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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Global Institute for Water, Environment and Health, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2023]

* Issued as received, in the language of submission only.



Safe Access to Clean Water from the Okhchuchay River

In an era of increasing water stress, mismanaged transboundary water supplies have the potential to cause social unrest and spark conflict. We need a supranational, integrated approach to transboundary water resource management, balancing the needs of people and the environment.

Transboundary cooperation is lacking in most countries. Most countries do not have all of their transboundary basin areas covered by operational arrangements.

Actions in one country have consequences in another. Overexploitation and pollution of lakes, rivers, and aquifers can jeopardize ecosystem services across borders.

Okhchuchay River

The Okhchuchay River, an 83-km left tributary of Araz River, has a basin area of 1,140 square kilometers. The river begins on the Zangazur ridge's Gapidzhig mountain (3,285 meters). The river flows through liberated Zangilan into the Araz River, with the majority of it located in Armenia's Syunik region (Azerbaijan's historical Zangazur District).

Rivers which originate from the Lesser Caucasus mountains, particularly the Tartar, Hakari, Khachinchay, Kondalanchay and other tributaries of the Kura River supplied the low-lying regions with large quantities of water.

Some rivers originating from the territory of Armenia that flow into Kur and Araz Rivers in Azerbaijan are polluted by Armenia with various types of wastes, including chemicals and heavy metals.

Approximately 70 percent of Azerbaijan's surface water resources are formed in neighboring countries. The transboundary river Okhchuchay, which serves as a collector of industrial waste in Armenia, is constantly polluted by waste from the Kapan and Gajaran mining industries.

Ecological Crises:

The ecological state of Okhchuchay River flowing from Armenia to Azerbaijan is close to an ecological disaster due to the dumping of waste from Armenian mining enterprises. A significant excess of harmful substances was detected in the river end of last year.

Industrial wastewater is discharged into the river untreated, which occasionally increases the level of pollution. As a result, these water resources are deemed unfit for use on Azerbaijani territory. Furthermore, Okhchuchay flows into Araz, the second-largest river in the South Caucasus, and pollution has a direct impact on its quality and water reserves.

This pollution is a result of the release of heavy metals into the Okhchuchay River by Gajaran Copper-Molybdenum Plant and the Gafan Ore Refinery in Armenia. It ruins the fluvial fauna and is extremely dangerous for the human health. The pollution of Okhchuchay has a direct impact on the quality of water resources of the Araz River - the second largest river in the South Caucasus.

There have been more than 150 various kinds of mineral resources deposits in the former occupied areas, including but not limited to gold, mercury, copper, lead and zinc. These territories are also rich in different types of building materials, including face stone, block stone, different types of construction stones, loam, sang-gravel chromite, lime, marble and agate. These deposits have been largely and illegally exploited by Armenia. Depredatory exploitation of the resources in the occupied territories has severely damaged the environment. Heavy military equipment, as well as large quantities of exploded shells and landmines caused considerable damage to the soil and flora in the territories subjected to occupation.

Global Institute for Water, Environment and Health (GIWEH) had previously urged responsible companies to halt operations at the Zangazur copper-molybdenum plant in Armenia's Syunik region due to the environmental disaster caused by the latter. The plant's main shareholder is Germany's Cronimet Mining Company, which massively pollutes the transboundary Okhchuchay River. Cronimet is a large company, and according to some foreign media, it had an illegal business relationship with representatives of Serzhik Sarkisyan's former junta regime using corruption schemes. Together they operated the copper plant there.

Few years ago the Parliamentary Assembly of the Council of Europe adopted a special report on Armenia's environmental terror against Azerbaijan. On April 2022 Azerbaijan was promised that the company responsible for the disaster would come and clean it up. Until now, no real actions has been done and a year has passed without any follow up or suggested proposals to deal with the ecological crime.

Results:

Azerbaijan, being a downstream country, heavily depends on the inflow of waters from neighboring countries for its surface water resources. This makes Azerbaijan particularly vulnerable in terms of water security, equitable water access, and clean water and sanitation.

The pollution of the Okhchuchay River presents a significant environmental problem for Azerbaijan. The shared transboundary river basins of Kura and Araz, along with their tributaries, play a vital role in Azerbaijan's drinking water supply and irrigation systems. The water resources of the Okhchuchay River are also extensively used for local irrigation purposes and serve as a natural recreational resource due to its unique river landscape and biodiversity. However, the Okhchuchay River has been severely polluted by industrial discharges from facilities located along the river in Armenia. As a result, the water resources of the Okhchuchay River have become unusable in the territory of Azerbaijan.

Continuing intensive pollution, including drastic quality and quantity changes in the waters of Okhchuchay may have detrimental and irreversible effects on nature in the region, result in unique river ecosystem degradation, and cause significant impacts to the health of people who inhabited alongside the river. Pollution may also lead to indirect effects on deterioration of coastal soil fertility and increase climate change implications existing with regard to water scarcity and food safety problems in the area.

Excessive release of heavy metals into the river by Gajaran Copper-Molybdenum Plant and the Gafan Ore Refinery in Armenia ruins not only the fluvial fauna, but also is extremely dangerous for human health.

Azerbaijan has prioritized 17 Sustainable Development Goals (SDGs), 88 targets, and 119 indicators that cover economic, social, and environmental aspects of sustainable development. In 2016, the President of Azerbaijan issued a decree to establish the National Coordination Council for Sustainable Development for the full implementation of its obligations under UN 2030 agenda. In terms of SDG 6 implementation, Azerbaijan has prioritized the following indicators: 6.3.2 (Proportion of bodies of water with good ambient water quality), 6.5.1 (Degree of integrated water resources management implementation), and 6.5.2 (Proportion of transboundary basin area with an operational arrangement for water cooperation). The country fulfills its reporting obligations for these indicators.

As a result of the actions taken, Azerbaijan was ranked 50th among 163 countries in the UN Sustainable Development Report for 2022, achieving 73.5 points out of 100 for the "Sustainable Development Goals Index". According to the Index, Azerbaijan has made significant progress on SDG 6 implementation (Clean water and sanitation).

The Third Voluntary Report of Azerbaijan on the implementation of the "Transforming Our World: The 2030 Agenda for Sustainable Development" was submitted to the High-Level Political Forum on Sustainable Development in 2021.

Under the national policy, following have been prepared to promote the efficient use of water resources and improve water supply to the population:

- Action plan for ensuring efficient use of water resources (2020-2022)
- "Great Return to Karabakh" State Program
- "Regulations for paid use of water in Azerbaijan"
- "Azerbaijan 2030 National Priorities on Socio-Economic Development"

Over the next decade, the country's socio-economic development will focus on five national priorities within the framework of the Azerbaijan 2030: These priorities include a steadily growing, competitive economy; a dynamic, inclusive society based on social justice; areas of modern innovations and competitive human capital; the great return to territories liberated from occupation; and a clean environment and green growth. The clean environment and green growth priority aim to ensure environmental improvement, rapid restoration and expansion of green spaces, efficient usage of water resources, and sustainable energy sources.

On March 2023, at the UN Water Conference, Global Institute for Water, Environment and Health (GIWEH) in cooperation with local organizations held a side event with international water experts titled as ``Water for cooperation: Cross Sectoral Cooperation in The South Caucasus``. It discussed the potential possibilities for the strategic management of transboundary waters in order to move ahead from challenges to cooperation. It aimed to highlight the ecological crisis within polluted waters in order to advance the peace and justice agenda in the South Caucasus region. Particularly, the Okhchuchay river basin is an example of the serious pollution, water-supply and environmental problems that are harming both nature and humanity across borders.

The organizers and international water experts called for strong and tangible international action in order to mitigate the impacts of such degradation and protect the natural ecosystems and biological assets of the region. It also encouraged the countries of the South Caucasus to engage in cooperative and constructive work to tackle these challenges impacting the climate and population.

The United Nations recognizes the right of every human being to have access to enough water for personal and domestic uses. The water must be safe, acceptable and affordable. Vulnerable areas still lacking the social justice which is presented in inequality and affordability. Securing access for all would go a long way in reducing illness and death. Global Institute for Water, Environment and Health (GIWEH) urged to help stop Okhchuchay River pollution and asked for the preparations of a legal claim in this regard.
