CREATING A MODERN WATER « TREATY » FOR ISRAELIS AND PALESTINIANS:
THE FoEME PROPOSAL

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CONVENTIONAL TRANSBOUNDARY WATER AGREEMENTS

WATER AS A PIE

• Fixed Shares
  – Absolute
  – Percentage
• « FITFIR »

PROBLEMS

• Changed Hydrology
• Changed Socio-Econ. conditions
• Physics of Water
• Needs vs. Uses
MODERN, DYNAMIC WATER AGREEMENT

WATER AS A FLOW
- De-Securitize
- De-Nationalize
- Continuous Monitoring
- Ongoing Mediation

PROBLEMS
- New Institutions & Staff Needed
- Results Less Predictable
- Need to Build Trust
WHAT WATER IS (NOT) SHARED

- Coastal Aquifer
- Eastern Block of Mountain Aquifer
- Most Treated Waste Water
- Desalinated Water
- Most of Arava

- Special Case: Jordan R. -- because Annex 2 of existing Treaty ignores Palestinians
KEY PRINCIPLES

• Search for Equity, not Equality
• Economic Efficiency
• Ecological Sustainability
• Priority to Demand Management
• Implementable in Practice
OBJECTIVES FOR MANAGEMENT

• Balance Centralized (Isr) and Decentralized (Pal) Systems
• Ongoing Monitoring of Social, Economic and Ecological Impacts
• Mediation among Different Stakeholders with Different Goals
• Division of Powers (Govt / Organization / Political and Scientific)
BILATERAL WATER COMMISSION

• FORM
  – 3 Israeli; 3 Palestinian; 1 Non-Regional Chair
  – Limited Majority Rule
  – Qualified Authority to Decide
  – Quasi-Independent and Results Public

• FUNCTIONS
  – Establish Limits: Withdrawal / Standards / Targets
  – Authorize New Drilling / Building / Land Use
  – Define Exploitation Plans for Fossil Aquifers
  – Bottom Line is Sustainability
  – Responsible for All Shared Water
WATER MEDIATION BOARD

• FORM
  – 2 Israeli; 2 Palestinian; 1 Non-Regional Chair
  – Unanimity
  – Quasi-Independent and Process Public
  – Ultimate Authority to Decide, But . . .

• FUNCTIONS
  – Mediate
  – Investigate
  – Engage Public
OTHER BODIES

• Office of Scientific Advisors
• Local Water Management Board
  – Assist and Represent Local Groups and Communities
  – Provide Legal « Standing »
  – Limited Life
• Regional Water Authorities
  – Mountain Aquifer
  – Possibly Coastal Rivers Authority (etc.)
« It is time to replace the failed mechanism of the Joint Water Committee, established under Oslo, with an institution where Palestinians and Israelis are true partners in both water supply and management responsibilities. »

Nader El Khatib, Palestinian Co-Chair
Friends of the Earth – Middle East
Treaties and institutional arrangements cannot remain static. Factors like water requirements, use patterns & efficiency of management change with time, as do water management paradigms, practices and processes. . . It may not be an easy task to formulate dynamic treaties, but one that must be considered very seriously in the coming years.

Varis, Tortajada and Biswas (2008)

Brooks, Trottier et al.
*A MODERN AGREEMENT TO SHARE WATER BETWEEN ISRAELIS AND PALESTINIANS: THE FoEME PROPOSAL* (Tel Aviv & Bethlehem: FoEME, 2010)