

ounded by the exploitation and diversion of water resources by Israel, the occupying Power, in
n to its contamination and destruction of water and sanitation systems throughout its 46-year
tion, including during military assaults on the Occupied Palestinian Territory, including East
lem, the territory constituting the State of Palestine. Israel's illegal colonization via the Wall and
ents has also entailed the seizure of and obstruction of access to water aquifers, further reducing
ter supply available to the Palestinian civilian population.

Chairman,

Turing to the draft articles formulated by the International Law Commission, the State of
Palestine emphasizes that the draft articles cannot be considered for the purposes of formulating a
convention, but they may be used as a voluntary legal basis for bilateral or regional agreements and
arrangements for the management of transboundary aquifers, as appropriate.

Draft article 3 on the sovereignty of aquifer States would take the international community back
nearly 118 years to the Harmon Doctrine of 1895, which, among other things, encouraged States to use
the guise of sovereignty over transboundary non-national watercourses to justify harmful practices
toward neighboring States.

The State of Palestine considers draft article 3 to be in contradiction with the principle of
equitable and reasonable utilization and participation, which is the cornerstone of the 1997 Convention
on the Law of the Non-Navigational Uses of International Watercourses, as codified in its article 5. The
1997 Convention should remain the authoritative legal instrument that is universally applicable
governing shared freshwater resources.

Mr. Chairman,

It is only based on this principle of equitable and reasonable utilization and participation which
the State of Palestine and Israel can truly resolve the water crisis between the two States as part of
long overdue achievement of a just two-State solution based on the pre-1967 borders, in accordance with
the relevant terms of reference, including the Arab Peace Initiative. Thank you