

Question No #04

Introduction:

Water politics within the South Asia is of great concern for the countries of this region because it impacts whole of the region in multiple way. For Pakistan hydropolitics is of grave concern as it poses existential threat to the country leading to water crisis. Pakistan is an agrarian country, majorly relying on agriculture for its economy. Furthermore, the recent escalation between India and Pakistan directly impacted the water issue within the region. As India decided to suspend Indus water treaty, which has been only way of cooperation between the two nuclear rival states for decades, this act clearly illustrates the Indian aggression and weaponization of water. Along with pretending to be the hegemon, India is also setting precedent for China for the arbitration over water resources. Indian unilateral suspension of Indus water treaty on one hand impacting Pakistan leading to further water crisis and escalation of conflict between these two rival, on the other hand setting precedent before the world in the form of water aggression and violating international laws. It would cause devastating impacts to whole the region.

Indus water treaty

Date

Indus water treaty, signed in 1960, under the mediation of the world Bank, between Indian Prime minister Jawahar Lal Nehru and Pakistani Coaruler part, Ayub Khan. This treaty had served as a rare symbol of cooperation between the two nuclear-states. It served as one of the most comprehensive and durable water-sharing agreements, born out of the complex hydropolitics following partition.

Division of Rivers:

According to this treaty Eastern rivers were allocated to India including Ravi, Beas, and Sutlej, while western rivers including Indus, Jehlum, and Chenab were allocated to Pakistan.

• 10% of Indus water can be consumed by India. India can use the water of western rivers but only for hydel generation under the following conditions;

- i- can build reservoirs on the western rivers only
- ii- must share the design of the project before initiation
- iii- Pakistan can raise objections on the height and size of the dam
- iv- India is bound to facilitate Pakistan observers team inspect the under construction project upstream
- v- India can not divert the flow of the rivers

Formation of Institutions:

This treaty also led to the formation of permanent Indus Commission for the resolution of the disputes over water resources. Both countries would bilaterally resolve issues regarding water, however, if issue does not resolve through commission, it could be referred to neutral observers or World Bank. If the conflict is legal then it must be referred to International Court of arbitration.

Indian Voilation of the Indus water treaty

India has been voilating the treaty for a long period of time. Auording to world Bank; rainfall contributes 30% of the total water, melting of glaciers contribute 67%. However, the flow of water in these rivers have decline up to 50-55%. which is mainly due to dams built by India on western rivers such as kishanganga, Buglihan, Ratlee, salal etc. Furthermore, diversions also contributing to the decline of water in western rivers.

Along with that, India is also building projects over the rivers without informing pakistan. India also had Planed to construct 62 dams and hydro-electric units on Chenab and Jhelum.

India's Unilateral Suspension of the Indus water treaty.

After 22 April, 2025 pahalgam attack where 28 tourist were killed and dozens wounded. India blamed pakistan without any kind of evidence. On the false accusation of pahalgam attack, India unilaterally suspended Indus water treaty. India's provocative move threatens to convert a treaty once hailed as a model of transboundary cooperation into a new theater of confrontation. India's decision appears not just irresponsible but strategically destabilizing and morally untenable.

India's arguments for the Suspension of treaty:

India's argument is based up to the international doctrine of "rebus sic stantibus" which allows for treaties to be modified or terminated if fundamental circumstances change, citing pakistan's alleged support for cross-border militancy.

Counter Arguments:

According to Vienna convention on the law of Treaties, 1969, "a fundamental change of circumstances may not be invoked" if the treaty establishes a boundary regime or permanent arrangements, as Indus water treaty does. Moreover, the international

Court of Justice's ruling in the Gabcikovo — Nagymaros case (1997) further limit the application of rebus sic stantibus in case of IWT.

Weaponising water : A dangerous precedent set especially for china

Politicize the flow of water and using it as leverage or punishment against a downstream neighbour undermines global water-sharing norms. Suspension reveals a policy shift from deterrence to coercion.

Regional and global Repercussions:

India's Relation with other countries

India's relation with other countries such as Nepal and Bangladesh also impacted by Indian aggression. These countries had long expressed concerns about India's hydro-hegemony and upstream dam building.

Reinforcing International narratives.

It will reinforce narrative that India views its riparian advantages as a tool of dominance, not a tool of cooperation.

India's image and aspiration for global leadership

India's image as a responsible regional power and aspiring global leadership is

at stake. The act of suspension could impact India's bid for permanent membership in the UN Security Council.

Setting precedent for china

Through the act of unilateral suspension of Indus water treaty and undermining the lower riparian, India set a dangerous precedent for its own upper riparian china.

Tsangpo (Brahmaputra) dam:

As India, set the precedent for china. China is building Tsangpo (Brahmaputra) dam in Tibet. This mega dam project would lead to decline the flow of water significantly towards India. It would impact Indian water flow dangerously, but how India will question china, as India itself is already violating the International water sharing norms.

Conclusion

India's unilateral suspension of Indus water treaty not only impacting Pakistan but impacting whole of the region in term of hydropolitics. As stated by Brahma Chellaney in his book "water: Asia's new Battleground" that "water is fast

becoming the new currency of power in Asia? Hence, Asia's future peace depends on cooperative water resource management, else the wars of 21st century will be fought over water.