



THE INDUS WATER TREATY - POLITY

News: India issues a notice to Pakistan asking for a review of the Indus Water Treaty due to conflicts over hydro projects and unsolved issues under the treaty's protocols.

What's in the news?

About The Indus Water Treaty

- The **Indus Water Treaty** was signed in **September 1960** in **Karachi** between the **Prime Minister of India** and the **President of Pakistan**.
- The **World Bank mediated and facilitated the negotiations**. It assisted both countries in reaching an agreement and offered technical and financial support for the treaty's implementation.
- The treaty **divided the Indus River system water**. According to the agreement:
 - **Pakistan got control over the waters of the Western rivers (Indus, Jhelum, Chenab).**
 - **India received the Eastern rivers (Ravi, Beas, Sutlej).**

The Indus Waters Treaty (IWT)

■ The distribution of waters of the Indus and its tributaries between India and Pakistan is governed by the Indus Water Treaty (IWT).

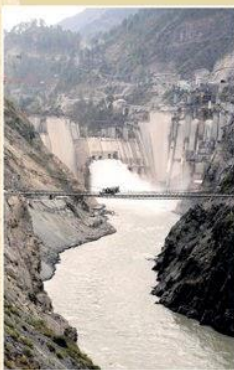
■ Was signed on Sept 19, 1960, between India, Pakistan and a representative of World Bank after nine years of negotiations.

■ Partition of India cut across the Indus river basin, which has the Indus river, plus five of its main tributaries.

Western rivers

Chenab, Jhelum, Indus

India's rights over these rivers: Limited — can set up certain irrigation, run-of-the-river power plants, very limited storage, domestic and non-consumptive use, all subject to conditions

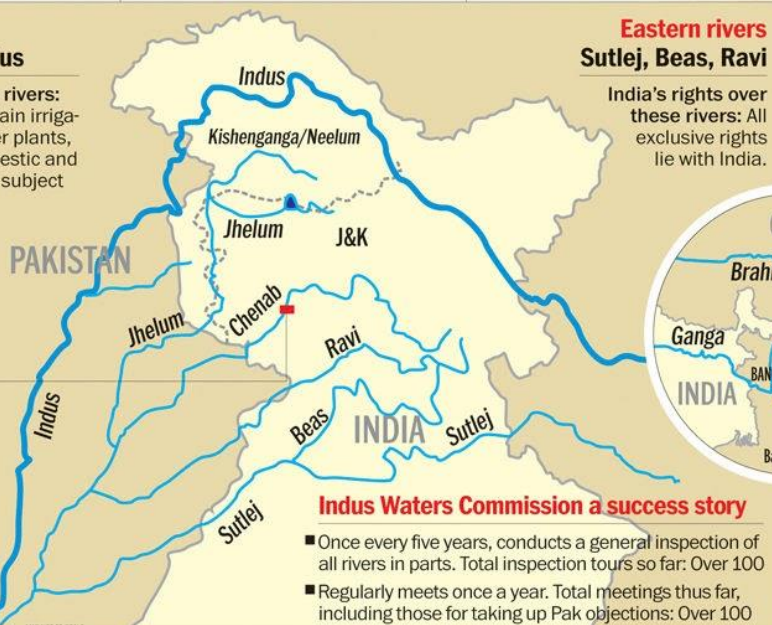


Baglihar dam on Chenab

Eastern rivers

Sutlej, Beas, Ravi

India's rights over these rivers: All exclusive rights lie with India.



Indus Waters Commission a success story

- Once every five years, conducts a general inspection of all rivers in parts. Total inspection tours so far: Over 100
- Regularly meets once a year. Total meetings thus far, including those for taking up Pak objections: Over 100

Water Usage Rights under the Treaty

- **India's Rights Over Western Rivers**



- **India is authorised to use the Western Rivers' waters for non-consumptive activities** such as navigation, timber flotation, and fish culture.
- **India may use a limited amount of water from the Western Rivers for irrigation.** The treaty set the maximum authorised irrigation area.
- **India can generate hydroelectric electricity from the Western Rivers if it doesn't alter the flow of water** in a way that interferes with Pakistan's downstream consumption.
- **Pakistan has unrestricted rights to use the waters of the Western Rivers for all purposes**, including agriculture, domestic use, and industrial use.
- **India has full rights over the waters of the Eastern Rivers.** India can use these waters for any purpose, including irrigation, drinking water, and industrial use, without limits.

DISPUTE RESOLUTION MECHANISM UNDER THE TREATY

The **Indus Water Treaty** has a **three-tier dispute resolution process**:

- **Level 1:** Bilateral dialogues between the **Indus Water Commissioners** of India and Pakistan.
- **Level 2:** Appointment of a **Neutral Expert** in the matter that cannot be resolved.
- **Level 3:** Referral to a **Court of Arbitration** to interpret the treaty and resolve disputes if earlier steps fail.

Current Issue

- India sent multiple notices to Pakistan to modify the provisions of the Treaty.
- Pakistan has continuously objected to hydel power projects that India is constructing:
 - **Kishanganga Hydroelectric Project** on the Kishanganga River.
 - **Ratle Hydroelectric Project** on the Chenab River.
- Pakistan has raised serious concerns over India's new projects, worrying that they may affect its share of water and reduce water flow downstream.
- **India** claims that these projects are within the bounds of the treaty and they do not violate its provisions.
- The recent controversy involves a complicated situation in which Pakistan desires to establish a **Court of Arbitration** and India favours the lower-level **Neutral Expert**
- In 2016, after the **Uri terror attack**, India discontinued bi-annual meetings between the Indus Commissioners. India's stand was that "**blood and water cannot flow together.**"
- In 2017, Dialogues resumed but Pakistan refused to discuss the topics regarding the hydel projects, leaving the dispute unresolved.

Why India Seek a Review?

- **India seeks to modify the treaty because there have been “fundamental and unforeseen changes”** in circumstances since the treaty was signed in 1960. These changes include:



- **Increased demand for water resources** due to population growth and economic development.
- Pakistan's continued opposition to hydel projects makes implementation of the treaty difficult.
- **India believes that the treaty's current provisions are no longer sufficient to address contemporary challenges**, including climate change, water security, and regional geopolitics.
- India's demand for amending the treaty signals its intention to renegotiate specific parts of the treaty to reasonably align with contemporary needs.
- **The next steps will likely involve continued engagement through diplomatic channels.** However, if the two countries fail to resolve their differences, it could increase regional tensions.

Way Forward

- The Indus Water Treaty (IWT) has been the **foundation of peace and stability between India and Pakistan.**
 - **Establishing a defined water-sharing structure has helped to avoid conflicts over water resources.**
- **Regular engagement is essential to address challenges** and ensure the treaty's commitments are followed.
 - The continuing communication promotes peaceful dispute resolution, as well as boosts mutual trust and understanding.
- **Considering shifting climatic trends that affect water supply, both countries may need to renegotiate the treaty** to include measures for climate resilience and sustainable water management.
- **Modernising the water management technologies** could be included in the treaty framework to optimise water use and efficiency.
- To effectively deal with contemporary challenges, dispute resolution procedures must be strengthened and updated.

Conclusion

By adapting to new circumstances and maintaining open lines of communication, India and Pakistan may continue to benefit from the Indus Water Treaty and ensure the sustainable and fair use of their shared water resources.

Source: <https://indianexpress.com/article/explained/india-notice-pakistan-indus-water-treaty-9574375/>