

Indus Waters Treaty (1960)

Mains: *GS II - India and its Neighborhood*

Why in News?

The Indus Waters Treaty (IWT) has once again emerged as a major issue in India-Pakistan relations after India reiterated that the six-decade-old agreement requires renegotiation to reflect present-day realities.

What is the Indus Waters Treaty (IWT)?

- **The Indus Waters Treaty (IWT)** - It is a bilateral water-sharing agreement between **India and Pakistan**, signed on **19 September 1960** at Karachi by **Prime Minister Jawaharlal Nehru** and **President Field Marshal Ayub Khan**.
- The treaty was negotiated with the facilitation of the **World Bank**, which also became a signatory to specific provisions relating to dispute settlement.
- Unlike many international river-sharing agreements that divide water based on annual flow or percentage allocation, the IWT allocates the **entire rivers** between the two countries.
- **River Allocation under the Treaty**
 - **Eastern Rivers (Allocated to India)** - India enjoys unrestricted use of Ravi, Beas, and Sutlej.
 - **Western Rivers (Allocated to Pakistan)** - Pakistan receives the waters of Indus, Jhelum, and Chenab.
- Although the western rivers are allocated primarily to Pakistan, India retains limited rights to utilize these rivers for, domestic consumption, navigation, limited irrigation, run-of-the-river hydroelectric projects and water storage within treaty-prescribed limits.
- These uses are subject to strict engineering specifications to ensure that downstream flows into Pakistan are not significantly affected.
- Overall, the treaty allocates nearly **80% of the Indus Basin waters to Pakistan** and the remaining share to India, making it one of the most generous post-Independence water-sharing agreements.
- Today, **over 300 million people** across both countries depend directly or indirectly on the Indus Basin for drinking water, agriculture, irrigation and hydropower generation.

How does the treaty function?

- **Permanent Indus Commission (PIC)** - The treaty established the **Permanent**

Indus Commission (PIC) consisting of one Commissioner from each country.

- The Commission performs several important functions:
 - Exchange of hydrological and river flow data
 - Inspection of water projects
 - Annual bilateral meetings
 - Resolution of technical questions
 - Facilitating cooperation in treaty implementation
- The PIC serves as the first institutional platform for addressing differences between the two countries.
- **Dispute Resolution Mechanism** - The treaty provides a **graded three-tier dispute settlement mechanism**.
 - **First Stage: Permanent Indus Commission** - Technical questions are first discussed between the Commissioners.
 - **Second Stage: Neutral Expert** - If technical differences remain unresolved, they may be referred to an independent Neutral Expert.
 - **Third Stage: Court of Arbitration** - Disputes involving legal interpretation of the treaty may be referred to a Court of Arbitration.
- The **World Bank** performs only a **limited procedural role** in facilitating these mechanisms.
- It neither allocates water nor manages the river system.

Why does India seek renegotiation?

- **Changed Circumstances Since 1960** - India argues that the treaty was negotiated under vastly different socio-economic and environmental conditions.
- Since 1960, India's population has more than tripled, Demand for irrigation, drinking water and industrial use has increased substantially.
- Climate change has altered rainfall patterns and glacier melt.
- Hydropower technology has advanced considerably.
- India believes the treaty should evolve to reflect these changing realities.
- **Objections to Indian Hydropower Projects** - India has consistently maintained that Pakistan has repeatedly challenged Indian run-of-the-river hydropower projects permitted under the treaty.
- Major projects include, Kishanganga Hydroelectric Project, Ratle and Hydroelectric Project
- According to India, prolonged objections have delayed infrastructure development essential for the energy security of Jammu & Kashmir.
- **Concerns Regarding Dispute Resolution** - India has expressed reservations regarding the interpretation of the treaty's dispute settlement process.
- According to New Delhi, the treaty envisages a **sequential mechanism**, where issues should move progressively from:
 - Permanent Indus Commission → Neutral Expert → Court of Arbitration.
- India has opposed the simultaneous invocation of both the Neutral Expert and Court of Arbitration mechanisms, arguing that parallel proceedings create legal uncertainty and undermine the treaty's intended framework.
- **Cross-Border Terrorism** - India increasingly links bilateral cooperation, including implementation of the treaty, with Pakistan's action against cross-border terrorism.

- Following terrorist attacks such as, Uri (2016), Pulwama (2019) and Pahalgam (2025) and India has maintained that "**terror and talks cannot go together.**"
- Following the Pahalgam attack, India announced that the treaty would remain in abeyance until Pakistan demonstrates credible and irreversible action against terrorism.
- Pakistan contests India's legal authority to suspend the treaty unilaterally, making this a continuing diplomatic dispute.
- **Better Utilisation of India's Treaty Rights** - India also seeks greater operational flexibility to fully utilise its legitimate treaty rights for, Irrigation, Drinking water and Hydropower generation, particularly in, Jammu & Kashmir, Ladakh, Himachal Pradesh and Punjab.
- **Climate Change and Modern Water Governance** - The treaty predates modern concerns relating to climate change and environmental sustainability.
- Contemporary international water agreements increasingly incorporate provisions relating to, Climate adaptation, Flood management, Environmental sustainability, Basin-wide, planning. Ecosystem protection and Real-time data sharing.
- India believes these aspects should form an integral part of any future revision of the treaty.

What are the institutional and legal framework?

- **Indus Waters Treaty (1960)** - The principal agreement governing water sharing between India and Pakistan.
- **World Bank** - Facilitated negotiations and performs specified procedural functions in dispute settlement.
- **Permanent Indus Commission** - Responsible for treaty implementation, technical cooperation and data exchange.
- **Neutral Expert** - An independent authority appointed to resolve technical and engineering disputes.
- **Court of Arbitration** - A tribunal constituted to resolve disputes involving legal interpretation of treaty provisions.
- **International Freshwater Treaties Database** - Developed by Oregon State University's **Transboundary Freshwater Dispute Database**, it serves as a global repository for comparative studies of international river agreements, including the Indus Waters Treaty.

What are the significance for India?

- **Water Security** - The Indus Basin remains critical for agriculture, irrigation, drinking water and long-term water security across northern India.
- **Hydropower Development** - Run-of-the-river projects on the western rivers can significantly enhance electricity generation in Jammu & Kashmir while remaining consistent with treaty provisions.
- **Climate Resilience** - Rapid Himalayan glacier retreat, changing monsoon patterns and increasing frequency of extreme weather events necessitate more adaptive and resilient water governance.
- **Strategic Importance** - The treaty occupies a central place in India-Pakistan

relations and is closely linked with broader issues of regional stability, security and transboundary resource management.

- **Global Significance** - The Indus Waters Treaty is widely regarded as one of the world's most enduring international water-sharing agreements.
- It is often compared with the **1995 Mekong Agreement**, which established the **Mekong River Commission** among Cambodia, Laos, Thailand and Vietnam.
- Unlike the IWT, the Mekong Agreement incorporates modern principles such as:
 - Sustainable development
 - Basin-wide planning
 - Environmental conservation
 - Cooperative water governance
 - Climate resilience
- Such comparisons have strengthened arguments that older treaties like the IWT should be periodically updated to address emerging environmental, technological and geopolitical challenges.

What lies ahead?

- For more than six decades, the Indus Waters Treaty has demonstrated that cooperation over shared natural resources can survive even in periods of severe political hostility.
- However, changing climatic conditions, rising developmental needs, advances in hydropower technology, evolving principles of international water law, and growing security concerns have highlighted the need to reassess aspects of the treaty.
- Any future negotiations should seek to balance equitable and reasonable utilisation, environmental sustainability, climate resilience, and regional stability, while preserving the treaty's core objective of ensuring peaceful and cooperative management of the Indus River system.
- This balanced approach will remain crucial for long-term water security and sustainable development in South Asia.

Reference

[The Times of India| IWS](#)

[The Indian Express| Indus Water Treaty](#)