) of the Rome Statute. By rendering water purification, distribution, and reconstruction operations functionally impossible, through denying the electrical energy essential for desalination, obstructing logistical routes for materials and repair teams, and foreclosing safe humanitarian access, the Israeli authorities’ acts could constitute a deliberate and intentional strategy to hinder the Palestinian civilian

²⁵ [A/RES/3/260 - Prevention and Punishment of the Crime of Genocide - UN Documents: Gathering a body of global agreements](#)

population's entitlement to restitution, compensation, and rehabilitation.

We are extremely concerned about the ongoing blockade of Gaza and Israel's failure to provide or ensure essential water, food, medicine, shelter, fuel, and other humanitarian assistance for the besieged and blockaded Palestinian people in Gaza, in turn pushing them to the point of famine. The "intentional infliction of conditions of life, *inter alia*, the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population" falls under extermination, which is a distinct crime against humanity under the Rome Statute of the International Criminal Court. From the information received, Israeli authorities have allegedly systematically engineered living conditions aimed at bringing about the partial or total destruction of Gaza's civilian population. Wilfully demolishing water and sanitation systems, preventing restorative repairs, and imposing severe restrictions and cut-offs on water, electricity, and fuel are all systematic acts that result in mass deaths and threats of loss of life and that could amount to the crime against humanity of extermination under international law.

Under the International Covenant on Economic, Social and Cultural Rights, States have an obligation to ensure an adequate standard of living, including sufficient, safe and accessible water for personal and domestic use, and adequate food. Israel, as the occupying power is obliged under international law, including international human rights law and international humanitarian law, to fulfil this obligation in the Occupied Palestinian Territory. However, the systematic disabling of more than half of Gaza's water facilities, ranging from groundwater wells and desalination plants to sewage pumping stations and reservoirs, demonstrates a clear breach of obligations to safeguard public health and prevent deprivation of essential services. In this context, deprivation of water cannot be justified by military necessity. Indeed, the Fourth Geneva Convention of 1949 explicitly prohibits the destruction of civilian objects and requires the occupying authority to ensure the provision of food, water, medical supplies, and other relief necessary to sustain life.

For women and girls, the consequences are even more acute. Limited access to private and hygienic sanitation facilities deprives them of the ability to manage menstruation with dignity and safety, disproportionately exposing them to infections and social stigma, and heightening their vulnerability to gender-based violence when they must seek out distant or unprotected water sources. The disproportionate gender-based harms breach the commitments under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which demands that women's specific needs be addressed in humanitarian settings and that their rights to health and dignity be upheld without discrimination.

We are furthermore concerned that Israel's military displacement orders without military justification and without ensuring the safety of civilians, along with the targeting of residential areas and military actions preventing the safe return of civilians, directly undermine the human right to water and sanitation. By uprooting communities from their traditional water sources and destroying or denying access to WASH facilities (wells, pipelines, toilets, and hygiene stations), these measures risk inflicting severe, long-term deprivation of safe and sufficient water, in violation of States' obligations under article 11(1) of the International Covenant on Economic, Social and Cultural Rights and UN general comment 15 on the right to water. There is also a risk

that this displacement may amount to the act of deportation or forcible transfer of population, prohibited under international criminal law, especially if returning to some localities becomes impossible overtime and hinders displaced persons from the enjoyment of their human rights to safe drinking water and sanitation services. We further recall that civilians should not be compelled to leave their own territory for reasons connected with the conflict, and that any movement must preserve, rather than sever, access to life-sustaining water and sanitation.

The ongoing water crisis in Gaza also amounts to collective punishment, a practice expressly forbidden under common article 3 of the Geneva Conventions. By imposing “no-go” zones that cut off entire neighbourhoods from safe drinking water, the occupying power imposes a de facto penalty on civilian populations for circumstances beyond their control. This act not only violates the prohibition against punishing non-combatants but also contravenes customary international humanitarian law by obstructing the delivery of humanitarian relief, a responsibility enshrined in both treaty and practice.

In this regard, we note the recent determination of the International Court of Justice that “a broad array of legislation adopted and measures taken by Israel in its capacity as an occupying Power treat Palestinians differently on grounds specified by international law”.²⁶ In its opinion, the Court found that such differentiation of treatment “cannot be justified with reference to reasonable and objective criteria nor to a legitimate public aim” and that “the régime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constitutes systemic discrimination based on, inter alia, race, religion or ethnic origin, in violation of articles 2, paragraph 1, and 26 of the ICCPR, article 2, paragraph 2, of the ICESCR, and article 2 of CERD.” It concluded that “Israel’s legislation and measures constitute a breach of article 3 of CERD”.²⁷ We emphasize that discrimination is also prohibited under international humanitarian law (Fourth Geneva Convention, article 13; ICRC, Customary International Humanitarian Law, rule 88).

Furthermore, we are concerned at the extensive destruction of livelihoods, including agricultural lands and markets, which has further strained the wellbeing and the economic stability of people in Gaza. The contaminated Coastal Aquifer and destroyed agricultural lands have adverse effects on crop production, local irrigation, soil fertility, food safety, water security, and overall public health. We are equally troubled by the massive volume of debris posing significant challenges for safe debris management, environmental health, and public health, including hazards from construction and demolition waste as well as potential obstacles to the return of IDPs.

Finally, we would like to underscore that under article 69 of Additional Protocol I to the Geneva Conventions, Israel, as the occupying power, shall supply, without any adverse distinction, all essential supplies for the survival of the civilian population. The deliberate targeting and destruction of civilian infrastructure, coupled with the denial of humanitarian aid, if proven, could constitute "other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health" under article 7(1)(k) of the Rome Statute, and could also fall

²⁶ ICJ, Advisory Opinion, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, 19 July 2024, para. 223.

²⁷ Ibid.

within the scope of the Convention on the Prevention and Punishment of the Crime of Genocide. Specifically, article II of the Genocide Convention prohibits acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, including “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.” Hence, we would like to call for a prompt and full resumption of humanitarian aid.

We remind your Excellency’s Government that the human right to safe drinking water and sanitation derives from the right to life and the right to an adequate standard of living, without possible derogation or exception even in times of war or security emergencies. Furthermore, targeted attacks on civilians are prohibited under IHL and parties to conflicts must do everything feasible to verify that targets are military objectives and take all precautions to avoid and minimize loss of civilians’ life.

We respectfully underline the continued importance of upholding the fundamental guarantees of international human rights law and international humanitarian law in adopting and implementing laws. We note the context of the International Court of Justice’s Advisory Opinion of July 2024, which concluded that Israel’s presence in the occupied Palestinian territory is unlawful and must cease as rapidly as possible.²⁸ We stress that respect for international law is a complementary and mutually reinforcing objective in any effective counter-terrorism efforts. Consequently, we urge your Excellency’s Government to review and repeal the Law to ensure Israeli law is consistent with Israel’s international obligations.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please comment on the allegations behind the military necessity and proportionality of actions that have resulted in the destruction or damage of water and sanitation infrastructure.
3. Please provide information on the measures taken by Your Excellency’s Government to ensure that all military operations in the Gaza Strip are conducted in full compliance with international humanitarian law, including the principles of distinction, proportionality, and precautions in attack, with specific reference to avoiding damage to objects indispensable to the survival of the civilian population, such as water infrastructure.

²⁸ ICJ, Legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory opinion of 19 July 2024.

4. Please provide information on the specific measures taken by Your Excellency's Government to ensure the immediate and unimpeded access to adequate quantities of clean water, electricity, and fuel for the civilian population in Gaza, in accordance with international humanitarian law and the provisional measures ordered by the ICJ.
5. Please explain what measures have been taken by Your Excellency's Government to facilitate the entry of repair materials and new water and sanitation infrastructure into the Gaza Strip, including a detailed list of items currently restricted and the legal basis for such restrictions.
6. Please explain what measures Your Excellency's Government has undertaken to prevent and address the contamination of water resources in Gaza, including the long-term impacts of seawater intrusion.
7. Please provide information on any investigations that have been or will be conducted into the alleged violations of international humanitarian law and international human rights law, including those related to the destruction of water infrastructure and the obstruction of access to water, and what accountability mechanisms are in place to address any findings of wrongdoing.
8. Please explain what measures Your Excellency's Government has undertaken to respect the right to an adequate standard of living, including safe drinking water and sanitation, food, and adequate housing, and the right to the enjoyment of the highest attainable standard of physical and mental health, as well as the right to a clean, healthy and sustainable environment during the conduct of military operations.
9. Please outline the steps Your Excellency's Government is taking to comply fully with the provisional measures ordered by the International Court of Justice, including ensuring the provision of basic services and humanitarian assistance, at scale, to the Palestinian population in Gaza.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations. The pattern of conduct described above raises serious concerns that these actions may amount to war crimes, the crime against humanity of extermination, or genocide under international law, particularly in light of the severe deprivation of essential conditions for life. It is therefore crucial that these events be subjected to a thorough and independent investigation, with those responsible held accountable in accordance with international law.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based on is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please be informed that a copy of this letter was sent to the State of Palestine.

Please accept, Excellency, the assurances of our highest consideration.

Pedro Arrojo-Agudo
Special Rapporteur on the human rights to safe drinking water and sanitation

Astrid Puentes Riaño
Special Rapporteur on the human right to a clean, healthy and sustainable environment

Michael Fakhri
Special Rapporteur on the right to food

Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Paula Gaviria
Special Rapporteur on the human rights of internally displaced persons

George Katrougalos
Independent expert on the promotion of a democratic and equitable international order

Francesca Albanese
Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967

Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the international human rights standards, the norms of international humanitarian law, international criminal law and proceedings, and the obligations to which Israel is bound and which are applicable regarding the present allegations.

The Human Rights Council notes in resolution 9/9 that both international human rights law and international humanitarian law apply to situations of armed conflict and provide complementary and mutually reinforcing protection. Effective measures to guarantee and monitor the realization of human rights should be taken with respect to civilian populations in situations of armed conflict and effective protection against violations of their human rights should be provided, in accordance with international human rights law and applicable international humanitarian law.

International proceedings

On 19 July 2024, the International Court of Justice (ICJ) issued an Advisory Opinion on the "Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem". The International Court of Justice declared Israel's presence in the Occupied Palestinian Territory (OPT) unlawful under both *jus ad bellum* and *jus in bello* perspectives, also recognizing violations of racial segregation and apartheid prohibitions. The Court affirmed, *inter alia*:

"The sustained abuse by Israel of its position as an occupying Power, through annexation and an assertion of permanent control over the Occupied Palestinian Territory and continued frustration of the right of the Palestinian people to self-determination, violates fundamental principles of international law and renders Israel's presence in the Occupied Palestinian Territory unlawful"; that "this illegality relates to the entirety of the Palestinian territory occupied by Israel in 1967"; and that "this is the territorial unit across which Israel has imposed policies and practices to fragment and frustrate the ability of the Palestinian people to exercise its right to self-determination, and over large swathes of which it has extended Israeli sovereignty in violation of international law".

The ICJ also unequivocally affirmed that "occupation cannot transfer or confer sovereign title to the occupying Power over the territory that it occupies", reaffirming that "the occupation of a territory is to be a temporary, *de facto* situation, whereby the occupying Power can neither claim possession nor exert its sovereignty over the territory it occupies". It is to be noted that the Court explicitly affirmed that Israel's security concerns cannot override the prohibition of the acquisition of territory by force, a peremptory norm.

Legally, the ongoing prolonged occupation constitutes an act of aggression in violation of *jus ad bellum*, violating the non-derogable right of the Palestinian people to self-determination. Consequently, any dealings that support or sustain the occupation

and its associated apparatus may amount to complicity in an international crime under the Rome Statute. The ICJ mandated Israel to terminate its occupation, dismantle all settlements, and the associated settlement regime, provide reparations to Palestinian victims, and facilitate the return of Palestinian people displaced in 1967. The ICJ mandated Israel to terminate its occupation, dismantle all settlements, and the associated settlement regime, provide reparations to Palestinian victims, and facilitate the return of Palestinian people displaced in 1967. At the same time, the ICJ provides that all States must co-operate with the modalities required by the UN General Assembly and Security Council to ensure an end to the occupation.

The General Assembly Resolution passed on 18 September 2024 established those modalities, reiterating the obligations of third States set out in the Advisory Opinion. The Resolution calls upon all States to, among other measures, “take steps towards ceasing the importation of any products originating in the Israeli settlements, as well as the provision or transfer of arms, munitions and related equipment to Israel, the occupying Power, in all cases where there are reasonable grounds to suspect that they may be used in the Occupied Palestinian Territory.” Secondly, the ICJ observes that all States are not to render aid or assistance in maintaining the situation created by Israel’s illegal presence. Arms and intelligence assistance to the occupation army by third States play a vital role in maintaining the occupation. Thirdly, all States are “to ensure that any impediment resulting from the illegal presence of Israel in the Occupied Palestinian Territory to the exercise of the Palestinian people of its right to self-determination is brought to an end.” The impediments currently experienced by the people of Gaza in the exercise of their right to self-determination are corporal – death, hunger, disease and climate all ravaging the population. Activities of the private and security companies that maintain and aggravate these conditions must be brought to an end. Fourthly, the ICJ states that “all the States parties to the Fourth Geneva Convention have the obligation (...) to ensure compliance by Israel with international humanitarian law as embodied in that Convention.”

Prohibition of Genocide

On 26 January 2024, the International Court of Justice also found it plausible that Israel’s acts could amount to genocide under the Convention on the Prevention and Punishment of the Crime of Genocide. On that occasion, the International Court of Justice issued six provisional measures, ordering Israel to take all measures within its power to prevent genocidal acts, including preventing and punishing incitement to genocide, ensuring aid and services reach Palestinians under siege in Gaza, and preserving evidence of crimes committed in Gaza. It has been compelled to intervene twice further in March and May 2024, in particular, recognizing an “exceptionally grave” risk in Rafah, it ordered an immediate halt to the military offensive. We would like to remind your Excellency’s Government that the Court’s provisional measures have a number of important legal implications. First and foremost, they are binding for Israel.

The 1948 Genocide Convention, independently of the provisional measures order, creates obligations upon the state parties. As the Court clarified in its interim order:

“... all the States parties to the Convention have a common interest to ensure the prevention, suppression and punishment of genocide, by committing themselves to fulfilling the obligations contained in the Convention. Such a common interest implies that the obligations in question are owed by any State party to all the other States parties to the relevant convention; they are obligations erga omnes partes, in the sense that each State party has an interest in compliance with them in any given case”.

The prohibition of genocide more generally is considered a *jus cogens* norm and is one of the crimes that falls under the jurisdiction of the International Criminal Court (article 6 of the [Rome Statute](#)). While the ruling on the merits of the case will take many more years, and the issue of whether there was complicity in or a failure to prevent genocide will depend upon that judgment, the mere issuance of provisional measures by the Court, detailing the destruction (South Africa v Israel, paras. 46-49) and dehumanizing language (paras. 50-53) that make the risk of genocide plausible, triggers at the very least the duty to prevent since all states are now aware of the serious risk of genocide and the urgency of the case.

Right to self-determination

In light of the Advisory Opinion, it is particularly important to draw attention to the recognition therein of the denial of the right of the Palestinian people to self-determination. This is a *jus cogens* norm, enshrined by common article 1 of the ICCPR and ICESCR as the bedrock of international human rights law, and recognized as the prerequisite to the enjoyment of human rights. It is a recognition by states that without the right to self-determination, it is impossible to realise all other human rights. As such, it has an interpretive function for the construction of all human rights protections. Where a people are denied their right to self-determination, this must inform the way in which human rights protections are constructed vis-à-vis the state being asked to protect them. In particular, the construction of positive and negative obligations of that State party should aid in enabling the fulfilment of the right of the people themselves to self-determine the protection and realisation of all their human rights.

This is further underlined by resolution 45/130 adopted by the Third Committee on 14 December 1990, on the importance of the universal realization of the rights of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights, in particular its operational paragraph 3, which “[r]eaffirms [...] the inalienable right of the Palestinian people and all peoples under foreign occupation and colonial domination to self-determination, national independence, territorial integrity, national unity and sovereignty without foreign interference”; and operational paragraph 6 which “[s]trongly condemns [...] the constant and deliberate violations of the fundamental rights of the Palestinian people, as well as the expansionist activities of Israel in the Middle East, which constitutes and obstacle to the achievement of self-determination and independence by the Palestinian people and a threat to peace and stability in the

region”.

International human rights law

We would like to refer to article 3 of the Universal Declaration of Human Rights which provides that every individual has the right to life, liberty and security of the person. The right to life constitutes a jus cogens, peremptory norm from which no derogation is permitted. It applies at all times including during armed conflicts.

We wish to recall Israel’s obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Israel on 3 October 1991. These obligations continue to apply in armed conflict and wherever a State exercises its jurisdiction, in particular, article 11 related to the right to an adequate standard of living, including adequate food and housing; and article 12 related to the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

We recall the explicit recognition of the human rights to safe drinking water by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR. In its general comment No. 15, the Committee on Economic, Social and Cultural Rights clarified that the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. Furthermore, the UN General Assembly (resolution 70/169) and the Human Rights Council (resolution 33/10) recognized that water and sanitation are two distinct but interrelated human rights. In particular, we recall explicit recognition that “the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, while reaffirming that both rights are components of the right to an adequate standard of living.”

We further wish to draw the attention of your Excellency’s Government to CESCR’s general comment No. 26 on land and economic, social and cultural rights, which emphasizes the essential role of land in the realization of a range of rights under ICESCR. In fact, the secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living, including the right to water, to food and to adequate housing, as water is needed for the purpose of food production.

ICESCR requires States to “take appropriate steps to ensure the realization of the right to food” (article 11.1). While article 11(1) is subjected to progressive realization to the maximum of States available resources, article 11(2), provides “the fundamental right to freedom from hunger and malnutrition”, which is of immediate application. In interpreting this provision, the Committee on Economic Social and Cultural Rights (Committee) stressed in its general comment No. 12 that the core content of the right to adequate food refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems (para. 12). Thus, the right to food entails both economic and physical accessibility of food, as well as the sustainability of food

access for both present and future generations (para. 7). Additionally general comment 12 further underlines, the obligations to respect existing access to adequate food require State parties and to refrain from taking any pressures that result in preventing such access. The obligation to protect requires measures by the state to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to fulfil (facilitate) means the state must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including their access to land in order to ensure their food security (para. 15.) Whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly. The CESCR interprets the right to health as “an inclusive right with extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food [and] nutrition” among others (CESCR, general comment No. 14, para. 11).

Furthermore, as recalled by the Special Rapporteur on the right to food in his report on right to food and conflict (A/HRC/52/40), international humanitarian law prohibits attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population, including foodstuffs, agricultural areas for the production of foodstuffs, crops and livestock. For all to enjoy their right to food, food should be accessible to the physically vulnerable, including children, sick people, people with disabilities and the elderly. Food must also be available to people in remote areas, to victims of armed conflicts or natural disasters, and to prisoners.

In its general comment No. 3, CESCR clarified that preventing and eliminating homelessness is a “minimum core obligation [of States] to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights” under the ICESCR.

In its general comment 36, paragraph 2, the Human Rights Committee notes that article 6 of the ICCPR recognizes and protects the right to life of all human beings, without derogation even in situations of armed conflict and other public emergencies that threaten the life of the nation (CCPR/C/GC/36). Adding that the inherent right to life and its effective protection are prerequisites for the enjoyment of all other human rights. In addition, the Committee states in paragraph 64 that “practices inconsistent with international humanitarian law, entailing a risk to the lives of civilians and other persons protected by international humanitarian law, including the targeting of civilians, civilian objects and objects indispensable to the survival of the civilian population, indiscriminate attacks, failure to apply the principles of precaution and proportionality, and the use of human shields would also violate article 6 of the Covenant. States parties should, in general, disclose the criteria for attacking with lethal force individuals or objects whose targeting is expected to result in deprivation of life, including the legal basis for specific attacks, the process of identification of military targets and combatants or persons taking a direct part in hostilities, the circumstances in which relevant means and methods of warfare have been used, and whether less harmful alternatives were considered. They must also investigate alleged or suspected violations of article 6 in situations of armed conflict in accordance with the relevant international standards.” A failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR.

Furthermore, the Human Rights Committee states that measures called for addressing adequate conditions for protecting the right to life include, where necessary, measures designed to ensure access without delay by individuals to essential goods and services such as water and food. The Human Rights Committee recognized that the right to life should not be interpreted narrowly, noting that it places not only negative obligations on States but also positive obligations to ensure access to the basic conditions necessary to sustain life. It has affirmed that measures that restrict access to basic and life-saving services, such as water and food, are contrary to article 6 of ICCPR that protects the right to life.

We also wish to refer to Human Rights Council resolution 48/13 of 8 October 2021 and General Assembly resolution 76/300 of 29 July 2022, which recognize the right to a clean, healthy and sustainable environment as a human right.

We would also like to bring to the attention of your Excellency's Government the Framework Principles on Human Rights and the Environment as detailed in the 2018 report of the Special Rapporteur on human rights and the environment (A/HRC/37/59). The principles state that States should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfil human rights (principle 1); States should respect, protect and fulfil human rights in order to ensure a safe, clean, healthy and sustainable environment (principle 2).

International humanitarian law

While Israel remains the unlawful occupying power, it is bound by the obligations set out in the Fourth Geneva Convention of 1949 on the protection of the civilian population during armed conflicts, Additional Protocol I of 1977 to the Convention, and customary international humanitarian law throughout the occupied Palestinian territory.

Common article 1 to the four Geneva Conventions of 1949 places a standing obligation on States to "respect and ensure respect" for the Conventions' protections in all circumstances. To this end, States are required to adopt all measures necessary to ensure respect for the Geneva Conventions not only by their organs but also by private individuals within their jurisdictions as well as other States and non-State parties, as outlined in the ICRC Commentary on the First Geneva Convention (2016).

Parties to a conflict must adhere to the rules on the conduct of hostilities, including the principles of distinction, proportionality and precautions. Indiscriminate attacks are prohibited under International Humanitarian Law and parties to conflicts must at all times distinguish between civilian and combatants. Direct attacks against civilians are prohibited. Parties to conflicts must further do everything feasible to verify that targets are military objectives and take all precautions to avoid and minimize incidental loss of life. When a choice is available between different military objects, Additional Protocol I to the 1949 Geneva Conventions requires that the target chosen poses the least danger to the civilian population (art. 57(3)).

Moreover, common article 3(1)(a) of the Geneva Conventions categorically prohibits, "violence to life and persons in particular murder of all kinds, mutilation, cruel treatment and torture", against those not taking active part in the hostilities. Both

the inherent right to life and the principle of distinction between combatants and those not taking direct part in hostilities are rules recognized as part of customary international law and are universally binding at all times.

Violence against, and attempts upon the life of, those who are wounded and sick are strictly prohibited under international humanitarian law. In addition, the wilful killing of a person who is wounded or sick or wilfully causing great suffering or serious injury to their person, constitutes grave breaches under common article 3 of the three Geneva Conventions and constitutes war crimes. In certain circumstances, the denial of medical treatment may constitute cruel or inhuman treatment, an outrage upon human dignity, or even torture. Article 8(a) of the Additional Protocol I of 1977 stipulates that the terms ‘wounded’ and ‘sick’, may include persons with disabilities.

We further underscore that children should be granted special protections during conflict. The 1949 Geneva Conventions and their 1977 Additional Protocols determine that “children shall be the object of special respect and shall be protected against any form of indecent assault. The parties to the conflict shall provide them with the care and aid they require” (Additional Protocol I, art. 77). The protections for children under IHL include sheltering them from hostilities; maintaining family unity; and ensuring the necessary care, relief, or protection for those caught in hostilities and evacuation from besieged areas.

Additionally, the specific protection, health and assistance needs of women and girls affected by armed conflict must be respected, including in the light of the specific rules relating to the prohibition of sexual violence as stated by article 27 of the IV Geneva Convention of 1949 and Additional Protocol I, articles 76-77.

We recall that ICRC Customary IHL rule 20 provides that “Each party to the conflict must give effective advance warning of attacks which may affect the civilian population, unless circumstances do not permit.” This rule reaffirms the principle of precaution in attack, mandating that warring parties adopt all feasible measures to avoid or minimize harm to civilians and civilian objects (rule 15). We also note that “Each party to the conflict must, to the extent feasible, avoid locating military objectives within or near densely populated areas” (rule 23).

We further underscore that children should be granted special respect and protection during conflict (ICRC Customary IHL rule 135). The protections for children under IHL include sheltering them from hostilities; maintaining family unity; and ensuring the necessary care, relief, or protection for those caught in hostilities and evacuation from besieged areas.

Finally, we remind Your Excellency’s Government of the many resolutions of the United Nations General Assembly, Security Council and Human Rights Council that reaffirm that any measures taken to combat terrorism or violent extremism must comply with the obligations of States under international law, in particular international human rights law, refugee law and international humanitarian law.²⁹ Counter-terrorism measures must also conform to fundamental requirements of legality, proportionality,

²⁹ Security Council resolutions 1373 (2001), 1456 (2003), 1566 (2004), 1624 (2005), 2178 (2014), 2242 (2015), 2341 (2017), 2354 (2017), 2368 (2017), 2370 (2017), 2395 (2017) and 2396 (2017); Human Rights Council resolution 35/34; and General Assembly resolutions 49/60, 51/210, 72/123 and 72/180, among others.

necessity and non-discrimination. Failure to respect these principles can have exceptionally deleterious effects on the protection of fundamental rights, particularly for minorities, historically marginalized communities, and civil society. The General Assembly has unanimously recognized that effectively combatting terrorism and ensuring respect for human rights are not competing but complementary and mutually reinforcing goals in the Global Counter-Terrorism Strategy (A/HRC/60/288).

Article 53 of the Fourth Geneva Convention prohibits any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, except where such destruction is rendered absolutely necessary by military operations.³⁰

Concerning humanitarian aid, we would like to underscore that under article 69 of Additional Protocol I to the Geneva Conventions, occupying powers shall supply, without any adverse distinction, all essential supplies for the survival of the civilian population.

According to article 6 of the Rome Statute, “genocide” means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: [...] (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part [...].

Article 7(1)(d) of the Rome Statute on crimes against humanity defines "deportation or forcible transfer of population" as the forced displacement of persons by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law.

Article 7(1)(k) of the Rome Statute on crimes against humanity covers "other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health."

Article 8(2)(b)(ix) of the Rome Statute of the International Criminal Court expressly defines as a war crime the intentional directing of attacks against buildings dedicated to religion, education, art, science, or historic monuments, provided they are not military objectives.³¹

We recall a statement by the Special Rapporteur on the right to food in which he highlighted that food sovereignty means that the Palestinian people, as a people, have the right to their lands, territories and resources to compensate for a long history of illegal and unjust dispossession. The power of food sovereignty does not derive from the political form of a State or a national authority. It arises from people’s long-standing relationship with the land, with the rivers and the sea, and their capacity to feed their own communities. When food systems are attacked, whether in times of peace or war, this indicates a clear intent to starve, for this not only creates an immediate crisis but also has a long-term impact. This includes acts such as razing or polluting agricultural lands; destroying agro-food facilities; destroying or poisoning water sources; or systemically targeting peasants, pastoralists and fishers.

³⁰ [IHL Treaties - Geneva Convention \(IV\) on Civilians, 1949 - Article 53](#)

³¹ [IHL Treaties - Statute of the International Criminal Court, 1998 - Article 8](#)