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# Inhabitants of frontier regions of Azerbaijan are deliberately deprived of water

**Report**[1]
Committee on Social Affairs, Health and Sustainable Development
Rapporteur: Ms Milica MARKOVIĆ, Bosnia and Herzegovina, Socialist Group

*Summary*

Access to drinking water and sanitation has been recognised by the United Nations as a human right. States have an obligation to secure their population's access to sufficient, safe and affordable water resources.

In the case of the frontier regions of Azerbaijan depending on water supplies from the Sarsang water reservoir located in Nagorno-Karabakh, the population faces environmental and humanitarian problems, as well as security risks in the whole border region linked to the lack of regular maintenance work on the Sarsang dam.

The report therefore calls for unimpeded access by independent engineers and hydrologists to inspect and assess the situation on site. It emphasises the need for global management of the use and upkeep of the Sarsang water resources, with international supervision of the irrigation canals, the Sarsang and Madagiz dams, the schedule of water releases during the autumn and winter, and aquifer overexploitation. The Parliamentary Assembly is invited to ask the Armenian authorities to cease the use of water resources as a political tool.

1. Reference to committee: Doc. 13468, Reference 4043 of 11 April 2014.

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## A. Draft resolution[2]

1. The Parliamentary Assembly reminds all its member States that the right to water is essential to life and health, as specified in the 1992 United Nations Convention on the Protection and Use of Transboundary Watercourses and International Lakes ("Water Convention"), and thus constitutes a prior condition for the enjoyment of other human rights. The Assembly emphasises the obligation of States to secure their population's access to sufficient, safe and affordable water resources.

2. The Assembly regards unimpeded access to drinking water, which cannot be restricted by the existence of borders, as a basic right, a source of life and an asset of strategic importance to every State. The Assembly confirms that deliberate deprivation of water cannot be used as a means to harm innocent citizens.

3. The Assembly considers that the deliberate creation of an artificial environmental crisis must be regarded as "environmental aggression" and seen as a hostile act by one State towards another aimed at creating environmental disaster areas and making normal life impossible for the population concerned.

4. The Assembly deplores that the occupation by Armenia of Nagorno-Karabakh and other adjacent areas of Azerbaijan creates similar humanitarian and environmental problems for the citizens of Azerbaijan living in the Lower Karabakh valley.

5. The Assembly notes that the lack of regular maintenance work for over twenty years on the Sarsang reservoir, located in one of the areas of Azerbaijan occupied by Armenia, poses a danger to the whole border region. The Assembly emphasises that the state of disrepair of the Sarsang dam could result in a major disaster with great loss of human life and possibly a fresh humanitarian crisis.

6. In view of this urgent humanitarian problem, the Assembly requests:

6.1. the immediate withdrawal of Armenian armed forces from the region concerned, thus allowing:

6.1.1. access by independent engineers and hydrologists to carry out a detailed on-the-spot survey;

6.1.2. global management, throughout the catchment area, of the use and upkeep of the Sarsang water resources;

6.1.3. international supervision of the irrigation canals, the state of the Sarsang and Madagiz dams, the schedule of water releases during the autumn and winter, and aquifer overexploitation;

6.2. the Armenian authorities to cease using water resources as tools of political influence or an instrument of pressure benefiting only one of the parties to the conflict.

7. The Assembly firmly condemns the lack of co-operation of the Armenian parliamentary delegation and the Armenian authorities during the preparation of the report on this issue. The Assembly regards such behaviour as incompatible with the obligations and commitments of a country which is a full member of the Council of Europe. The Assembly will consider what measures to take in this case and in any similar cases which may arise during the terms of office of its parliamentarians.

2. Draft resolution adopted by the committee on 23 November 2015.

## B. Explanatory memorandum by Ms Marković, rapporteur

### 1. Introduction

1. Water unites, water divides – but remains central to human development. Water is part of humanity's common heritage and a resource which is essential to human survival. Yet water remains a limited and vulnerable resource.

2. By recognising, in 2010, the right to clean drinking water and sanitation as a human right, the United Nations emphasised the role of water in the full enjoyment of life and other human rights. It also reaffirmed a series of obligations on key stakeholders, notably States. These are required to secure their population's access to sufficient, safe and affordable water resources[3].

3. Despite continued improvements in local water supply, the situation remains critical in certain regions of Europe. Problems are more often than not caused by mismanagement of water resources, affecting the daily needs of hundreds of thousands of people. One in every six inhabitants of the world still does not have consistent access to water. Water can therefore also be a source of conflict.

4. Intensive farming, industrial activities, climate change and consumer habits, but also policy mistakes and politics can all lead to conflict situations. Our Parliamentary Assembly's attention has been drawn to the serious difficulties the local population is confronted with in the non-occupied frontier regions of Azerbaijan depending on the Sarsang water reservoir located in Nagorno-Karabakh.

5. This report deals with the problems affecting the above-mentioned regions and seeks to propose pragmatic solutions that the authorities of the two neighbouring countries concerned could adopt in order to optimise water management in their border regions.

6. As rapporteur, I am obliged to inform the Assembly that, in the preparation of the report, I only made two fact-finding visits, both to Azerbaijan: in December 2014, during the winter, and in August 2015, during the summer, in order to take account of the changes in living conditions from one season to another. Unfortunately, I did not have the opportunity to undertake a visit to Armenia, owing to the lack of co-operation of the Armenian delegation, which did not accede to the successive requests that were submitted to it: official letter from the Secretary General of the Assembly, requests from the Committee on Social Affairs, Health and Sustainable Development and my own requests. Because of the limited time for the preparation of this report, I was obliged to press ahead with my work without being able to undertake a visit to Armenia.

### 2. The Sarsang reservoir: what is the status quo?

#### *2.1. Key facts about the reservoir*

7. Sarsang is a large water reservoir located in the Nagorno-Karabakh area of Azerbaijan but controlled *de facto* by Armenia since 1993. The reservoir was formed in 1976 when a dam was built on the Tartar/Terter River by the Soviet Socialist Republic of Azerbaijan, as it was at the time. The installation is located in a mountain valley at an altitude of 726 metres above sea level, with a dam 125 metres in height and a capacity to hold up to 575 million $m^3$ of water. The reservoir's shoreline is about 50.25 kilometres long.

8. The system also comprises a regulating reservoir with an earth dam (about 6 million cubic meters) at Madagiz, situated about 20 km downstream from the main reservoir. Madagiz plays an important role in the operation of the Sarsang reservoir/irrigation system, because the irrigation canals (the main canal plus the northern and southern branches) start downstream from this dam. Up until 1994, water released from the upper spillways was directed to the canals for irrigation use.

9. The main purpose of the Sarsang reservoir was to supply the local population with drinking water and irrigation water for the fertile areas of this region. It is also the main source of energy (some 40% to 60% of supply). The Sarsang hydropower plant was designed to supply energy for the country and water for household and domestic use. Sarsang water supplies concern about 138 000 inhabitants of Nagorno-Karabakh and about 400 000 people in other areas of Lower Karabakh in Azerbaijan.

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3. The 1992 United Nations Convention on the Protection and Use of Transboundary Watercourses and International Lakes ("Water Convention") and the report "The global opening of the 1992 UNECE Water Convention" by the United Nations Economic Commission for Europe, presented on the occasion of the summit "Two decades of successful co-operation", New York and Geneva, 2013.

10. As a result of the Armenian occupation of the area in which the Sarsang reservoir is located, hundreds of thousands of people living in this area have been deprived of quality drinking water. Before the invasion of Azerbaijani territory, the Sarsang dam provided irrigation water for more than a hundred thousand hectares of fertile land in six regions of the country (Terter, Aghdam, Barda, Goranboy, Yevlakh and Aghjabedi).

11. The use of the reservoir should therefore not be viewed as a stand-alone issue in isolation from its geographical and geopolitical context. Improvements in water supply to the population can and should be achieved through a broad range of measures conducive to more sustainable management of all water resources in the region.

### *2.2. Problematic aspects regarding Sarsang*

#### *2.2.1. Environmental considerations*

12. As freshwater resources are very unevenly spread across the South Caucasus,[4] there are many arid areas that are not viable without human intervention. Droughts are frequent and irrigation is indispensable for subsistence farming during the dry months, particularly in summer. Irrigation needs around Sarsang are particularly high in spring and summer, whereas abundant rainfall in winter months can even cause floods. The Azerbaijani authorities estimate that about 100 000 hectares of agricultural land in the border regions under Azerbaijan's control close to Sarsang are subject to severe water stress which may lead to desertification in the most deprived areas.

13. The Sarsang dam was built on the Tartar River, a tributary of the Kura. The dam spillway overflows into the Tartar, which joins the Kura River in the Barda region, before flowing to the Caspian Sea. Thus any release of water from Sarsang has impacts in the lower Kura region in Azerbaijan and cannot be considered independently of the overall flooding issues in the area. This is one of the technical reasons why water management in Sarsang cannot be considered exclusively for this reservoir alone.

14. In terms of annual water use, it is estimated that 700 to 800 million cubic meters were used for irrigation in the six regions (Agdam, Barda, Tartar, Yevlakh, Goranboy and Aghjabedi) before the 1992-1994 conflict.

15. Following the Nagorno-Karabakh conflict, the Armenian authorities took control of the reservoir and the upstream parts of the irrigation canal (the whole of the southern branch and a large part of the northern branch). The Tartar River flows out of the disputed territories towards the Kura and the lower Azerbaijani plains. Moroever, a large number of Azeri inhabitants fled from the occupied parts to other regions of Azerbaijan and are now internally displaced persons.

16. The reservoir has been under the exclusive control of the Armenian authorities since the conflict; there is no evidence of any effective communication between Armenia and Azerbaijan regarding the operational management of the reservoir and/or mutual co-operation to meet water demand in the area since 1993. This situation, which has caused problems in the six border regions of Azerbaijan, raises the concerns outlined below.

– *Loss of use of existing irrigation infrastructure for the border regions of Azerbaijan*

17. As previously stated, the irrigation canal downstream of Sarsang (total length about 240 km) divides into a northern and southern branch. The southern branch passes through occupied territories in the border regions under the control of the *de facto* authorities. Consequently, there is no possibility of using this canal for the irrigation of the remaining parts of the border regions in Azerbaijan, even if there is water flowing in it. The northern branch of the canal initially passes through territory controlled by the *de facto* authorities. Only the last 22 km of this northern branch pass through border regions under Azerbaijani control. Consequently, over 90% of the canal cannot currently be used to irrigate the six border regions. Another source of concern is the state of the canal, which has apparently been out of use for many years and has not undergone technical inspections or maintenance work for over 20 years.

4. Estimates from various sources indicate that about 62% of the region's freshwater is in Georgia, 28% in Armenia and 10% in Azerbaijan. See notably a study on "Water management in South Caucasus" by Mariam Ubilava: www.feem-web.it/transcat_conf/conf_papers/Ubilava.pdf.

18. However, some evidence (aerial photography/satellite images) indicates significant damage to the irrigation canal in two places, both in occupied territory. The first location with significant damage is very close to Madagiz (around 1.3 km downstream from the dam before the point where the canal divides into northern and southern branches). The second location is in the middle of the southern branch, where the canal seems to have been destroyed by explosives over a length of about 100 meters.

19. In both cases the damage occurred during the war (1992-1994), most likely because of explosives, while fighting took place around the canal. The fact is that after the war the damage was never repaired. In any event, under these circumstances, water from the Sarsang reservoir cannot be used for irrigation by anyone until the canal has been repaired.

– *Shortage of water for irrigation*

20. Water is mainly released downstream from Sarsang to the Tartar River (which flows partly into the irrigation canal at Madagiz) during the autumn and winter months. During the spring and summer months, however, when the need for irrigation water is high, there is evidence that water flow from Sarsang is reduced. Consequently there has been an acute shortage of irrigation water in the six regions. Since there is no alternative surface freshwater source in the area, Azerbaijan has, since 1994, put in place an extensive groundwater pumping programme, by drilling a large number (over 700 in total) of artesian wells. This has met at least part of the irrigation water needs for the six regions concerned, but has created a number of new problems which are described below.

– *Aquifer overexploitation*

21. The aquifer groundwater level in the area has been getting increasingly lower over the years, leading to the conclusion that fresh groundwater inflows to the aquifer are less than the outflows (i.e. the water pumped for irrigation); this leads to overexploitation of groundwater resources and a deficit in aquifer recharge. It has also been noticed that the rate of flow from installed pumping systems has decreased in recent years.

22. The lower groundwater level leads to increased pumping depth, which in turn increases energy demands for irrigation.

– *Salinity intrusion to the aquifer*

23. Overexploitation of the aquifer causes the groundwater level to get increasingly lower, which, in turn, leads to salt (or brine) water intrusion and increased salinity in the water pumped from the wells. This is a major water quality issue for crops, leading to reduced productivity. It is also a major environmental issue for the region in general. The European Union’s Water Framework Directive (Directive 2000/60/EC) describes salinity intrusion as a serious environmental problem which should be avoided.

24. The chemical composition of the pumped groundwater is different from that of surface water, containing minerals (notably heavy minerals), which make it unusable (or less suitable) for the crops cultivated in the area. Organisations present in Azerbaijan (for example the office of the United Nations Development Programme (UNDP)) have started collecting samples from the boreholes for testing water quality. It seems the quality of groundwater has been decreasing over the years. This may lead to reduced crop productivity, changing of crops, or even abandoning agriculture altogether in some parts of the region.

– *Quality of potable water*

25. Water from Sarsang is not being used for drinking purposes, even during the winter months when water flows abundantly in the canal. This is due to concerns that the water may be contaminated with heavy minerals or toxic waste. For instance, in 2007 there were reports of dead fish and dying cattle, attributed to contamination of the water released from Sarsang.

26. The available groundwater from pumping is not always usable for drinking purposes, due to the presence of heavy minerals. Large quantities of potable water for the population of the six frontline regions is being transported from other regions and stored in tanks. Although the volume of potable water needed is only a small fraction of the water needs for irrigation, and transport is technically feasible (and available through post-1994 installed infrastructure in the above-mentioned six regions), it leads to increased living costs for the population, who have to pay for it. Although it is State subsidised, it still poses an economic concern for the inhabitants, which could be avoided were they able to safely drink water from Sarsang.

27. The fact that inhabitants in some villages in the Tartar region have to buy drinking water is more than simply a financial issue, however. The population's lack of funds means that the household water tanks are not compliant with health and safety standards. The cast iron tanks have been in use for many years and although cleaned four or five times a year, they are rusted. The plastic tanks, despite being washed once a month, are also in a questionable state, the walls blackened and the base covered in vegetation. All of which indicates that the water stored in the cast iron and plastic tanks is potentially a threat to public health.

– *Flooding*

28. At times of peak rainfall, during the winter months, water is released from Sarsang through the Tartar River without warning, causing (or exacerbating) flooding issues in the area. There were flooding incidents, for instance, in 2011, when at a time of increased rainfall in the area, water was also released from Sarsang without warning, adding to flood flow in the Kura, increasing flooding in the lower Kura region, beyond the point where the Tartar joins the Kura. The land irrigated by the Kura is situated outside the six frontline regions, but, as has already been stated, Sarsang is part of the larger Tartar-Kura system and has impacts beyond the six frontline regions.

29. Major flood protection works were carried out along the Kura after this incident, but the danger persists. Sarsang alone cannot cause a major flood in the lower Kura region, but the region is susceptible to flooding. The lack of communication between Armenia and Azerbaijan raises fears that unexpected water releases from Sarsang may exacerbate flooding during periods of heavy rainfall.

30. In 2013 there was an incident where sediment releases from Sarsang reached the lower parts of the Tartar River and settled in the river bed, affecting six villages. There are concerns that other unannounced sediment releases may occur in the future.

– *Environmental impact: soil erosion*

31. Twenty years of disruption to the region's water balance and haphazard releases of water into the irrigation system have led to soil erosion. Targeted planting has helped to slow erosion in some villages. The lack of irrigation is causing soil dehydration and desertification. Thousands of hectares of arable land are affected by erosion in the Aghdam, Barda and Tartar regions where the humus is being blown away.

– *Impact on productivity in agriculture*

32. Because of the reduction in the aquifers which feed the artesian wells, these wells have become less efficient. In fact, the maximum time for which water can be drawn from the wells during the season is two or three hours a day. The water level in the aquifers is declining, causing interruptions in farming activity. According to the farmers, it is extremely difficult to irrigate crops when the amount of water available is 50% to 75% less than that usually required.

33. The artesian wells supply the farmers with water that has a very high saline content; as a result, the quality of the produce grown diminishes and the soil fertility is affected. According to the farmers, irrigating the land in this way not only reduces the annual crop yield but also destroys the plantations and causes the orchards to dry up after two or three years.

– *Impact on biodiversity*

34. The region's natural resources and flora and fauna have been affected by the water shortage around Sarsang. Local communities are trying to combat the water shortage by various means, both technical and financial; as regards local flora and fauna, a number of species have been wiped out while others are disappearing. Some 36 species of rare animals and 31 species of rare plants are in danger of extinction.

*2.2.2. Security aspects*

35. In addition to annual fluctuations in water flow, human security cannot be guaranteed for technical reasons: the concrete structures of the reservoir are aging and for many years there has been insufficient maintenance. The upkeep of the reservoir and its installations has been neglected, creating a major threat to security. The accidental destruction of the dam or sabotage would pose a huge risk to towns and villages in the Tartar, Aghdam, Barda, Goranboy, Yevlakh and Aghdjabedi regions.

36. Currently under the control of Armenian military forces, the dam needs some urgent and long overdue work. In the event of an accident or sabotage, the 400 000 inhabitants of the six regions on the Azerbaijani side of the line of contact as well as public and private property would be at risk of being completely destroyed.

37. There have been some reports of incidents when explosives (mines) were found in water released from Sarsang, injuring or killing inhabitants in the six frontline regions. There was an incident in 2012 when a child and his mother died from explosives in a toy allegedly found in the canal. Mines were also found in 2013 (8 mines) and in 2014 (14 mines). There was a report of a shepherd being killed by a mine in December 2014.

38. Because of inadequate or non-existent maintenance, there are also fears among those living downstream from the dam that it could break. In such an event, the lower Tartar region would flood, with severe impacts on the local population and property. Approximately a thousand hectares would be completely submerged.

39. Apart from the extreme event of a dam break, the Azerbaijani authorities worry about the overall state of the dam, because it has not been inspected by Azerbaijan since 1993. It is not known whether any inspection or maintenance has been carried out, although the sediment release is indirect evidence of maintenance. Of course, in the event of a sudden collapse, earth-fill dams, such as the Sarsang dam, are, in theory, much safer than other types (especially arched dams). It should be pointed out, however, that without an on-site inspection of the dam there is no way of assessing its precise condition or of saying with certainty what the security risks might be from a technical point of view.

40. It is essential therefore to establish contact with the competent authorities and experts in order to clarify this point. Azerbaijan has called for an in-depth assessment of the reservoir's condition by independent engineers and hydrologists, something the authorities see as an essential safety measure.

#### *2.2.3. Legal aspects*

41. The so-called "Nagorno-Karabakh Republic" established in Nagorno-Karabakh and the surrounding occupied territories is not recognised by any State or international organisation and is not considered lawful.

42. Resolving the water management challenges for the Sarsang reservoir requires political will. Yet water governance itself is a complicating factor in the multilateral talks over the future of this region because water is a strategic resource and will become even more so in the future with demographic growth and climate change. We should remind the authorities concerned of their responsibilities and obligations under international law towards the civilian population whose vital needs in water should not be used by politicians as a bargaining chip.

43. In addressing this complex problem, one that has serious implications for the local population, it makes sense to refer to international documents concerning past solutions to similar situations. Some 3 600 international conventions on the control and use of water resources have been concluded to date. Many of these conventions were concerned with boundary demarcation by waterways between neighbouring States or the common use of waterways for shipping and fishing.

44. Following the social and environmental challenges of the 20th century and the early years of the 21st century, fresh water, which is no longer only an economic and political issue but also a humanitarian one, has acquired a legal character. It is interesting to note that the international legal instruments on the use and protection of fresh water reject the idea of monopoly and emphasise that fresh water is a social and cultural good which belongs to everyone.

45. In an effort to ensure that fresh water is used in a balanced, fair and humanitarian manner, several international institutions have been set up, the most famous being the World Water Council, which began operating in 1996, with its headquarters in Marseilles.

46. Member States of the Council of Europe should respect international conventions which seek to prevent possible complications in border areas. A number of conventions are vital when it comes to finding solutions to conflicts of this kind:

– the 1949 Geneva Conventions and their three Protocols adopted in 1977 and in 2005 are now recognised as key international instruments aimed at protecting the rights of civilians in military conflicts;

– the Dublin Principles signed under the auspices of the United Nations in 1992;

– the Helsinki Rules (International Law Association) which provide the legal framework for the United Nations Water Convention signed in Helsinki in 1992;

– the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo (Finland), 1991);

– the Protocol on Strategic Environmental Assessment (Kyiv, 2003);

– in 2000, the European Parliament and the European Council adopted a Water Framework Directive (Directive 2000/60/EC) in order to put an end to disputes and implement water resource management and protection based on balanced standards.

47. All these documents require the parties to take appropriate steps to prevent water pollution which has, or threatens to have, a transfrontier impact, and to ensure that transfrontier water management is carried out in a rational, reasonable, fair and environmentally friendly manner, especially in the case of activities that could have a transfrontier dimension, so as to ensure the conservation or even restoration of ecosystems.

48. In these international conventions and documents, the right to water is seen as being an integral part of human rights: "Water is ... fundamental for life and health. The human right to water is indispensable for leading a life in human dignity. It is a prerequisite for the realization of other human rights."[5]

49. The armed occupation of the river basin amounts to a failure by Armenia to comply with the United Nations Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes and other conventions dealing with other aspects of the problem (public health, the rights of civilians in military conflicts – in this case the "frozen" conflict –, preventing the protagonists in conflicts from using the atmosphere, the biosphere and the hydrosphere as a means of exerting pressure, technical rules and standards concerning the correct maintenance of water facilities and the protection of ecosystems).

#### *2.2.4. The most urgent needs of the population around the reservoir*

50. Whilst the technical safety of the reservoir remains a matter that is subject to further verification, the population's needs for water on a daily basis are real and acute, as Sarsang is the sole source of water for Azerbaijan's frontline regions. For geological reasons, drilling artesian wells in the Azerbaijani regions close to Sarsang will not resolve this problem in any lasting way. The water supply infrastructure was severely damaged during the years of intense fighting in the early 1990s or deteriorated later due to lack of maintenance. This lack of maintenance was largely responsible for the 2010 floods which ravaged vast areas of Azerbaijan's frontier regions.

51. In a broader geographical context, the Tartar River which supplies the Sarsang reservoir is a tributary of the Kura, the largest river in the Caucasus. Hydrological interconnections mean the Kura River forms a large part of the Kura-Araks River Basin covering four countries in the region (Armenia, Azerbaijan, Georgia and Turkey). The water needs of the population who depend on this network are affected not only by shortages, but also by high levels of pollution. These common problems can only be overcome through regional co-operation on sustainable management of water resources.

## 3. Conclusions

52. The current situation regarding the operational management of the Sarsang reservoir and its consequences raises a series of issues and problems in the six frontline regions of Azerbaijan: shortage of water for irrigation and drinking purposes, loss of irrigation infrastructure, aquifer overexploitation, leading to subsequent aquifer salinity and groundwater quality problems and increased flooding and heightened security concerns.

53. During the war, there was substantial damage to the main irrigation canal. As a result there is currently no way of using water from Sarsang for irrigation purposes. Repair work is essential if a serious ecological and humanitarian crisis is to be averted.

54. At the same time, studies need to be carried out in order to report on the situation with regard to public health and the state of the ecosystems, how water sources, flora and fauna are being protected against pollution, and prospects for improving everyday living conditions for the local population.

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5. General Comment No. 15 on the right to water (Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights), United Nations Committee on Economic, Social and Cultural Rights, November 2002.

55. Having been neglected for over 20 years, this dam and its installations constitute a hazard which demands urgent action. As long as the occupation continues, the Sarsang dam will pose a serious threat to approximately 400 000 people who live downstream from it.

56. To conclude, it is regrettable that owing to lack of co-operation on the part of the authorities, I was unable to carry out an on-site visit on the Armenian side in order to complete the assessment of the reservoir. The fact remains, however, that the reservoir lies on the Armenian side, and the civilian populations which depend on it live on the Azerbaijani side. Their fate is tied to the current and future state of the reservoir, which is itself in the hands of men.

**Appendix – Dissenting opinion by Ms Naira Karapetyan (Armenia, EPP/CD),[6] member of the committee**

The delegation of Armenia to the Parliamentary Assembly is deeply concerned about the adoption in this Committee of the draft report "Inhabitants of frontier regions of Azerbaijan are deliberately deprived of water" by Milica Marković, (Bosnia and Herzegovina, SOC). It is the second time an Assembly Committee has adopted a report on the Nagorno-Karabakh conflict without visiting the region or having first-hand information on the subject. Ms Marković brings the propaganda of Azerbaijan into the agenda of the Assembly, which is deeply concerning, to say the least.

We do not understand the rationale behind discussing this report months ahead of the formal deadline set up by the Committee, particularly when the rapporteur failed to conduct a visit to Nagorno-Karabakh and Armenia. Submission of the report without conducting field visits is a clear violation of Rule 1.3.3 of the Code of conduct for rapporteurs of the Assembly. It is also noteworthy that Ms Marković has visited Azerbaijan twice.

Ms Marković has repeatedly received assurances that both Armenian and Nagorno-Karabakh authorities are willing to receive and assist her on the ground, provided that she would make an official request for the visit. In this context, it should be noted that on 16 November 2015, upon receiving an official request from the Assembly Secretariat addressed to the Nagorno-Karabakh authorities for Ms Marković to visit the Sarsang reservoir, an invitation letter was extended to the rapporteur to visit Nagorno-Karabakh and Armenia on 18 and 20 November 2015, respectively. In light of this correspondence it was rather surprising to learn that the rapporteur made a proposal that same day to include the draft report in the agenda of the Committee. Therefore, point 7 of the draft resolution should be withdrawn.

As for the content of the report, it should be noted that the authorities of the Nagorno-Karabakh Republic have constantly expressed their readiness to jointly use the waters of the Sarsang Reservoir with Azerbaijan. The joint use of the reservoir was also encouraged by the OSCE Minsk Group Co-Chairs in their statement of 20 May 2014. A visit to Nagorno-Karabakh would have provided a perfect opportunity for the rapporteur to discuss with the authorities of Nagorno-Karabakh the technical aspects of such collaboration.

We should also note that the formulations found in the report are casting doubts on the objectivity of the rapporteur, as they repeat formulations used by Azerbaijan. Such formulations also contradict the language used by the Co-Chairs of the Minsk Group, the only internationally mandated body for the settlement of the Nagorno-Karabakh conflict.

We regret that the Committee is taking a one-sided approach on this subject. The politicisation and deviation from the purpose of this supposedly technical and humanitarian report is absolutely unacceptable. A balanced report on the technical aspects of the shared use of the Sarsang water reservoir could have worked as a confidence building measure between the parties.

With all this in mind, we propose to postpone the discussion of this report until the rapporteur visits Nagorno-Karabakh and Armenia.

6. Rule 50.4 of the Assembly's Rules of Procedure: "The report of a committee shall also contain an explanatory memorandum by the rapporteur. The committee shall take note of it. Any dissenting opinions expressed in the committee shall be included therein at the request of their authors, preferably in the body of the explanatory memorandum, but otherwise in an appendix or footnote."