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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2024]

* Issued as received, in the language of submission only.



Systematic Violations of International Human Rights Law and Humanitarian Law in Gaza: The Right to Water

Introduction

We express our deep concern over the ongoing humanitarian crisis and escalating human rights violations in the Gaza Strip, including but not limited to the right to water and sanitation. We draw the attention of the Special Rapporteur on the right to water and sanitation, to the recent events in Gaza that demonstrate a pattern of grave breaches of international humanitarian law and human rights law, necessitating urgent action from the international community.

As articulated by the UN Special Rapporteur on Occupied Palestinian Territory (OPT), there is evidence to demonstrate that Israel is manipulating the principles of IHL to obfuscate potentially illegal attacks against civilians and civilian objects (1).

Since October 7th, 2023, approximately 40,000 individuals in Gaza have been killed due to the deadly Israeli military operations and conditions of life imposed on them (2). The life threatening conditions include serious limitation of access to food, water, healthcare and all basic services and fundamental items.

The actions undertaken by Israel, including but not limited to the killing of women and children (3), targeting of hospitals, journalists (5), and UN personnel, forced displacement of civilians, torture, sexual assault and rape of detainees (6) and obstruction of humanitarian items including to food, water, medicine and medical care, may constitute war crimes and crimes against humanity under international law.

The Weaponization of Basic Needs

In the Gaza Strip, thirst, hunger and disease have become de facto weapons potentially more devastating than conventional arms. Forced mass displacements have exacerbated the already dire humanitarian situation in Gaza.

These circumstances constitute the use of starvation and dehydration as a method of warfare. As the Israeli Finance Minister, Bezalel Smotrich, has stated the starvation of more than 2 million Palestinians of Gaza's population "might be just and moral" until the hostages are released (7) . His genocidal remarks are prohibited under international humanitarian law.

Access to potable water and sanitation has been severely compromised. Evacuation orders have impeded access to Water, Sanitation, and Hygiene (WASH) facilities, with potential damage or destruction imminent. On 5 August, Israeli authorities demolished an agricultural water cistern in Al Jwaya, Hebron, citing a lack of proper permits, affecting a family of 13, including five children.

There has been serious shortages of access to water for all the internally displaced people who are staying in the UN shelters and to a point that in some occasions, children were forced to drink unhealthy water .

According to a recent World Health Organization (WHO) report, contaminated water has resulted in approximately 14,000 to 15,000 cases of watery diarrhea in Gaza (9). The report further indicates that conditions of life have led to 974,253 cases of acute respiratory infections (10). A UNICEF official has stated that "hygiene conditions in Gaza were threatening children's lives and health." WHO has recorded more than 44,000 cases of diarrhea and 70,000 acute respiratory infections, though actual numbers may be significantly higher.

Recommendations

In light of these grave violations of international law, including but not limited to the right to water, we urge the Special Rapporteur to:

1. Call for an immediate cessation of hostilities and the implementation of a sustainable ceasefire.
2. Urge all Member States to fulfill their obligations under the Genocide Convention, including taking concrete steps to prevent further escalation of the conflict.
3. Call on the International Criminal Court to expedite its ongoing investigation into the situation in the State of Palestine, with specific attention to recent events in Gaza.

1-<https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-73-auv.pdf>, para. 55.

2- <https://www.ochaopt.org/>

3- <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-73-auv.pdf>, para.25;
<https://qudsnen.co/?p=46477>

5- <https://www.ohchr.org/en/press-releases/2024/08/expert-denounces-killing-two-more-journalists-gaza-and-demands-full>

6- <https://www.ohchr.org/en/press-releases/2024/08/israels-escalating-use-torture-against-palestinians-custody-preventable>

7- <https://abcnews.go.com/International/wireStory/western-allies-condemn-israeli-finance-ministers-suggestion-starving-112671391>

9- https://www.emro.who.int/images/stories/Sitrep_-_issue_39b.pdf?ua=1, p. 3.

10- https://www.emro.who.int/images/stories/Sitrep_-_issue_39b.pdf?ua=1, p.3