

Affidavit

I, the undersigned, Maher Najjar, holder of I.D. No _____, having been notified that I must tell the truth and nothing but the truth and that if I do not do so, I will be subject to criminal penalties under the law, hereby declare as follows:

1. My name is Maher Najjar. I am the Deputy Director of the Coastal Municipalities Water Utility (CMWU). I make this affidavit in support of a court petition regarding Israel's decision to reduce the amount of fuel and electricity supply to the Gaza Strip.

CMWU's Reliance on Fuel Purchased Privately

2. The CMWU is the semi public utility that runs the water and sewage systems in Gaza. We rely on electricity and fuel to run the system. In cases of electricity blackouts and situations of under voltage, the systems rely on standby generators that are operated by diesel fuel.
3. We purchase the fuel needed for the water and sewage systems through a private supplier in Gaza, with whom we have a contract. The private supplier orders the fuel through the Palestinian Fuel Authority. The Palestinian Fuel Authority's branch in Ramallah coordinates the purchase of the fuel from the Israeli company, Dor Alon.
4. We order the fuel amounts needed to keep the systems operating through ESSP project, which is funded by the World Bank .
5. We are obligated by contract to purchase fuel from the supplier (lowest evaluated bidder) only, so if the supplier doesn't have enough fuel because of cuts in the supply, then we also will suffer a shortage and the water and wastewater system will be affected.
6. The diesel fuel is necessary for three reasons: first, it runs generators as back-up during times of electricity cut-off; second, some of the water wells work solely on diesel fuel; and third, in situations of under voltage which are very frequent. Gaza needs 240 megawatts of electricity to satisfy demand, however it currently

- receives around 193 megawatts. This lack of supply results in frequent power outages and a situation of "under volt" in which generators, operated by fuel, compliment lower than needed currents of electricity in order to run Gaza's water wells.
7. The lower the electricity supply, the more we rely on fuel for back-up and to supplement under-voltage.
 8. For the water system we need at least 100,000 liters of diesel fuel per month. This is the bare minimum quantity needed to prevent a severe shortage in the clean water supply. Our real need of fuel, in order to be able to run the system properly and less precariously, is around 150,000 liters per month.
 9. For the sewage system, we need at least 100,000 liters of diesel fuel per month, to keep the system working and to prevent sewage from flooding to streets, residential areas and houses.

Shortages in Supply Are Affecting Our Ability to Pump Water

10. The last time we were able to purchase diesel fuel through our supplier, the biggest supplier in Gaza, was on the 20th of October 2007. We purchase fuel every few days based on the original contracted amount, according to the needs of the water and sewage systems.
11. Most of the fuel that we purchased on October 20th was directed to the operation of the sewage system, since it was more urgent. We intended to purchase additional fuel for the water system a few days later.
12. We reached a situation where we had to prioritize our needs; we had to direct our last large purchase of fuel (20/10/2007) to the sewage system and not the water system, since we did not have enough fuel to operate the two essential systems. The collapse of the sewage system would create a more severe humanitarian crisis.
13. On Monday, 29th October 2007, we urgently needed to purchase 30,500 liters of diesel fuel for the water system in Gaza, in order to keep the system operating and to keep pumping clean water to people. Several water wells in particular needed an immediate supply of fuel to keep them operating .

14. We contacted our supplier, who notified us that there was a severe lack of diesel fuel in Gaza, and that he was unable to provide us even one liter of diesel fuel. He told us to wait a few days, in the hope that the situation would change. Usually the suppliers receive certain amounts of fuel every day from Naha Alouz except for the weekend. When there is a decrease in supply for even one day, it affects the market directly.
15. On Thursday, 1 November 2007, we had extremely urgent cases of seven water wells in the area of Beit Hanoun, Beit Lahia and Jabalia running out of fuel. These wells need fuel regularly because the area suffers from under-voltage and frequent electricity cuts. The fuel helps the wells pump 24 hours per day, in order to provide water to the densely populated area even though the electricity supply is inadequate. We managed to buy from our supplier only 2,000 liters of diesel fuel, instead of the 10,500 liters needed for the 7 water wells in these areas.
16. We had to divide the 2,000 liters of diesel fuel among only three water wells, all in Beit Hanoun, out of the seven water wells that needed fuel. The three wells in Beit Hanoun required 4,500 liters of fuel, but we had only 2,000 liters to divide among them.
17. The three water wells in Beit Hanoun are not working 24 hours a day, because of the lack of fuel (2,000 liters instead of 4,500 liters), therefore the people in this area are receiving water only intermittently.
18. The four other water wells in Beit Lahia and Jabalia, which got no fuel, are currently not working properly at all. They only operate when they have electricity with good voltage. Up to now we could not get the fuel from the supplier.
19. In order to have constant water supply for the entire Gaza Strip population, some of the water wells need to operate 24 hours a day especially for densely populated areas. If there is a lack of fuel, water supply will have to be cut down.
20. In the month of October 2007, we received only 60,000 liters of diesel fuel out of 150,000 needed for the water system. We did not receive the 90,000 liters needed in the last 10 days of October. Our supplier did not have enough diesel fuel to deliver to us.

21. Currently, for the last 10 days and due to the lack of fuel to pump the water from the wells, at any given time 15% of the population in Gaza are not receiving an adequate amount of running water to their homes. Even if the current, diminished supply of fuel remains the same, the percentage of population that is not receiving clean water will continue to increase as more water wells become inactive.
22. Currently, there is no spare fuel to run the water system, and the sewage system has enough fuel only to last for one more week.
23. I am trying to provide basic water and sewage services to an overpopulated area, using extremely limited supplies and an infrastructure badly in need of improvement. The additional difficulties caused by making it more difficult for me to purchase fuel have direct and seriously negative consequences on my ability to provide clean water to Gaza residents. The system I am running cannot afford additional difficulties.
24. I declare that this is my name, this is my signature, and that the content of the affidavit, which I have signed, is true.

Signature

Date

I certify that on October 28, 2007, Maher Najjar, holder of ID # _____, appeared before me, and after I put him on notice that he must tell the truth and nothing but the truth and that if he does not do so, he will be subject to criminal penalties under the law, he affirmed the truth of this statement above and signed it in my presence.

Attorney Signature