

Q India has repeatedly threatened to suspend the Indus water Treaty in response to tensions with Pakistan. Analyze the legality of such a move and its implications for South Asian Stability and water security.

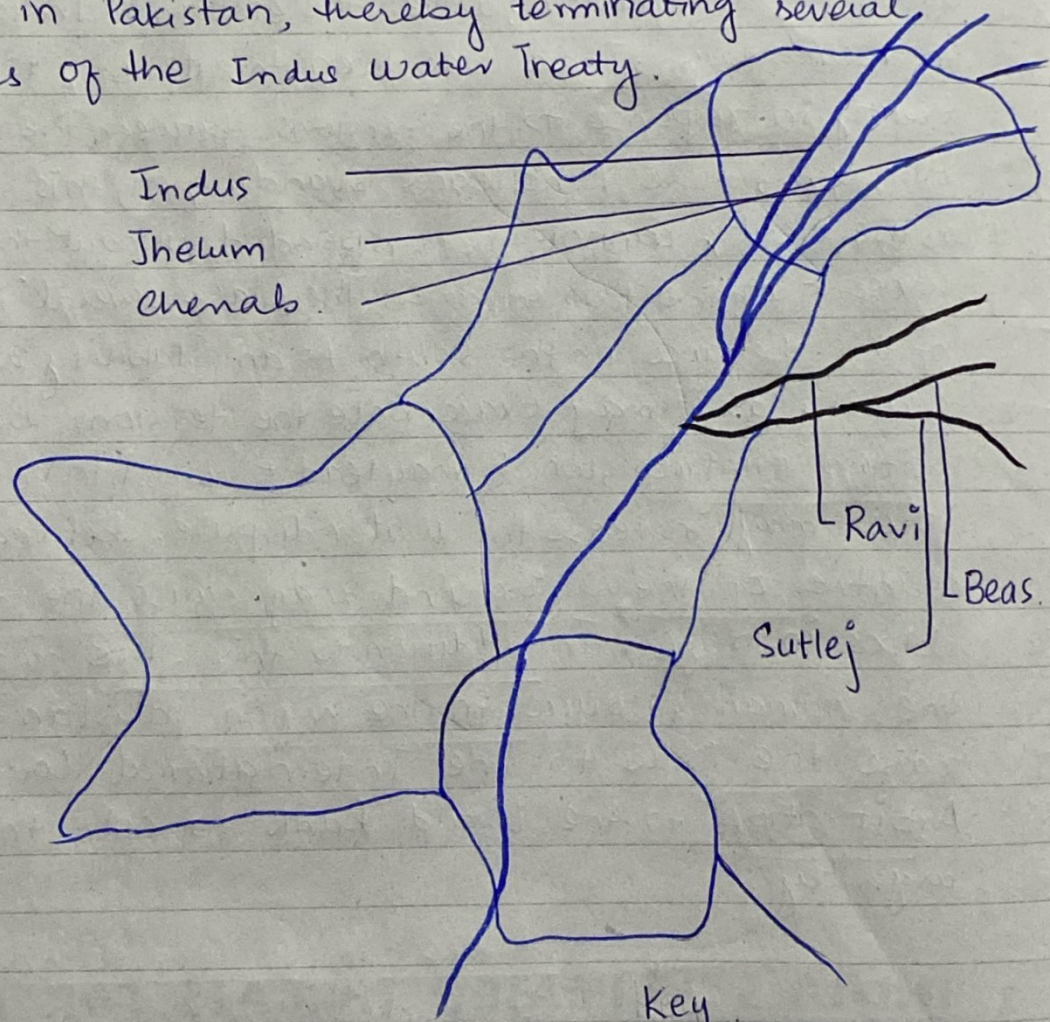
1. INTRODUCTION:

The Indus Water Treaty, signed in 1960, between Pakistan and India, divides the water of the Indus river between the two countries. The western rivers are allocated to Pakistan, while the eastern to India. However, in recent days, India has been threatening to suspend the treaty in response to the tensions between the two countries. Although, there is no legal standing of this abeyance as the treaty cannot be suspended without the mutual consent of the two countries. There are several implications of this abeyance on the South Asian Stability and water security as it may exacerbate the tensions between the two countries, which may lead to war. Moreover, the issue may increase the water disputes between the other countries of the region and may cause the creation of blocs in region. In addition to this, this may affect the human resources in the region. Pakistan must raise the issue to the International Court of Arbitration ^{and} to the World Bank to solve the issue urgently.

2. INDIA'S REPEATED THREATS FOR ABEYANCE OF INDUS WATER TREATY:

India has been repeatedly threatening Pakistan to suspend the treaty unilaterally. However,

On 23rd April, 2025, India put the Indus Water Treaty in abeyance by suspending it under certain conditions. The reason given by India has been the allegations that Pakistan has been involved in the terrorist activities in India. However, no proof of such activities has been given by the country. India has been establishing the hydropower projects on the rivers allocated to Pakistan according to the Indus Water Treaty. This will impact the water flow of rivers in Pakistan, thereby terminating several clauses of the Indus Water Treaty.



Division of Rivers
Between Pakistan and
India according to
Indus Water Treaty.

Key
● Indian Rivers
● Pakistan Rivers

3 LEGALITY OF ABEYANCE OF INDUS WATER TREATY:

India has been temporarily put the Indus Water Treaty in abeyance, however, as per the legality of the Indus Water Treaty, such action is illegal as it breaks several clauses of Indus Water Treaty.

3.1 VIENNA CONVENTION 1980 OF INDUS WATER TREATY:

Vienna Convention is an international agreement codifying the rules of treaties between the two countries. Pakistan and India, in 1980, signed the Vienna Convention according to which there are several rules which allow to break the treaty in different circumstances.

Article 54

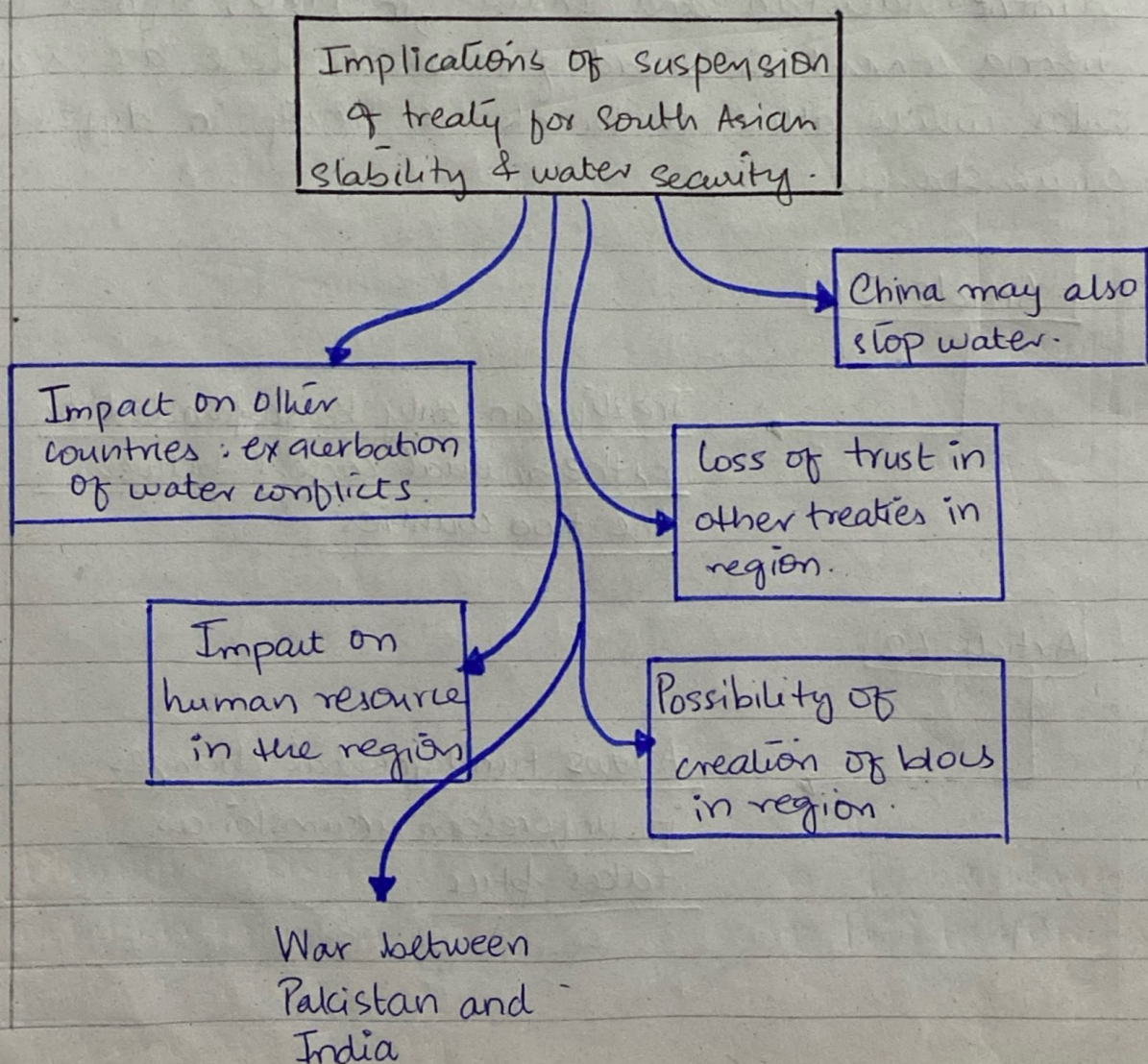
→ Treaty can only be terminated by the mutual consent between the two countries.

Article 62

→ Allows fundamental changes if unforeseen circumstances takes place.

India says that it is suspending the treaty in accordance of the vienna convention article 62. India gives the reason of population explosion, climate change, energy need as the unforeseen circumstances of the treaty. However all these factors are not unforeseen as they were expected with the change of time in the world. Therefore India does not hold any legal standing for the abeyance of the Indus Water Treaty.

4 IMPLICATIONS OF SUSPENSION OF TREATY FOR SOUTH ASIAN STABILITY AND WATER SECURITY :



4.1 IMPACT ON OTHER COUNTRIES : EXACERBATION OF WATER CONFLICTS:

One of the important implication of the issue of abeyance of Indus Water Treaty is that it may provoke other countries to start water conflicts in the region. When countries learn from this treaty that there is no justice in the treaty then they will also stop waters and cause issues for the other countries. For instance, Afghanistan may also look this abeyance and suspend its rivers flow in Pakistan which may also cause water issue in Pakistan.

4.2 WAR BETWEEN PAKISTAN AND INDIA : IMPACT ON REGIONAL SECURITY:

The abeyance of Indus water treaty by India does not only impact the water supply but impact the whole country in terms of agriculture, irrigation, and livelihood of the population. Due to this reason Pakistan may also react aggressively against the abeyance by India. This may exacerbate to the water war ^{between} the two countries. As Prime Minister Shahbaz Sharif warned India as,

I want to tell the enemy that if you threaten to hold our water, then keep this in mind that you cannot snatch even one drop from Pakistan.

4.3 CHINA MAY ALSO STOP WATER:

As India stops the water for Pakistan and create hydropower projects of western rivers

China may also stop its water flow into the region. China's efforts look calculated to counter India's efforts to stop the water for Pakistan. In this way, the other countries will also include themselves in this hydro politics leading to negative impact the region.

4.4 LOSS OF TRUST IN OTHER TREATIES:

Indus Water Treaty has been an old treaty with least issues in the past. However, the issues in current times, may cause the loss of trust of countries in the other treaties in the region. This may cause the loss of trust and exacerbate geopolitics in the region. Moreover, when the countries notice the loss of justice in the case, they will also try to provoke other treaties leading to havoc in the region.

Indus Water Treaty is one of the few international agreements that has stood the test of time, despite the hostile political environment between the signatories.

— John Briscoe, former Senior Water Advisor, World Bank.

4.5 POSSIBILITY OF CREATION OF BLOCS IN THE REGION:

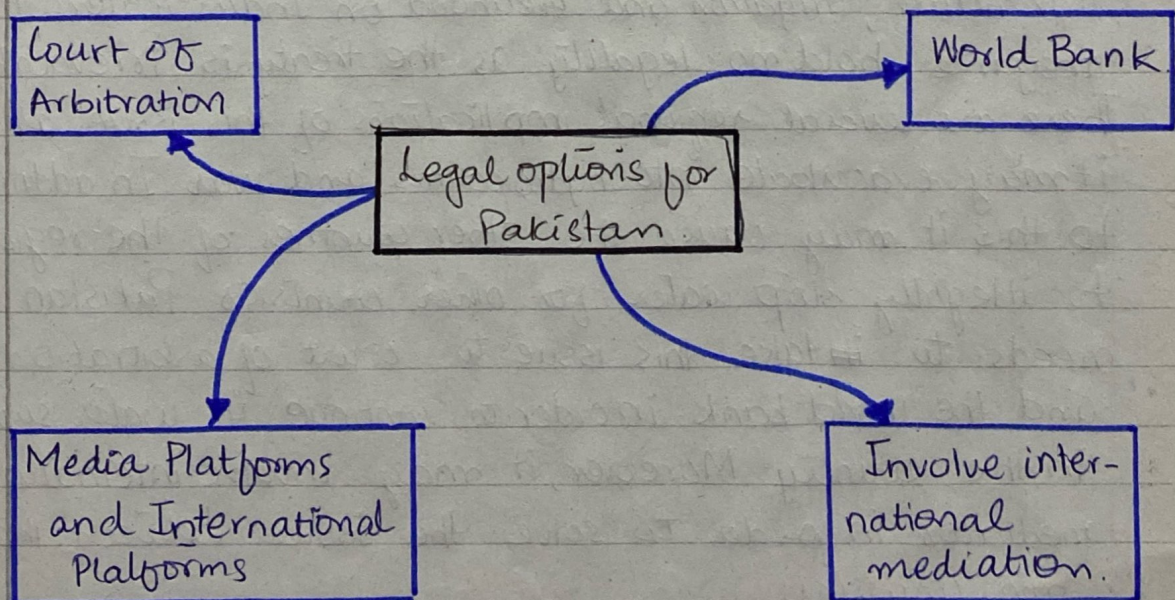
India has not only stopped the water of Pakistan but has also outreached Afghanistan, for the creation of dams and

hydropower projects on the rivers flowing in Pakistan. At the same time, China has also outreached Afghanistan to counter the issue. This has caused the creation of blocs in the region which may arise to the geopolitical conflicts in coming years.

4.6 IMPACT ON HUMAN RESOURCE IN THE REGION:

The abeyance of treaty and the exacerbation of geopolitical conflicts in the region cause great impact on the quality of lives of masses in the region. As water is a basic necessity and is important for agriculture and hydropower its abeyance and conflicts will cause negative impact on human resource in the region.

5 LEGAL OPTIONS FOR PAKISTAN:



Among the range of options available for Pakistan the legal ones include is to take the issue to court of arbitration to solve. However, CoA has already said the activity as illegal but still its role in the decision making of treaty cannot be denied. In addition to this, world Bank should also be involved in the resolve of the matter. Pakistan must highlight the issue in the meetings of international organizations and on the international media platform. At last Pakistan may involve international mediators to resolve the issue.

6 CONCLUSION:

Indus Water Treaty, signed in 1960, is an important agreement for Pakistan and India. In recent times, the temporary abeyance of treaty by India has caused major issues for Pakistan as it is responsible for the agriculture, irrigation and livelihood on Indus waters. The abeyance hold no legality as the treaty is irrevocable. There are several regional implications of this issues as it may exacerbate into hydropolitics and war. In addition to this it may cause the other countries of the region to illegally stop water for other countries. Pakistan needs to take this issue to court of arbitration and the world bank in order to continue its water supply in the country. Moreover, it may involve international mediators in order to solve the issue between the two countries.