

***To the United Nations Human Rights Working Group on Peasants, concerning the urgent need for international border delimitation and demarcation guidelines for the protection of peasants' rights***

In reference to the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), we urge the United Nations Human Rights' Working Group on Peasants to act in addressing the devastating impact of flawed border delimitation and demarcation processes on peasants worldwide. The consequences of poorly handled border changes can be seen across multiple regions, including between Armenia and Azerbaijan, India and Pakistan, Morocco and Algeria, India and China, Kyrgyzstan and Uzbekistan, as well as Kyrgyzstan and Tajikistan. These outcomes gravely undermine the rights of peasants and rural communities. While each of these regions has experienced devastating consequences, the ongoing case of Armenia and Azerbaijan is discussed as a primary example of this urgent international issue.

***Violation of the Right to Land and Security***

As stated in Article 6 of UNDROP, "Peasants and other people working in rural areas have the right to life, physical and mental integrity, liberty and security of person."<sup>1</sup> This entitlement exists in tandem with other rights acknowledged in this declaration, including the Article 17 "right to land [. . .] to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures."<sup>2</sup>

The border delimitation and demarcation process between Armenia and Azerbaijan directly threatens these rights. The recently agreed upon sections of the border impact several settlements of the Tavush Province, including Baghanis, Voskepar, Kirants, and Berkaber. These border changes will severely harm the livelihoods and security of peasants residing in the region. Apart from the villages in Tavush, the Azerbaijani occupation of Armenia's sovereign territories in the Syunik (Kapan, Goris, Togh communities), Gegharkunik (Vardenis and Martuni communities), and Vayots Dzor (Jermuk community) provinces has significantly infringed on the people's right to land and security. Specifically, the presence of Azerbaijani armed forces puts civilian homes, village and town infrastructure, kindergartens and schools, as well as lands and roads, under military threat.

Along the proposed border, many villages will be situated dangerously close to Azerbaijani forces, with substantial portions of land and homes falling under Azerbaijani control. For instance, the villages of Azatmut and Voskepar will be nearly surrounded, with parts of these villages, including residential houses and farmland falling under Azerbaijani control. Many peasants in this area will face forced eviction because of these border agreements, further exacerbating their vulnerability. Among those impacted is Samvel Sarukhanyan, whose home will be split by the border, with the house and plot falling under Azerbaijani control, leaving only the kitchen in Armenia.<sup>3</sup> Others, like Gevorg Simonyan, express distress over losing the entirety their ancestral homes, permanently separated by the new

<sup>1</sup> <https://documents.un.org/doc/undoc/gen/n18/448/99/pdf/n1844899.pdf>

<sup>2</sup> <https://documents.un.org/doc/undoc/gen/n18/448/99/pdf/n1844899.pdf>

<sup>3</sup> <https://tatoyanfoundation.org/the-issue-of-borders-cannot-be-separated-from-people-it-is-precisely-for-the-safe-and-secure-life-of-a-person-their-rights/?lang=en>

border.<sup>4</sup> In Kirants village, houses and other infrastructure will lie on the contact line, directly within the Azerbaijani line of fire. Historical, religious, and cultural sites of significance will be impacted as well, such as parts of the village cemetery falling under Azerbaijani control.<sup>5</sup>

The proximity of Azerbaijani forces poses an immediate threat to the safety of ethnic Armenians, who have historically been subjected to pogroms<sup>6</sup> and ethnic cleansing<sup>7</sup> at the hands of Azerbaijan. As one peasant from Kirants, Vladimir Shahinian, stated: *“If [the new border passes] through the courtyard of our school, how can it work and how can children attend it?...If you open the door of your house and see Azerbaijanis standing nearby, how can you leave in peace with them after so much bloodshed? Of course you can't.”*<sup>8</sup> In Kirants, the implementation of the border just meters away from a school jeopardizes families’ right to education, endangering the lives of their children. Azerbaijan has a documented history of targeting civilian structures in Armenian villages, as seen on April 6, 2024 when Azerbaijani forces attacked Movses, Chinar, Aygepar, and Nerkin Karmiraghbyur, damaging houses and gravestones.<sup>9</sup> Azerbaijan’s recent actions reflect a broader pattern of violating the rights of Armenian villagers, exacerbating the threats posed by the new border changes.

Similar land security issues have been documented in other regions of the world. As seen between Kyrgyzstan and Tajikistan, arbitrarily drawn Soviet-era borders have led to severe violations of the rights of peasants in this region. These peasants have experienced forcible displacement as the result of violence stemming from these border disputes.<sup>10</sup> Many peasants in the Tajik rural areas depend directly on the Kyrgyz pasture resources, and restricted access to their traditional grazing lands alongside violent outbreaks have jeopardized their ability to live securely.<sup>11</sup> The failure of delimitation and demarcation processes to account for peasants’ access to necessary resources has subjected many Tajik villagers to expulsion from the grazing lands they have historically used, violating their right to land and security.

### ***Violation of the Right to Livelihood***

Article 13 of UNDROP affirms that peasants “have the right to choose freely the way they earn their living,” while Article 16 emphasizes their right to “an adequate standard of living for themselves and their families and to facilitated access to the means of production necessary to achieve them.”<sup>12</sup>

Improper border delimitation and demarcation agreements threaten the livelihoods of peasants, depriving them of their farmland and income worldwide. Among these are the ongoing border negotiations between Timor-Leste and Indonesia. In Timor-Leste, rice farmers such as Ms. Tome fear

<sup>4</sup> <https://www.civilnet.am/en/news/774397/tavush-residents-march-to-yerevan-as-opposition-to-border-delimitation-deal-grows/>

<sup>5</sup> <https://www.civilnet.am/en/news/774397/tavush-residents-march-to-yerevan-as-opposition-to-border-delimitation-deal-grows/>

<sup>6</sup> <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=28589&lang=en>

<sup>7</sup> [https://www.europarl.europa.eu/doceo/document/RC-10-2024-0133\\_EN.html](https://www.europarl.europa.eu/doceo/document/RC-10-2024-0133_EN.html)

<sup>8</sup> <https://en.aravot.am/2024/05/01/346597/>

<sup>9</sup> <https://en.armradio.am/2024/04/06/civilian-infrastructure-damaged-in-azerabijani-shooting/>

<sup>10</sup> <https://www.hrw.org/world-report/2024/country-chapters/kyrgyzstan>

<sup>11</sup> <https://www.cife.eu/Ressources/FCK/Kurmanaliev%204.pdf>

<sup>12</sup> <https://documents.un.org/doc/undoc/gen/n18/448/99/pdf/n1844899.pdf>

losing their livelihoods as a result of new border changes, stating: “*We don’t want to give our land to Indonesia [. . .] The rice field is our lives.*”<sup>13</sup>

In India’s Tarn Taran region, Punjab farmers face a barbed-wire fence along the border between India and Pakistan, cutting them off from their own land. Raghbir Sing Bhangala, a farmer whose ancestral farmland lies beyond the barb-wired border explains that “*the farmers have been stopped from going to their own fields.*” He remorsefully reflects on the difficulty he, among many others, faces: “*I own it, but this land is not mine.*”<sup>14</sup> The fence along the international border has real impact on the livelihoods of farmers, highlighting the need for there to be international guidelines regarding borders that account for the impact they will have on the livelihoods of rural persons.

Similarly, although in the form of a Line of Action rather than an internationally recognized border, Changpa pastoralists in India experience significant loss as China seizes their traditional grazing lands, turning them into buffer zones.<sup>15</sup> The shrinking of available land for grazing has resulted in mass displacement and economic devastation. The territorial encroachment and effective border change has led to a mass exodus of the nomadic pastoralists as they are stripped of their livelihoods.<sup>16</sup>

Many Armenian peasants face similar risks, as the proposed border changes will cripple their ability to sustain themselves and prompt a forced exodus. The peasants in this region are often directly dependent on the land impacted by the delimitation and demarcation process. For example, in Aygehovit, one of Tavush’s largest communities, the residents rely on horticulture and animal husbandry.<sup>17</sup> The villages of Azatamut and Kirants will lose access to pastures, gardens, and farmland. One peasant from Kirant described the distress involved in this loss, stating: “*When I left my house I saw a [border] post put in the orchard created by my father, with armed men standing near it...I got angry and told them to get out of the orchard created by my father.*”<sup>18</sup> The proposed border changes strip the village of critical land and pastures, significantly undermining the peasants’ ability to continue these activities.

In the village of Nerkin Hand in the Syunik Province, the Azerbaijani Armed Forces have occupied 2,700 hectares of land and 1,140 hectares of lands have become unusable because they are under Azerbaijani military target. Most of these lands—grasslands, arable fields, gardens, and pastures—were used by villagers for their livelihoods and to support their families. Similar issues exist in the Gegharkunik Province, affecting the lands of Verin Shorzha, Nerkin Shorzha, Kut, and other villages, as well as in the surrounding villages of Jermuk city in the Vayots Dzor Province.

### ***Violation of the Right to Water and Other Necessities***

Article 21 of UNDROP states that “Peasants and other people working in rural areas have the human rights to safe and clean drinking water and to sanitation [. . .].” This includes access to water supply systems and sanitation facilities that are “of good quality, affordable, physically accessible, and non-

<sup>13</sup> <https://www.refworld.org/reference/countryrep/hrw/1999/en/95471>;  
[https://web.archive.org/web/20100225091440/http://en.vivanews.com/news/read/103519-indonesia\\_e\\_timor\\_under\\_borderline\\_dispute](https://web.archive.org/web/20100225091440/http://en.vivanews.com/news/read/103519-indonesia_e_timor_under_borderline_dispute)

<sup>14</sup> <https://www.aljazeera.com/news/2021/3/10/punjab-farmers-fighting-for-farming-between-zero-line-and-fence>

<sup>15</sup> <https://southasianvoices.org/assessing-the-human-impact-of-the-india-china-border-dispute/>

<sup>16</sup> <https://www.newsclick.in/nomadic-pastoralists-ladakh-face-exodus-Indo-China-tension-spikes-LAC>

<sup>17</sup> <https://www.himnadram.org/fr/1563791930>

<sup>18</sup> <https://en.aravot.am/2024/05/21/347819/>

discriminatory.” This article also clarifies that such right to water extends to both “personal and domestic use,” ensuring protection from “arbitrary disconnections or the contamination of water supplies.”<sup>19</sup>

Border disputes have frequently restricted access to water and other necessities essential for the wellbeing of peasants. As such, clear and fair guidelines on delimitation and demarcation agreements must ensure that agreements account for the risk of transboundary dependencies on critical resources to protect peasants’ access.

During the Kashmir conflict regarding the India-Pakistan border, the Line of Control, serving as a de facto border, caused severe suffering in Keerni village. Peasants in this area rely heavily on agriculture, yet the fortification of this area deprived them of large chunks of farmland and restricted their access to water.”<sup>20</sup> Additionally, as noted by farmer Mohammed Fakir, “In the wake of border cross-firing, [the] few remaining water bodies also become inaccessible to us and our cattle.”<sup>21</sup> This demonstrates how important access to water is, especially in conflict-prone regions where tensions further restrict resources. Even when a border is not officially recognized, its enforcement can severely limit access to water, directly harming peasants.

Protestors of the Kyrgyzstan and Uzbekistan delimitation and demarcation deal recognized how the border change would impact their access to water. In Kyrgyzstan handing over the territory of the Kempir-Abid reservoir, farmers and others in the area would suffer insecurity in their access to water. Human rights groups warned against this decision, arguing that this kind of approach to delimitation and demarcation violated constitutional norms and existing laws, negatively impacting those who depend on the reservoir’s water, including farmers.<sup>22</sup>

In Armenia, proposed border changes also have grave implications for peasants’ right to water.<sup>23</sup> In Voskepar, critical sources of drinking and irrigation water run through areas that will now fall under Azerbaijani control.<sup>24</sup> This raises valid concerns among peasants in this region, who fear that their access to water will be deliberately impeded given Azerbaijan’s history of restricting Armenian access to resources.<sup>25</sup> Beyond land use, the delimitation and demarcation process also threatens essential infrastructure and other aspects of peasants’ living conditions. In places such as Voskepar, the only gas pipeline and internet communication cables supplying peasants with resources will now pass through areas controlled by Azerbaijan, further jeopardizing peasants’ access to vital infrastructure.<sup>26</sup> Sources of drinking and irrigation water in this region will also go under Azerbaijan control. In this geographically complex mountainous area Voskepar village is important as a bridge connecting Ijevan community to Noyemberyan<sup>27</sup>. Sources of natural drinking water have been occupied in Armenia’s Gegharkunik and Syunik provinces. In particular, villagers in Nerkin Hand, part of the Kapan community, are now forced to drink water from the river that flows through the village, relying on it

<sup>19</sup> <https://documents.un.org/doc/undoc/gen/n18/448/99/pdf/n1844899.pdf>

<sup>20</sup> <https://www.theguardian.com/global-development/2017/feb/03/kashmir-farmers-border-crossfire-hit-hard-drought>

<sup>21</sup> <https://www.theguardian.com/global-development/2017/feb/03/kashmir-farmers-border-crossfire-hit-hard-drought>

<sup>22</sup> <https://www.rferl.org/a/kyrgyzstan-uzbekistan-kempir-abad-reservoir-border-deal/32112323.html>

<sup>23</sup> <https://en.aravot.am/2024/04/28/346415/>

<sup>24</sup> <https://www.strategicanalysis.sk/the-caucasus-brief-30/>

<sup>25</sup> <https://www.amnesty.org/en/latest/news/2023/02/azerbaijan-blockade-of-lachin-corridor-putting-thousands-of-lives-in-peril-must-be-immediately-lifted/>

<sup>26</sup> <https://abakanews.org/feature-articles/what-is-at-stake-in-the-tavush-region/>

<sup>27</sup> <https://tatoyanfoundation.org/wp-content/uploads/2024/05/TavushReport.pdf>



for their daily needs. In Gegharkunik Province, the Azerbaijani Armed Forces have taken control of water sources, leaving villages such as Geghamabak without access to drinking water<sup>28</sup>. The Azerbaijani Armed Forces have placed strategic security facilities in Armenia under military threat. These include the "Tatev" hydropower plant in Vorotan village of the Goris community, the "Jermuk" hydropower plant in the Jermuk community, the "Geghanush" tailings dump in the Kapan community, and others<sup>29</sup>.

### ***Violation of the Freedom of Movement***

Article 7 of UNDROP asserts that “States shall take appropriate measures to facilitate the freedom of movement of peasants and other people working in rural areas.”<sup>30</sup> However, in many of the discussed cases, border changes, both proposed and implemented, have severely restricted peasants’ freedom of movement.

In the case of the border delimitation and demarcation between Algeria and Morocco, the eventual enforcement of this change had disastrous impacts on the movement of peasants in this region. As observed, “Before the border was drawn, the tight-knit Berber community had moved freely in the area.”<sup>31</sup> Now they face many obstacles, including their restricted ability to visit their farmlands. As one peasant stated in pleading against these enforcements, “Agriculture is the only resource we have.”<sup>32</sup> The delimitation, demarcation, and subsequent enforcement of the border, after a period of lax control, have cut off peasants from tending to their date trees or visiting relatives. This act of cutting off peasants from their land and communities is not unique in the implementation of border changes.

During the Kashmir conflict, in addition to the threats they received, the Keerni village was effectively isolated from the rest of India, with a massive fence on one side and landmines on the other.<sup>33</sup> Although not an official border, the physical barrier clearly had a significant negative impact on peasants in this rural area, heightening the security risks given the militarized presence near their farming and interfering with the peasants’ ability to access basic facilities which often lie beyond the effective border.

In Armenia, the proposed border changes severely restrict the peasants’ freedom of movement. Transportation routes will be disrupted, with key sections of the Ijevan-Berd interstate highway between Azatmut and Kayan falling under Azerbaijani control.<sup>34</sup> This will isolate Kayan, Aygehovit, and Vazashen from the major highways connecting them to other parts of Armenia. Alternate routes are often inaccessible due to heavy snowfall and the region’s mountainous terrain, intensifying fears of isolation and blockades. The border changes of Voskepar will create a serious threat for the entire province of Armenia. The interstate road in general will be in danger<sup>35</sup>. Roads in Syunik are under the control of the Azerbaijani Armed Forces. For example, they control (keep under military target) the

<sup>28</sup> <https://tatoyanfoundation.org/wp-content/uploads/2023/11/Report-on-the-Azerbaijani-unlawful-armed-presence-in-the-sovereign-territories-of-Armenia-1.pdf>

<sup>29</sup> <https://tatoyanfoundation.org/wp-content/uploads/2023/11/Report-on-the-Azerbaijani-unlawful-armed-presence-in-the-sovereign-territories-of-Armenia-1.pdf>

<sup>30</sup> <https://documents.un.org/doc/undoc/gen/n18/448/99/pdf/n1844899.pdf>

<sup>31</sup> <https://www.africanews.com/2021/03/22/morocco-farmers-mourn-loss-of-date-palms-in-border-standoff/>

<sup>32</sup> <https://www.africanews.com/2021/03/22/morocco-farmers-mourn-loss-of-date-palms-in-border-standoff/>

<sup>33</sup> <https://www.theguardian.com/global-development/2017/feb/03/kashmir-farmers-border-crossfire-hit-hard-drought>

<sup>34</sup> <https://www.azatutyun.am/a/32868881.html>

<sup>35</sup> <https://tatoyanfoundation.org/wp-content/uploads/2024/05/TavushReport.pdf>

main road connecting the Kapan community to six villages: Tsakaten, Shikahogh, Srashen, Nerkin Hand, Sishkert, and Tsav. This is the only accessible road linking these villages to the Kapan community and the outside world<sup>36</sup>. These concerns are especially vivid given Azerbaijan's use of the 2022–2023 blockade of Nagorno-Karabakh as a tool of starvation, creating precedent for similar use of such tactics in the future.<sup>37</sup>

Despite warnings by multiple human rights organizations about the serious security risks posed to peasants,<sup>38</sup> along with mass protests by Tavush residents against the proposed border changes,<sup>39</sup> the Armenian government proceeded with the proposed border delimitation and demarcation with Azerbaijan. This agreement exposes the residents of border villages to significant risks, including threats to their safety, property rights, cultural heritage, and access to essential village infrastructure such as transportation and utilities. Kirants residents are especially vulnerable, facing an escalating threat that they will lose their homes and agricultural plots.

It is evident that the delimitation and demarcation process between Armenia and Azerbaijan has produced results that threaten the rights of impacted Armenian populations, namely peasants and other people working in rural areas. There is strong reason to believe that among others, the rights to life, movement, water, and land of these peasants are likely to be violated, given Azerbaijan's precedent of violating human rights.

Historical and recent examples further illustrate a recurring trend of human rights abuses occurring due to inadequate and enforced border delimitation and demarcation processes. In many such cases, the resulting consequences were the displacement of ethnic groups and entire communities, disruption of traditional land use and farming practices, and persisting legacies of humanitarian crisis and mass suffering. There is a real and imminent risk of these same consequences occurring in the Tavush region, as well as in many other regions globally, such as Timor-Leste.

### ***The Need for Clear Delimitation and Demarcation Guidelines***

The ongoing negotiations over border delimitation and demarcation continue in many different regions globally, including current discussions regarding the remaining border between Armenia and Azerbaijan. As discussed, flawed border processes have greatly undermined peasants' fundamental rights in Tavush and beyond, harming numerous rural communities such as those in Tajikistan, Tarn Taran, and the Changpa in India, among others. As such, the need for transparent and fair processes has become an urgent priority in order to prevent further violations of the rights of peasants worldwide.

In alignment with the mandate of the Working Group on the Rights of Peasants and Other People Working in Rural Areas, we respectfully request the establishment of clear, consistent guidelines and standards concerning border delimitation and demarcation processes between states. These measures must ensure the protection of peasants' rights, including their rights to land, security, water, livelihoods, and freedom of movement. Guidelines are crucial to ensure the implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) and

<sup>36</sup> <https://tatoyanfoundation.org/wp-content/uploads/2023/11/Report-on-the-Azerbaijani-unlawful-armed-presence-in-the-sovereign-territories-of-Armenia-1.pdf>

<sup>37</sup> <https://press.un.org/en/2023/sc15384.doc.htm>

<sup>38</sup> <https://hcav.am/en/jointstatement-06-05-2024/>

<sup>39</sup> <https://news.am/eng/news/819123.html>



protect the human rights of peasants from the imminent risks posed by flawed border delimitation and demarcation proceedings occurring globally. Establishing such guidelines will help promote transparency, fairness, and adherence to the norms and principles of international law, supporting the human rights and dignity of all peasants in rural, transboundary areas.