

## The Way Ahead

### **Report of the India-Pakistan Track 2 Water Dialogue**

**held in Lahore on 27-28 September 2012**

The importance of water in the context of growing demand in both India and Pakistan, in the wake of shifting demographic patterns, was laid out at the start of the opening session. It was observed that per capita availability of water in Pakistan has declined to about 1,000 cubic meters from 5,600 cubic meters at the time of independence. While the situation in India is no more different than this trend, the per capita availability in India at present is about 1,800 cubic meters. About 75% of Pakistan's water needs are met through Indus waters while India's requirements are catered to the extent of 4% from Indus waters. New ecological and hydrological realities in the basin have emerged due to climate change and global warming, which are presenting new challenges for the region. We need to explore ways and means to address these new realities.

The group discussed various aspects of India-Pakistan water relations, with particular reference to the Indus Waters Treaty. The group unanimously agreed that the Indus Waters Treaty is one of the most successful treaties in the world, has stood the test of three wars and must be adhered to. Despite the concerns about potential deviations from the provisions of the Treaty, as a result of various projects envisaged by India, in the final analysis, there is in fact no significant violation of the Treaty so far. Issues had arisen in respect of various projects which have been either mutually resolved or referred to Neutral Experts and Court of Arbitration as per the Treaty. These issues relate to

- Grievances about delays in providing information
- Specific design features of the projects
- Unilateral start of projects without awaiting dispute resolution
- Years of fruitless discussions to resolve the matters at the Commission level

Water is an emotive issue in both countries and the longer the issues remain unresolved the greater is the chance of misunderstanding in the minds of the rather ill-informed or uninformed sections of the public. This tends to weaken the process of dispute resolution and creates extraneous pressures.

There is a great need for confidence building on both sides of the divide. Telemetry can be of immense value in building confidence through providing data in a timely and transparent manner and hence resources should be allocated by both the countries.

There is a level of mistrust between India and Pakistan, partly due to misreporting, which can be removed if certain steps are taken including making a conscious effort to clarify both points of view and implementing cooperative agreements. The window of opportunity is limited, so mechanisms must be created to remove the mistrust. Media has an important role in reaching out to the people but because of the lack of education about the issues and their merits in the

context of the Treaty, the media has not been able to perform an effective role in many instances. Perception management and proper dissemination of the provision through credible sources is essential. This presents an opportunity to emphasize a more public role of governments by correcting misinformation and changing perceptions. Both sides should avoid statements on the subject which could be construed as accusatory as these can be counterproductive.

In the past, whenever there were issues which could not be resolved bilaterally, the dispute resolution mechanism provided in the Treaty has been triggered. Referrals of issues to a Neutral Expert or Court of Arbitration should not be viewed as a failure of the Treaty. This should not take years but a few months. It would be better that ways and means are mutually found within the framework of the Treaty for speedy resolution of the issues. For this purpose, the two Commissioners may appoint a permanent panel of experts as neutral umpires and refer the matter to them if no decision has been made after a few months of deliberation.

Water should be seen as a collective resource and efforts should be made for its optimal utilization for the benefit of people of both countries . This should however not be seen as a conflict with the Treaty. In fact, the Treaty provides for exploring and realizing mutual cooperation. However, new realities have surfaced that could not be properly visualized at the time of the formulation of the Treaty such as

- Effects of global warming and climate change
- Environmental, social and human dimensions of water
- Flood and disaster management
- New technologies and methods
- Watershed management

The provisions of the Treaty which had hitherto not been given due attention, such as Article 7 for mutual cooperation for optimal utilization of water resources should be used to accomplish better management of the basin and to address the above new dimensions.

The Indus Waters Commission needs to be strengthened and the possibility of multidisciplinary representation on the Commission needs to be explored. Both sides need to have the political will to harness water potential while using the Treaty for this objective.

Apart from trans-boundary issues, there are many intra country issues. These relate to emerging scarcity of per capita availability of water, inefficiencies in the use of water, over-drawing of ground water, transboundary impact of water pumping from the aquifer, shortages of storage capacities, growing demand of water for agriculture and other competing uses, inter provincial/interstate issues and water pricing. With the threatening posture of climate change in sight, it is time for both the countries to put their houses in order in parallel with tackling the trans-boundary issues within the framework of the Treaty. We need to address our internal water use issues diligently and simultaneously promote cooperation in sharing best practices amongst ourselves. We need to provide forums for interaction of farmers, riverine

communities, researchers and water user organizations. India and Pakistan have water user organizations. Both countries can learn from each other's experiences.

In addition, the conjunctive use of surface and ground water linked to energy management and agricultural practices could sharpen the focus on food security. Further, cross border interaction should increase, whereby farmers, media and politicians can cross the border to see what is happening on the other side in order to learn that ground realities are different. A possible integration of water, food security and energy issues could result from this exercise.

It was agreed that the Treaty should not be altered. However, there is a need to activate the provisions of the Treaty regarding mutual cooperation to address challenges that have arisen since the Treaty's formulation.

Additional suggestions stemming from the discussions include:

- Install telemetry gauge stations to improve the collection of hydrological data and its wide dissemination through the web;
- Convene an advisory panel of experts to examine issues, conduct land surveys and facilitate the task of the Commission;
- Conduct research on how to desalinize aquifers, develop salt resistant crops and use of saline ponds to rear sea fish inland;
- Conduct a joint study of aquifers (underground/artesian water) that both countries share to explore ways and means of recharging them;
- Conduct a study on the implications of decrease in water supply (change of focus from augmentation);
- Study the example of other joint commissions on water issues, such as the Joint Commission between the United States and Canada, which provides non-partisan advice, including scope for a joint scientific body;
- Conduct studies on disaster management and flood control in the Indus Basin;
- Conduct studies on joint watershed management;
- Conduct studies on climate change, and Himalayan/Karakoram glaciers and their environmental, social and human impact;
- Move from a discussion stage to developing concrete programs for joint cooperative projects;
- Move from supply side to demand management; and
- Monitor the pollution of rivers, drains, and aquifers and take steps to prevent and mitigate it.

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## Annexure A

### India–Pakistan Track 2 Water Dialogue Participants

#### Pakistan

**Sartaj Aziz**, Co-Chair, former Foreign Minister of Pakistan  
**Ashfaq Mahmood**, former Secretary, Ministry of Water and Power  
**Riaz Mohammed Khan**, former Foreign Secretary, Government of Pakistan  
**Aziz Khan**, former Pakistan's Ambassador to Afghanistan and High Commissioner to India  
**Shahid Malik**, former High Commissioner of Pakistan to India  
**Syed Jamait Ali Shah**, former Indus Water Treaty Commissioner, Pakistan  
**Khalid Mohtadullah**, Senior Advisor & Country Director of International Water Management Institute, Pakistan (unable to attend)  
**Syed Yawar Ali**, Chairman, Nestlé Pakistan Limited (unable to attend)  
**Adil Najam**, Vice Chancellor, Lahore University of Management Sciences  
**Khadija Haq**, President and CEO, Mahbub ul Haq Human Development Centre  
**Shahid Ahmed**, Chief Scientist, Pakistan Agricultural Research Council (unable to attend)  
**Ali Qazilbash**, Assistant Professor, Department of Law and Policy - Lahore University of Management Sciences  
**Abrar Hussain Hashmi**, First Secretary, High Commission of Pakistan, New Delhi, India

#### Observers

**Jehangir Karamat**, Ex COAS, Pakistan Army (Retd)  
**Moeed Yusuf**, South Asia Adviser, United States Institute of Peace

#### India

**Jaswant Singh**, Co-Chair, former Foreign Minister of India (unable to attend)  
**Salman Haidar**, former Foreign Secretary, Government of India (acting co-chair)  
**A. K. Bajaj**, former Chairman, Central Water Commission, India  
**Alok Bansal**, Professor, Center for Land Warfare Studies, Jamia Millia Islamia University, New Delhi  
**Sushobha Barve**, Head, Centre for Dialogue and Reconciliation, India  
**Rohan D'Souza**, Assistant Professor, Centre for Studies in Science Policy, India  
**Arunabha Ghosh**, Chief Executive Officer, Council on Energy, Environment, and Water, India  
**Mohan Guruswamy**, non-resident Senior Fellow South Asia Center, Atlantic Council and Distinguished Fellow, Observer Research Foundation, India  
**Sunjoy Joshi**, Director, Observer Research Foundation, India  
**Sonali Mittra**, Observer Research Foundation, India  
**Lydia Powell**, Observer Research Foundation, India  
**Suresh Prabhu**, former Federal Cabinet Minister of Industry, Energy, Environment and Forests, Chemicals and Fertilizers, Heavy Industry & Public Enterprises India  
**Shakil Romshoo**, Head of the Geology Department, University of Kashmir  
**George Verghese**, Visiting Professor, Centre for Policy Research, New Delhi  
  
Observer  
**Shashi Tyagi**, Indian Air Force (Retd)