



Strengthening the institutional capacity of the State of Palestine for sound waste and chemicals management and fostering stakeholder buy-in under the BRS Conventions, and supporting the process towards implementation of the Minamata Convention

Geopolitical Situation of Palestine and its Relation to the Waste and Chemicals Management Context



February 2023



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LIST OF ABBREVIATIONS AND ACRONYMS

BRS	Basel, Rotterdam, and Stockholm Conventions
BRS&M	Basel, Rotterdam, Stockholm and Minamata Conventions
COGAT	Coordination of Government Activities in the Territories
CP	Customs Police
EQA	Environment Quality Authority
HZW	Hazardous Waste
ICA	Israeli Customs Authority
IL	Israel
JSC	Joint Services Council
JUSCANNZ	Western and developed nations outside of the European Union
LGU	Local Government Unit (Municipality or Village Council)
MCM	Million Cubic Meter
MENA	Middle East and North Africa
MoA	Ministry of Agriculture
MoD	Israeli Ministry of Defense
MoLG	Ministry of Local Government
MoNE	Ministry of National Economy
MW	Medical Waste
NIS	New Israeli Shekel
NGO	Non-Governmental Organization
PA	Palestinian Authority
PCBS	Palestinian Central Bureau of Statistics
PIC	Prior Informed Consent
PIPA	Palestinian Investment Promotion Agency
PLO	Palestine Liberation Organization
POPs	Persistent Organic Pollutants
PSC	Project Steering Committee
PSI	Palestinian Standards Institute
SDG	Sustainable Development Goals
SoP	State of Palestine
SWM	Solid Waste Management
UN	United Nations
UNFCCC	The United Nations Framework Convention on Climate Change
WAFA	Palestine News & Information Agency
WB	West Bank



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Executive Summary

Chemicals and Waste management and treatment are indispensable to global sustainable development, and their role is crucial in nearly all steps needed to achieve Sustainable Development Goals. In addition to its effect on climate change and global warming phenomena, it directly and heavily impacts the well-being of humans. Most of the MENA region still lacks the proper infrastructure to sustainably treat the generated solid and hazardous waste due to underdevelopment and low economic performance.

However, concerning vulnerability, Palestine takes the lead due to the ongoing political instability and military occupation. The case of Palestine requires immediate intervention to assist with domestic waste management and stop illegal leakage and smuggling of highly hazardous and chemical waste into the West Bank. It is estimated that the smuggled waste from settlements in the West Bank and Israel amounts to 200 thousand tons annually, though no accurate statistics are available. This further explains the urge to strengthen acting Palestinian institutions. Moreover, it is an urgent call for international organizations to expose Israeli behavior publicly and set boundaries according to signed international agreements on hazardous waste movement, mainly, the Basel Convention was ratified by both Israel and Palestine (1994 and 2015, respectively).

Palestine, the West Bank and Gaza Strip, has been under military occupation since 1967 (including East Jerusalem). Since then, Palestine remained under strict military rule, which resulted in considering the territories exceptional. In other words, what applies to the occupied territories is set in an "emergency" or "security" matter. Therefore, all effective laws and regulations have served the sole interests of Israel and Israeli citizens. Currently, around 700,000 illegal Israeli settlers are living in the West Bank. Settlers have violently affected the Palestinian environment by cutting thousands of olive trees, unregulated sewage water disposal, establishing dangerous industrial facilities, and deliberately disposing of hazardous waste on Palestinian land. Worthy of note, the existing settlements in the West Bank are highly industrial and produce enormous amounts of hazardous waste. Moreover, 60% of the West Bank total area is classified as C areas, according to the Oslo Accords. Israel has full control over this area (C), with minimal access to the Palestinian Authority after prior coordination with Israeli authorities.

This report presents an overview of the geopolitical effects on the waste management issues in Palestine. More specifically, it discusses the violations applied by Israeli companies, illegal settlements, and Israeli governmental organizations. Moreover, it gives comprehensive ideas with examples from the viewed reports to understand the big picture of what is going on in the hazardous waste sector in Palestine and Israel.

In summary, Geopolitical concerns that are related to the Israeli occupation and Palestinian adherence to the BRS&M conventions are:

1. Suspension of peace negotiations by the Israeli authorities and many of the crucial issues that were delayed to the final negotiations are therefore still open.
2. Consequences of Oslo II agreements regarding the land divisions of the WB to A, B, C, H1, and H2 area, and the lack of full Palestinian authority over major lands of the WB. In addition to the prior requirements of Israeli license for all structural works in Area C. Area C is generally the most suitable location for some environmental solutions such as wastewater treatment plants and other sewerage works, drinking water abstraction wells and networks, and chemicals and waste recycling facilities and landfills.
3. Physical disconnection between the WB and Gaza and the divided authority between the PA and Hamas over Gaza



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4. No clear definition of the Borders between Israel and Palestine and the on-ground practices. The border from Palestine to Israel is seen as an “international border” that requires prior coordination to allow personnel and goods to pass. From Israel to Palestine is seen as nonexistent as most of the border is adjacent to Area C lands of the WB. The Israelis can enter without restrictions, except for billboard precautions for the Israelis to enter Area A of the WB.
5. Illegal settlements and bases and their operation as either industrial, residential, or military bases. Uncontrolled emissions and discharges of solid, liquid, and gaseous wastes into the Palestinian environment.
6. Hostile practices of the settlers, such as physical attacks and damage to lands and trees.
7. Israeli checkpoints around and inside the WB and control of Palestinian individual and goods movements.
8. Israeli multiple incursions to the WB and military actions on Gaza due to claimed security reasons.
9. Israel controls supplied materials to the WB and Gaza and bans some materials categorized as dual use. Such a step implicates many structural and industrial activities.
10. Non-recognition of Palestine as a state or based on the UN definition as a non-member observer state that implicates the application of BRS&M conventions, especially for articles related to the transport of materials into another country, which in return lead to waste smuggling into the WB and operation of many waste hazardous materials dumpsites wither in designated spaces or arbitrary dumping, and some recycling facilities inside the settlements.

The report's recommendations for addressing the challenges faced by Palestine in waste and chemicals management are strengthening regulatory frameworks, improving infrastructure, increasing funding and technical support, and enhancing international cooperation. By addressing these challenges, Palestine can improve its waste and chemicals management practices and promote sustainable development.



1. Background

1.1. Project of Strengthening the Institutional Capacity of the State of Palestine

The project falls under the UNEP's Special Programme on Institutional Strengthening for the Chemicals Cluster. Its goal is to identify significant barriers to chemical and waste management in Palestine, develop roadmaps (action plans), conduct training to close these gaps, and promote awareness of the Basel, Rotterdam, Stockholm, and Minamata (BRS&M) Conventions and waste management. Zoï Environment Network will work with the EQA of Palestine to build capacity, create explainers and visualizations on the situation with chemicals and waste management in Palestine, improve stakeholder awareness, and promote interdisciplinary learning while strengthening relevant institutions in Palestine.

The project will be a collaborative effort between the EQA and Zoï. The project will be conducted from November 2022 to June 2024 and to fulfill a variety of deliverables through four proposed measures:

- Measure 1: Establish an inter-agency mechanism (steering committee) to review the most pressing issues on hazardous waste and chemicals regularly, discuss overlaps and gaps in institutional settings and regulations, and optimize governance.
- Measure 2: Strengthen the institutional structure of the competent authorities, primarily the Environment Quality Authority, and sensitize and train other institutions and local experts on information collection, indicators, and assessment of waste and chemicals issues, including basic reporting under the BRS.
- Measure 3: Collect and refine information on waste and chemicals in Palestine and catalyze inter-agency information sharing.
- Measure 4: Promote the Minamata Convention to create the basis for future implementation.

1.2. Report of Geopolitical Situation of Palestine and its Relation to the Waste and Chemicals Management Context

This report summarizes the special circumstances of the geopolitical situation of Palestine and is linked to Report 1 "Desk Analysis of Gaps and Constraints on Waste and Chemicals Management in Palestine". The report aims to discuss recommendations on dealing with a waste and chemicals management context under the current geopolitical situation of Palestine.

The report will be used to guide activities moving forward. Existing reports have been analyzed, and information will be presented and utilized at the first meeting of the Project Steering Committee (PSC) to provide recommendations for activities.

1.3. BRS&M and the Geopolitical Concerns of the Palestinian-Israeli Conflict

Concerning the Palestinian-Israeli conflict and waste and chemicals management, several internationally signed conventions are relevant, including:

1. Basel Convention: The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is an international treaty regulating the transboundary movement of hazardous waste, aiming to protect human health and the environment. The Basel Convention is relevant to the Palestinian-Israeli conflict because it aims to prevent hazardous waste



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from being transported across borders, which could contribute to environmental degradation and public health concerns.

2. **Stockholm Convention:** The Stockholm Convention on Persistent Organic Pollutants is an international treaty aimed at reducing and ultimately eliminating the release of persistent organic pollutants (POPs) into the environment. The Stockholm Convention is relevant to the Palestinian-Israeli conflict because it addresses the issue of hazardous waste and chemicals management, which can be a concern in the region given the environmental degradation and public health concerns related to waste and chemicals.
3. **Rotterdam Convention:** Rotterdam Convention is an international treaty that promotes the safe handling, use, and international trade of hazardous chemicals and pesticides. Countries are required to obtain prior informed consent (PIC) from importing countries before exporting hazardous chemicals and pesticides to them. This means that if Israel or Palestine wanted to export hazardous chemicals or pesticides to the other party, they would need to obtain prior informed consent from the other party.
4. **Minamata Convention:** The Minamata Convention on Mercury is an international treaty that aims to protect human health and the environment from releasing mercury and its compounds. The Minamata Convention is relevant to the Palestinian-Israeli conflict because it addresses the issue of hazardous waste and chemical management, including the management of mercury-containing waste, which can pose a significant risk to human health and the environment.

These internationally signed conventions are relevant to the Palestinian-Israeli conflict and waste and chemicals management because they aim to protect human health and the environment from the negative impacts of hazardous waste and chemicals. Adherence to these conventions by Israelis and Palestinians is essential to ensuring that waste and chemicals are managed safely and responsibly, regardless of the ongoing conflict in the region.

However, it is essential to note that these conventions alone cannot solve the region's waste and chemicals management issue. Implementing these conventions requires the cooperation and commitment of both Israelis and Palestinians and investment in effective waste and chemicals management practices.

Additionally, the ongoing political conflict and instability in the region can make it challenging for these conventions to be effectively implemented. Addressing the issue of waste and chemicals management in the Palestinian-Israeli conflict will require a comprehensive approach addressing the technical aspects of waste and chemicals management and the political, social, and economic factors that impact waste and chemicals management in the region.

In conclusion, while the internationally signed conventions can help address the issue of waste and chemicals management in the Palestinian-Israeli conflict, they are only one aspect of a larger solution. A comprehensive and cooperative approach is necessary to effectively address this issue and protect the region's human health and the environment.

2. Geopolitical Situation of Palestine

2.1. Introduction

The geopolitical situation of the state of Palestine (SoP) is complex and often tense. Palestine is a territory located in the Middle East, with two land masses; The West Bank (WB) and Gaza, bordered by Israel (IL) to the north, east, and south, and by the Mediterranean Sea to the west (Figure 1;).



Figure 1. Map of Palestine. Source: BBC¹

Table 1. Population and Area of the SoP and IL².

	West Bank	Gaza	SoP	IL
Area (km ²)	5,655	365	6,020	22,145
Population (Capita) – 2023 Estimate	3,188,387	2,166,269	5,354,656	9,675,200
Population Growth Rate (%) - 2022	2.1	2.8	2.4	1.55
Population Density (capita/km ²) - 2022	563	5,936	889	409.53
Unemployment Rate (%) - 2022	18.2	41.7	26.9	4.21

¹ <https://www.bbc.com/news/world-middle-east-54116567>. Accessed on 11 Feb. 23.

² Palestine Data are taken from:

https://www.pcbs.gov.ps/Portals/_Rainbow/StatInd/StatisticalMainIndicators_E_WB_Gaza2019.html,

Data for IL are taken from: <https://www.macrotrends.net> ›



Based on the BRS website (with data source from the World Bank), the area of the SoP is 60,020 km², and IL is 21,640 km². The difference in the area for IL in Table 1 and the BRS website is the area of water bodies, mostly Lake Tiberias and the Dead Sea. Also, it is noted that both states claimed East Jerusalem within their total area, and settlements in the West Bank are not included in the area of IL.

2.2. Legal Status of Palestine

In 1947, the United Nations voted to partition Palestine into two states: Jewish and Arab. However, after the establishment of the state of Israel in 1948, a series of wars took place, resulting in Israel occupying a significant portion of the territory designated for the Arab state. In the decades since then, Israel has continued controlling much of the West Bank, including East Jerusalem, which the Palestinians announced as their capital.

The political status of Palestine has been a major source of conflict in the region for decades. The Palestinians seek official recognition of their state and an end to Israeli occupation, while Israel argues that the territory is necessary for its security. The situation has been further complicated by the presence of various Palestinian political factions, some of which advocate for a peaceful resolution to the conflict, while others use violence as a means of achieving their goals.

The State of Palestine was recognized by the United Nations (UN) on November 29, 2012, when the General Assembly voted to upgrade its status from "non-member observer entity" to "non-member observer state." This resolution was passed with 138 votes in favor, nine against, and 41 abstentions. The recognition of Palestine as a non-member observer state was seen as a significant step towards the Palestinians' goal of gaining full recognition as a sovereign state. However, it should be noted that the recognition by the UN does not mean that Palestine is a fully recognized sovereign state. The status of Palestine as a state is still a matter of ongoing debate and negotiation, and its borders, government, and sovereignty are still subject to dispute with Israel. Despite the recognition by the UN, the situation in Palestine remains complex and unresolved.

2.3. Palestinian-Israeli Conflict

The Palestinian-Israeli conflict is a long-standing and complex issue that dates back to the early 20th century. It is rooted in competing claims over land, political rights, and historical, cultural, and religious differences. The key elements of the conflict include:

1. Disputed territory: The conflict revolves around the disputed territory of the West Bank and Gaza Strip, which both Israelis and Palestinians claim as part of their future state.
2. Israeli settlements: The Israeli government has established settlements in the West Bank, which has been a source of controversy and conflict with the Palestinians.
3. Palestinian sovereignty: The Palestinians are seeking self-determination, an end to Israeli military occupation in the West Bank and Gaza Strip, and establishing an independent Palestinian state.
4. Security concerns: Israelis are concerned about security and the threat of terrorism, particularly from Palestinian militant groups.
5. Historical grievances: The conflict is fueled by historical grievances, including the displacement of Palestinians during the 1948 Arab-Israeli War and Israel's occupation of the West Bank and Gaza Strip following the 1967 Six-Day War.

Attempts to resolve the conflict have been ongoing for decades, including peace negotiations, international agreements, and United Nations interventions, but a lasting solution remains elusive. The conflict continues



to have significant regional and global implications and is widely regarded as one of the Middle East's most intractable and complex issues.

2.4. Palestinian-Israeli Peace Negotiations

The Palestinian-Israeli peace negotiations are a series of diplomatic efforts to resolve the long-standing conflict between Israelis and Palestinians over the disputed territory of the West Bank and Gaza Strip. Key elements of the peace negotiations include:

1. The Oslo Accords: The Oslo Accords, signed in 1993 and 1995, were the first direct negotiations between the Israeli government and the Palestine Liberation Organization (PLO). They established a framework for cooperation and a gradual transfer of power from Israeli military control to the Palestinian Authority, aiming to resolve the conflict and create a two-state solution.
2. The Camp David Summit: In 2000, a summit was held between Israeli Prime Minister Ehud Barak and Palestinian Authority President Yasser Arafat at Camp David. However, the negotiations broke down without a final agreement.
3. The Road Map for Peace: In 2002, the "Road Map for Peace" was launched by the United States, the European Union, Russia, and the United Nations. The plan aimed to resolve the conflict through several steps, including ending violence, Israeli withdrawal from the West Bank, and establishing a Palestinian state.
4. Annapolis Conference: In 2007, a conference was held in Annapolis, Maryland, aimed at relaunching peace negotiations between Israelis and Palestinians. The talks broke down without a final agreement.
5. U.S.-led negotiations: In 2013, U.S. Secretary of State John Kerry launched a new effort to resolve the conflict, but the negotiations eventually failed to reach a final agreement.
6. Recent developments: There have been limited efforts to revive peace negotiations in recent years, but these have not led to a breakthrough. The situation on the ground has become more complex, with ongoing violence and tensions and the expansion of Israeli settlements in the West Bank.

In January 2020, former U.S. President Donald Trump announced his plan for resolving the Palestinian-Israeli conflict, referred to as the "Peace to Prosperity" plan or the "Deal of the Century." Key elements of the plan include:

1. Two-state solution: The plan proposed a two-state solution, creating a Palestinian state alongside Israel, but with significant restrictions on Palestinian sovereignty.
2. Israeli settlements: The plan endorsed the expansion of Israeli settlements in the West Bank, which the Palestinians and much of the international community view as illegal under international law.
3. Jerusalem: The plan recognized Jerusalem as the capital of Israel and proposed the city's division, with the Palestinians receiving limited autonomy in East Jerusalem.
4. Borders and security: The plan proposed changes to the borders between Israel and the future Palestinian state, with Israel retaining control over major settlement blocks and the Jordan Valley. The plan also emphasized the need for Israeli security.
5. Economic incentives: The plan proposed a series of economic incentives for the Palestinians, including investment in infrastructure, tourism, and other sectors, as well as financial aid.

The plan was widely criticized by the Palestinians, who rejected it outright, and many in the international community saw it as heavily favoring Israeli interests. The plan was also seen as departing from long-



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standing principles of international law and previous peace negotiations. The plan's implementation has not moved forward since its announcement, and the Palestinian-Israeli conflict remains unresolved.

Under the current U.S. administration, no progress has been made regarding the peace negotiations.

2.5. Borders of the SoP

Based on Oslo II Agreement, also known as the Interim Agreement on the West Bank and the Gaza Strip, signed in 1995 between Israel and the Palestine Liberation Organization (PLO), the border between Israel and the West Bank and Gaza Strip was defined as follows:

1. Temporary Borders: The agreement established a temporary division of the West Bank and Gaza Strip into three areas: Area A (under Palestinian control), Area B (under Palestinian civil control and Israeli security control), and Area C (under Israeli control). The temporary borders were established as part of an interim period leading up to final status negotiations and were meant to remain in place for five years.
2. Final Status Negotiations: The Oslo II Agreement called for final status negotiations between Israel and the PLO within five years of the signing of the agreement, aiming to reach a permanent solution to the conflict. These final status negotiations were meant to determine the final borders between Israel, the West Bank, and the Gaza Strip.
3. Jerusalem: The Oslo II Agreement did not address the status of Jerusalem, which was left to be negotiated in the final status negotiations.

In conclusion, the border between Israel and the West Bank and Gaza Strip was defined as a temporary division of the territory into three areas to reach a permanent solution through final status negotiations.

2.6. Geopolitical Context of the West Bank

The West Bank has been inhabited for thousands of years and has been part of various empires and nations throughout history, including the Ottoman Empire and the British Mandate. After establishing the state of Israel in 1948, the West Bank came under Jordanian control until Israel occupied it in the 1967 Six-Day War. Since then, the West Bank has been under Israeli military occupation, with Israel maintaining control over much of the territory, including the major cities and settlement blocs. The Palestinian Authority was established in 1994 as part of the Oslo Accords. It had limited self-governance in parts of the West Bank, although it did not have full control over the territory.

The geopolitical context of the West Bank is further complicated by its geography, as it is located between Israel and Jordan and is home to a large population of Palestinians and Israeli settlers. The ongoing conflict between Israel and the Palestinians over the territory's status and the issue of Israeli settlements have resulted in frequent violence and tensions in the region.

The West Bank is also economically and socially underdeveloped, with high levels of poverty and unemployment (Table 1), and heavily dependent on international aid. The Israeli occupation and restrictions on movement and resource access have exacerbated these economic and social challenges. The West Bank is a central issue in the Palestinian-Israeli conflict, and a resolution to the conflict will likely have a significant impact on the geopolitical context of the region.

Based on the Oslo II accord between the Palestinians and the Israeli, West Bank lands are divided into three categories (Figure 2; Table 2):

1. Area A, with full civil and security control by the Palestinian Authority (PA) – comprises 18% of West Bank lands.
2. Area B, with Palestinian civil control and joint Palestinian-Israeli security control, comprises 22% of West Bank lands.



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3. Area C with full Israeli civil and security control – comprises 60% of West Bank lands.

In addition, the City of Hebron is divided into two categories (H1 and H2 to denote Palestinian or Israeli control. Hebron H1 is under the control of the Palestinian Authority, and H2 remains under Israeli military control. The H2 area is inhabited by approximately 35 000 Palestinians and 500 settlers in four downtown settlements inside the Old City.

Table 2. Population and Areas of West Bank Governorates.

Governorate	Population (2023 estimate)	Total Area (km ²)	Area A (km ²)	Area B (km ²)	Area C (km ²)	No. of Local Government Units (LGUs)
Jenin	352,875	583	284.37	103.42	195.16	106
Tubas	68,780	401.66	64.70	16.73	320.21	38
Tulkarem	205,950	246.16	56.08	88	102	45
Qalqilia	127,025	166.37	3.79	41.6	120.96	36
Nablus	431,584	605	110.23	235	259	81
Salfit	85,920	203.70	16.8	35.10	152.27	27
Ramallah	370,030	855.56	95.41	209.77	550.35	104
Jericho	55,270	592.79	68	0.79	523.75	32
Jerusalem*	492,340	344.54	0.93	29.2	312	88
Bethlehem**	244,700	659	49.5	37.1	445.1	80
Hebron***	822,435	996.63	232.36	238.22	466.29	261

*Jerusalem Governorate under control of the PA: 2.37km²

**Bethlehem Green Areas: 127 km²

***Note for Hebron: H1: 17.93, H2: 4.27, Green Areas: 37.32 all in km²

Under the terms of the Oslo II agreement, the border between Israel and the West Bank was to be jointly patrolled by Israeli and Palestinian security forces, with most of the West Bank being placed under Palestinian control. However, in practice, Israel has maintained control over the border and continued restricting Palestinian movement in and out of the West Bank.

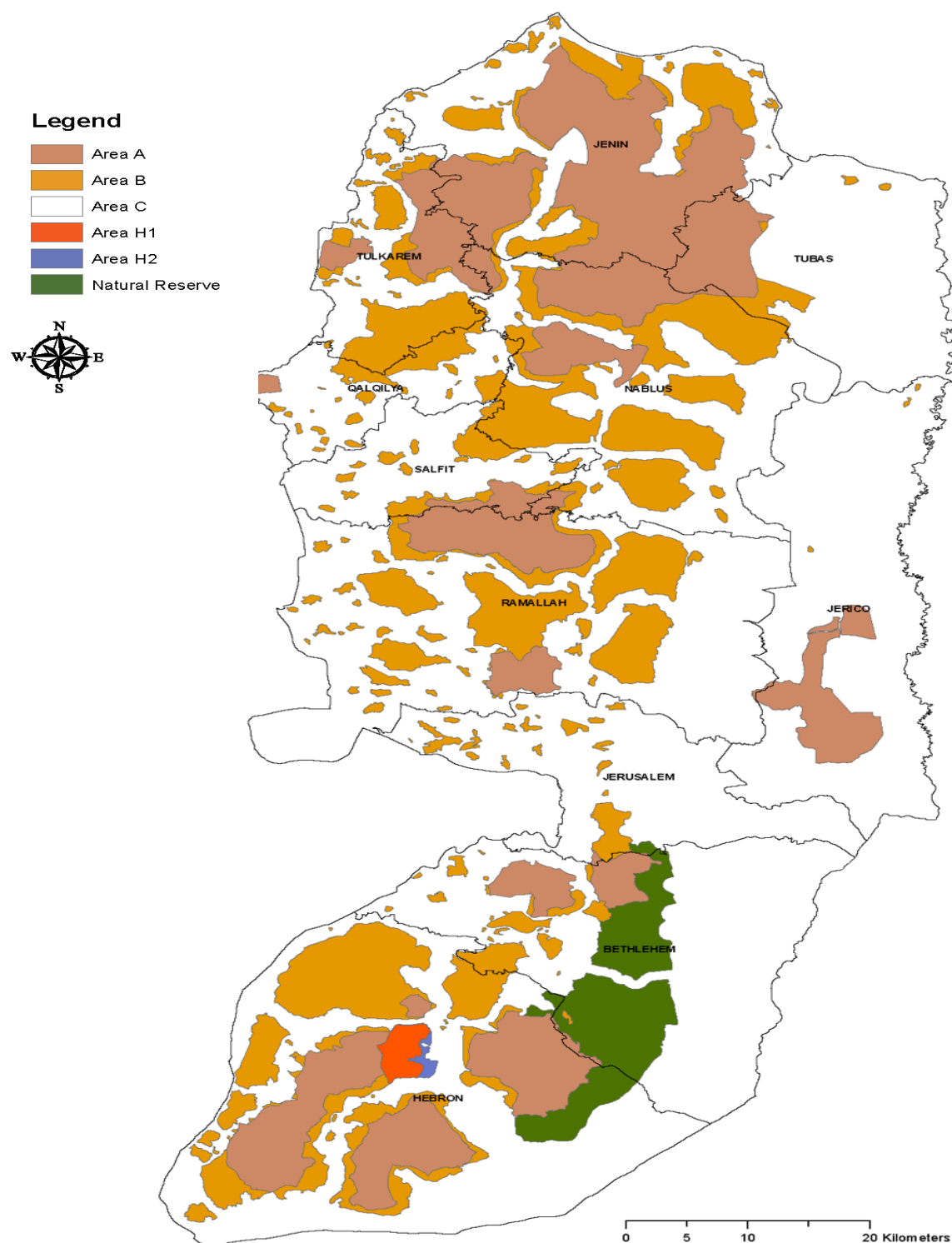


Figure 2. Geopolitical Map of the West Bank. Source: AECOM (2018)



2.6.1. Separation Wall

In September 2000, Israel built a separation barrier along the Green Line and inside parts of the West Bank. The Israeli separation wall, also known as the West Bank barrier, is a physical barrier and security fence constructed by Israel in the West Bank. The exact length of the wall is controversial and has been the subject of much debate. According to the Israeli government, the wall is 709 kilometers (440 miles) long, while the Palestinian side and various human rights organizations have estimated the length to be closer to 810 kilometers (503 miles).

The wall comprises a combination of walls, fences, barbed wire, ditches, and a buffer zone extending into the West Bank. Some wall sections have concrete walls up to 8 meters (26 feet) high, while others consist of double-fenced trenches and razor wire. The Israeli government claims that the wall is necessary for security reasons, as it helps to prevent terrorist attacks from the West Bank into Israel. However, critics argue that it significantly impacts the lives and rights of Palestinians in the West Bank. It separates them from their families, communities, and places of work and makes it more difficult for them to access essential services such as health care and education.

2.6.2. Settlement in the West Bank

Israeli settlements are residential and industrial communities occupied by Israel and exclusively for Jewish ethnicity, constructed started on lands seized by Israel during and after the 1967 Six-Day War. The global community regards these settlements as illegal under international law.

As of 2023, there are 150 Israeli settlements in the West Bank (PCBS, 2023), including 12 in East Jerusalem. Over 450,000 Israeli settlers reside in the West Bank, excluding East Jerusalem, while an additional 220,000 Jewish settlers live in East Jerusalem (Figure 3).

Out of 91 Israeli industrial zones, until the end of 2018, Israel established 23 industrial zones in the West Bank, comprising about 300 facilities and 180 production factories. The total area of these areas is about 7,121 dunums or 6% of the relative distribution of the settlement areas in the West Bank. Major polluting industries in these settlements are metals manufacturing, pesticides, batteries, quarries, and tanneries.

2.6.3. Israeli Military Bases and Checkpoints in the West Bank

Checkpoints are physical barriers, such as gates, roadblocks, and earth mounds, that are used to control access by Palestinians to certain areas, such as cities and villages in the West Bank. The Israeli military operates these checkpoints and controls who is allowed to pass through. Forbidden roads are roads that Palestinians are prohibited from using, even though they may pass through or near their villages or towns. These checkpoints also control the movement of goods and waste transfer into landfills. Also, it was noticed that such checkpoints allowed the movement of Israeli trucks loaded with hazardous waste into the WB.

There are 98 permanent checkpoints in the WB:

- 59 internal checkpoints and military sites in the WB
- 39 as border crossing checkpoints between the WB and IL.

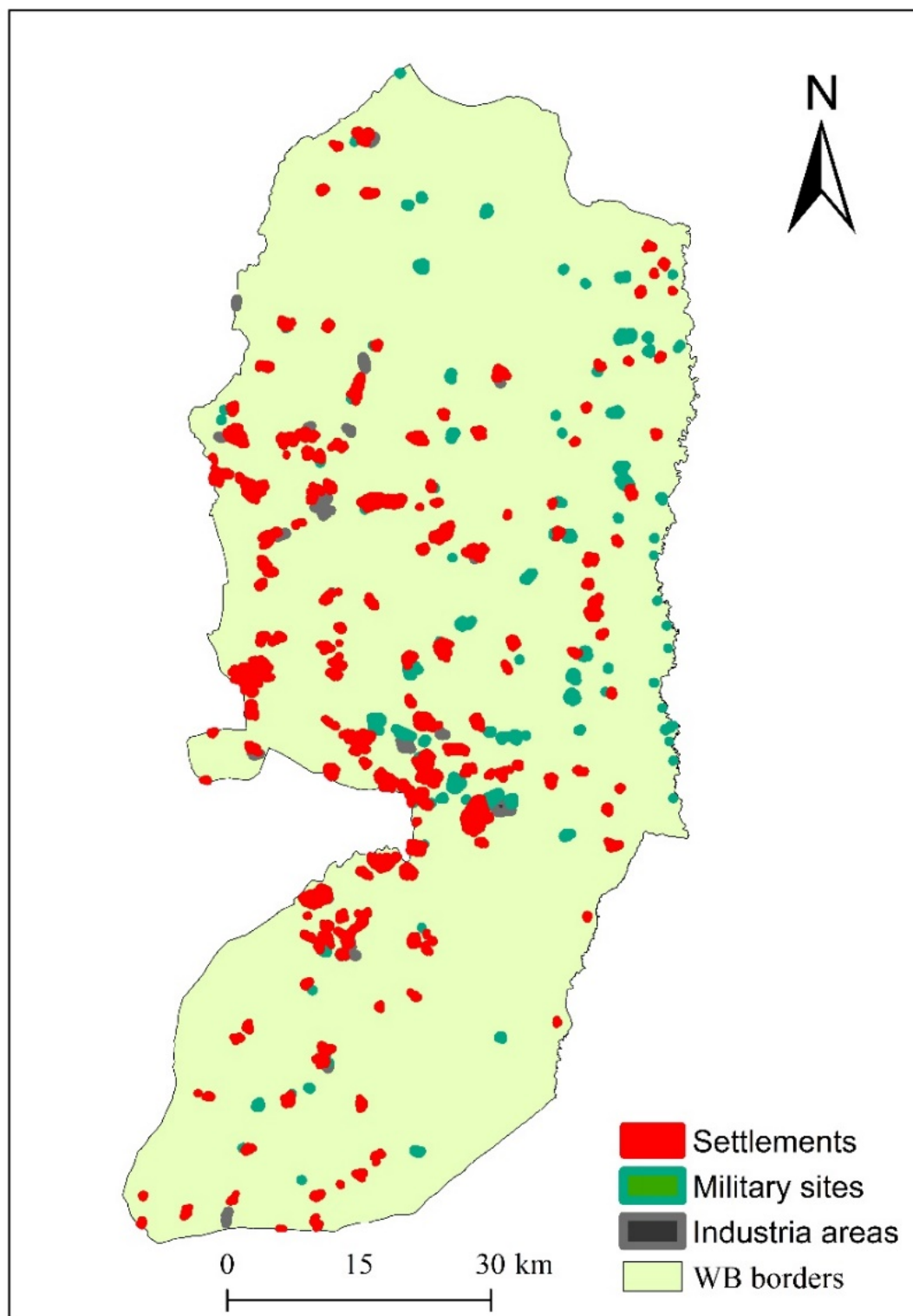


Figure 3. Settlements, military sites, and industrial areas in the West Bank (GeoMOLG, 2023).



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In addition³:

- About 70 crossing checkpoints exist along the Separation Fence in the West Bank. These checkpoints allow limited passage for a limited number of Palestinian farmers to their lands, located in an enclave known as the "Seamline Zone" and locked behind the fence. Only a few of these checkpoints are opened daily, while others are only opened a couple of times a week, primarily during farming seasons such as the olive harvest. The limited hours in which the checkpoints are open shorten the farmers' workday, negatively impacting their ability to tend to and cultivate their main source of income.
- Hundreds of "flying or temporary" checkpoints in the West Bank are maintained by the Israeli military and Border Police. These checkpoints are located on main and side roads, near settlements, and can be found at junctions, changing or permanent locations, and at random times. At these checkpoints, Palestinian vehicles are stopped, and passengers are subjected to detention, interrogation, fines, and confiscation of their IDs and other documents, as well as their vehicles. These actions by the Israeli military and Border Police significantly impact the daily lives of Palestinians and restrict their freedom of movement.

B'Tselem is an Israeli human rights organization that aims to document and educate the public about human rights violations in the Occupied Territories. One of the issues they focus on is freedom of movement, specifically the restrictions placed on Palestinians through checkpoints and forbidden roads.

Using checkpoints and forbidden roads significantly impact Palestinians' daily lives, as it restricts their freedom of movement and ability to access essential services such as healthcare, education, and work. It also separates families and communities and creates a sense of insecurity and dependency. B'Tselem argues that these restrictions are part of a larger control system over the Palestinian population and violate their basic rights.

The organization calls on the Israeli government to immediately remove all restrictions on the Palestinian movement and allow them to live their lives freely and with dignity. B'Tselem also calls on the international community to pressure Israel to end these practices and respect the human rights of Palestinians.

2.7. Geopolitical Context of Gaza

Gaza is a small strip of land on the eastern coast of the Mediterranean Sea, 365 km², that houses more than 2 million people in 5 governorates (Figure 4). Israel borders Gaza to the north and east, Egypt to the south, and the Mediterranean Sea to the west. It has a complex geopolitical context shaped by its history, geography, and the conflict between Israel and the Palestinian people. The region has been inhabited for thousands of years and was part of various empires and nations throughout history, including the Ottoman Empire and the British Mandate. In 1947, the United Nations partitioned the British Mandate into two states: Israel and Palestine. However, the establishment of Israel in 1948 resulted in the displacement of hundreds of thousands of Palestinians, many of whom ended up in the Gaza Strip. Since then, various entities, including Egypt and Israel, have controlled the Gaza Strip. After the Six-Day War in 1967, Israel occupied the Gaza Strip. It maintained control over the territory until 2005 when it withdrew its military forces and settlements and transferred control to the Palestinian Authority. However, the region remains under Israeli control due to its strict control over the borders, air space, and coastal waters.

³ <https://machsomwatch.org/en/content/what-kinds-checkpoints-are-there-west-bank>

In 2007, Hamas, a Palestinian organization, took control of the Gaza Strip in a conflict with the Palestinian Authority. Since then, Hamas has ruled the Gaza Strip, while the Palestinian Authority continues to govern the West Bank. The relationship between Hamas and Israel has been marked by conflict and violence, including several military operations. The geopolitical context of the Gaza Strip is further complicated by its geography, as it is densely populated (Table 3) and economically deprived and is heavily dependent on aid from the international community. The ongoing conflict between Israel and the Palestinians, and Israel's blockade of the Gaza Strip, have exacerbated these economic and social challenges and contributed to a humanitarian crisis in the territory.



Figure 4. Gaza Governorates.

Table 3. Population and Area of Gaza Governorates.

Governorate	Population (2023 estimate)	Total Area (km ²)
North Gaza	444,412	61
Gaza	749,100	70
Deir Al-Balah	319,208	56
Khan Yunis	438,557	108
Rafah	275,267	65

2.7.1. Border Control of Gaza

A siege on Gaza Strip was imposed in 2007 by the Israeli Authority after Hamas took control of the Strip. The siege severely limited importing and exporting of goods, including food, medical supplies, building materials, and fuel. The restrictions have also affected the movement of people, with most Gazans unable to leave the territory (see Figure 5).

The Gaza Strip is surrounded by seven crossings⁴ designated for the movement control of people and goods into and out of the Strip. These are:

1. The Rafah crossing
2. The Beit Hanoun (Erez) crossing
3. The Karem Abu Salem (Kerem Shalom) crossing
4. The al-Muntar (Karni) crossing
5. The al-Awdah (Sufa) crossing
6. The al-Shujaiah (Nahal Ouz) crossing
7. The al-Karara (Kissufim) crossing

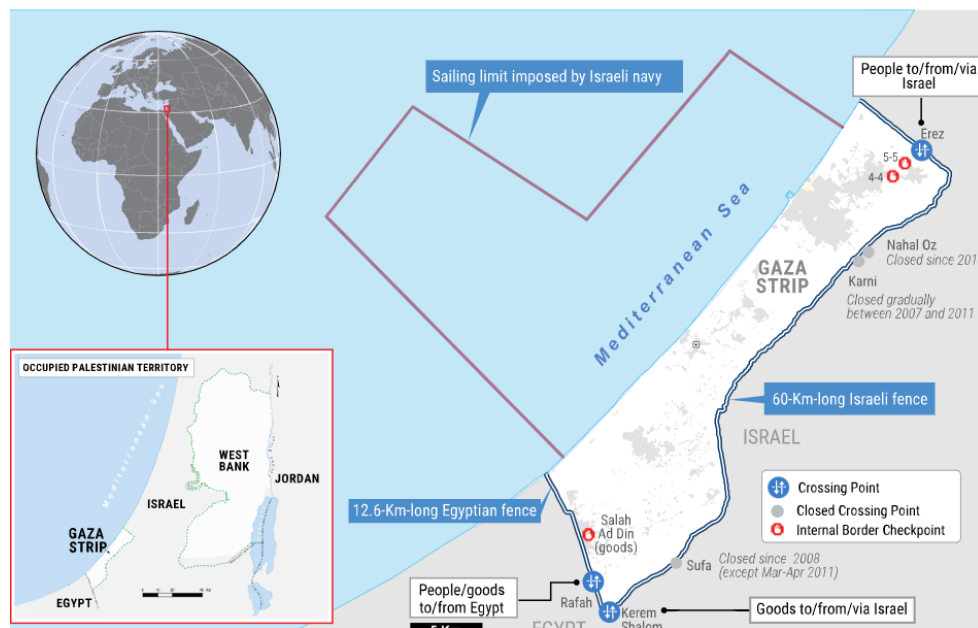


Figure 5. Gaza crossings and sea access limitations, source: UNOCHA⁵.

In summary, after the imposition of the Israeli blockade on the Gaza Strip in 2007, most of the crossings were shut down except for the Rafah and Beit Hanoun crossings for people and the Karem Abu Salem crossing for goods. The restrictions and closures of the crossings by Israel are for security reasons due to past attacks. Israel controls the Beit Hanoun and Karem Abu Salem crossings. In contrast, Egypt controls the Rafah crossing, which means they can be closed at any time by either country, leaving Palestinians in Gaza stranded.

⁴ <https://www.aljazeera.com/features/2022/6/15/the-seven-border-crossings-of-gaza>

⁵Source: <https://www.ochaopt.org/content/movement-and-out-gaza-update-covering-august-2022#:~:text=Background%3A%20Since%20the%20imposition%20of,equipment%2C%20and%20some%20agricultural%20items.>



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In addition, IL imposed limitations on fishermen's access to the sea, which changed from time to time between 6 to 9 miles.

2.7.2. Military Actions on Gaza

There have been several military attacks by the Israeli military on the Gaza Strip, including Operation Cast Lead in 2008-2009, Operation Pillar of Defense in 2012, and Operation Protective Edge in 2014, based on the Israeli Nomenclature of these attacks.

- During Operation Cast Lead, the Israeli military launched a large-scale air and ground offensive. The conflict lasted 22 days and resulted in the deaths of over 1,400 Palestinians, including many civilians, and 13 Israelis, including three civilians.
- Operation Pillar of Defense was another military operation by the Israeli military that lasted eight days and resulted in the deaths of over 160 Palestinians and six Israelis.
- Operation Protective Edge lasted for 51 days and resulted in the deaths of over 2,000 Palestinians, including hundreds of civilians, and 67 Israelis, including three civilians.

The conflict ended with a ceasefire agreement brokered by Egypt and other international partners. However, tensions remain high in the region, and there are fears that the conflict could escalate again. The root causes of the conflict, including the ongoing Palestinian-Israeli conflict and the blockade of the Gaza Strip by Israel and Egypt, have not been addressed, and the situation remains volatile.

According to reports from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA)⁶, the military attacks on the Gaza Strip have had severe environmental consequences, particularly concerning solid and hazardous waste management.

The conflict has resulted in the widespread destruction of infrastructure, including homes, schools, and hospitals, which has generated large amounts of solid waste. This waste has the potential to contaminate soil and groundwater if not managed properly, leading to environmental and public health problems. OCHA reports have highlighted the need for proper solid waste management systems to be put in place to address this issue.

Explosive weapons have also resulted in hazardous waste, including unexploded ordnance and remnants of explosive devices, scattered across the territory. This hazardous waste poses a risk to the safety of the local population, particularly children, and can have long-lasting environmental consequences if not cleared and disposed of properly. OCHA reports have called for efforts to clear and dispose of this hazardous waste to ensure the local population's safety.

The conflict has also affected waste management systems in the Gaza Strip, including waste collection and disposal, sewage treatment, and solid waste management facilities. This has led to environmental degradation and public health problems, particularly in densely populated areas. OCHA reports have emphasized the importance of ensuring these systems' functioning to mitigate the conflict's environmental impact.

⁶ OCHA reports can be accessed through: <https://www.ochaopt.org/publications/situation-reports>



3. Geopolitical Concern of BRS&M Conventions and the Palestinian-Israeli Conflict

3.1. Summary of IL BRS&M-Conventions⁷

3.1.1. Basel

In 1989, Israel signed the Basel Convention and ratified it in 1994, entering into force the following year. Although Israel has not ratified the amendment, the country operates by its guidelines, and however, Israel has not ratified the reparations protocol.

The Hazardous Materials Regulations (Import and Export of Hazardous Materials Waste), 1994, are utilized in Israel to enforce the guidelines of the Basel Convention. Israel actively participates in Convention meetings and expert committees and is grouped with other Western and developed nations outside of the European Union known as JUSCANNZ. The Convention periodically revises its catalog of materials that necessitate monitoring, making it crucial for Israel to advocate for its interests during these updates. Furthermore, Israel provides annual reports to the Convention secretariat.

3.1.2. Rotterdam

In 1999, Israel signed the Rotterdam Convention and ratified it in January 2012.

3.1.3. Stockholm

In May 2001, Israel signed the Stockholm Convention but had yet to ratify it. Israel has not authorized using any of the POPs listed in Annex A for several years. As stated in Annex B of the convention, DDT usage in Israel is limited to eradicating sand-flies, which are hazardous pests that pose a public health risk. However, some commercial companies express concern that certain materials manufactured in Israel could be included on the Convention's blacklist.

3.1.4. Minamata

IL signed Minamata in 2013 and has not ratified it. A comprehensive professional examination was conducted to determine the Convention's prerequisites and evaluate the current use of mercury in Israel. The research concluded that Israel generally adheres to Convention standards by utilizing regulatory tools already in place. Nonetheless, certain deficiencies were discovered concerning Convention requirements that lack suitable authorities to regulate them, such as the limitations on mercury import and export, the prohibition of production, import, and export of specific mercury-containing products, and the use of mercury in particular manufacturing procedures. Consequently, regulations must be established to regulate mercury in the Israeli market. The Ministry of Environmental Protection publishes draft regulations for public review, and after receiving approval, the Convention will be ratified.

⁷ Source: https://www.gov.il/en/departments/guides/hazmat_conventions



3.2. Israeli Laws Regarding BRS&M

Chemicals and waste management in Israel are regulated under several laws.

- The Licensing of Business Law (1968). Its regulations require a permit for handling hazardous materials and hazardous waste. Also, stipulate how these materials are to be processed and specify the required reporting duties.
- The Hazardous Substances Law (1993) requires all waste treatment facilities to obtain a special permit from the Ministry of Environmental Protection for handling toxins.
- Polluting treatment facilities inside Israel are also subject to two more recent laws,
 - i. the Clean Air Law (2008);
 - ii. the Environmental Protection Law (Pollutant Release and Transfer Reporting and Registration Obligations) (2012);
 - iii. and Abatement of Environmental Nuisances Law (1961).

3.3. Management of Import and Export of BRS-Listed Waste and Chemicals in Palestine

As the occupying power in the West Bank and Gaza Strip, Israel has significant control over the permitting, regulating, and controlling imports and exports of BRS-listed waste and chemicals to Palestine. The procedures for waste management, including waste sorting, recycling, landfilling, and polluted site clean-up, are also largely under Israeli control.

Regarding specific actors, the Israeli military is responsible for enforcing the restrictions on the movements of people and goods, including waste and chemicals, in the West Bank and Gaza Strip. The Israeli Ministry of Environmental Protection has jurisdiction over environmental issues, including waste management, in the territories. The Palestinian Authority, established as part of the Oslo Accords, has limited responsibilities for waste management and environmental protection in the West Bank but has no jurisdiction in the Gaza Strip.

Regarding procedures, Israel has implemented a system of permits and licenses for importing and exporting waste and chemicals in the West Bank and Gaza Strip. The Palestinian Authority is responsible for issuing permits for waste management activities, such as landfilling but must receive approval from the Israeli military and the Ministry of Environmental Protection. Limited information is available on the specific procedures for waste management in Palestine. Still, it is clear that the Israeli authorities have significant control over these activities and that the procedures are subject to the restrictions and limitations imposed by the occupation.

In conclusion, the actors and procedures for waste management in Palestine are complex, with the Israeli authorities having significant control over the permitting, regulating, and controlling of imports and exports of BRS-listed waste and chemicals and the management of waste in general. The Palestinian Authority has limited responsibilities but is largely subject to the restrictions and limitations imposed by the Israeli occupation.

3.4. Main Actors for Trade of BRS&M Listed Chemicals and Waste

The main actors in Palestine for importing/exporting goods in and out of Palestine, including listed chemicals and waste in BRS&M, are:



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1. Palestinian Authority Ministry of National Economy (MoNE) - The MoNE regulates trade activities in the West Bank and Gaza Strip. The MoNE is responsible for issuing trade licenses and ensuring that all import and export activities comply with relevant regulations and standards.
2. Palestinian Standards Institution (PSI) - The PSI is responsible for setting and enforcing technical regulations and standards in Palestine. The PSI works closely with the MoNE to ensure that imported products meet the necessary standards and regulations.
3. Palestinian Ministry of Health (MoH) – MoH approves pharmaceutical and drug products.
4. Palestine Investment Promotion Agency (PIPA) - The PIPA is a governmental organization responsible for promoting investment in Palestine, including facilitating trade and providing guidance on import and export regulations.
5. Palestinian Customs Police (CP) - the Palestinian Customs Police is responsible for:
 - Preventing the illegal import and export of goods, including prohibited and restricted items.
 - Collecting customs duties and other taxes on goods entering and leaving the West Bank and Gaza Strip in coordination with the MoFP.
 - Conducting inspections of goods to ensure compliance with relevant regulations and standards.
 - Monitoring and reporting on trade activities to relevant government agencies.

And for the Israeli side:

1. Israeli Ministry of Defense (MoD) - The MoD is responsible for implementing Israel's military occupation of the West Bank and Gaza Strip. As part of this occupation, the MoD controls the movement of goods and people in and out of the West Bank and Gaza Strip through checkpoints, border crossings, and other means. The MoD also permits Palestinian businesses and individuals to import and export goods.
2. Israel Customs Authority (ICA) - The ICA enforces customs regulations and collects customs duties on goods entering and leaving Israel and the West Bank and Gaza Strip. The ICA works closely with the MoD to monitor and control trade activities in the area.
3. Coordination of Government Activities in the Territories (COGAT) - COGAT is a unit within the Israeli Ministry of Defense responsible for coordinating civilian activities in the West Bank and Gaza Strip. COGAT works with Palestinian officials to facilitate trade and other economic activities while enforcing Israeli security policies in the area.
4. The Standards Institute of Israel – The institute responsible for developing and maintaining standards for various industries in Israel. While ISI primarily focuses on Israeli standards, they also work with international standards organizations to develop and adopt globally recognized standards. As for the import and export of goods in Palestine, the institute's role is to assure that Palestinian businesses are subject to Israeli regulations and standards for trade with Israel, including adherence to Israeli standards for product safety and quality.

Palestinian trade procedures that cover BRS&M-listed waste and chemicals are included in Appendix 1

3.5. Border-Related Limitations and Restrictions

The Paris Protocol, signed in 1994, and the Oslo II Agreement, signed in 1995, established the framework for the economic and political relationship between Israel and Palestine. These agreements also defined



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the borders between Israel and the West Bank and Gaza Strip, and established limitations on the movement of people, goods, and services across those borders.

The Paris Protocol established a customs union between Israel and Palestine, with a common external tariff and a system for collecting and distributing taxes and revenues. This system was intended to promote economic integration between the two sides. Still, it also limited the Palestinian Authority's ability to collect taxes and regulate trade.

In practice, the borders between Israel and Palestine are heavily controlled by Israeli authorities, with restrictions on the movement of people, goods, and services. Palestinian movement is subject to a complex system of permits and checkpoints, making it difficult for Palestinians to travel for work, education, or medical treatment. Goods and services are also subject to restrictions, with Israeli authorities controlling the entry and exit of goods from the West Bank and Gaza Strip.

Based on the Oslo II agreement and the practice on the ground, it can be concluded that the same border has a different recognition for accessing from both sides, from the Israeli to the Palestinian side, mainly in the WB. As the borders are adjacent to Area C, the border is only an internal barrier for both Palestinians and Israeli, while from the Palestinian to the Israeli side, the border is an international border for the Palestinians and only a barrier for the Israeli.

The border-related limitations and restrictions on the movement of goods in Palestine, including those related to importing, exporting, and handling BRS&M-listed waste and chemicals, significantly impact the Palestinian economy and society. These restrictions stifle economic growth and development, and the ongoing conflict and political instability in the region further complicate efforts to establish stable and secure borders between Israel and Palestine.

Moreover, the Israeli occupation and control of the West Bank and Gaza Strip and the limitations on movement and access make it difficult for Palestinian authorities to effectively regulate and monitor the management of BRS-listed waste and chemicals. This has resulted in illegal dumping and disposal of hazardous waste and smuggling of waste and chemicals into and out of the territories, posing serious environmental and health risks.

Furthermore, limitations on the freedom of movement of goods and people also make it challenging for Palestinian companies to engage in international trade, including importing and exporting waste and chemicals subject to the BRS Conventions. This limits the ability of Palestinian authorities to access and use advanced waste management technologies and techniques and to engage in international cooperation and coordination on waste and chemical management issues.

3.6. Materials of Dual-Use and Other Prohibited Materials

Dual-use materials are goods and technologies with civilian and military applications and are subject to control and regulation due to the potential security implications. The Israeli authorities impose restrictions on the import and export of dual-use materials into the West Bank and Gaza Strip, which includes items such as chemicals, electronics, and machinery.

The restrictions aim to prevent transferring items that could be used to produce weapons or other military-related equipment, including building materials, specific medical equipment, and some agricultural



commodities⁸. The restrictions significantly impact the economy and the ability of businesses in the West Bank and Gaza Strip to operate, particularly in sectors that require access to dual-use materials.

A list of these materials is included in Appendix 2.

For the Gaza case, A document titled "Goods Allowed into Gaza: A Monitoring Update" by Gisha, a non-profit organization promoting freedom of movement for Palestinians, provided an overview of the types of goods allowed or prohibited from entering Gaza.

According to the report, over 60% of Gaza's population relies on humanitarian aid to meet their basic needs due to the difficult economic situation in the region. The restrictions imposed by Israel on the entry of goods into Gaza have severely limited economic activity and contributed to high unemployment and poverty levels.

The report provides a detailed list of items allowed or prohibited from entering Gaza, including food, medicine, and construction materials. As of the report's publication in 2021, there were 1,500 items on the banned list, including things like cement, iron, and pipes, which are essential for rebuilding infrastructure in the region. See Appendix 2.

The document notes that the entry of goods is subject to a complicated permit system, with only a small number of importers and businesses authorized to bring goods into Gaza. As of 2021, there were over 7,000 outstanding permit requests for firms seeking to get goods into Gaza, with some recommendations taking months or even years to process.

Overall, the report highlights the significant impact of the restrictions on the lives of the Palestinian population in Gaza and the urgent need for increased access to essential goods and services in the region.

3.7. Geographic Context of Palestinian and Israeli Reporting to BRS&M

3.8. Palestinian Reports

By analyzing reports submitted by Palestine to the BRS conventions, reporting lacks related activities in Gaza Strip. There are several recycling facilities in Gaza, much more than in the WB. All of these are not covered in the report, except for reporting microwave treatment of medical waste in Gaza city. This seems to be due to the division in Power between the PA and Hamas authorities. Hamas has its EQA, which is not part of the conventions. In addition, EQA of Ramallah-headquarter has their past employees in Gaza who still work mainly for follow-up projects funded through the channels of the PA.

Regarding the relation with Israel, the PA still recognizes Oslo II as a bilateral agreement. Below is an extract from the 2021 SoP's report to Basel.

⁸<https://www.ochaopt.org/content/movement-and-out-gaza-update-covering-august-2022#:~:text=Background%3A%20Since%20the%20imposition%20of,equipment%2C%20and%20some%20agricultural%20items.>



Bilateral, Multilateral or Regional Agreements or Arrangements in force in 2021 (Articles 11.2 and 13.3(e))

Provide information concerning bilateral, multilateral or regional agreements or arrangements concluded pursuant to Article 11 of the Basel Convention that are valid in the reporting year:

Type of agreement covered (Bilateral, multilateral, regional)	States and territories covered	Remarks:
Bilateral	The Israeli-Palestinian Interim Agreement (OSLO II), West Bank and the Gaza Strip ANNEX III ARTICLE 12	Both sides shall respectively adopt, apply and ensure compliance with internationally recognized standards concerning the following: levels of pollutants discharged through emissions and effluents; acceptable levels of treatment of solid and liquid wastes, and agreed ways and means for disposal of such wastes; the use, handling and transportation (in accordance with the provisions of Article 38 (Transportation)) and storage of hazardous substances and wastes (including pesticides, insecticides and herbicides); and standards for the prevention and abatement of noise, odor, pests and other nuisances, which may affect the other side

3.1. Israeli Reports

By analyzing the country profile of Israel to the BRS conventions, Israel declared area does not include settlement in the WB, but includes East Jerusalem. Below is an extract from the IL report 2020 to Basel Convention that corresponds to measures that include activities related to the SoP.

1c - Measures to implement and enforce the provisions of the Convention (Articles 4.4, 9.5 and 13.3(c))

1c (i) Has your country adopted legislation to implement the provisions of the Basel Convention?

☒ Yes

☐ No

1c (ii) Does the legislation make provision to prevent illegal traffic of hazardous and other wastes?

(Articles 4.4, 9.5 and 13.3(c)) (optional)

☒ Yes

☐ No

If yes, please specify:

Hazardous Substances Regulations (Import and Export of Hazardous Wastes), 1994 provide the legal basis for implementing the Basel Convention in Israel. The Regulations forbids the import to or export



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from Israel of hazardous waste without a permit from the Commissioner and in accordance with its conditions.

Imports or exports are carried out only from or to a country that is a party to the Convention; Regarding exports, the written consent of the competent authority in the country of destination, is also required.

1c (iii) Does the legislation provide that illegal traffic is criminal?

(Articles 4.3, 4.4, 9.5 and 13.3(c)) (optional)

☒ Yes

☐ No

If yes, what are the punishments provided:

☒ Fine

☒ Prison

☐ Other : (Please specify)

It's worth mentioning that IL reiterated its position regarding the Oslo agreement and denied the statehood of Palestine. See below the IL's extract from the Basel report 2020.

Bilateral, Multilateral or Regional Agreements or Arrangements in force in 2019 (Articles 11.2 and 13.3(e))

Type of agreement (Bilateral, multilateral, regional)	States and territories covered	Remarks:
Multilateral	OECD Member Countries	OECD Council Decision C(2001)107/Final concerning the control of trans boundary movements of wastes destined for recovery operations (active). It supersedes Decision C(92)39/Final to more effectively harmonize with the Basel Convention.
Bilateral	Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip	Article 12 of Annex III to the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip. Israel would like to reiterate its position, as submitted to the UN (Ref no. C.N.44.2015.TREATIES-XXVII.3 (Depositary Notification)), according to which Palestine does not satisfy the criteria for statehood under international law.

Also, Israel did not report the Israeli disposal facilities in the West Bank based on the below section of the 2020 report:



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Disposal Facilities Operated within the National Jurisdiction.

Facility/operation or process (Name, address, organization/company, etc.)	Description of the facility, operation or process	Disposal operation (Annex IV A) Code	Capacity of the facility (in metric tons) (use dots for decimals, e.g. 20.15)	Does the facility treat wastes imported?
Environmental Services Company Ltd., Ramat Hovav) P.O.B. 5743, Beer-Sheva 84156, Israel; Tel.: 972-8-6503700; Web site: www.enviro-services.co.il; E-mail: esc@zahav.net.il	Hazardous waste treatment plant and landfill	D5,D9,D13,D14,D15	0	No
Ecosol, Ramat Hovav	Incinerator for hazardous wastes	D10	0	No
GES, Acre	Physico-chemical treatment	D9	0	No
Eco-Oil, Haifa	Physico-chemical treatment	D9	0	No
Elkon, Neot Hovav	Physico-chemical treatment	D9	0	No
Delek-Sun, Dimona	Physico-chemical treatment	D9	0	No
M.I.SH, Ashdod	Physico-chemical treatment	D9	0	No
Ormidan, Rishom Le Zion	Physico-chemical treatment	D9		No

Israeli settlements in the West Bank can be significant in waste generation and management in the context of the BRS-listed waste and chemicals. Israeli settlements in the West Bank are considered non-controlled



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areas, as they are under Israeli jurisdiction and control. These settlements often have their own waste management systems and facilities, including landfills and waste sorting and recycling facilities.

It is unclear how waste generation and management data in Israeli settlements in the West Bank is collected and reflected in official reporting. There is likely a lack of comprehensive data on waste generation and management in these settlements, as well as limited transparency and accountability in the waste management practices in these areas. Though, some recycling facilities inside the settlements are reported. Below is the extract from the 2020 report. Facilities in the settlements are yellow-highlighted. All of the facilities in the settlements are recognized as not treating imported waste, which means that IL consider the settlements as part of their land.

Recovery options operated within the National Jurisdiction

Facility/operation or process (Name, address, process, organization/company, etc.)	Description of the facility, operation or process	Recovery operation (Annex IV/B) R Code	Capacity of the facility (in metric tons) (use dots for decimals, e.g. 20.15)	Does the facility treat wastes imported?
Rotem Amphart, Rotem	Acids reuse	R6	0	No
Nesher, Ramla	Used solvents incineration (as a fuel substitute), Use of waste as a substitute for raw material	R1,R5	0	No
M.T.A. Recycling Technologies, Jerusalem	Solvent reclamation	R2	0	No
Hakurnas, Ashdod	Lead acid batteries recycling	R4	0	Yes
Numinor, Maalot	Zinc recycling	R4	0	No
Timna, Timna Valley	acid reuse	R6	0	No
Gold Center, Or Yehuda	Precious metals recycling	R4	0	No
Supersold, Bet Oren	Tin and lead recycling	R4	0	No
El-Baz, Netser Sereni	Tin and lead recycling	R4	0	No
E.M.S. , Shilo	Silver recycling	R4	0	No
S.V.Yazamut, Kiryat Ata	Sodium aluminate reclamation	R5	0	No



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Facility/operation or process (Name, address, organization/company, etc.)	Description of the facility, operation or process	Recovery of operation (Annex IV/B) R Code	Capacity of the facility (in metric tons) (use dots for decimals, e.g. 20.15)	Does the facility treat wastes imported?
Paz Lubricants And Chemicals, Haifa	Used oil re-refining, solvent reclamation	R9	0	No
Greenoil Energy, Ariel	Used oil re-refining	R9	0	No
Delek - Sun . Dimona	Used oil re-refining	R9	0	No
luxembourg	Acids reuse	R6	0	No
Dor Ecology, Neot Hovav	Solvent reclamation	R2	0	No
D. Bashan, Haifa	Packaging, preparation for recycling or reuse	R12	0	No
Shay Transportation	Packaging, preparation for recycling or reuse	R12	0	No
Ekocheam, Petach-Tikva	Packaging, preparation for recycling or reuse	R3,R4,R12	0	No
Masha, Ashdod	Packaging, preparation for recycling or reuse	R3,R11	0	No
Folkom, Kedumim	Packaging, preparation for recycling or reuse	R12	0	No
Eco-Service, Kiryat-Gat	Packaging, preparation for recycling or reuse	R3,R4,R12	0	No
Recative, Shahak	re-activating activated carbon	R3	0	No
Talos	Used oil refining	R9	0	No
Tal-or, Ashkolon	reuse of acids	R6	0	No
S.V ,Haifa	recovery of bases	R6	0	No



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Facility/operation or process (Name, address, organization/company, etc.)	Description of the facility, operation or process	Recovery of the operation (Annex IV B) R Code	Capacity of the facility (in metric tons) (use dots for decimals, e.g. 20.15)	Does the facility treat wastes imported?
Eco-Medical, Ma'ale Efraim	packaging, preparation for recycling or reuse recycling of used oil filters	R3,R4,R120	0	No
Deshnim, Haifa	Recycling of acids	R6	0	No

A complete list of waste recycling facilities inside the settlements is given in Appendix 3, and not all are reported to Basel.

3.2. Reflection On the Basel Agreement from Literature

Al-Haq Organization⁹ has reported that the Palestinian Environment Quality Authority reported an incident in 2016 where two truckloads of hazardous waste from an Israeli settlement industrial zone were caught en route to a landfill in the West Bank. The industrial settlement was constructed without building permits and was unauthorized. The waste was claimed not to be Israel's responsibility, but under the Basel Convention, hazardous waste falls under areas of jurisdiction. After mediated negotiations, Israel agreed to return the waste to Israel for appropriate disposal. This case is a significant victory for Palestine in holding Israel accountable for violating environmental and human rights. Still, Israel demanded that the case not be published on the Basel Convention website.

While Abdel-Qader and Davis (2018) documented that Palestinian institutions (namely EQA) have failed to document toxic waste smuggling incidents properly and accurately, decreasing Palestine's agency to advocate for environmental protection (Abdel-Qader & Roberts-Davis, 2018).

3.3. Similarities and Differences in the BRS-Related Situation in the Gaza Strip and the West Bank

Palestine is facing significant challenges in terms of waste management due to the restrictions imposed by the Israeli occupation and the limited infrastructure and data available. Addressing these challenges will require a coordinated effort by all actors involved, including the Israeli authorities, the Palestinian Authority,

⁹ <https://www.alhaq.org/publications/6392.html>



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and international organizations. The BRS-related situation in the Gaza Strip and the West Bank has both similarities and differences.

Similarities are:

1. **Occupation:** The Gaza Strip and the West Bank are under Israeli military occupation, which means that the Israeli authorities have significant control over managing waste and chemicals in these areas.
2. **Restrictions:** The restrictions on the movement of goods and people, including waste and chemicals, are similar in both the Gaza Strip and the West Bank.
3. **Joint Environmental Steering Committee:** The Oslo Accords established a Joint Environmental Steering Committee to address environmental issues in the West Bank and Gaza Strip, which provides a framework for addressing waste management issues in both areas.
4. **Limited Data:** Limited data on waste generation and management in both the Gaza Strip and the West Bank makes it difficult to assess the situation and identify potential solutions accurately.

Differences are:

1. **Political Control:** The political control of the Gaza Strip and the West Bank is different, with the Gaza Strip being under the control of Hamas and the West Bank being governed by the Palestinian Authority.
2. **Infrastructure:** The infrastructure for waste management in the Gaza Strip is more limited than in the West Bank due to the ongoing conflict and blockade imposed by Israel.
3. **Waste Generation:** The waste generation in the Gaza Strip is lower than in the West Bank for normal operation and higher than in the West Bank during and after the IL military attacks on Gaza.



4. Israeli Violations

4.1. Violations of Basel Conventions

In December 2017, B'Tselem published a report entitled "Made in Israel: Exploiting Palestinian Land for Treatment of Israeli Waste." The report details how Israeli waste is dumped in landfills in the West Bank, Palestinian territory. The waste is transported from Israel to the West Bank and processed in landfills. The report argues that this practice violates the Basel convention and international law, as the Fourth Geneva Convention prohibits waste transfer from an occupying power to an occupied territory.

B'Tselem also argues that the practice harms the health and well-being of Palestinians living near the landfills. The waste contains hazardous materials and chemicals that can contaminate the air, soil, and water. The report claims that the Israeli government has been aware of the harmful effects of waste on the environment and the health of Palestinians but has taken no action to address the issue.

The report demands an immediate cessation of the transfer of Israeli waste to the West Bank and urges the Israeli government to assume full responsibility for managing its waste within its borders.

The report also calls on the international community to take action to ensure that Israel complies with international law and human rights standards.

The report summarized:

- Israel appears to treat the transportation of hazardous waste into the West Bank as no different from transporting it within its territory.
- Israel disregards the provisions of international law and the Basel Convention that address the state's responsibilities as an occupier.
- Israel benefits from the fact that the West Bank is not its sovereign territory and has created significant gaps in environmental legislation on waste recycling between Israel and the West Bank.
- These gaps and other incentives given to businesses in the settlements create a more profitable environment for recycling the waste in the West Bank than in Israel.

The report stated, *"polluting plants located within Israel are subject to advanced air pollution control legislation while polluting plants in settlements' industrial zones are under no restrictions at all"*

The report presented an overview of the Basel Convention's stance on military power imbalances and the establishment of sacrifice zones. It stated that since the Basel Convention's implementation 25 years ago, any waste transfer must consider the risks involved and the adverse impact on vulnerable populations. International agreements on waste management prioritize conducting such activities in the country of origin to ensure greater fairness and minimize environmental harm. The underlying principle of these agreements is that economic, social, and military power differentials should not be exploited to create sacrifice zones.

The report highlighted Israel's disregard for this principle, citing its actions as a clear violation. It stated that Israel has established sacrifice zones beyond its borders in the West Bank. It has constructed at least fifteen waste treatment facilities to process waste, including hazardous materials, most of which originated in Israel. Israel has exploited its superior power position as an occupying force to create a bureaucratic process that enables the transfer of various industrial, medical, and urban byproducts from its own territory to the West Bank.



The report further stated that a significant portion of the 38% of waste recycled or recovered is handled in the West Bank, an occupied territory four times smaller than Israel's sovereign land.

Moreover, the waste treatment facilities in the West Bank operate with minimal supervision as Israel allows them to function without reporting on the amount of waste processed, the associated risks or the mitigation measures employed. Israel treats the West Bank, particularly Area C, where it maintains complete control under the Oslo Accords, as an area that solely serves its interests as if it were its territory.

4.2. Violations of International Laws¹⁰

Israel breaches international laws concerning environmental protection, particularly the provisions of Articles 35 and 55 of the first additional protocol of the Geneva Conventions of 1977. These articles require Israel to safeguard the integrity of the occupied territory and its residents and refrain from exploiting its resources to fulfill its needs.

Furthermore, Israel's actions have violated international environmental protection laws, including the war crimes outlined in Article 8 of the Rome Statute that established the International Criminal Court. The massive and hazardous pollution caused by Israel poses a significant threat to public health and the environment. The issue of Israeli waste dumps in the West Bank and quarries is part of the settlement file presented to the International Criminal Court.

Moreover, Israel's failure to recognize Palestine as a state and its non-compliance with the Oslo II Accords exacerbate the situation.

4.3. Violations of Environmental Resources

Preserving natural resources and biodiversity is critical for Palestine's sustainable development and integrity. However, the environmentally harmful policies of the Israeli occupation have led to the deterioration of the region's natural resources, including air, water, and land pollution, desertification, land degradation, and loss of biodiversity. Unsustainable practices such as the improper use of natural resources, mishandling of waste (including industrial and solid waste and wastewater), use of banned pesticides, and excessive use of fertilizers have contributed to this problem. Moreover, the construction of Israeli settlements, by-pass roads, and the Separation Wall has further hindered the Palestinians' ability to effectively manage their land and natural resources.

The region has eight groundwater basins, four controlled by Israel and located in Tulkarm, Tiberias, the Negev, and western Hebron. The remaining four basins are situated wholly or partially within the areas of the Palestinian Authority in the north-eastern Jordan Valley, the eastern Jordan Valley, the western Jordan Valley, and the coast of the Gaza Strip. Despite this distribution, Israel consumes 89.5% of the total groundwater, leaving only 10.5% for the Palestinians. As a result, Palestinians can only access and develop 15% of the available water resources, creating a significant gap (41.6 MCM) between water demand and supply in the West Bank alone (PWA 2005). Approval and licensing from the Israeli-Palestinian Joint Water Committee (JWC) are necessary to implement development projects, such as main water supply transmission lines and central treatment plants. However, this requirement constrains Palestinian efforts to

¹⁰ Adapted from: Al Haq organization study on 2015 titled "environmental injustice in Palestine"



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enhance basic services, improve the well-being of Palestinians, and implement water and environmental programs by developing the necessary infrastructure.

In addition, Israeli authorities consume about 82% of the coastal water basin of the Gaza Strip, leaving only 18% of the population of the Strip.

4.4. Violations Regarding Chemicals and Wastes

In response to concerns about environmental pollution from factories and to protect its citizens, Israel has relocated many industrial facilities to designated zones in the West Bank. As of the end of 2018, there were 23 industrial zones established by Israel in the West Bank, encompassing around 300 facilities and 180 production factories. The total area of these zones is roughly 7,121 dunums, representing 6% of the land distribution of content areas in the West Bank. However, establishing these settlements and industrial zones has significantly affected the Palestinian environment and public health. Israel's actions in this regard constitute violations of international law. In a summary of related violations related to settlements activities:

- In the West Bank, Palestinians are surrounded by more than 250 Israeli settlements and outposts, built in contravention of international law, with many discharging their sewage water onto Palestinian-farmed land. It is estimated that at least 50 settlements discharge approximately 35 million cubic meters of wastewater onto Palestinian land per year. This figure is the equivalent of 14,000 Olympic-size swimming pools and increases yearly with the continued construction and expansion of settlements. These expansion activities also create 'facts on the ground' and contribute to the de facto annexation of the West Bank territory.
- The number of fruitful forest trees uprooted for establishing Israeli settlements was estimated at approximately (a 3.4-4.5million), in addition to the plants, herbs, and wildflowers that the Palestinian vegetation lost.
- Palestinian officials and experts claim that about 60% of Israeli wastes being disposed of in Palestinian territories are hazardous waste, such as burnt oils and chemical and electronic waste, which poses a long-term threat to the environment, soil, water, air, wildlife, and citizens.
- The Israeli settlements discharge part of their sewage into the dunes located north of the aquifer of the Gaza Strip. The United Nations estimates that, as of 2017, more than (96%) of the coastal groundwater in the Gaza Strip has become unfit for human use.

And for waste dumping and discharging in designated sites:

- About 98 Israeli waste dumps are scattered throughout the West Bank (including 34 landfills for solid waste and 64 for liquid waste) and dozens of random dumps in which settlements and factories dispose of their waste.
- It is estimated that around 200,000 tons of waste are generated by Israel in the West Bank each year, with most of this waste being toxic and hazardous.

Large quantities of industrial wastewater generated by industrial facilities in the West Bank are causing soil and groundwater pollution. According to reports, environmental resources near the "Barkan" industrial facility near Salfit city are being polluted by toxic metals and minerals such as aluminum, chromium, lead, zinc, magnesium, potassium, bicarbonate, nitrate, and sodium. This pollution negatively impacts livestock and leads to the emergence of insects, rodents, and wild boars, which in turn are destroying crops. Studies have revealed that lead levels in wastewater in the "Barkan" region are 50% higher than the levels recommended by the World Health Organization. The pollutants, as mentioned earlier, are also having adverse effects on the health of the Palestinian population, increasing respiratory, skin, and blood diseases.



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The industrial zone of Nitsani Shalom, situated west of Tulkarm city and occupying an area of about 50 dunums, consists of factories specializing in gas, fertilizers, pesticides, and heavy metals. Unfortunately, these factories have harmed the environment, emitting foul odors and causing air pollution in Tulkarm with high levels of toxic gases like carbon monoxide, sulfur, and nitrogen oxides. This situation has forced many Palestinian residents to abandon their homes, which is considered an international crime under Article 7 and Article (8(2)(b)(8) of the Rome Statute. The factories were initially located on the Israeli side of the Green Line. Still, they were relocated to Palestine when the Israeli population refused to bear the resulting pollution and took legal action under English common law on damage, which remains valid in Israel as a legacy of the British Mandate. The Israeli injunction prohibits the facilities from operating when the wind blows towards the Israeli front from the Green Line for one month per year. This serves as evidence of Israeli violations against Palestinian citizens.

4.4.1. Waste Smuggling

Several reports have addressed the Israeli violations in Palestine regarding the illegal disposal of hazardous waste without treatment. Most viewed reports and news articles described the Israeli approach towards the West Bank as a "huge landfill for Israel's hazardous and toxic waste." This view is translated by the continuous and systematic actions of waste smuggling to the West Bank.

Disposing of Israeli toxic waste in Palestine has multiple advantages for Israeli companies and individuals. One is that it is much cheaper than official treatment in Israel, which includes purchasing expensive permits and paying fees for the treatment. Secondly, officially investing in landfills for Israeli waste in Palestine generates millions of dollars of profit for the owning companies (Karzam, 2013).

According to EQA data from 2019-2021, authorities intercepted 67 cases of smuggled solid, liquid, and hazardous waste transported by trucks with solid and liquid waste perfusion tanks from Israeli areas. The seized waste included chemical waste, used car tires, plastic, and other dangerous materials. Most of these smuggling operations were concentrated in the Hebron governorate, with 13 cases, followed by Nablus with 12 cases, Ramallah with 11 cases, and Qalqiliya with 8 cases. The remaining cases were spread out among the other governorates. It is important to note that these hazardous waste smuggling activities occur in areas classified as C, which are under the control of the Israeli occupation (according to a 2022 press release by PCBS). Other reports tested smuggled waste and identified harmful chemical substances that seriously affect the livelihoods of humans and surrounding environments. The smuggled waste contained infected medical waste (Karzam, 2013), lead, zinc, and radioactive materials (Moqadi, 2012), as well as the leftovers of producing chemical cleaning substances, rubber, alcohol, batteries, and galvanization (WAFA, 2015). Subsequently, untreated smuggled waste has concerning effects on the underground water reserves (Moqadi, 2012). Thus, the easy smuggling of such highly hurtful substances into the Palestinian environment represents the core mentality of othering Palestinians and trading money for the well-being of humans.

Israeli regulations and laws indirectly support smuggling hazardous waste into the West Bank (Karzam, 2013). To avoid the complex and expensive requirements for running a toxic industrial operation inside Israel (i.e., air quality and pollution laws), business owners can build factories very close to Palestinian areas and inside illegal settlements (Al-Jazeera, 2017). Along the same line, Wafa Agency published a report containing all toxic industrial operations in the West Bank, where at least 300 active industrial factories operate in Palestinian areas (WAFA, 2015). To avoid violating international laws concerning occupied territories, Israel often claims mutual benefits for Palestinians and Israelis from such projects. For instance, an Al-Jazeera article in 2017 reported that Israel claims the West Bank's waste landfills are also to serve Palestinians. However, it is well known that these landfills were created to contain Israeli hazardous waste. Therefore, intoxicating the Palestinian environment is seen as an economically viable option while Israel continues performing greenwashing activities like setting standards for air quality and hazardous waste treatment regulations.



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Unfortunately, the smuggling process is highly complex and involves a hybrid set of actors from both sides. Ghafri carried out a thorough investigation into the intoxicated dirt trade. Trucks loaded with weird-smelling dirt come from around Tel Aviv to be unloaded in small towns near Ramallah (Rantis and Naalin villages) (Ghafri, 2021). During their investigation, they were prevented from taking photos of the loaded trucks, chased outside of the town, and threatened not to come back by what seems to be armed Israeli personnel for protection. However, they were Palestinians involved in the toxic dirt trading business. The report reveals the involvement of bribes, rich and powerful people from both sides, and a paralyzed Palestinian judicial system.

Interestingly enough, bribes to locals have only amounted to 25,000 NIS per month (around 6500\$), a trivial value compared to the severe outcomes of intoxicating the surrounding environment. However, the amount is substantially higher than a local farmer gains monthly, and the dirt traders work their way around it. Trading toxic dirt often involves sneaky methods of claiming the safety of disposed materials. For instance, tons of clean dirt can be mixed with a few kilograms of highly toxic waste, which will remain cheaper than correctly treating it inside Israel.

Likewise, it is widely acknowledged that influential Palestinian people in business are involved in the process. According to Ghafri 2021, none of the claims have reached the appropriate level of court accountability. It isn't very easy to prove something that happened in C areas. Moreover, investigations in such cases are shut down at early stages. If not, it takes several years to process without decisive punishment to prevent smuggling.

4.5. Other Considerations

In addition to waste smuggling activities, the Israeli government and the illegal settlements councils are using waste treatment and landfills as greenwashing tools in the West Bank. While claimed to serve both Palestinian and Israeli citizens, building factories and landfills take pieces of land de facto. For instance, Al-Ayyam newspaper 2019 reported building an energy generation facility from solid waste burning in East Jerusalem. In addition to the environmental impact on air quality and underground water, this facility will be built in the disputed area (Al-Ayyam, 2019). In other words, they were sacrificing the disputed area to take more land from Jerusalem while greenwashing this idea by energy generation from waste. For instance, Al-Khan Al-Ahmar, a small village, is close to the facility, and it has been forcefully evacuated several times, challenging continuous efforts to eliminate its existence.

Similarly, Al-Khatib et al. 2007 have documented the effects of the second Intifada on further deteriorating the Palestinian environment (Al-Khatib et al., 2007). Since the Intifada broke out in 2000, roads have been stranded, and cities have been isolated. This resulted in the creation of random unregulated landfills inside residential area boundaries. Solid waste vehicles could not transfer waste to the allocated official landfills. Often, municipal waste vehicles had to take unpaved roads, causing severe harm to the performance and lifecycle of the vehicle. Therefore, citizens dump their waste in specified areas close to their cities and villages and continuously set them on fire to decrease the volume. In addition to this behavior's enormous health and environmental outcomes, it shows how the ongoing political instability can further provoke the relapsing Palestinian environment.

4.6. Climate Vulnerability of the Israeli Occupation of Palestine.

Palestinian Territories (West Bank and Gaza), like many other countries in the Middle East and North Africa (MENA), face global climate change's consequences. Potential severe climate changes in the area will include possible increases in temperature, sea level rise, reduction in the annual rainfall, shifts in rainfall patterns, and hydro-meteorological dangers such as heat waves, droughts, floods, and windstorms.



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The National Policy Agenda of the West Bank and Gaza (2017-2022) points to the fragility of the environment being identified as one of the critical barriers to development in the West Bank and Gaza. The National adaptation plan (2016) mainly identified priority actions addressing water and waste, energy, and agriculture. In 2019, the West Bank and Gaza became a member of the NDC Partnership and submitted their updated NDCs in October 2021. The NDC widened the priority sectors that need to be developed to adapt to and mitigate climate change and included sectors of water, health, energy, agriculture, transportation, and waste, with gender as a cross-cutting theme.

The Palestinian prime ministers, Dr. Salam Fayyad (Wafa.ps; 2011) and Dr. Mohammed Ishtaya (COP 26, 2021), pointed out the effect of occupation on the adaptation resilience of the PA to climate change in the region. In addition, many researchers have covered the impacts of the Israeli occupation, settlements, and the separation wall on climate vulnerability.

Agha (2019)¹¹ mentioned that *"vulnerability to climate change is determined by a combination of climate risk and adaptive readiness - in other words, the level of risk from climate change versus the ability to carry out short- and long-term responses depend on socioeconomic and political conditions. In the case of Palestine-Israel, vulnerability should be understood in the context of seven decades of Palestinian displacement, dispossession, oppression, and poor governance."* And added the unique case of Palestine as a need to plan for vulnerabilities for both climate change and the occupation and concluded a paradox with Palestine's blackness of control over its resources and lands and requirement based on its NAP to address climate change that rendered insignificant and counterproductive adaptive capacity. Leena Freij concludes the same with her thesis to UCLA (2021)¹², who added that adaptation to climate change would be frustrating to Palestine under the conflict conditions.

Al-Haq organization published a paper in 2019¹³ that summarized that *"Communities in Palestine, particularly in Area C of the West Bank, experience the magnified impacts of climate change due to Israel's discriminatory policies and practices. While adapting to climate change, Palestinians simultaneously endure coercive environments created by Israel to drive Palestinian displacement and forcible transfer."* Their study focuses on southern Hebron hills, including Masafer Yatta. They concluded that "Israel's practices of displacement and dispossession of the occupied Palestinian population is demonstrated by its practice of systematically targeting the resources necessary to maintain the livelihood of Palestinians. Exploiting and controlling natural resources has been central to the building, sustaining, and developing of Israel's illegal settlement enterprise. These resources include those that are relevant to climate change adaptation, namely land, and water. The targeting of natural resources includes Israel's obstruction of the development of the water and agricultural sectors, livestock production included."

In summary, for this section and the whole report, the impact of the Israeli policies on the climate vulnerability in Palestine is damaging. It leads to debilitating the adaptive capacity of PA to climate change through:

- Lands confiscation, limiting access to lands behind the wall.
- Restriction of movement for people and goods across the Palestinian and Israeli borders

¹¹ <https://al-shabaka.org/briefs/climate-change-the-occupation-and-a-vulnerable-palestine/>.

¹² <https://escholarship.org/uc/item/5tf728m4>

¹³ <https://www.alhaq.org/publications/15261.html>



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- Control of construction and infrastructure activities in Area C of the West Bank (over 60%).
- Damages of agricultural lands and trees by settlers
- Control of most of the water resources and supplies. Major cities in the West Bank are supplied through Israeli networks. Maan and Oxfam published in the relief web on September 9, 2021, "Palestinian communities in Bethlehem and Hebron governorates are most affected by water scarcity in the West Bank. Restrictions imposed by Israel in Area C, limited Palestinian control over water resources, and the often inadequate technical and financial capacities of water service providers all negatively impact Palestinian access to water in the southern areas of the West Bank. As a result, more than 300,000 people receive less than 50 liters per capita daily, and more than 30,000 households are not connected to water network services."
- Discharge of untreated domestic and industrial wastewater from settlements to the nearby wadis and agricultural lands
- Operation of heavily polluting industries inside the settlements or close to the wall. Most industries, such as chemical industries, plastic, pesticides, and quarries, emit air pollutants with low or minimum control.
- Illegal dumping of hazardous wastes in the West Bank.

For the last point, and in a summary of published data:

- Israel disposes of more than 50% of its solid and liquid waste in Palestine lands, estimated at 200,000 tons annually.
- In the West Bank, there are 98 sites used by the Israeli authorities to dispose of waste from Israeli settlements and factories, including 34 landfills for solid waste and 64 for liquid waste.
- About 15 West bank facilities work in Israeli waste treatment, 6 of which deal with hazardous waste, but they fail to emphasize safety and environmental preservation measures when it comes to facilities in the West Bank.



5. Shortcomings and Limitations Towards the Sustainable Waste Management in Palestine

This section serves as an overview of the prevailing limitations to sustainable waste management implementation in Palestine.

Two concepts perfectly fit to describe the current situation. Considering Palestine as a 'securitized' matter gives Israel legitimacy and justification to apply abnormal politics and actions accordingly. In other words, as an area that presents an active threat to the existence of Israel, the government preserves the right to deal with the matter as of what serves its core interests – this perspective is in light of the Copenhagen school of thought, a framework for security analysis – check (Buzan et al., 1997) for more. Thus, it becomes clear that deliberately deteriorating the Palestinian environment is justified and does not contradict the Israeli approach to the conflict. Moreover, investigating the motives behind Israel's environmental violations in Palestine can be explained by 'othering' the Palestinians. The concept of othering has been widely discussed in environmental racism literature. When certain areas, groups of people, races, or religions are viewed as external to society (others), it can be justified to export the harmful waste from (our) environment to (theirs). This sense represents the current ideology behind disposing of hazardous waste in the West Bank, which considers Palestinian well-being less critical than the Israeli. In other words, it is fine to sacrifice their environment to keep our environment healthy and sustainable. To get a comprehensive theoretical background on this matter, view: Andreucci & Zografos, 2022; Klein, 2016.

5.1. Political Instability and Military Occupation

Palestine is an exceptional case study. Geopolitics plays the most significant role in shaping the outcomes of sustainable development attempts in all sectors. As previously mentioned, one of the severe constraints is the lack of autonomy. This translates into several implications; one is the inability to perform basic law enforcement actions regarding waste management. According to the classifications in Oslo Accords, around 60% of the West Bank is considered area C with limited control for the PA to perform without prior coordination and permission from Israel. In other words, lack of sovereignty allows for HZW smuggling, illegal disposal of chemicals, and the continuous cycle of unsustainable waste disposal.

Moreover, this situation undermines the ability of the PA to perform the required tasks and actions under the signed international conventions (namely BRS conventions). Illegal Israeli settlements' role in deteriorating the West Bank's environmental sustainability is huge (EQA, 2021). Specifically, sewage water disposal in Palestinian lands, building chemical and highly hazardous factories in the Palestinian areas and deliberately smuggling HZW to be disposed of in Palestine.

Nevertheless, lack of sovereignty significantly limits the use of land as well. The most common method used for solid waste disposal in landfills is a space-consuming method. Consequently, the inability to control most of the West Bank space and the high population density in the Gaza Strip constitutes a severe challenge to waste management in Palestine. Overall, leading a successful transition towards sustainable waste management is faced with an already established geopolitical situation. The ongoing conflict undermines the agency of citizens to change their reality and their ability to comprehend and understand the urge to change. Likewise, it limits the effectiveness of sustainability solution attempts in Palestine – both in terms of institutional development and real change. Therefore, sustainability might be achieved when Israel eases its actions in the West Bank and releases the siege on Gaza Strip.



5.2. Public Awareness and Willingness to Change Behavior

In addition to the political situation, a lack of awareness of the importance of sustainable waste management accounts for the second strongest barrier against sustainable change. All reviewed literature and governmental reports indicated the need to increase awareness amongst the Palestinian population. Awareness plays an integral role in culturally embedding new sustainable behaviors among people. Therefore, it can be argued that human behavior is the first and most vital aspect of the sustainability transition. Accordingly, raising substantial awareness of sustainable waste management can influence the decision to segregate waste at source, which is an essential first step.

Nevertheless, scholars have a solid consensus to call for public awareness campaigns. They were, moreover, considering bylaw changes to include mandatory training for employees who work in healthcare or HZW sources. However, Al-Khatib et al. 2014 found substantial differences in awareness and understanding of the problem according to the level of education, income, geographical location, and gender. Therefore, it is highly advised to run awareness campaigns in smaller cities and neglected areas in Palestine. Overall, the 3Rs concept can only become a reality in Palestine once the level of awareness is increased so that individuals understand the consequences of their daily actions.

5.3. State Fragility and Institutional Performance

As a specific case study of a developing country under occupation, it is critical to approach improvements in Palestine considering the context of fragile states. An important strand of literature addressed the role of development assistance in conflict areas. Fragility is a lucrative and multi-dimensional concept. However, the major characteristics of fragile states are weak governance, low policy and institutional performance, low absorptive capacity, and low quality of public sector management (Faust et al., 2015; Feeny & McGillivray, 2009). According to Fund For Peace annual report, Palestine is classified as a fragile state by the OECD and ranks 37 out of 179 states (Fund For Peace, 2022; OECD, 2022). A growing body of literature discusses how development projects can be more effective. It can be more efficient and achieve the set goals if the receiving country has a high administrative capacity and good governance (Burnside & Dollar, 2004). Therefore, it is essential to work simultaneously on capacity building (i.e., finances to train and employ enough crews, policy reforms) and direct assistance to the chosen issue (i.e., finances for the needed physical projects).

The PA started its practices as the ruling entity of the West Bank and Gaza Strip in 1994 after signing Oslo Accords. As a newly born state in a conflict area, the PA had no national income, poor natural resources, know-how and technology, and most importantly, no substantial autonomy over its borders. Therefore, the pressure is high on investing in capacity building for the newly constructed institutions. In both crucial reports (El-Hamouz et al., 2011; Thoni & Matar, 2019), capacity building is essential to sustainable waste management in Palestine. Likewise, United Nations University (UNU-WIDER, 2013) called for integrating the capacity building into broader programs to achieve foreign aid goals in fragile states and stimulate economic growth.



6. Conclusion and Recommendations for Activation of available tools

6.1. Conclusions

This report has overviewed the existing studies and records of the geopolitical factors affecting Palestine's chemicals and waste problems. Numerous reports have concluded that the actions of Israeli settlers seriously concern and negatively affect the environment in the occupied Palestinian territories, from deliberately cutting and burning olive trees, sewage leakage, building toxic industries, and smuggling hazardous waste to Palestine. The Israeli side, including companies, factories, citizens, government, and regulations, continue to violate international agreements utilizing deteriorating the environment in Palestine.

The Palestinian-Israeli conflict has raised several geopolitical concerns regarding waste and chemicals management in the region. Some of the key considerations include the following:

1. Environmental degradation: The conflict has resulted in environmental degradation, with waste and chemicals management practices affected by the region's instability and lack of effective governance. This has led to increased pollution and environmental hazards.
2. Limited resources: Israelis and Palestinians have few resources, including access to safe and effective waste and chemicals management practices, which can contribute to environmental degradation and public health concerns.
3. Border closures: The conflict and security measures, such as border closures and restrictions on movement, have made it difficult for waste and chemicals to be appropriately managed and disposed of safely and environmentally responsibly.
4. Political tensions: The political tensions between Israelis and Palestinians have made it difficult for waste and chemicals management practices to be effectively implemented. Both sides may not trust the other to manage hazardous waste safely and responsibly.
5. Lack of cooperation: The lack of collaboration between Israeli and Palestinian authorities on waste and chemicals management has hindered the development of effective cross-border initiatives to address these concerns.

Overall, the geopolitical concerns of the Palestinian-Israeli conflict regarding waste and chemicals management are a significant challenge for both Israelis and Palestinians. Addressing these concerns requires cooperation, trust-building, and investment in effective waste and chemicals management practices.

6.2. Recommendations

Accordingly, facing those, as mentioned earlier, complex Geopolitical circumstances requires cooperation amongst all acting parties in Palestine. Awareness of Chemicals and Waste dangers is crucial, considering that humans are the first defense against environmental degradation. As mentioned, some toxic waste smuggling into the West Bank is often conducted through Palestinian personnel in exchange for profit. This behavior results from a lack of awareness or greed, regardless of the consequences. Therefore, increasing public awareness about the effects of intoxicating the environment with different types of waste is essential. More specifically, it is recommended to target residents of area C as they are the most vulnerable to this phenomenon.



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Moreover, awareness campaigns should address the effects of toxic waste, corruption, and unethical behavior and increase social pressure to outcast illegal conduct. In addition, the public must be aware of sneaky workaround and multifaceted methods of waste smuggling to identify and predict such operations. However, a massive increase in public awareness cannot become a reality unless all involved organizations and the government are directing proper support to vulnerable areas and enforcing infractions.

Waste smuggling grows intensely with multiple factors: Israeli easing legal framework in the occupied Palestinian territories, weak judicial system in Palestine, and cooperation from a fraction of benefited Palestinians. Considering what can be done from the Palestinian side, the current legislation and regulations must be reformed. Corruption and capital influence are significant factors contributing to waste smuggling. Therefore, penalties must be severe and put into action promptly and decently. In addition, cooperation and information sharing amongst Palestinian security forces must also be increased. Although the current political status quo challenges this, security forces can perform significantly better when cooperating within and with other organizations (i.e., EQA).

Most importantly, Palestinian organizations must activate all available tools to stop environmental racism and aggression. Increasing published scientific research on the toxic waste smuggling issue is recommended, which will create more international pressure on the Israeli authorities to fight this phenomenon truly. Likewise, increasing media coverage and newspaper articles in multiple languages will accumulate the same result. Therefore, interested professionals and individuals should progressively work towards documenting, analyzing, and exposing the reality of toxic waste in Palestine.

In addition to the scientific and non-governmental efforts, the Palestinian institutions must carefully activate international tools to create this momentum. Crucially, the Basel convention must be a powerful, effective instrument to protect the environment. Thus, it is recommended to improve documentation and measurement activities by governmental organizations. This includes enhancing communications with the Basel secretariat and stating weaknesses and deficiencies in the current system. This will allow for capacity-building of documentation abilities, producing high-quality reports that deserve to be treated internationally and effectively making a difference.

The final recommendation is to increase the humane sense of understanding and prevailing environmental concerns in Israeli society. This will create social accountability for unethical environmental racism by strengthening the ideas of environmental protection for all humanity among the Israeli generations. As mentioned earlier, behaviors of waste smuggling and deliberately building toxic factories in the Palestinian areas are the results of profoundly existing theoretical frameworks within the Israeli mindset. In other words, as long as the Israeli perspective is tilted towards pure self-interest, radical governments will remain in power. The cycle of intoxicating the Palestinian areas will continue endlessly. It is crucial to address this issue from a root-solving perspective. Subsequently, solving the outcomes will only be waste of resources if the root causes are not urgently addressed.



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Appendices

Appendix 1 : Palestinian Trade Procedures¹⁴

Palestinian and foreign entities must obtain a trade authorization before engaging in any trade transaction. The Foreign Trade Dealing Registration provides a one-time approval for import and export across international borders. The Ministry of National Economy approves applications and provides authorization for both Palestine and Israel without charging any fees, and the procedure should not take more than three weeks. Importers must comply with specific requirements before importing and clearing goods at the port of entry to avoid delays and additional costs.

Importers should be aware of specific requirements that must be met before importing and clearing goods at the port of entry. However, it's important to note that these requirements do not apply to all imported goods, and failure to meet them may result in additional costs and delays. The following are the requirements that must be fulfilled:

- Possession of valid import licenses
- Possession of valid certificates of origin
- Compliance with standards and testing
- Compliance with sanitary and phytosanitary regulations
- Proper marking, labeling, and packaging

The Palestinian licensing system necessitates an import license in the following situations:

- In cases where imports are subject to quotas, such as agricultural products and goods mentioned on Lists A1, A2, and B of the Paris Protocol.
- When public health concerns, an import license is necessary to ensure imports adhere to Palestinian standards. This applies to goods like meat, foodstuffs, or pharmaceuticals.
- When importing petroleum, gas, telecommunications equipment, or motor vehicles.
- As the Palestinian government applies the Israeli import policy, an import license is necessary when an (L) indication is present in the Tariff Book of Israel.

The General Directorate of Internal Trade - Ministry of National Economy is responsible for providing import license applications requiring four copies of the form. Some categories of products require approval from

¹⁴ Sources: 1. <http://www.pipa.ps/page.php?id=1bb75ay1816410Y1bb75a>, and

2. <https://www.trade.gov/country-commercial-guides/west-bank-and-gaza-import-requirements-and-documentation>, and

3. <https://www.trade.gov/country-commercial-guides/west-bank-and-gaza-standards-trade>



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relevant Palestinian ministries and entities before license issuance. These categories include gasoline and oil, cigarettes and tobacco, insecticide and paint mixtures, motor vehicles, related spare parts, telecommunications items, agricultural products, foodstuffs, and chemical products, which require approval from their respective ministries or departments.

Certain products may undergo testing by the Standards Institute of Israel. The Israeli standards authorities may defer to their Palestinian counterparts in cases with differing standards, provided the importer assures that the products will remain within the West Bank and Gaza. Israel imposes licensing requirements and quotas on many food and agricultural products, with the Palestinian share based on estimated consumption and past utilization. Health-related imports require approval from both the Israeli and Palestinian Ministries of Health. Palestinian pharmaceutical companies may not import raw materials for products with a single registration in Israel without approval from the registering party.

Information related to import requirements, clearance of goods, tariffs, customs valuation, other levies, purchase, and excise taxes, value-added tax (VAT), and transportation in Palestine can be obtained from the Ministry of National Economy, trade associations, trade agencies or from The Palestinian Export Import Guide. All sources of internationally controlled substances and pornographic publications are prohibited. Goods must be cleared and inspected before leaving the port area. Most tariffs are ad valorem and calculated as a percentage that includes cost, insurance, and freight (CIF). Customs valuation follows the Brussels definition of value. Purchase and excise taxes are levied on both local and imported goods. The value-added tax (VAT) is calculated at 16%. Israeli-licensed or Palestinian-licensed trucks requiring special permits can transport goods to the West Bank or Gaza.

In concern to BRS&M, the import to Palestine of internationally controlled substances such as narcotic drugs and psychotropic substances



Appendix 2 : List of Dual-Use and Gaza Prohibited-Entry Materials



Dual Use
Materials.pdf



Approval and
coordination of transp

Appendix 3 : Israeli Waste Treatment Facilities in the West Bank

Source: B'Tselem (2017). Made in Israel: Exploiting Palestinian Land for Treatment of Israeli Waste.
https://www.btselem.org/publications/summaries/201712_made_in_israel

Israeli waste treatment facilities in the West Bank (including areas annexed to the Jerusalem municipality)

Facility name	Location	Types of waste
Eco Medical Ltd.	Ma'ale Efrayim Industrial Zone	Contaminated medical waste and bio-logical waste
Green Oil Energy Ltd.	West Ariel Industrial Zone	Used oil waste (hazardous waste)
EMS Refiners of Precious Metals Inc.	Shilo Industrial Zone	Electronic waste, batteries and hazardous materials containing metals (hazardous waste)
MTA Recycling Technologies Ltd.	Mishor Adumim Industrial Zone	Solvent waste (hazardous waste)
Compost Or Factory Ltd.	northern Jordan Valley	Sewage sludge
Tyrec Tire Recycling Industries	Shahak Industrial Zone	Used tires
Polcom	Kedumim Industrial Zone	Hazardous waste packaging (hazardous waste)
All Recycling	Barkan Industrial Zone	Electronic waste (hazardous waste)
Talus	Meitarim Industrial Zone	Used oils (hazardous waste)
RA Ofek	Atarot Industrial Zone	Transfer station, construction waste recycling
Green Danlop	Atarot Industrial Zone	Transfer station, construction waste recycling
Zmora	Atarot Industrial Zone	Excess soil disposal and treatment
Green Net	Atarot Industrial Zone	Mixed urban waste
Elidori	Ma'ale Amos Industrial Zone	Construction waste