

Permanent Court of Arbitration (PCA) on Indus water Treaty

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Why in News?

India has formally rejected an award issued by the Hague-based Court of Arbitration (CoA) constituted under the aegis of the Permanent Court of Arbitration (PCA), concerning the Indus Waters Treaty (IWT).

- **Rejection of CoA Award** - India categorically rejected the arbitration that sought to set aside New Delhi's decision to suspend the treaty, as well as interim measures targeting construction activity at the Ratle Hydroelectric Project.
- **Abeyance Order** - India placed the 1960 Indus Waters Treaty in abeyance following security developments and cross-border terrorism (including the 2025 Pahalgam terror attack), linking transboundary water cooperation directly to national security.
- **Parallel Proceedings Violation** - In 2016, Pakistan sought a Court of Arbitration while India requested a Neutral Expert to resolve technical differences over the Kishenganga and Ratle projects.
- India contends that initiating simultaneous proceedings violates the mandatory sequential process of the treaty.
- **Boycott of Tribunal** - India has consistently boycotted the CoA, maintaining that its appointment by the World Bank breached the treaty and that New Delhi has never recognized its legal existence.
- **Focus Projects** - The technical dispute centers on the **Kishenganga (330 MW)** on a Jhelum tributary and the **Ratle (850 MW)** project on the Chenab River in Jammu and Kashmir.

Dispute Resolution under IWT (1960)

- **Water Allocation**
 - **Eastern Rivers (Ravi, Beas, Sutlej)**: Allocated to India for unrestricted, exclusive usage.
 - **Western Rivers (Indus, Jhelum, Chenab)**: Allocated to Pakistan, though India is permitted non-consumptive uses, including run-of-the-river hydroelectric power generation under specified design limits.
- **3-Tier Graded Dispute Resolution Mechanism (Article IX)**
 - **Permanent Indus Commission (PIC)** - Bilateral body of commissioners handling routine operational issues and initial queries.
 - **Neutral Expert (NE)**- Appointed for technical "differences" (such as pondage capacity, spillway gates, and intake levels).
 - **Court of Arbitration (CoA)** - Convened only for formal legal "disputes" when technical channels are exhausted or both parties consent.



Reference

[Hindustan Times | India rejects Indus Waters Treaty award](#)



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