

THE INDUS WATER TREATY AND ITS IMPACT ON PAKISTAN-INDIA RELATIONS

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ABSTRACT

The Indus Waters Treaty (IWT) is a water-sharing agreement between Pakistan and India, signed in 1960 with the help of the World Bank. The treaty was a result of long-standing tensions between the two countries over the sharing of water from the Indus River and its tributaries. The treaty divided the six rivers of the Indus system between the two countries, with three rivers allocated to each. It also established a Permanent Indus Commission to resolve any disputes that may arise. The IWT has had a significant impact on the relationship between Pakistan and India. The treaty has been successful in ensuring a continuous flow of water to both countries, even during times of political tensions. It has also provided a stable framework for water sharing, preventing any major conflicts over water resources. However, there have been instances of disputes and violations of the treaty by both countries, leading to tensions. The recent tensions between the two countries over the construction of dams on the Indus River by India have once again highlighted the need for effective implementation and proper management of the IWT. Therefore, it is crucial for both countries to uphold the treaty and work towards resolving any issues, as the Indus River is a lifeline for millions of people in both Pakistan and India.

Keywords: Indus Water Treaty, six rivers, Permanent Indus Commission, dispute, framework, water sharing, tensions, poor management, effective implementation, lifeline

INTRODUCTION

The Indus Waters Treaty (IWT) is a water-sharing agreement between India and Pakistan, signed in 1960. It was brokered by the World Bank and aimed to resolve water disputes between the two countries, which had become a major source of tension. The treaty divided the six rivers of the Indus basin between the two countries, with India being allocated the eastern rivers (Ravi, Sutlej, and Beas) and Pakistan being given the western rivers (Indus, Jhelum, and Chenab).

The IWT has been hailed as a successful example of international water sharing and has played a crucial role in maintaining peace and stability between India and Pakistan. However, it has also been a source of contention and has had a significant impact on the relations between the two countries.

One of the major impacts of the IWT on Pakistan-India relations is that it has provided a framework for cooperation and communication between the two countries. The treaty established the Permanent Indus Commission, a bilateral body responsible for implementing and monitoring the treaty. This has allowed for regular communication and exchange of information between India and Pakistan, which has helped in resolving disputes and preventing any escalation of tensions.

Moreover, the IWT has also played a crucial role in the economic development of both countries. The Indus basin is a vital source of water for agriculture, which is the backbone of the economies of both India and Pakistan. The treaty has ensured a fair distribution of water resources, allowing both

countries to utilize the rivers for irrigation and hydroelectric power generation. This has led to increased agricultural productivity and economic growth in both countries.

However, the IWT has also been a source of contention between the two countries. Pakistan has raised concerns over India's construction of dams and other water infrastructure on the western rivers, which it believes could restrict the flow of water to its territory. India, on the other hand, has accused Pakistan of not utilizing its allocated share of water and diverting it for other purposes. These issues have led to disputes and tensions between the two countries, with Pakistan raising the issue at various international forums.

Moreover, the IWT has also been a subject of political manipulation and propaganda in both countries. In Pakistan, the treaty has been used to stoke anti-India sentiments and portray India as an oppressive and unfair neighbor. In India, the treaty has been criticized for being too generous to Pakistan and not taking into account India's growing water needs. This has further fueled mistrust and animosity between the two countries.

In recent years, the IWT has faced challenges due to changing climatic conditions and increased demand for water from both countries. The melting glaciers in the Himalayan region, which feed the Indus basin, have led to a decrease in water flow, causing concerns for both India and Pakistan. The growing population and industrialization in both countries have also put pressure on the limited water resources, leading to fears of water scarcity in the future.

1.1 Research Questions:

1. Which are the key provisions of IWT and its Impact on Pakistan-India relations?
2. Whether the IWT has been beneficial or detrimental to the relations between India and Pakistan.

1.2 Research Objectives:

- 1- To find out the key provisions of IWT and its Impact on Pakistan-India relations.
- 2- To propose recommendations in the wake of the deteriorating relations between India and Pakistan in context of IWT.

1.3 Research Methodology

Research methodology plays a crucial role in understanding the impact of the Indus Waters Treaty

(IWT) on the relations between Pakistan and India. The IWT, signed in 1960, is a water-sharing agreement between the two countries that has been a subject of intense debate and controversy. In order to study its impact on the bilateral relations, a comprehensive research methodology was necessary. This involves gathering and analyzing data from various sources, including historical documents, government reports, and academic studies. Additionally, case studies and comparative analysis method was used to examine the impact of the IWT on other similar water-sharing agreements. By using a systematic and rigorous research methodology, a comprehensive understanding of the IWT and its effects on Pakistan-India relations was achieved.

1. Key Provisions of IWT and its Impact on Pakistan-India relations:

Nations have changed both across and along riverbanks through history. Interstate conflicts over water resources have existed since antiquity; water conflicts aren't a new occurrence (McMahon, P., 2017). Freshwater and water-supply networks are becoming more and more the subject of military action, instruments of war, and covert aspects of administrative politics as the twenty-first century draws to a close (Voza, J., Vuković, M., Carlson, E., & Djordjević, D. M., 2012). The supply and demand for fresh water are complicated and ambiguous due to a growing human population, changing lifestyles, and climate fluctuation (Dinar, S., 2003). Under such circumstances, water shortage turns becomes a major source of contention amongst users, especially in linked river basins (United States Kingdom, 2009). It is important to note that Pakistan and India are quickly moving towards being water-stressed nations because they both depend on common rivers (Giordano, M., Giordano, R., & Wolf, A., 2002). However, a number of academics, politicians, and policymakers contend that water can also be a source of cooperation, particularly given the abundance of Trans boundary Rivers that promote cooperation (A. Carius, G. D. Dabelko, and A. T. Wolf, 1998). As a result, there is additionally a compelling history of resolving water-related disputes.

With its five tributaries, the Indus River is one of the world's main river systems and is essential to the growth of agriculture (So hail, M. M., Delin, M., & Siddiq, A., 2014). Water-related concerns arose in 1947 after Pakistan and India became independent

states. These issues mostly concerned the utilization of canals and waterways. The Indus River canal system was divided from headwork's through the Redcliff line, which acted as a border around them. Numerous canal headwork's, like the Sutlej Valley Canal and the highest Bari Doab Canal (UBDC), remained in India while the regions they irrigated passed into Pakistan. A water conflict began in 1948 when India, the upstream consumer of all three eastern rivers, claimed its own riparian rights and cut off Pakistan's water supplies.

Conflicts intensified after the original inter-dominion agreement to continue water supply in December 1947 was terminated in March 1948. As a result, in May 1948, they came to an Short-term Agreement that respected and acknowledged one another's water demands. Pakistan, a lower wetland, on the other hand, contested the deal, claiming pressure was used to get it signed, and demanded equitable sharing of all common waters via the World Court for Justice. India chose to resolve the dispute through mutual understanding instead of involving a third party. Nevertheless, discussions on water sharing reached a deadlock by the end of 1950. In 1951, David Lilienthal proposed joint control over the Indus Basin during his visits to Pakistan and India. The World Bank mediated the compromise, culminating in the signing of the "Indus Water Treaty" on September 19, 1960, by Jawaharlal Nehru, Muhammad Ayub Khan, and W.A.B (Khan, A. W., Javed, M. N., & Safdar, G., 2017).

The treaty awarded Pakistan the usage of the western rivers (Jhelum, Chenab, and Indus), with little water capacity from those streams for India's use. India had full access to the eastern waterways (Ravi, Sutlej, and Beas), which made up 19% of the total water supply in the Indus Basin (the Indus Water Treaty the year 1960, Article II). The accord gave Pakistan a 10-year window of time to start more work in the western waterways with financial support from abroad. The accord was made possible by the financial help of friendly countries and the World Bank. Many people agree that one of the most important water treaties in the world is the Indus Waters Treaty (Indus River Waters Treaty 1960, which is Article II). The treaty's inception, method of distributing water, and incorporation of earlier standards into normal international water law are what make it special (Khan's, A., & Awan, N., 2020). Pakistan asserts that India's development of many projects violates the treaty and jeopardies its

economic security, even though the treaty permits India to use groundwater for run-of-the-river constructions on the western rivers. India insists that the projects meet the requirements of the pact. The general population in Pakistan and India frequently criticizes the Indus Water Treaty, even though many professionals hail it as an example of collaboration. Pakistan's detractors claim that India now has authority over Pakistan's three eastern rivers. On the other hand, detractors in India argue that the pact benefits Pakistan since it gives the country sovereignty over the three main western rivers, which account for 80% of the entire basin's supply. The disputed area of Jammu and Kashmir is traversed by the three northwestern rivers of the Indus basin (Das, D., 1950).

The Kashmir and Jammu Government strongly rejects the armistice, asserting that it disregards the state's interest. The accord, negotiated with no regard for the nation's concerns, has deprived Jammu and Kashmir, as well as of its fundamental freedoms over the water resources. The Treaty on the Water of Indus has become an object of discontent amongst the people that are disappointed by its terms. Water distribution represents a critical worldwide problem (Mangrio, N., 2012).

2.1 Pakistan and India Water dispute:

The well-established network of irrigation canals along the Indus River was disrupted when Punjab was divided into Pakistan and India in 1947. After partition, there was instant conflict over many canals that originated in India and irrigated territory in Pakistan. Pakistan was left feeling insecure because the Indus River's irrigation system, which is essential to the country's agricultural fields, has its source remaining within Indian Territory (Külz, R. R., 1970).

India argued that Pakistan did not have any intrinsic rights to property in the river resources of Indian Punjab because it was the upper riparian nation. Pakistan, on the other hand, asserted that all co-riparian countries had equal rights to water reservations based on variables like region, people, and agricultural utilization by invoking the values of international water law. In 1948, Pakistan and India signed an inter-dominion agreement as a temporary measure to address this dispute and take into account each other's claims to water sharing. The signature with the River Water Treaty on the 19th of September 1960, under the World Bank's auspices,

was a key milestone after this interim process continued for twelve years (Mirza, N. N., 2016).

2.1.2 Dispute sources:

The water disputes among India and East Pakistan (now Bangladesh) date back to 1951, when tensions emerged over the distribution of water from the Ganges River. The war began when India decided to build a barrage known as Farakka along the Ganges River in West Bengal, a region some ten miles above the boundary of what was then East Pakistan (modern-day Bangladesh). Redirecting the Ganges flow towards the Hooghly River, which had historically been the Ganges' principal conduit through the 12th century AD, was the major goal of the Farakka, which the product Barrage. But over time, the Hooghly channel gradually dried up as the river's path shifted eastward to form the Padma channel (Memon, M. A., 2002, November). Because of its closeness to the sea, Calcutta was an important hub for the East India Company and a major commercial hub during British dominion in India. It also acted as a major entry point into the northern Himalayan states of Bhutan and Nepal.

Comprehensive estimates of silt accumulation in the Area River and anticipated decreases within shipping to the city of Calcutta were presented in the 1961 study on the Farakka Barrage. The Indian government moved forward using the Farakka Barrage construction in spite of reservations, claiming that it was essential to safeguard the port of Calcutta. But the building of the barrage increased worry, mistrust, and tensions between East Pakistan and India. East Pakistan saw severe environmental and economic effects from the barrage, including water scarcity for crops (Sadique A Gil, 2005).

Pakistan fiercely opposed the Farakka Barrage's development and voiced serious worries about the detrimental effects of the barrier on cultivation in the region that was then East Pakistan. A formal complaint about the harmful impacts of the barrage was filed with India. In spite of Pakistan's protests, work started in 1971 and was finished on the 21st of April 1975. From 1961 to 1971, Pakistan and India's disagreement over the sharing of Ganges River water lasted (Ul-Durar, S., Shah, A., De Sisto, M., & Arshed, D., 2023).

2.1.3 Efforts to become peaceful dispute:

Between 1951 to 1971, numerous meetings were convened between Pakistan and India in an attempt

to resolve their water disputes, but no agreements were reached. Technical exchanges occurred from 1961 to 1968, alongside five religious-level meetings from 1968 to 1970, yet they failed to yield compromise. Following the establishment of East Pakistan (Bangladesh), new issues arose between Bangladesh and India regarding water resource distribution. In 1972, both nations agreed to establish a joint river commission and engaged in several rounds of discussions, but without success. Frustrated by the impasse, Bangladesh raised the issue of Ganges water sharing at the United Nations General Assembly session in 1976. Finally, in 1977, India signed an ad-hoc agreement with Bangladesh for five years on Ganges water sharing.

The fundamental rules for the year 1977 consensus stated that low-flow intervals, which ran from January 1 to May 31st, would be split among 15 spaces, each lasting ten days. In addition to the nation's share percentage, the sharing agreement was predicated on 75% of the consistent flow at Farakka, the between 1948 and 1973 (Wirsing, R. F., & Jaspardo, B., 2007).

The signing of this agreement represented the conclusion of three decades of negotiations and collaboration by the two powers. At the time, experts thought that the pact would encourage development prospects for both countries and open the door for investments in long-term sustainable projects. The Indus Basin is primarily used by Pakistan and India, where millions of people rely either directly or indirectly for their livelihoods, greatly enhancing the socioeconomic development of both countries. Furthermore, the uppermost & Below Indus Basin sub-basins of the Indus Basin are essential resources for the State of Jammu and Kashmir (Noshab, H., & Mushtaq, N., 2001).

2.2 A Historical View: Water Source Development in the Indus Basin:

The principal flow of the Indus River and its tributaries make up the one of the world's largest river basins, the Indus River Basin. The basin, which is primarily shared by India and Pakistan, is home to a sizable population. Seventy-two percent of the 190 million or so people living in the basin are in Pakistan, while the remaining twenty-three percent are located in India (Mumtaz, S., Bilal, F., & Younas, 2023).

2.3 Indus Basin New geopolitical across boundary:

The supply chain of the canal system stretched into the nation of Pakistan, although the diversion construction was located within Indian Territory due to the partition's geographic layout. Important canal headworks, such as the Sutlej Valley Canals and the higher Bari Doab Canal, were located in India and provided irrigation to areas that were bordered by Pakistan. As a result, the canal network's division sparked a conflict between the two countries on who was entitled to use Indus Basin water (Shaista Tabassum, 2004).

2.4 Compromise and Water Dispute from 1947 to 1950:

As the Indian Independence Act was passed by the British Parliament on July 18, 1947, drawing a border between the two newly formed countries proved to be a difficult task. The intricate nature of the current canal network and the farming industry's significant reliance on canal water presented challenges for the Boundary Line Commission (Adhikari, K., & Kamle, M., 2011). Realizing the importance of cooperative control of the Punjab systems of irrigation, Redcliff approached Jawaharlal Nehru and Muhammad Ali Jinnah with the proposal. But his proposal was fiercely rejected by both leaders, who accused him of playing political games. Redcliff, realizing the need for shared management of the canal headwork's, had to hope for India and Pakistan to work together to manage these facilities.

The continuation of the water's surface supplied from the Ferozepur was head-works (in East Punjab) to the upper region Bari Doab Canal (UBDC) in the west province gave rise to a disagreement between both sides of Punjab (Malik, H., & Malik, B., 1994). Pakistan wanted to preserve the current supply for its established canal network, while India, the upper portion of the state, desired to create new irrigation facilities for territories that had not been watered before. The two states' political ties were severely strained when the water supply to West Punjab was cut off. To In order to resolve the dispute, East Punjab called a meeting in Simla on April 15, 1948, and brought the Chief Engineers of the western Punjab to negotiate the continuance of water delivery. This meeting resulted in the signature of the Pause Understanding on the 18th of April 1948 (Michel, 1967).

An extended period of quietness on the water issue resulted from several misunderstandings amongst the two countries that caused conversations regarding the allocation of water to reach a deadlock in 1950. This impasse continued until 1951, at which point both sides decided to enlist the World Bank's assistance (Talbot, I., 2009). While the World Bank had previously been involved in the Sutlej River dispute among the two countries in 1949, its government evolved in 1951 when David Lilienthal visited the subcontinent and proposed regulations for sharing the Indus Basin's water (Basin Musharraf, J., 1980).

2.5 Road to the settlement of the dispute:

Eugene Black proposed that the Working Party meet at the Bank's the corporate offices in Washington, D.C., in May 1952. The Working Group was composed of engineers of Pakistan and India as well as a World Bank team. The World Bank asked both India and Pakistan to create their own plans due to the long-standing disagreements between the two sides. On October 6, 1953, both countries presented their plans to the World Bank's report after conducting field trips to gather data, but major differences in the distribution of water were found (Khan, M. U., 1990).

According to Indian's amended plan, Pakistan would receive 93% of the western rivers and all of the eastern rivers (the Ravi, Beas, and Sutlej) and 7% of the northwestern banks (Indus, Jhelum, and Chenab) would belong to India. Subsequently, the World Bank developed its own proposal, which was enthusiastically accepted by the Bank's management and approved by engineering consultants. According to the Bank's recommendation, all of the western rivers—aside from a tiny amount through the Jhelum used in Kashmir—should be allocated to Pakistan, while all of the eastern rivers should be given to India.

In this proposal, the parties would consent to a timetable that would allow Pakistan to finish building the connecting canals that split the watershed, but India would continue to permit Pakistan to continue using water through the Ravi, Beas, and the Sutlej Rivers as it has historically done. Pakistan said that the 1954 plan was sufficient to meet its water needs and expressed displeasure with it (Biswas, A. K., 1992).

India had started a number of water rechanneling projects on its own, and in October 1958, after four

years, Pakistan's military ruler Ayub Khan finally approved the 1954 plan, heeding the advice of his economic advisors. In the end, W. A. Liff, a representative of the World Bank, President Muhammad Ayub Khan of Pakistan (1958–1970), and Prime Minister Jawaharlal Nehru of India (1947–1964) signed the contract in 1960. The pact gave India jurisdiction over the Eastern Waters of the Beas and the Ravi Sutlej, while Pakistan retained power over the Western Rivers State.

The amount of water in the relevant rivers or the amount of soil that the two countries sought to be irrigated were not given much consideration by the mediators. The deal sought to defuse tensions and give both nations the freedom to put into effect workable plans for efficient water management that is within their jurisdiction.

2.6 The Indus Water Treaty 1960:

Pakistan and India came to terms with each other's rights and responsibilities regarding the use of water from the Indus Basin through the Indus Water Treaty (IWT). Prime Minister Muhammad Ayub Khan of Pakistan and President Jawaharlal Nehru of India signed the agreement in Karachi on September 19, 1960, under the supervision of Senior Voice of America, marking a significant milestone in resolving the water dispute between the two nations (Ahmad, A., 2011). In addition to the IWT, three other agreements were signed in 1960. The first agreement pertained to the establishment of the Indus Basin Development Fund (IBDF), which involved friendly countries providing funds for the construction of alternative projects and infrastructure along the East and West rivers (Kokab, R. U., & Nawaz, A., 2013).

Under the IWT, efforts were made not only to resolve the water dispute but also to address technical and economic challenges. Amendments regarding water scope were incorporated into the agreement with the consent of both parties, backdated to April 1, 1960. The treaty comprises twelve articles covering 79 paragraphs and eight detailed annexes (wings), with the primary objective of increasing the amount of available water and justly distributing water resources of the Indus Basin between the parties (Warikoo, K., 2005).

The basic tenet of the pact called for a straightforward divide across the west and east rivers, without taking water amount into account. This innovative strategy sought to lessen the possible

disputes and demands that a fair allocation of water would have brought about. A noteworthy feature of the IWT was the World Bank's involvement, which made it easier to resolve the water conflict between India and Pakistan (Salman M.A., Salman, 2007).

The IWT not only served as a groundbreaking document to improve water availability between Pakistan and India but also helped alleviate differences regarding water rights. Rather than dividing the waters of the rivers, the treaty allocated control and regulation of the rivers themselves between the two parties, granting them independent authority over water supplies within their respective territories, albeit subject to limited use of water from the rivers assigned to the other party (Concannon, B. E., 1989).

2.7 Explanations

As used in this Treaty:

(a) The term "Article" refers to a provision within the Treaty, while "Annexure" denotes a supplemental document or annex.

(b) Any exterior channel, whether or not it has irregular flow, that joins the main river in its natural path as a branch, supply, drainage by nature, or not natural drainage such a nadi is considered a "tributary of a river". This term also includes, without respect to name, any smaller or sub-tributary stream whose waters would enter the main channel either directly or indirectly.

(c) The rivers "The Indus," "The Jhelum, in," "The Chenab," "The Ravi," "The Beas," and "The Sutlej has" are the ones mentioned, along with all of their tributaries and related lakes. But it should be mentioned that:

The Chenab will include the Punjab River;

(ii) Any stream meeting the required parameters will be regarded as such; and (iii) the streams Chandra and Bhaga will be regarded as constituents of the the Chenab.

The following are some of the main ideas that guide the treaty:

2.7.1 Eastern River Provisions:

All of the Eastern Rivers' streams will be available for unrestricted use only inside of India.

(II) Pakistan will be required to keep the Sutlej Main flowing continuously and will not allow any form of interference with its waters, unless necessary for non-consumptive, domestic uses.

(III) The oceans of the Ravi River shall not be

disturbed or changed until they have entirely entered Pakistani territory.

(IV) Waters within Pakistan that join the Sutlej or Ravi mains after they have completely entered Pakistani territory will be reserved for Pakistan's sole usage.

2.7.2 Western Rivers Provisions:

- (I) All waters emanating from the West Rivers should be open to Pakistan with no restriction.
- (II) With the exception of the following permitted uses, India shall be required to preserve constant stream in the Western Rivers and abstain from interfering with these waters:
- (III) The production of hydroelectric power, as described in Annexure D; - Domesticated, non-consumptive, and agricultural applications, as listed in Annexure C for each of the rivers: the Indus, Jhelum, and Chenab, within their specific drainage basins.

2.7.3 Eastern and Western Rivers Provisions:

(I) Pakistan will work hard to build and implement an infrastructure system that will replace water from the Northwestern Rivers. Pakistan's irrigation system has been dependent on the water from the eastern rivers since August 15, 1947.

(II) Neither party may impose any restrictions or prohibitions on the use of the naturally river channels for the release of storms or other excess water.

(III) Every Party reaffirms its commitment to preventing needless contamination of the waterways to the extent that it is practical to do so. They also commit to making sure that the necessary treatment procedures are carried out in order to minimize any negative effects on the quality of the water prior to any release of industrial or other waste.

2.8 Values between the both Parties and Support:

The Indus Water Treaty, or Indus Water Treaty, highlights the value of collaboration and cooperation amongst the two nations while acknowledging their shared interests in the holistic development of rivers. The sharing of data and future cooperation are expressly addressed in the provisions of Article VI and Article VII of the pact. Article VII expressly states that both parties have a common interest in the best possible establishment of

rivers and that they intend to fully collaborate through mutual consent. It delineates the extent of collaboration in river engineering projects. However, over time, there have been a number of difficulties and roadblocks from both parties regarding the application of this article.

The treaty stipulates that information about the daily flow and use of river waters must be shared on a regular basis. This comprises:

- (a) Whenever feasible or as often as practicable, producing daily outflow and drainage data from all observation stations.
- (b) Declaring daily releases or inflows into man-made lakes.
- (c) Recording every day's discharges at the head offices of all canals run by the government, including connecting canals.
- (b) Keeping track of all daily detours from canals, including connection canals.
- (e) Reporting connection canal deliveries on a daily basis.

2.9 Indus Water Treaty 1960, Article VI, (1):

The Indus Water Treaty, also of 1960 stipulates that data sharing must occur on a monthly basis, though daily exchanges must occur in situations where an instant decision is needed (Article VI (1)). In addition, particular data about river the field of hydrology canal business processes, or any treaty provisions that are requested by any party shall be provided without delay (Article VI (2)).

2.10 Indus Commission and Argument resolve Unchanging implement:

The Indian Water Treaty of 1960 stipulates that data sharing must occur on a monthly basis, but daily exchanges must occur in situations where an instant decision is needed (Article VI (1)). In addition, particular data about river hydrology, and canal business processes, or any treaty provisions that are requested by any party shall be provided without delay (Article VI (2)).

2.11 Indus Basin Evolution Fund and Principle of financial provision:

Eight connection canals totaling almost 400 miles were built as part of Pakistan's development programmers to move water from the Western Rivers to areas that were previously depended on the Eastern Rivers. In order to incorporate the Western Rivers into the canal system, two preservation

dams—Mangla on the Jhelum, which and Tarbela, located on the Indus River—as well as 2,500 tube wells and other infrastructure were constructed (Rossi, 2020). The World Bank's status as a major actor in the region was cemented by its strong participation in the management of the Indus Basin, especially within settling disputes and lending money to both governments (Biswas, 1992). But a sizable segment of Pakistani society disapproves of the World Bank's involvement, claiming that the money it provided was sufficient and unintentionally benefited India. The disparity between the two countries was further exacerbated by Pakistan's heavy reliance on foreign knowledge, equipment, and supplies while India made use of its own assets for projects (Bhat, 2020).

Furthermore, some believe that Pakistan's interests were harmed by the bank's involvement because it effectively forced Pakistan to cede its rights to the waterways that it had previously used for a variety of purposes in favour of India. While maintaining upper tributary rights over the Northwestern Rivers, such as the Indus, Jhelum, and Chenab, India acquired autonomous management over three of these rivers free of any responsibility to Pakistan, subject to restrictions on Pakistan (Maqbool, 2017).

2.11.1 Effects on Indus Water Treaty:

The long-running water issue between India and Pakistan, which has served as a major cause of stress since the partition, came to an end with the signing of the Indus Water Treaty. The accord is regarded as an admirable illustration of successful water dispute management and has received much recognition from the world community. Along with easing long-standing tensions, its effective execution cleared the ground for economic and political equilibrium in the Indus Basin region.

The Indus Basin is now commercially and politically feasible for both countries as a consequence of the pact. India and Pakistan have developed mutual understanding and collaboration as a result of the treaty, which offers a framework for the equitable sharing as well as leadership of water resources. It has brought about a new phase of autonomous growth and use of the Indus Basin's water resources, promoting the region's socioeconomic advancement and prosperity (Sahni, 2006).

2.12 Indus Basin progress in India:

Water was essential to the economies of both Pakistan and India during the partition because of their heavy reliance on agriculture. India, being an upper riparian nation, aimed to improve its irrigation capacities in these areas, whereas Pakistan, being a lower riparian nation, needed a sufficient supply of water to meet its commercial requirements. India was granted the authority to fully utilize the waters of the eastern rivers for a variety of purposes under Article III of the treaty upon its signature in 1960. India started large-scale canal construction operations right after the treaty, using flow from the Ravi, Beas, and Sutlej rivers to feed its agricultural land (Bolch, 2019).

India implemented several ambitious schemes, including the Upper Bari Doab Canal, the Sirhind Canal, the Rajasthan Canal system, and the monumental Indira Gandhi Canal Project. These canal systems are linked to the Bhakra Nangal, Pong, and Harike barrages. The construction of the Bhakra and Nangal dams on the Sutlej River, along with the Harike barrage at the confluence of the Beas and Sutlej rivers, facilitated water supply to regions like Rajasthan and Ferozpur feeders (Basharat, 2019).

Additionally, the agreement allowed India to utilise the hydroelectric potential of the Sutlej, Beas, and Ravi rivers, which over time significantly increased the country's capacity for electricity generation. India has developed a number of hydroelectric dams in the Jammu & Kashmir State since 1960, including Salal, Dulhasti, Uri, and Baglihar. To further support regional agricultural development initiatives, India is also permitted to implement irrigation schemes inside its borders along the western rivers (Basharat, 2019).

2.13 Indus Basin progress in Pakistan:

Following the signing of the treaty, Pakistan secured its water supply by gaining autonomous rights to water from the western rivers, ensuring a consistent water source for its large canal systems that had previously relied on the eastern rivers before the partition in 1947 with the treaty effect, the establishment of the Indus Basin Development Fund (IBDF).

Pakistan then started building a number of significant combining canals to transfer the water of the western rivers to regions that had previously relied on the eastern rivers. Significant connection canals among these projects are the Haveli, Sindhani-Mailsi-

Bahawalpur, and Chashma-Jhelum link canals; other significant ones are the Rasul-Qadirabad link canal, the Qadirabad-Balloki canal, with the Balloki-Sulemanki canals. The goal of these projects was to supply the nation's industrial and irrigation demands with clean, reasonably priced hydroelectricity (Sohail et al., 2014).

The comprehensive irrigation system within the Indus Basin of Pakistan currently serves an area of approximately 8.88 hectares, with continual expansion to accommodate significant agricultural outputs (Mustafa, 2000). The development in water management following the treaty has contributed to economic growth and facilitated a green revolution in Pakistan. Additionally, the treaty has created employment opportunities across various sectors. Notably, the pact directly led to the creation of the Water and Power Development Authority of Pakistan (WAPDA), which is now Pakistan's largest civilian employer and has received technical and financial assistance from abroad. Pakistani engineers have increased the nation's skills in water resource management by gaining significant expertise in the creation of dams and water management through collaboration with foreign specialists and adoption of innovative irrigation techniques (Mustafa, 2000).

2.14 Struggles above the Use of Indus Rivers Water:

A key step towards ending India and Pakistan's ten-year water dispute was the ratification of the Punjab Water Treaty in 1960. A great deal of collaboration resulted in the agreements, which divided the rivers, set aside competing claims, made arrangements for money, and offered technical support in an effort to end the war once and for all. At first, both countries saw substantial changes as a result of this divide. But as both countries' populations rise and their needs for water resources increase, the water debate has returned, although with fresh issues and perspectives.

These enduring difficulties emphasize how crucial it is to review and maybe update the treaty in order to address current problems and guarantee the sustainable management of water supplies for both countries.

2.15 Current Disputes over the Share of Indus Basin after the Treaty:

India is authorized by Article III of the Treaty of Indus Water to use water from the western rivers

for run-of-the-river projects that support domestic, non-consumptive agriculture, and hydroelectric power generation. Nonetheless, India is also required by the treaty to make sure that lower riparian Pakistan is not harmed by such utilization. Particular sections for hydroelectric projects on the western rivers are included in Annexure D, Part 3 of the treaty. It stipulates that any project of this type developed by India after the treaty's signature has to be a run-of-the-river plant without considerable live storage.

Pakistan frequently believes that the nation is breaking the pact because of the several projects it has planned on the western rivers. India maintains that its projects are compliant with the treaty's stipulations, whereas Pakistan claims because these Indian projects do not follow the technical requirements specified in the pact. The Salal Programmed on the Chenab River was the source of the first significant conflict in 1970, as Pakistan objected to the project's layout and storage capacity. Official talks on the matter started in 1975 after both nations decided to work together on the project. That year, the foreign minister of Pakistan paid a visit to India to examine the matter; although India supplied the information that was asked, certain basic problems were not addressed.

2.15.1 The Tulbul Development Project (Wullar Barrage) Dispute:

The entrance of Wullar Lake in the Baramulla area of the Kashmir Valley was to be the site of the Wullar Project. The principal aim of the development being was to improve the Jhelum River's controllability by managing its water flow during high-flow seasons. Despite the fact that the project was conceived in 1980 and building started in 1984, Pakistan objected, claiming that the project went to treaty requirements.

2.15.2 Pakistani Viewpoint on Wullar Project:

Pakistan objected to the project, claiming that its storage capacity went against Article I of the agreement, which forbids both countries from erecting man-made obstacles that could change the rivers' natural flow. Pakistan further contended that the third article of the treaty forbids India outright from building any storage facilities on western rivers. As per the Indus Water Treaty's Annexure E (8) subparagraph (h) 51, India is allowed to build related loading works on its western rivers.

2.15.3 The Indian viewpoint over Wullar Project:

According to India, neither the flow that follows nor the allowable storage capacity would be affected by the project. Its main purpose is to improve the Jhelum River's navigation during low-flow times, especially in the winter. Furthermore, India contends that the project will increase the Mangla Dam's capacity to generate electricity and boost Pakistan's irrigation networks' effectiveness in times of a shortage of water.

2.15.4 On-going dialogue over Wullar Project:

The Wullar Project controversy was brought to the Indus Water Commission's attention by Pakistan in 1986. But a year later, the Commission stated that it was unable to resolve the issue. India stopped working on the project as a result, but Pakistan decided not to take the matter from the International Tribunal of Arbitration. The two parties participated in thirteen rounds of negotiations between 1986 and 1991 in an attempt to resolve the conflict, but they were unable to come to an agreement. Even after a deal was reached in 1991, Pakistan's concerns meant that disputes remained (Wirsung, R., 2007).

2.16 The Project of Baglihar Dispute:

The Baglihar project turned into a major source of disagreement between the two countries, which prompted the appointment of impartial specialists to decide on Pakistan's technical concerns. Pakistan's 1999 objection to the project's design, based on alleged infringement of the provisions of Article IX (1) of the treaty, gave rise to the dispute. Pakistan's concerns were mostly over the height of gates, elevation of tunnels, size of spillways, entry channel, and poundage level. These project components, according to Pakistan, were in violation of the pact. Furthermore, Pakistan voiced worries that the project will give India strategic control over the flow of the river at crucial times. In this passage (Solís, T. (Ed.). 2004), refine it.

2.17 The Kishanganga Project Dispute:

The Kishanganga Project on the River Gurez is presently being built in India. As early as 1992, India had informed Pakistan about this scheme. However, Pakistan objected to India's ambitions in a number of ways. According to Pakistan, the project does not comply with the water-sharing requirements specified in the Treaty on Indus Waters (IWT). India

responded by claiming that the water released below a plant may be used if it is located on an outflow of the Jhelum River, which the country uses for hydroelectricity and agriculture, as per the terms of the treaty (Khan, D. M. B., 2020).

2.17.1 Indian viewpoint:

India has consistently maintained that the lower stream regions of Pakistan-administered Kashmir won't suffer much from the Kishanganga River's diverting water. According to India, the water will eventually flow into Pakistan, and by diverting it into the Jhelum River via the tunnel, Pakistan will be able to produce more energy during the winter months for enterprises like The Mangla area and Neelum Jhelum.

Pakistan, on the other hand, has disregarded every review and evaluation India has made of the project. As per the terms of the treaty, the matter has been brought for any International Court of Arbitration after discussion at the commission level was unable to yield an arrangement.

2.18 Indus Water Treaty and J&K State View:

Conflicts over the distribution of water resources are among the many that developed from the contested status of the state of Jammu and Kashmir. Numerous academics from Pakistan and India contend that the region's water resources are currently a hotly debated topic. Jammu and Kashmir is subject to considerable limitations under the Indus Water Treaty since the state cannot use its water resources without first obtaining permission from the Indus Water Agency. These resources must be shared by Pakistan and India in accordance with the guidelines and agreements made during the division. The water use of Jammu and Kashmir, as well as is severely monitored by the treaty since it is an upper downstream state for the three Western Rivers of the Ganges Basin. For agriculture and electricity generation, the state is only allowed a certain amount of water from the Indus, Chenab, and Jhelum. Furthermore, without the Indus Commission's prior clearance, it is illegal to build basins or structures on these waters to store water for agricultural and generating generation. Edit these lines (C. R. Rossi, 2020).

2.18.1 Irrigation

In order to maintain agricultural growth and lower levels of poverty, irrigation is essential.

Irrigation is vital to rural communities and economies because it may generate jobs, money, and higher agricultural productivity—all of which can contribute to industrial expansion. Irrigation is especially important in Jammu and Kashmir (J&K) State, where a large percentage of the population lives in rural areas and depends on agriculture for a living (Kalair, E., Kalair, A., & Khan, N., 2019).

The Indus Water Treaty oversees the use of water for irrigation, despite the fact that the state of J&K has a long-standing irrigation department in charge of overseeing the irrigation system. The state's use of water is subject to specific restrictions under this treaty. As stated in Section E of the treaty, India is restricted in its capacity to discharge water from reservoirs under the terms of the agreement. In addition, the treaty has outlined J&K's basin-by-basin water allocations, along with precise restrictions on the amount of land that can be submerged under irrigation. The Indus Commission must approve any new irrigation plans that the state proposes (Vater, J. J., 2021).

The Chenab River and its tributaries provide the majority of the irrigation water in the Jammu region. The irrigation infrastructure is derived from a number of sources, such as springs, tanks, shallow tube wells, canals, and tube wells. In spite of having an abundance of water resources, J&K is unable to fully utilize its irrigation potential. The state's ability to carry out significant irrigation projects on its own is restricted by its financial reliance on Pakistan and its responsibilities within the Indus Water Treaty. Furthermore, the terms of the pact have hurt Kashmir, which is governed by Pakistan, by limiting the area's independence in making efficient use of its abundant water supply. These paragraphs need to be improved (Kokab, R. U., & Nawaz, A., 2013).

2.19 Significances of Mangla Dam

The Treaty on the Indus River immediately led to the development of Pakistan's largest hydropower project, the Mangla Dam, which allows the country to produce 1000 MW of energy. Pakistan confirmed to the UN that it was working with the government of Azad Kashmir (AK) on the dam project in 1957 (Babur et al., 2016). Nonetheless, opinions on the advantages of the dam differ. Snedden (2013) highlights those benefits like cheap energy and irrigation are mostly enjoyed by Pakistan and Pakistanis as a result of the Mangla Dam. Notably, the dam is an integral part of Punjab's

irrigation system and is Pakistan's second-largest electrical generator after Tarbela.

Pakistan gives provinces sovereignty over the administration of their water resources because water is a regional subject. The country Water and Development Act of 1958 established departments within each province to handle water management, with the goal of achieving unified development of water and electricity supplies. But the president of Azad Kashmir's request for water to be removed from the Mangla Dam was turned down by the president of Pakistan (Shelly et al., 2011).

All things considered, the building of the Mangla Dam, which has its origins in the Treaty of Indus Water, highlights the intricacies of regional electoral politics, interstate accords, and the governance of water.

2.20 Differences over Water Utilization

Indians has the right to use water from the western river—the Chenab, Jhelum, and Indus—for run-of-the-river projects before the rivers flow into Pakistan, according to the terms of the Indus Water Treaty. The Salal project, the Baglihar project on the Chenab River, the Kishanganga project, the Wullar barrage/Tulbul navigation project on the Jhelum River, and the Nemo-bazgo project on the Indus River are among the projects that India has started to build as a result. These initiatives have turned into major causes of conflict between the two economies, since Pakistan perceives them as transgressing the convention.

India argues that its programs are intended to be run-of-the-river initiatives and that they are within the bounds of the compact. But disagreements over how to carry out the pact deepen tensions, making the political and military differences between the two governments even more complicated (Nazakat, Nengroo, 2012). These variations highlight how delicately the region manages its water resources and how it may worsen larger geopolitical processes.

2.21 Provisions of Indus Water Treaty 1960

Water has become a sensitive subject for the frequently antagonistic neighbors since the Indian subcontinent was divided, giving Pakistan and India respective portions of the Indus River Valley system. In response, Indian Premier Nehru and President Muhammad Ayub Khan of Pakistan signed the Indus Waters Treaty (IWT) on September 19, 1960. The Worldwide Bank for Reconstruction and

Development, namely with regard to Articles V and X and Annexures F, G, and H, was represented by Mr. W. A. B. Illiff in his signature. The World Bank acted as a mediator in the pact, which ended the long-running disagreement over using Indus River waterways for hydropower and agriculture (Thatte, 2008).

The treaty's provisions delineated the allocation of rivers and usage rights between the two nations. Under Article II, Pakistan was granted control over the waters of the Ravi, Sutlej, and Beas, while India retained rights over the Indus, Jhelum, and Chenab Rivers as per Article V (Qureshi, 2017). India was permitted specific water usage from the eastern rivers before they entered Pakistani territory.

The treaty ended hostilities between both India and Pakistan by guaranteeing a just allocation of the resources in the Indus Basin. By establishing procedures for cooperation, data sharing, and conflict resolution, it promoted consistency in water management with the two countries. In the end, the treaty's resolution represented a turning point in Indo-Pakistani relations by offering a framework for fair water sharing and cooperation in the area (Jawed, 1966).

2.22 Instrument to resolve conflict of IWT:

The trans-boundary water treaty, brokered by the World Bank and co-signed by the conflicting parties, provides a comprehensive multilevel framework for resolving disputes through joint efforts and international cooperation. Article VIII mandates the establishment of a Permanent Indus Waters Commission (PIC) to address future conflicts over water distribution. The commission, which is required to meet once a year, helps in the establishment of cooperation programs and the observation of any conflicts. Furthermore, Article IX provides an organized strategy to dealing with disputes by outlining procedures for resolving disagreements and conflicts (Bhatti et al., 2019).

In light of Article VIII, the PIC comprises two Commissioners, appointed by their respective governments, serving as conduits for ongoing dialogue and cooperation regarding the implementation of the treaty and conflict resolution. Through regular exchanges, information sharing, and visits, the Commissioners play a pivotal role in ensuring the effective operation of the treaty. Despite enduring three major wars between Pakistan and India, the commission has persevered in its efforts to

maintain dialogue and address water-related challenges (Krtička, 2020).

2.23 Provisions for Future Cooperation in IWT

The pact contains provisions in Articles VI and VII that deal with situations of emergency and potential cooperation, respectively. Article VI encourages the parties to regularly exchange information about the flow and use of river water. In addition to withdrawn as well as improvements to dams, withdrawals at the heads of government-operated canals, withdrawals from all canals, including link canals, and daily diversions from link canals, this also includes sharing daily discharge data regarding river flow at various monitoring points. Regular communication of this information is expected from both parties, with the option for more frequent revisions if needed for efficient mediation (Desai, 2021).

2.24 Provision change of the Treaty

It is not possible for either party to freely leave the pact. Article XII states that any changes to the treaty need to be approved by both governments and mutually agreed upon. Pakistan, however, believes that India's actions—such as calling off discussions among the Indus Water Commissioners of the two sides—clearly violate the terms of the Indus Waters Treaty (IWT) (Wirén, 2019). After Pakistan objected to the development of the Kishanganga and Ratle hydropower projects, which would affect the flow of western rivers, India then sought to amend the IWT that further raised concerns. This dispute was brought before the Court of Arbitration Despite India's refusal to participate in the settlement process and its issuance of notices to Pakistan; it cannot unilaterally alter or terminate the treaty without mutual consent.

2.25 India's Construction of the Kishanganga Dam

The country's dire water situation has been made worse by India's breach of the Indus Waters Treaty (IWT), which has prompted challenges before the Indus Commissioners and international tribunals to stop the building of dams. India moved forward with projects like the Kishanganga hydropower project, which Pakistan said would reduce its water share, in spite of Pakistan's protests. In response to Pakistan's worries, the World Bank, which was the treaty's regulating body, took action. Although the

Bank let India to move forward with construction, it promoted communication between the concerned parties and designated an unbiased specialist to tackle technical concerns brought forth by Pakistan (Riffat & Iftikhar, 2015). The relationship and intricate tales associated with the region are exemplified by the conflict among Pakistan and India concerning the waters of the Indus Basin. The conflict began during British administration and was made worse by India's 1947 Partition. It was further aggravated by the divide of the Indus River system. The World Bank helped the two countries have talks in 1952, which marked the start of efforts to end the war and led to the signing of the Indus Waters Treaty in 1960.

On the other hand, the treaty marked a significant achievement in mitigating water-related tensions; it has faced criticism from both countries for perceived shortcomings. Despite this, the treaty has provided a framework for cooperation and dispute resolution, contributing to stability in the region. However, challenges remain, as evidenced by ongoing disputes and the need for a renewed focus on water management and cooperation between India and Pakistan.

A united vision for handling water that emphasizes shared interests and acknowledges water as a crucial resource necessary for both countries' survival is vital in order to address these issues. It is essential to stop using water as a political tool and to concentrate on teamwork in order to guarantee sustainable water management that benefits all parties involved. In the end, managing the intricate water concerns the region faces requires building trust, collaboration, and a common commitment to effective water management (Khan, 2020).

2. Conclusion

The Indus Waters Treaty (IWT) was signed between India and Pakistan in 1960, with the aim of sharing the water resources of the Indus River and its tributaries. The treaty has played a significant role in maintaining a peaceful relationship between the two neighboring countries, despite their historical conflicts and ongoing political tensions.

The IWT has allotted the three eastern rivers – the Ravi, Beas, and Sutlej – to India, and the three western rivers – the Indus, Jhelum, and Chenab – to Pakistan. This division has provided a framework for the equitable distribution of water resources between

the two countries, ensuring that neither country is deprived of their share.

One of the major impacts of the IWT on Pakistan-India relations is that it has prevented any major water-related conflicts between the two countries. The treaty has created a platform for dialogue and cooperation, as both countries are dependent on the Indus River system for their agricultural, industrial, and domestic needs. This shared dependence has fostered a sense of interdependence and mutual understanding between the two nations.

Moreover, the IWT has also helped in promoting economic stability and development in both countries. The water from the Indus River system has been a crucial source of irrigation for the fertile agricultural lands of both India and Pakistan. This has led to an increase in agricultural productivity, which has contributed to the economic growth of both countries. Additionally, hydropower generation from the Indus River system has also played a significant role in meeting the energy needs of both countries.

Despite its positive impact, the Indus Waters Treaty has also faced its fair share of challenges. The construction of dams and diversion of water by India on the western rivers has been a major source of contention between the two countries. Pakistan has raised concerns about the impact of these projects on its water supply, and the issue has been a point of discussion in various bilateral meetings between the two countries.

Another challenge to the IWT has been the growing effects of climate change. The Indus River system is highly dependent on the monsoon season, and any changes in the weather patterns can have a significant impact on the water flow. This has raised concerns about the sustainability of the treaty and the need for both countries to work together to address the effects of climate change.

3.1 Recommendations

As the Indus Water Treaty approaches its 64th year in 2024, it is imperative to make recommendations for the future to ensure better water-sharing arrangements and strengthen political relations between Pakistan and India.

1. Review and Update of the Treaty:

In order to meet the challenges brought on by climate change, the treaty needs to be examined and modified. A provision for exchanging

information and data about water flows, new dam construction, and current structure management should be included in the amended treaty. The deal can more effectively adjust to changing environmental conditions and guarantee fair water distribution between both of them nations by taking climate change into account.

2. Establishment of a Permanent Indus Commission:

While the treaty provides for the formation of a Permanent Indus Commission to resolve disputes, its effectiveness has been hindered by political tensions. It is recommended to revitalize this commission and ensure its smooth functioning to address any issues that may arise in the future. By promoting dialogue and cooperation, the commission can play an important role in preventing conflicts and maintaining peace between both of the states.

3. Transparency and Cooperation:

Both the countries Pakistan and India should prioritize building trust and transparency in implementing the treaty. This can be achieved through regular communication and cooperation between the two countries. Joint projects and initiatives related to water management can foster a more positive relationship and promote mutual understanding. By fostering an environment of openness and collaboration, both countries can work towards resolving disputes and ensuring the sustainable use of water resources.

4. Involvement of Civil Society:

The involvement of civil society in both India and Pakistan is crucial for promoting peace and cooperation between the two countries. Initiatives such as people-to-people contact and exchange programs can help enhance understanding and bridge the gap between the two nations. By engaging civil society actors in discussions and decision-making processes, both countries can foster a sense of ownership and commitment to resolving water-related issues.

Additionally, there should be a provision for dispute resolution in case of any disagreements or violations of the treaty. Currently, the absence of a mechanism for resolving disputes has contributed to tensions between the two countries. A dispute resolution mechanism can help prevent conflicts and ensure a peaceful resolution of any issues that may arise.

Moreover, both countries must prioritize water conservation and management strategies. Given the severe water scarcity faced by both nations, it is essential to work together to address this issue. The updated treaty should include measures for water conservation and the sustainable use of river water to ensure that both countries have adequate access to this vital resource.

In summary, by implementing these recommendations, Pakistan and India can strengthen their cooperation on water management issues and foster a more positive relationship. Through dialogue, transparency, and collaboration, both countries can work towards resolving disputes and ensuring the equitable allocation of water resources in a way that benefits everyone.

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