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# IN THE PIPELINE: ISRAELI BYPASS WATER PROJECT IN THE JORDAN VALLEY

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FEBRUARY 2020

This update examines the construction of a bypass water pipeline on the lands of the Palestinian village of Bardala in the northern Jordan Valley in the occupied West Bank. The Bardala bypass project will transport fresh-water extracted from occupied Palestinian water sources to nearby Israeli settlements, bypassing Palestinian communities.<sup>1</sup> Palestinians have no independent access to the water sources in question. The project, advanced by Mekorot,<sup>2</sup> Israel's national water company, is a mechanism for consolidating Israel's hold over Palestinian land and natural resources. Its route and raison d'être further entrench Israel's occupation, benefitting the illegal set-

tlement enterprise at the expense of Palestinian communities. The project's execution is made possible due to the involvement of Israeli and international private corporations, including the German Herrenknecht AG and the US-based CETCO Mineral Technology.

Control over water resources is of great geopolitical importance, especially in the context of prolonged occupation. Exploitation of Palestinian and Syrian water resources by the occupying power has contributed to the expansion of settlement agricultural production. At the same time, occupied communities are denied the right to control water and other natural resources, resulting in intense economic de-development.

Prior to publication, Who Profits contacted all companies profiled herein. As of the date of publication no responses were received.

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1 MahsomWatch - Women for Human Rights and Against the Occupation, "[A Tour in The Jordan Valley](#)," 10 April 2019.

2 Who Profits, "[Mekorot's Involvement in the Israeli Occupation](#)," December 2013.

### **The Bardala Bypass Pipeline**

The village of Bardala is located in the northern Jordan Valley, an area rich in groundwater, springs and wells.<sup>3</sup> The Jordan Valley, which accounts for approximately 28.5% of the West Bank, has long been a target for the Israeli agricultural sector due to its favorable climate, fertile land and plentiful water supply.<sup>4</sup>

Bardala was connected to the Israeli national water grid in 1975. Since then, the community has been dependent on Mekorot for its water supply, despite the fact that there are three water wells situated within the village's territory. This is because Israel has prevented the residents from maintaining or extracting water from these wells.<sup>5</sup> The surrounding Israeli settlements rely on Bardala's groundwater for drinking, as well as for agriculture.<sup>6</sup> Nearby Israeli illegal settlements, such as Mechola, take pride in their green landscapes and plantations.<sup>7</sup> Meanwhile, on average Palestinian residents of the Jordan Valley have access to only some 20 liters of water per person a day.<sup>8</sup>

In September 2018, Mekorot published a tender for the development of a bypass pipeline near the village of Bardala (Tender 2018-75/9). The bypass pipeline will be connected to the current Mekorot drilling site through a 500 meter long fortified steel pipeline.<sup>9</sup> The

drilling project was estimated at 2.5 million NIS (100,000 to be used in 2019, 500,000 in 2020 and the remainder for after 2020).<sup>10</sup> In March 2019, Mekorot announced that Drawasha Subhi, an infrastructure development contractor, won the tender.<sup>11</sup>

The new bypass pipeline is one of several such projects designed to entrench Israel's de-facto hold over the occupied West Bank. Under the pretext of preventing alleged 'water theft' by underserved Palestinian communities, the Israeli Civil Administration (ICA) and Mekorot are elaborating an extensive system of bypass pipelines designed to facilitate the smooth and rapid transfer of water supply to nearby settlements while bypassing Palestinian towns and villages.<sup>12</sup>

Crucially, the Israeli occupying power deducts not only water payments, but also the costs of alleged water theft from clearance revenues and the taxes designated to the Palestinian Authority (PA).<sup>13</sup> This means that Palestinian taxpayers effectively shoulder the cost of any amount of water that is unaccounted for. Israel's deduction of Palestinian revenues for water as well as electricity payments circumvents its obligation under the Paris Protocol to return tax and custom revenues to the PA.<sup>14</sup> Circumventing this obligation renders it meaningless and inapplicable.

The Bardala project, is one of a number of other bypass pipelines planned by Israel. Bypass pipelines will be built in a number of

3 The Applied Research Institute - Jerusalem. [Bardala Village Profile](#), February 2006:3.

4 Who Profits, [Greenwashing the Occupation: The Solar Energy Industry and the Israeli Occupation](#), February 2017:18.

5 The Applied Research Institute - Jerusalem. [Bardala Village Profile](#), February 2006:8.

6 Judea and Samaria Council, [Stolen Water?](#), (Hebrew) [myesha.org.il](#), 10.5.17.

7 Mechola Settlement, [About](#), (Hebrew) [mechola.co.il](#)

8 B'tselem. [The Jordan Valley](#). November 2017.

9 Mekorot company [Tender 2018-75/9](#) (Hebrew)

10 On file with Who Profits

11 On file with Who Profits

12 Ministry of Defence's Subcommittee for Judea and Samaria, [Protocol No. 64](#), (Hebrew), 19 June 2018:22.

13 Ministry of Defence, [Water Plans for 2040 Will be Ready Within Four Years](#), (Hebrew) 19 June 2018.

14 Gisha, [Will we Always Have Paris?](#), 13 September 2012.

other locations including near the Palestinian towns of Huwara, Nabi Elyas and Azzun Atme.<sup>15</sup> Operating in tandem with a complex web of bypass roads, including newly built and planned roads bypassing these very same towns,<sup>16</sup> water bypass pipelines ensure Israeli control over vital infrastructure.

In June 2018, the head of the ICA, Brigadier General Ahvat Ben-Hur, announced that a master plan for water distribution in the Jordan Valley for 2020-2040 is in its final stages, and includes repairs and fortification of existing Mekorot facilities. New drilling projects and pipelines will also be constructed according to Ben-Hur's indications.<sup>17</sup>

The result of such policies and projects is what has been identified as “water apartheid”<sup>18</sup> in the occupied territory, whereby Jewish Israeli settlers enjoy an uninterrupted supply of water while Palestinians are denied their collective right to water through a set of institutionalized discriminatory policies and practices.

### **Water under Occupation**

Following the Israeli occupation of the West Bank, Gaza and East Jerusalem in 1967, Israel issued Military Orders 92 and 158. The orders, issued in August and November 1967 respectively, granted officials appointed by the Israeli military authority over all water



Bardala Bypass Pipeline construction site.

Photo: Who Profits | 18.6.19

related issues on Palestinian land, including approval and denial of permits for the extraction of water.<sup>19</sup> A further order issued by the military – Military Order 291, issued December 1968, declared all water resources to be ‘public property’, bringing all privately and municipally owned Palestinian water facilities under Israeli control.<sup>20</sup>

The enforcement of these orders was later divided between various Israeli state bodies, including the ICA, the Attorney General of Israel, the Israeli military, police and military courts, the Israeli Water Authority and Mekorot.<sup>21</sup> The Israeli Water Authority and Mekorot increased their activity in the West Bank, taking over Palestinian water resources, expanding drilling projects and constructing water wells.

15 Ministry of Defence's Subcommittee for Judea and Samaria, [Protocol no. 64](#), (Hebrew) 19 June 2018.

16 Who Profits, [Roads and Infrastructure Nabi Elyas Bypass Road \(Highway 55\)](#), January 2018 and Arutz Sheva, [This is What the Huwara Bypass Road Will be Liked](#), (Hebrew) *Arutz Sheva*, 4 April 2019.

17 Ministry of Defence's Subcommittee for Judea and Samaria, [Protocol no. 64](#), 19 June 2018; Arutz Sheva, [Water Theft in Judea and Samaria](#), 19 June 2018 19.6.18 and; Israel Water Authority, [Approval of Consumption - Jordan Valley](#), (Hebrew) 11 June 2015.

18 Al Haq, [Water For One People Only. Discriminatory Access and 'Water-Apartheid in the OPT](#), 2013:90-91.

19 Israeli Military, [Order No. 947](#). Also see: Israel State Comptroller, [Judea and Samaria Annual Report](#), (Hebrew) 2013:133.

20 Selby, Jan. *Water, Power and Politics in the Middle East: The Other Israel-Palestine Conflict*, I.B.Tauris, 2004:81.

21 Israel State Comptroller, [Judea and Samaria Annual Report](#), (Hebrew) 2013:146.

Extracted water was used to supply illegal settlements and their agricultural expansion.

The terms of Israel's control over the Palestinian water sector, though long present on the ground, were reorganized and codified in the Oslo Accords. The Accords stipulated that the PA would be responsible for water facilities and distribution to Palestinian communities in Areas A and B, while Israel, through Mekorot, would be responsible for the supply of water to Palestinian communities and settlements in Area C of the occupied West Bank.<sup>22</sup>

Under the Accords, a Joint Water Committee (JWC) was set up, comprised of an equal number of Israeli and Palestinian officials. The JWC was tasked with overseeing the management of shared aquifers<sup>23</sup> and water distribution to the West Bank and Gaza.<sup>24</sup> However, as noted by the World Bank, "the JWC does not function as a 'joint' water resource management institution because of fundamental asymmetries."<sup>25</sup> In 2009, there were 106 Palestinian water projects and 12 large scale wastewater projects awaiting approval from the JWC. Some of these projects dated back to 1999. Had they been approved, these proposed Palestinian projects would have served almost 2 million people.<sup>26</sup> By contrast, all Israeli projects in the West Bank, except one, were approved by the JWC. Moreover, Israeli water projects which extract water from shared aquifers within the Green Line, were

not brought before the JWC for approval.<sup>27</sup> Furthermore, Israel's total control of Area C, where the West Bank's main water resources are located, renders this agreement obsolete.<sup>28</sup>

Oslo stipulated that the PA must purchase water from Mekorot, further entrenching Palestinian dependency on Israel for the supply of water, while accumulating increased debt. Israel's control over water sources and supply, grants it the power to dictate the terms of purchase. Since the Palestinians are prevented from installing water networks, they are forced to pay eight times more than what Israeli settlers pay for water, due to transportation fees.<sup>29</sup> In addition, due to the lack of cost recovery at the service-provider level, every purchase of bulk water from Mekorot puts the Palestinian Water Authority (PWA) further in arrears to Israel. Those payments are deducted from taxes Israel collects on behalf of the PA, with adverse impact on the Palestinian economy as a whole. In 2017, the sum of arrears was US\$335 million.<sup>30</sup> Moreover, Israel deducts the cost of alleged water theft from taxes owed to the PA.<sup>31</sup>

Furthermore, Israel uses its control over water as a part of its broader policies of control and as a mechanism for forced displacement. Through Mekorot, Israel only supplies the bare minimum of water needed, and often cuts the water supply to entire communities altogether.<sup>32</sup> According to a report by Amnes-

22 Israeli Water Authority, [The Issue of Water Between Israel and the Palestinians](#), (Hebrew) March 2009:7-8.

23 The use of water resources from the aquifer inside the Green Line does not need to get approval from the JWC. Those are entirely in the hands of the Israeli water authority. The World Bank, [Assessment of Restrictions on Palestinian Water Sector Development](#), April 2009:p.ix.

24 Ibid p.47

25 Ibid. p.ix

26 Ibid. p.9

27 Ibid. p.ix

28 Amnesty International, [Troubled Waters- Palestinians Denied Fair Access to Water](#), 2009:18.

29 Al Haq, [Water For One People Only. Discriminatory Access and 'Water-Apartheid in the OPT](#), 2013:49

30 Ibid. p.5

31 Ministry of Defence's Subcommittee for Judea and Samaria, [Protocol No. 64](#), (Hebrew) 19 June 2018:24.

32 B'tselem- The Israeli Information Center

ty International, settlers receive on average four times more water than Palestinians. Water consumption by Palestinians in the oPt is at 70 liters a day per person. This is far below the stipulated 100 liters per capita daily recommended by the World Health Organization (WHO). Water consumption by Israeli settlers is about 300 liters, per capita, per day. The report also highlights that in some Palestinian communities water consumption is as little as 20 liters per day. This corresponds to the absolute minimum recommended by the WHO during situations of emergency response.<sup>33</sup> Israeli settlements in the Jordan Valley and the Dead Sea area are allocated up to 18 times more water for agricultural use than Palestinians in the West Bank.<sup>34</sup>

The Bardala bypass pipeline is part of Israel's occupation infrastructure, aimed at the expropriation of Palestinian natural resources for the benefit of the occupying economy. This pillage of Palestinian natural resources is considered a war crime under international law,<sup>35</sup> and has an adverse knock on effect on Palestinian human and economic development.

## **Corporate Complicity**

### **CETCO Mineral Technology**

**Profile:** A US based public company that develops, produces and markets mineral-based and synthetic mineral products and related

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for Human Rights in the Occupied Territories, [Water Crisis](#), 11 November 17.

33 Amnesty International, [Troubled Waters- Palestinians Denied Fair Access to Water](#), 2009:3.

34 Al Haq, [Water For One People Only. Discriminatory Access and 'Water-Apartheid in the OPT](#), 2013:52.

35 Al Haq, [The Importance of Legally Binding Instrument on the Right to Development](#), 30 April 2019.

systems and services.

In June 2019, the company's products were documented by Who Profits in the construction of Mekorot's new bypass pipe line in the Palestinian village of Bardala. The bypass pipeline is meant to provide water to Israel's illegal settlements and deepen Israel's control over Palestinians water supply, while exploiting Palestinians natural resources.

**Traded:** Public. Traded in Nasdaq under the ticker symbol MTX

**Ownership:** C.E.O: Douglas T. Dietrich. Main shareholders: Blackrock Inc. (12.07%), Vanguard Group Inc. (9.80%), Price T Rowe Associates Inc/ MD/ (6.60%), Dimensional Fund Advisors LP. (5.89%)

**Subsidiaries:** Alex Mining & Oil Service Company (Egypt), Amcol Australia Pty. Ltd (Australia), AMCOL CETCO do Brasil Servicos e Produtos de Construcao Ltda. (Brazil), AMCOL Dongming Industrial Minerals Company Limited (China), AMCOL Health & Beauty Solutions, Incorporated (Delaware), AMCOL (Holdings) Ltd. (UK), AMCOL International B.V. (Netherlands), AMCOL Korea Limited (S. Korea), Amcol Mauritius (Mauritius), Amcol Minerals EU Limited (UK), American Colloid Company (Delaware), Barretts Minerals Inc., Batlhako Mining Ltd. (South Africa), CCS, Cetco SP. Z.o.o., s.k.a., (Poland), Centre International de Couchage CIC Inc. (Canada), Cetco Oilfield Services Company Asia Ltd. (Malaysia), Gold Lun Chemicals (Zhenjiang) Co., Ltd. (China), Ingenieria y Construccion CETCO ICC Limitada (Mexico), Minerals Technologies do Brasil Comercio e Industria de Minerais Ltda. (Brazil), Minteq Italiana S.p.A (Italy), MTI Ventures B.V. (Netherlands), Nanocor LLC, Sivomatic B.V. (Netherlands), SMI NewQuest India Private Limited (India), Speciality Minerals France S.A.S (France), Volcay International LLC

**Partners:** Melgol Ltd. (Israel Distributor), AP-

SCOP, Tensar International Corporation (TIC), Geosynthetics Limited, Vermeer Canada, Vermeer Manufacturing, Ashapura Volclay Ltd, Talisman, Solco

**Head office:** Head office: 622 Third Avenue, 38th Floor, New York, New York 10017 USA

**Phone:** +1-212-878-1849

**Website:** mineralstech.com/

**Global presence:** Poland, Egypt, Australia, Brazil, China, USA, UK, Netherlands, Thailand, S. Korea, Turkey, India, Mexico, Singapore, South Africa, Canada, Czech Republic, India, Malaysia, Germany, Spain, Nigeria, Australia, Chile, Belgium, Japan, Ireland, Italy, Korea, Indonesia, Austria, Finland, Portugal, Slovakia.

#### Hai Dolev Holdings Ltd.

**Profile:** a private Israeli company specialized in planning and carrying out drilling projects.

In June 2019, the company's products were documented by Who Profits in the construction of Mekorot's new bypass pipe line in the Palestinian village of Bardala. The Bardala bypass pipeline is designed to serve Israeli settlements in the northern Jordan Valley.

The company also took part in a sewage drilling project in the Har Homa settlement in East Jerusalem, and in a drilling project for the "Museum of Tolerance" which was built on a Palestinian cemetery in Jerusalem.

**Traded:** Private Company

**Revenues:** \$5M-\$10M (25,000,000 NIS in 2018).

**Ownership:** The company is privately owned by Yoseph and Haya Dolev. CEO: Yoseph Dolev

**Partners:** Maya Aqua. Ltd.

Company clients include: the Israeli Ministry of Defense and military, Mekorot, Rafael, Is-



Bardala Bypass Pipeline construction site.  
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rael Electric Corporation (IEC), Bezeq, Nuova Ghizzoni SPA

**Head office:** Hamanof 8., Rehovot 7638607, Israel

**Phone:** +972-8-9468818, +972-52-5546120

**Website:** www.dolev.zapages.co.il

**Global presence:** Italy

#### Herrenknecht AG

**Profile:** A German provider of technical solutions in mechanized tunneling.

In June 2019, the company's products were documented by Who Profits in the construction of Mekorot's new bypass pipe line in the Palestinian village of Bardala. The bypass pipeline is to provide water to Israel's illegal settlements and deepen Israel's control over Palestinians water supply, while exploiting Palestinians natural resources.

In 2011, Herrenknecht supplied 3 TBM's (Tunnel Boring Machines) for the excavation of tunnel No. 1 (section B) and tunnel No. 3 (section C) of the Tel Aviv-Jerusalem fast train (A1 train).

The Herrenknecht TBM's were costume made for the specific type of land in which the tunnels are located. Thus, the company is well

aware that their machines are used for mining in occupied Palestinian land.

The TBM is a massive scale machine used to excavate tunnels. The machine operates as an independent work unit, which includes a control room inside the machine.

The machines were made in Germany by Herrenknecht, which is also the manufacturer of the concrete segment's factory equipment for tunnel lining. The concrete segments for tunnel lining are produced with the help of a carousel plant supplied by Herrenknecht Formwork.

The company also supplied a curing tunnel with heating system. At the end of the work, the machines can be sold back to Herrenknecht, which renovates and re-sales it to other large-scale projects.

**Traded:** Private Company

**Ownership:** Chairman: Martin Herrenknecht

**Subsidiaries:** The Herrenknecht Group consists of the operating entity Herrenknecht AG as the parent company and around 80 subsidiaries and associated companies in Germany and abroad.

**Head office:** Schlehenweg 2, 77963 Schwanau, Germany

**Phone:** +49 (0) 7824-302-0

**Website:** herrenknecht.com/

**Global presence:** Argentina | Australia | India | Panama | Brazil | USA | Chile | China | France | Hong Kong | Indonesia | Italy | Mexico | Netherlands | Portugal | Russia | Saudi Arabia | South Korea | Switzerland | Turkey | Venezuela

Solvay

**Profile:** A publicly traded Belgian advanced materials and specialty chemicals company.

In June 2019, the company's products were documented by Who Profits in the construc-

tion of Mekorot's new bypass pipe line in the Palestinian village of Bardala. The Bardala bypass pipeline is designed to serve Israeli settlements in the northern Jordan Valley.

**Traded:** Public. Traded in Euronext Brussels, Euronext Paris, ADR

**Ownership:** Solvac SA, a public limited liability company traded on Euronext Brussels, holds 30.71% of company shares. Additional shareholders include Blackrock Inc. (3.40%) and Solvay Stock Option Management SPRL (2.72%).

CEO: Ilham Kadri

The company is publicly traded on Euronext Brussels under the ticker symbol SOLB.BE. It also has a secondary listing on Euronext Paris and its shares are traded over the counter (OTC) as a Level 1 sponsored American Depository Receipt (ADR) through Citibank.

**Subsidiaries:** The company has dozens of subsidiaries worldwide.

**Partners:** Strategic partners include Lockheed Martin, SGL Carbon, Safran Group, Anthea Group, Penso

**Head office:** Head office: Rue de Ransbeek, 310, 1120 Brussels, Belgium

**Phone:** +32-22642111

**Website:** solvay.com

**Global presence:** Global | Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Czech Republic, Ecuador, Egypt, Finland, France, Germany, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Latvia, Mexico, Netherlands, New Zealand, Peru, Poland, Portugal, Romania, Russia, Saudi Arabia, Singapore, South Africa, South Korea, Spain, Switzerland, Taiwan, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States, Uruguay, Venezuela, Vietnam