LEFT, RIGHT AND CENTRE

The Indus river basin is a critical transboundary system where water governance, territorial contestation, and climate stress converge. Shared by four countries and anchored in disputed Kashmir, the basin has long relied on the Indus Waters Treaty to manage conflict. Its 2025 suspension reveals how quickly geopolitical shocks can fracture decades of water cooperation.

Keywords: Indus river basin, Indus Waters Treaty, transboundary water governance, Kashmir, water security, South Asia

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RIVERS, RESILIENCE, AND RIVALRIES: HOW THE INDUS WATERS TREATY SHAPES REGIONAL SECURITY IN SOUTH ASIA

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1. Background on the Indus river basin and current dispute

The Indus River system is one of the largest transboundary river systems in South Asia, stretching over 3,200 km.[1] The basin is shared by four countries: Pakistan (47%), India (39%), China (8%), and Afghanistan (6%). The basin has the second largest catchment area in the world (11,200,00 km²),[4] and it supports nearly 268 million people and sustains life across the rugged terrains of the Hindu Kush, Karakoram, and Himalayan Mountain ranges, making it an indispensable resource for the region.[2]

Arising from the Tibetan Plateau in western China, the Indus River and its tributaries flow northwest through the Himalayas, cross the Kashmir region, and continue through the arid plains of Sindh in Pakistan before discharging into the Arabian Sea.[3] This passage through Kashmir is not merely geographical: it places a politically contested territory at the hydrological core of the basin.

The Indus basin is also one of the most stressed river basins in the world, because of its complex geopolitical situation,[5] increasing urbanisation, climate change and population growth especially in the lower riparian country (Pakistan).[6] Considering its large geographical scale and significance, establishing good governance in the Indus River system with joint, equitable, and sustainable management across borders, has become a hydrological concern and geopolitical imperative.

In this way, the basin functions not merely as a hydrological system, but as a space where governance, politics, and environmental variability intersect, a dynamic seen in transboundary rivers worldwide.[19]

i. Hostilities in the contested territory of Kashmir and the suspension of the Indus Water Treaty (2025)

Kashmir is the focal point of the region's most prolonged and contentious conflict. Its strategic location has also had a major bearing on the Indus water dispute. India maintains the dispute is an internal matter, while Pakistan categorically rejects that position. The issue thus remains a persistent strain on bilateral relations. This contested status helps explain why Kashmir was not explicitly addressed in the Indus water treaty (IWT) of 1960, a bilateral agreement between India and Pakistan governing the distribution of the Indus river system waters (which consists of six rivers, three eastern rivers, namely Ravi, Beas, Sutlej and three western rivers namely Indus, Jhelum and Chenab. Under the treaty, India was granted unrestricted use of the eastern rivers (the Sutlej, Ravi, Beas), while Pakistan received rights over the western rivers (the Indus, Jhelum, and Chenab), with India permitted limited uses of the western rivers for domestic , non-consumptive, agricultural uses and generation of electricity from run-of-river projects (as per the article 111 (2)(d) of the treaty). **The Indus, Jhelum, Chenab and Ravi flow through Kashmir before entering the Pakistan, making the region the upstream hinge upon which downstream water security depends. Yet it is only mentioned obliquely in the treaty.**

"The passage of so many rivers through Kashmir, and the suitability of its topography for dam-building and hydropower generation, nevertheless put the region at the centre of several provisions. Neither the treaty nor its annexures directly acknowledged Kashmir. They certainly did not mention the State's disputed status. But references abounded to works, watercourses, and places in the region/Kashmir".[20]

The deliberate omission of Kashmir's contested status from the treaty allowed technical cooperation to proceed in 1960, but it also deferred rather than resolved the underlying territorial tensions embedded in basin governance.

This ongoing conflict over territory and water make the region very sensitive, and any new incident can escalate quickly. This became evident on April 22, 2025 when 26 people were killed in an attack in the Basiran meadows of the Pahalgam in south Kashmir's Anantnag district, while U.S. Vice President J.D.Vance was visiting India[13]. This was the deadliest attack in the region since 2019, when the Indian government removed the semi-autonomous status of the disputed region of Kashmir. This move brought the region under greater federal control of India and divided the former state of Jammu and Kashmir into two federally controlled territories.

In the aftermath of the 2025 incident, India accused Pakistan of carrying out the attack, asserting that the planning and support originated from across the border. Pakistan, however, categorically rejected these allegations.

The Indian government responded to this attack with a series of steps, and the first one was to hold the Indus Water Treaty, a beacon of transboundary water cooperation in abeyance. The official statement of the Ministry of External Affairs recognized the seriousness of this attack, and decided, among others, that "the Indus Waters Treaty of 1960 will be held in abeyance with immediate effect, until Pakistan credibly and irrevocably abjures its support for cross-border terrorism." (Statement by the Foreign Secretary, Ministry of External Affairs, Government of India)[14]. **This marked a critical moment in which a territorial-security crisis directly translated into a water governance rupture.**

In response, Pakistan's Parliament dismissed India's Pahalgam attack allegations and vowed a decisive response to any misadventure. The declaration framed India's action as a profound treaty violation, stating: "India's unlawful and unilateral declaration to hold the Indus Waters Treaty in abeyance [is] in blatant violation of the Treaty, which clearly amounts to an act of war.[15]

Figure 1: Map of the Indus River Basin, highlighting referenced dams

ii. The IWT as a tool of strategic leverage

The transboundary water dispute has only featured prominently in the domestic political discourse of India and Pakistan since 2016. Prior to this, and as Thapliyal notes, "India and Pakistan have shown political maturity by not involving the issue of river water sharing in their domestic politics and have tried to resolve the dispute through negotiations"[9]. However, following the 2016 Uri attack, which left 18 Indian military personnel dead, India's Prime Minister Narendra Modi declared that "blood and water cannot flow together."[12] **Such statements reflect a broader shift in which water is increasingly framed not as a shared resource but as an instrument of strategic leverage, particularly concerning the dispute over Kashmir.**

2. Circumstances that led to the genesis of the Indus Water Treaty

While the impact of the abeyance has yet to be seen, it is clear that institutional water arrangements cannot be taken for granted in conflict prone regions. As such, it is imperative to recall the extent to which joint governance structures over transboundary water resources can contribute to peace and stability. In this section we recount the genesis of the IWT and provide concrete examples of its conflict resolution mechanisms over time. **The original success of the IWT lay in its ability to temporarily insulate water cooperation from territorial conflict, especially in Kashmir**.

Tensions over water between India and Pakistan originated with the partition of British India in 1947. The creation of two sovereign nations, India and Pakistan, largely overlooked the subcontinent's hydrological geography, as the newly drawn borders abruptly divided an interconnected river basin system. Consequently, the water dispute between the two countries rapidly emerged as a critical flashpoint in their bilateral relations. To prevent the intensification of hostilities, the World Bank facilitated negotiations that resulted in the Indus Waters Treaty. This treaty, which addresses the management of the Indus Basin, was signed in Karachi on September 19, 1960.

Notably, the treaty's architects prioritized functional water allocation over political recognition of disputed territories, a choice that ensured short-term stability but left Kashmir's hydrological centrality politically unresolved.

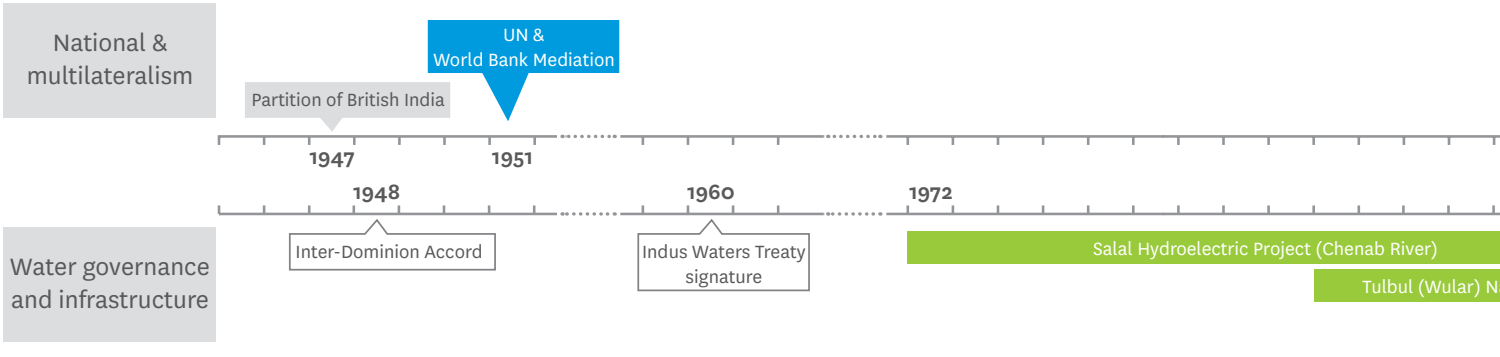
The Signatories were Pandit Jawaharlal Nehru, the then-prime minister of India, and Muhammad Ayub Khan, the then-president of Pakistan. They were joined by W.A.B Iliff, representing the World Bank. The treaty is structured into three main sections; the Preamble, 12 Articles, and Annexes A to H. It provides a detailed framework for sharing the transboundary water resources that originate from the Indus.

Through the treaty, India was granted unrestricted access to the waters of Eastern Rivers (Sutlej, Ravi, and Bias), while Pakistan was authorized to utilize the waters of Western rivers (Indus, Jhelum, and Chenab), with India allowed to use the western rivers for domestic use, non-consumptive use, agricultural use and generation of electricity from run-of-river projects (as per article III (2)(d) of the treaty). Ultimately, this treaty delineated the responsibilities and obligations related to water sharing, aiming to enhance cooperation between India and Pakistan.

i. Institutional Mechanisms and Functioning of the Treaty

The Permanent Indus Commission (PIC) was established to resolve technical disputes and facilitate data-sharing. The PIC consists of an equal number of delegates from both India and Pakistan. As per the treaty any changes occurring along the Indus River are required to be reported to the other party. In case there

Figure 2: Event timeline



are differing interpretations of the treaty's application, the matter is initially brought before the Commission for resolution. If a disagreement persists, an impartial third party may be consulted. If this disparity is recognized as a dispute by a neutral third party, an arbitration tribunal can be convened to address and settle the issue. The conflict resolution process outlined in the treaty has been a neutral third party, since its inception.[7] FFor instance, the IWT effectively resolved the Baglihar dam dispute with the help of a neutral third party expert and the Kishanganga dispute via a court of arbitration.[21]

While these mechanisms have proven effective in managing engineering and legal disagreements, they have limited capacity to address disputes where water infrastructure is inseparable from questions of territorial control, particularly in Kashmir.

ii. Conflict Resolution Under the Indus Waters Treaty

Dispute over the Salal Dam Project

After India shared the design for the Salal Dam, a hydroelectric project planned for the Chenab River, Pakistan registered a formal protest under the IWT in 1970. The Chenab is part of the western river system allocated to Pakistan by the treaty. As per the IWT, India may construct only run-of-river projects on these rivers. It took 8 years to settle the dispute after India agreed to make changes in the design of the dam in 1978.[7]

Dispute over the Tulbul Navigation Project or Wullar Barrage

The Tulbul Navigation Project or Wullar Barrage was initiated by India in 1984. It was conceived as a navigation lock-cum-control structure at the outlet of the Wullar lake in the Kashmir valley, with the stated objective of facilitating year-round navigation on the Jhelum River during peak winter months.[8] Pakistan, however, objected to the project's construction, arguing it violated the terms of the IWT. This led to an immediate halt in construction. Decades of diplomatic talks and negotiations have failed to resolve the dispute, which persists to this day.[9]

Dispute over the Baglihar Dam Project

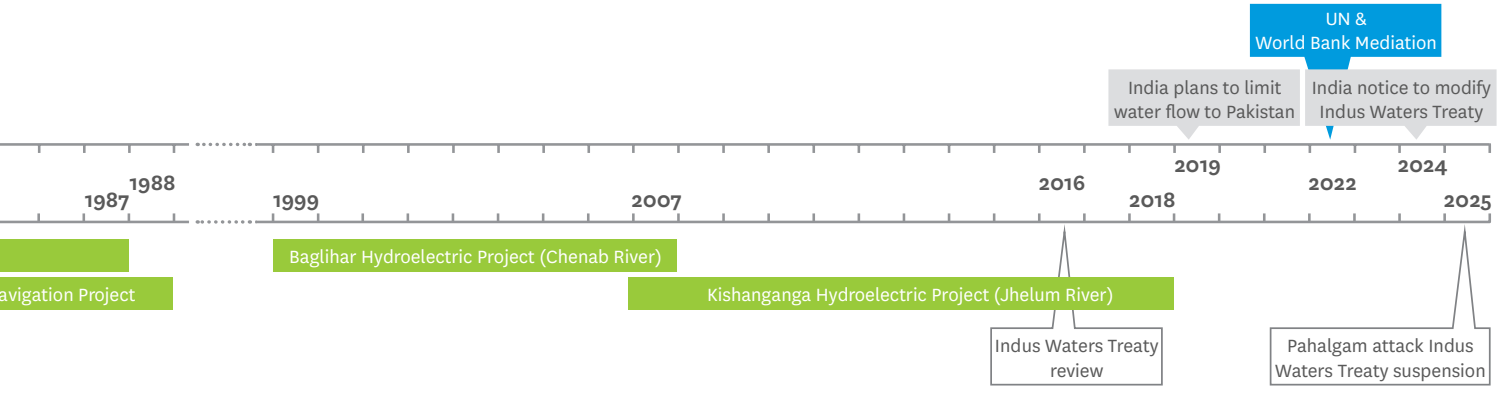
The Baglihar Dam Project is a hydropower project constructed by India on the Chenab river. Pakistan raised objections to the project's design after its details were shared in 1992. The dispute was finally resolved in 2007 through the intervention of an neutral expert appointed by the World Bank.[10]

Kishanganga dispute

The Kishanganga is also a hydroelectric project constructed by India on the tributary of Jhelum river. The dispute was the first instance when a Court of Arbitration was constituted to resolve the dispute under the framework of the IWT.[10, 11]

It is clear from the disputes mentioned above that the IWT has served as a tool of cooperation between the two countries. The treaty's durability and utility as a conflict management tool are underscored by it having survived three wars: those of 1965, 1971, and the 1999 Kargil conflict.

The above disputes and their resolution demonstrate how shared institutions and structured mechanisms can mediate tensions, a dynamic common across transboundary water systems globally.[19]



3. Legal and geopolitical implications of recent treaty abeyance

Withdrawal from the treaty is not legally straightforward, as it does not provide for unilateral termination. Any attempt by India to withdraw would need to meet the stringent requirements of the 1969 Vienna Convention on the Law of Treaties; even then, such a move would likely carry significant reputational costs at the international level.[22] Neighbouring countries like Bangladesh and Nepal might become wary of similar treaties with India. Furthermore, some international affairs experts believe that if India hopes to secure a permanent seat in the United Nations Security Council (UNSC), it should uphold its bilateral treaties.

Moreover, before altering the water flow to Pakistan, India should also ensure it has the necessary infrastructure to utilize all of the water. In practice, the geography and topography of the Himalayas severely limit the feasibility of diverting the western rivers toward mainland India.

China is another important player in this scenario. Given its support for Pakistan, there is a possibility that China could obstruct the water flow from the Brahmaputra to Assam. It could also affect flows in the Indus River, which originates in Chinese territory. According to Prof. Ashok Swain, UNESCO Chair on International Water Cooperation at Uppsala University, the suspension of the IWT is "legally ambiguous, diplomatically perilous, and opens dangerous geopolitical doors with China".[16] Experts recommend that India should utilize the water from the western rivers as permitted by the Indus Water Treaty. Any significant departure from this framework would need to be carefully weighed, given its potential long-term implications for regional geopolitics and stability in South Asia.

Finally, interstate disputes over water resources extend beyond questions of regional security to encompass critical issues of equity and identity. The persistent depletion of freshwater reserves, coupled with inadequate remedial measures, has intensified tensions among major Asian powers particularly China, India, and Pakistan, not only over access to water but also regarding fair distribution and the recognition of regional and cultural identities[18], a dynamic that is especially pronounced in contested regions such as Kashmir.

Conclusion and recommendations

Given these factors, it's crucial for India and Pakistan to jointly develop a comprehensive water governance plan, **one that explicitly recognizes Kashmir not only as a contested territory, but as the hydrological heart of the Indus Basin**. "Standing by the Indus Water Treaty Is in India's best Interests" writes Prof. Shakeel Romshoo, a glaciologist and the Vice Chancellor of Islamic University of Science and Technology, Jammu and Kashmir.[17]

The formation of a research commission on climate change, hydrogeology, and glaciology could provide valuable insights for updating the treaty, ensuring it accounts for both environmental changes and ongoing human interventions. While disputes have primarily arisen from projects such as dam construction and hydroelectric development, a combined strategy that addresses both human and environmental factors is essential for the sustainable management and water security of both countries.

Beyond technical reforms, limited and carefully scoped water cooperation, such as joint flood forecasting, glacier monitoring, and disaster response could serve as confidence-building measures in an otherwise frozen political landscape. While water cooperation alone cannot resolve the Kashmir dispute, it may help prevent escalation and open channels of engagement where few currently exist.

The changing circumstances of the IWT call for a proactive and cooperative approach. By tackling present issues and foreseeing future situations, India and Pakistan can maintain the spirit of diplomatic collaboration inherent in the treaty, ensuring fair and sustainable management of shared water resources for future generations.

The IWT has endured for more than six decades as a rare and compelling example of sustained cooperation over shared water resources, even during periods of heightened political tension between India and Pakistan. Its longevity demonstrates how structured, jointly agreed governance mechanisms can mitigate conflict and foster cooperation in an otherwise adversarial relationship. However, water treaties alone cannot guarantee long-term water security or broader regional stability. Shifting domestic political priorities in South Asia, expanding upstream hydropower development, and the growing impacts of climate change on Himalayan glaciers pose significant challenges to the treaty's future effectiveness. In this context, the **treaty's future relevance will depend on its ability to adapt not only to climate change, but also to the territorial realities of the basin, particularly Kashmir.**

Ultimately, securing a stable future for the Indus River System and the communities that depend on it requires addressing both the political and hydrological realities of Kashmir.

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