**Input from the Office of the Human Rights Defender of Armenia (HRD) with regard to the questionnaire of the Special Rapporteur on the human rights to safe drinking water and sanitation of indigenous peoples and people living in impoverished rural areas**

 ***\*****The below presented information is provided with the view of the scope of the HRD’s mandate*

After the military aggression by Azerbaijan against Artsakh (Nagorno-Karabakh), Azerbaijan is continuesly violating the human rights the border population of Armenia. The unlawful presence of Azerbaijani armed forces in the vicinity of the villages of Gegharkunik and Syunik provinces of Armenia and on the roads between Syunik communities, and their acts violate the internationally guaranteed rights of the Armenian people, including the rights to life, right to security and freedom of movement, right to property and other fundamental rights, including to **right to water and sanitation**.

Due to the unlawful actions of Azerbaijan, people were deprived of their houses, lands, pastures and grasslands, which belonged to them based on the respective cadastral documents, provided even during the Soviet times, as a result of which not only security issues, but also serious social-economic problems have arisen.

The unlawful presence of the Azerbaijani military in the sovereign territory of the Republic of Armenia, for example, has caused serious security problems for the surrounding communities, as they have become direct targets of the Azerbaijani military who conduct shootings in those directions.

In particular, the Azerbaijani armed forces made an unlawful incursion inside the borders of the Republic of Armenia. In particular, one of the unlawful incursions in the Syunik province is in the area of the Black (Sev) Lake, which serves also as a water reservoir for the number of surrounding communities. The HRD stressed that the acts of Azerbaijani armed servicemen have absolutely no legal basis and were made under the threat of war.

In framework of number of fact-finding missions to those communities, the residents of the villages alerted to the HRD that the presence of Azerbaijani armed servicemen in the area of the Black Lake and beyond it, towards their communities grossly violates their fundamental rights, and endangers their security and peaceful life.

In particular, the residents also noted that they can no longer use pastures, and raise livestock, which is the source of income for their families; cannot keep large and small cattle in the barns and graze them; and **cannot be comfortable about their access to irrigation and water sources**. The research conducted by the HRD confirms that the areas adjacent to Black lake are of irreplaceable importance for the vital needs of the residents of the border areas (Tegh, Sisian, Goris communities, Khnatsagh, Vaghatur, Khoznavar, Verishen and other villages of those communities). The HRD resolutely states that these acts of the Azerbaijani armed forces grossly violate rights of Armenia’s border residents, with the aim of intimidating them. The presence of the Azerbaijani military servicemen deprives Armenian citizens of the opportunity to raise livestock and use pastures, the only source of income for their families, and poses a real threat to the access of irrigation and drinking water to the communities, their lives and safety.

The same issues have been registered in Gegharkunik province as well; people are not able to keep small and large cattle in the barns near the pastures, to take the animals out for water or graze them in certain areas. Thus the availability of water resources is endangered not only in Syunik province but also in Gegharkunik province. Moreover, several villages are now deprived of water. Due to the criminal acts of the Azerbaijani armed forces, the villagers were deprived of pastures, hayfields and arable lands. For example, in the village of Kut, the Azerbaijani armed forces are physically present on at least 500 hectares of pastures, 500 hectares of hay, 20 hectares of arable land. In Norabak village, they are present on at least 1,000 hectares of pasture, 200 hectares of grassland, and 25 hectares of arable land.

Residents of Jaghatsadzor, Geghamabak, Norabak villages were deprived of drinking and irrigation water. The point is that the Azerbaijani armed forces are present in the areas of water basins and rivers, from which drinking and irrigation water emerges. Water resources from which irrigation and drinking water are generated, have been brought under the control or control of the Azerbaijani armed forces.

During the recent visits of the HRD to the Gegharkunik province of Armenia, the residents of the border villages expressed concern that as a result of the border demarcation process, their use of important pastures, grasslands and water resources has been rendered impossible.

The visits to Sotk, Norabak, Kut village and other villages of Geghamasar community of Gegharkunik province of Armenia, and discussions with community bodies and residents confirm that the residents of the villages of this region have been engaged in agriculture for years and in particular cattle breeding. These were the means by which the needs of their families were taken care of, and now the properties of these residents are endangered, hampering their economic opportunities and a host of other rights of Armenia’s villagers.

According to the villagers, more difficulties will arise especially during Spring. The dangers are due to customary habits over the years, where there is a high probability that the cattle will cross over to the side under the control of Azerbaijan and will not be able to return. The villagers are informed that a case had already been registered when 34 horses had crossed into Azerbaijani territories which were not returned to them. They have also raised issues of their right to life and security.

**The right to drinking water of the residents of Meghri community that is violated by the deliberate actions of the Azerbaijani armed forces**

The internationally guaranteed right to water for the residents of Meghri community of Syunik province of the Republic of Armenia is continuously seriously violated by the deliberate acts of the Azerbaijani armed forces.

The HRD has received alarming-calls from the residents of Meghri community about the fact that about 5 years ago the Azerbaijani armed forces changed the riverbed fed by the Zvaraget tributary of the Meghri River to Nakhichevan (Ordubad region).

As a result, in Meghri-Agarak towns of Syunik province, as well as in Nrnadzor, Shvanidzor, Alvank villages, serious problems arise due to the availability of drinking and irrigation water. The majority of the population of Meghri community live in these communities.

The head of Meghri community provided the necessary information to the HRD regarding the issue, as well as the delegation led by the HRD received those alarming-calls during the HRD’s visit to Meghri in January 2021.

The issue is that the drinking and irrigation water of the villages of Meghri community have always been provided at the expense and provisions of Meghri river. Zvaraget or Ayrijur tributary starts about 3,500 meters above the sea level. It rises from the South-Eastern slopes of the Zangezur Mountains and then joins the Meghri main river. Due to the snowmelt, Zvaraget floods during the month of August each year, as a result of which the full supply of drinking and irrigation water has always been ensured for the mentioned villages of Meghri community. Without it, the Meghri River provides water only from the beginning of each year from June to July, and then the river becomes very scarce, and in the part of Meghri City, the river is generally dry. Thus, as a result, serious damage has already been done to the environment of the Meghri community.

Residents and the Head of the Meghri community informed the HRD that every month the Azerbaijani military creates brakes with special engineering equipment and thus changes the course of the tributary to Nakhichevan.

In other words, as a result of these deliberate actions of the Azerbaijani armed forces, serious problems have arisen every year during August for the residents of Meghri, Agarak, Nrnadzor, Shvanidzor, and Alvank villages due to the unavailability of drinking and irrigation water.

At the same time, all of this is done with the threat of a real dangerous risk to human life, as the section of the Zvaraget tributary of the Meghri river is under the direct target of the Azerbaijani military and is controlled by them.

These acts of the Azerbaijani Armed Forces and, in other words, by those in positions of power, are grossly violating the rights to water, which is vital for the residents of the Meghri community of Armenia and is guaranteed absolutely by international norms.

The right to water is guaranteed internationally. This right includes the human right to have sufficient water for both continuous drinking and domestic use (irrigation, hygiene, etc.). At the same time, there must be not only a safe access to water, but also a full access to water. This right has a unique value and is at the heart of other human rights to life, health, dignity and privacy.

This right is so fundamental that the United Nations has declared the right to water and sanitation a global Sustainable Development Goal, taking into account the fundamental principles of water, and its irreplaceable importance for human development, and organization of life’s necessities. The UN Secretary-General described this right as a goal of the Millennium Development Goal.

The described acts of the Azerbaijani armed forces grossly violate the Convention on the Transboundary Watercourses, the Use and Protection of International Lakes as adopted in Helsinki on March 17, 1992, and other international instruments.