

# Geopolitics And Transboundary Water Governance Between India And Pakistan

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## Abstract

*This paper examines the transboundary water governance between India and Pakistan in the backdrop of the evolving geopolitics between both the states. In 1960, after years of mediation facilitated by the World Bank, both the states agreed on a water-sharing framework known as the Indus Waters Treaty (IWT). This treaty has been regarded as a durable water sharing agreement as it stood relevant and legally intact even in the times of wars between both the riparian states. However, with the emergence of new factors such as climate change, rapid population growth and water scarcity, the IWT has started coming under stress. The geopolitical factors like the Kashmir issue and the cross-border terrorism incidents in the Indian-administered Kashmir have also brought the IWT under increased stress threatening its durability and even survival. Through the framework of constructivism, this paper explores the transboundary water governance between India and Pakistan in the backdrop of recent developments.*

**Keywords:** *Geopolitics, transboundary water governance, the Indus Waters Treaty, cross-border terrorism, constructivism, strategic reframing, hydro-hegemony*

## Introduction

The Post Cold War evolution in the field International Relations has led to the realization that along with traditional military security issues, the nontraditional security issues are also significant in measuring the strength and security of a state. Water insecurity has emerged as a global nontraditional security issue in the 21<sup>st</sup> century but in Pakistan's context, it is alarmingly serious and worrisome. Pakistan, an agrarian economy with a huge population and projected as a state on the threshold of water scarcity, shares water resources with its eastern and western neighboring states: India and Afghanistan. Pakistan is a lower riparian state of India and Afghanistan on the Indus and Kabul River Systems respectively. Pakistan's water sharing with India is governed by the Indus Waters Treaty (IWT) signed in 1960 between both the states. However; for transboundary water governance with Afghanistan, there is no mechanism in place between Pakistan and Afghanistan. The emergence of factors like climate change, water scarcity and rapid population growth in combination with the volatile geopolitics of the region has made the transboundary water governance among the regional riparian states conflictual and challenging. Through the application of constructivist theoretical framework, this paper specifically examines the transboundary water governance between India and Pakistan.

The paper is organized into the following sections: first, the theoretical framework; second, an examination of transboundary water governance between India and Pakistan; third, an analysis of terrorism and the strategic reframing of water; and finally, the conclusion.

## Theoretical Framework

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The theory of constructivism provides the theoretical perspective of the paper. The rationale behind the application of this theory is its broad range and focus. Prior to the end of Cold War, the national security debate was dominated by the hard politics and traditional security discourse with its focus on the military aspect of national security. The world politics was mainly understood and interpreted in terms of the continuous struggle for influence between the two systemic superpowers: the capitalist United States of America and the communist Soviet Union. The concept of Balance of Power and the paradigm of Realism mainly provided the rationale for competition between the two superpowers predominantly linking the security and survival of states with having material power in terms of hard military capabilities. The end of Cold War, therefore, resulted in a theoretical vacuum in the field of International Relations as the existing theories could not predict the disintegration of the Soviet Union (Burchill et al., 2005). Consequently, a range of alternate theoretical perspectives emerged in International Relations having varying perspectives about international politics.

In this context, constructivism has emerged in the field of IR since 1980s and 1990s and the main advocates of this theory are Alexander Wendt, Nicholas Onuf and Friedrich Kratochwil (Jackson & Jones, 2012, p. 104). The term constructivism was coined by Nicholas Greenwood Onuf (1989), but some of the key tenets of the constructivist worldview were present as early as the 1950s (Brunnée & Toope, 2012, p. 122). This theory primarily aims at the understanding of international relations from the perspective of social construction. It advocates that international relations evolve and unfold as a result of social processes and mutual interactions among the various agents of international relations. In this context, constructivism rejects the presence of overarching structural factors such as anarchy to compel and guide the behavior of states. It assumes that international relations consist of complex social processes involving interactions among different agents such as states and non-state agents, so understanding the complexities and subtleties of such interactions cannot be done through just focusing the material factors of international relations. "Constructivists hold that normative or ideational structures are just as important as material structures" (Reus-Smit, 2005, p. 196). Identity and norm-formations are an essential outcome in the constructivist conceptual framework as constructivists believe that identities and norms are not fixed rather they change as a result of social interaction (Mingst & Arreguín-Toft, 2017). However; at the same time, constructivism does not altogether reject the utility of social scientific methodology and it seeks to enhance knowledge through understanding the non-material and ideational dimension of international relations in a refined and nuanced way. The concept of securitization advocated by Barry Buzan also belongs to the constructivist framework and it is helpful in explaining the strategic reframing of water discussed in the later part of the paper (Buzan et al., 1998).

Through the broad and flexible approach of the constructivist framework, this paper attempts to study the transboundary water governance between India and Pakistan. Water insecurity is a global challenge but for Pakistan and the South Asian region, it is immensely serious. The water availability at regional level has plummeted and; on the other hand, the troubled geopolitics has prevented the states to adopt multilateral solutions to the regional issue of water insecurity. Pakistan is the lower riparian in the water sharing equation vis-à-vis India. The water resources of the region are integrated transcending the national boundaries formed through historical colonial demarcations. However, the South Asian region lacks integration as a result of geopolitical factors, troubled history, mistrust and extra-regional interferences in the region. In the case of European Union (EU), transboundary water resources are efficiently governed through cooperation based on robust institutional frameworks (Schmeier, 2010). To examine the transboundary water governance between India and Pakistan, it is pertinent to keep in context the geopolitics, history and the prevailing political discourse and narratives. This discussion on constructivism provides base to the forthcoming sections of the paper.

### **Transboundary Water Governance between India and Pakistan**

The end of British colonial rule in the Indian subcontinent culminated in the formation of India and Pakistan as nation states. The British Empire had governed the subcontinent as an integral whole and like other areas of governance; they had developed a unified and an integrated Indus River System (IRS) to meet the irrigation and other water-needs of the people (Gilmartin, 2015). The British developed the world's largest irrigation system in the areas which today constitute India and Pakistan (Sattar et al., 2017). The question of water sharing became pertinent as soon as India and Pakistan became sovereign states in 1947. The dispute over sharing transboundary rivers, having its roots in the flawed and biased partition of 1947, is one of the most contentious issues in relations between Pakistan and India (Ahmad, 2021). India being upper riparian state of the IRS, shared by both the states, was unwilling to share the water with the downstream Pakistan. Among other issues of concern, the governance of the riparian relationship emerged as a challenge immediately after independence leading to the first Indo-Pakistan water dispute which broke out on 1 April 1948, when East Punjab cut off water supplies to the canals crossing into Pakistan (Kakakhel, 2014). In the 1950s, the World Bank through its mediatory role as a third party and through the use of good offices succeeded in convincing and agreeing both the riparian states on a transboundary water governance mechanism in the form of the IWT signed on September 19, 1960 (Fact Sheet, 2018; Kakakhel, 2014).

The IWT divides the six rivers of the IRS between India and Pakistan. The eastern rivers: Ravi, Beas and Sutlej have been allocated to India. Whereas, Pakistan's right on the western rivers of Indus, Jhelum and Chenab have been recognized (Ahmad, 2021). The treaty also allows India, as upper riparian, to use the water of the western rivers for non-consumptive use with the condition that the amount and flow of the water shall not be disturbed or altered. According to the treaty, the permanent Indus Commission (PIC) provides the institutional framework for dispute resolution and data-sharing. The IWT provides a well-defined three-tiered dispute resolution system to the parties. The Treaty also sets forth distinct procedures to handle issues which may arise: "questions" are handled by the Commission; "differences" are to be resolved by a Neutral Expert; and "disputes" are to be referred to an ad hoc arbitral tribunal called the "Court of Arbitration (Fact Sheet, 2018). The treaty also advises the riparian states to cooperate with each other regarding the timely and transparent data sharing. The IWT has remained intact during the period of wars between both the states and has been regarded as a model treaty regulating water sharing between two adversary states. However, with the emergence of new factors such as climate change, rapid population growth and water scarcity, the IWT has started coming under stress. The geopolitical factors like the Kashmir issue and the issue of cross-border terrorism in the Indian-administered Kashmir have also contributed to bringing the IWT under stress.

Moreover, the geopolitical relationship of both the states is not conducive to provide an environment of trust which is needed to settle such issues of common interest through dialogue, scientific data sharing and research to ascertain the actual causes of not only the increasing water scarcity but also water-related disasters. A dominant narrative in Pakistan regarding the devastating floods of 2010 was that India was responsible for flooding in Pakistan. The increase in the India's hydro-projects in Kashmir has magnified Pakistan's concerns and vulnerability as according to the US Senate Foreign Relations Committee report 2011, "The cumulative effect of these projects could give India the ability to store enough water to limit the supply to Pakistan at crucial moments in the growing season" (India Fast-Tracks Hydro Projects in Occupied Kashmir, 2017). Pakistan perceives that these projects will increase Indian control over the shared water resources leading to strengthening its hydro-hegemony vis-à-vis Pakistan. There have also been voices in India calling either for a complete reversal of the treaty or to have a new treaty with new terms and conditions in favor of India. In practice, transboundary water governance has been the

focus of political rhetoric and attention in both the states. In future, with the increasing water scarcity in both states as projected by various studies, the competition for water resources will intensify and the transboundary water governance will potentially become challenging (Falkenmark et al., 1989; *The Water Crisis In India*, 2018).

It is also pertinent to examine the role of China in understanding the hydro-dynamics of South Asia. With its growing power projection and capabilities, China has attempted to enhance its influence in the South Asian region resulting in enhanced Indian threat perception. India has often considered the South Asian region as its sphere of influence. Due to this reason, the Chinese efforts to engage the South Asian states are being negatively perceived by India. India has also been skeptical about the Chinese program of Belt and Road Initiative (BRI) and the China-Pakistan Economic Corridor (CPEC). With regard to the South Asian water resources, China is considered as a super upper riparian state as most of the important South Asian rivers originate in the Tibetan region under the effective control of China. Though water is abundant in China, it is not evenly distributed across the country and some regions of China are in need of water from the south and southwestern parts of China (Sekiguchi, 2006). To tackle its water challenges, China has plans to divert water from Tibet to the parts where water is scarce and needed (Donnellon-May & Wang, 2021). This discussion shows the complex transnational character of the South Asian water resources and it also clarifies that the water issue is not confined to India and Pakistan instead it is a regional issue involving an important extra regional state: China. Therefore, to evolve a long-term regional response to the looming water crisis, the involvement and engagement of China will also be needed. The next section examines the dynamics of cross-border terrorism and the strategic reframing of water in the context of India-Pakistan transboundary water governance.

### **Cross-border Terrorism and the Strategic Reframing of Water**

This section examines the policy of India to link cross-border terrorism with transboundary water governance and employing water as a strategic leverage to build political pressure on Pakistan. Understanding Modi's stance on Pakistan requires an examination of his hawkish personality dominated by his Hindu-nationalist perspective developed through his political socialization in the Bharatiya Janata Party (BJP). During his tenure as Prime Minister, there have been no major terrorist incident inside mainland India but in the Indian-administered region of Kashmir, there have been two major terrorist incidents: the Uri incident in 2016, the Pulwama incident in 2019. In the aftermath of these incidents, the discourse of blame-game ensued with narratives and counter narratives. Further, the rhetoric, especially from the Indian side, also manifested and translated in some important policy implications related to national security, Kashmir and the IWT.

The discourse of India and Pakistan in the aftermath of these incidents is reflected in the statements of the political and security elites. The most important statement, in this context, was made by Prime Minister Modi while he was chairing a high-level meeting following the 2016 Uri attack. His declaration that 'blood and water cannot flow together' was the first to formally establish a connection between water resources shared by India and Pakistan and the issue of cross-border terrorism allegedly perpetrated by Pakistan based terrorist organizations ("Blood and Water Cannot Flow Together," 2016). This statement is significant as it highlighted a policy shift in India of not only considering water as a shared resource but an important tool of strategic leverage vis-à-vis the downstream state of Pakistan. Pakistan responded to this declaration, by reiterating that any attempt by India to obstruct the flow of water allotted to it under the IWT framework would amount to an act of 'water terrorism' against Pakistan by India. This declaration by Modi also reflected the long-standing narrative regarding the IWT as unfair for India, overly generous for Pakistan and a mistake of the Nehru era. Consequently, the statement has led to the securitization of water resources between India and Pakistan.

Following the Pulwama incident in February 2019, India again blamed Pakistani role in the cross-border terrorism. This time India, following the Cold Start doctrine, conducted surgical strikes in the Balakot district in Pakistan. India claimed of destroying terror training camps of the Lashkar-e-Taiba (LeT) accused for the attack. Pakistan countered the claim by regarding it the violation of Pakistan's sovereignty and that the Indian incursion targeted civilian population. The retaliation from Pakistan in response to the Balakot air strikes led to the capture of Indian pilot Abhinandan Varthaman, who was later released as a 'peace gesture' to India (Abhinandan: Captured Indian Pilot Handed Back by Pakistan, 2019). Moreover, after becoming the Prime Minister of India for the second term in May 2019, the Modi led Indian government amended the constitution by revoking Articles 370 and 35A and the presidential order in this regard was issued on August 5, 2019. These amendments basically ended the autonomous status of the Indian-administered Kashmir granted in 1949 by completely integrating the region into the Indian Federation (Article 370: What Happened with Kashmir and Why It Matters, 2019). This move by India further widened the trust gap between both states with Pakistan regarding it a violation of the United Nations Security Council's resolutions on Kashmir which declare it an unresolved disputed territory.

The examined discourse analysis highlights some important thematic patterns in Modi's policy on terrorism, Kashmir and water-sharing with Pakistan. On Terrorism, the policy is the extension of the discourse constructed and propagated particularly in the post 2000s. This discourse has mainly projected and labeled Pakistan as responsible for supporting cross-border terrorism in India and the Indian-administered Kashmir region. In this regard, his government has also shown the political and strategic will to retaliate in response to the incidents of terrorism manifested in the aftermath of the Uri and Pulwama incidents. The Indian government calls it a 'new normal' based on the principle of not tolerating Pakistan's nuclear blackmail. Regarding Kashmir, the Modi-led government's decision to change the nature of the territory through the revocation Articles 370 and 35A of the constitution, demonstrates its desire to further enhance and tighten its sovereign control over the region through constitutional integration. Such measures are justified based on the logic of improved administration, development and integration (Kocis et al., 2019).

Besides, under Modi's leadership, the Indian government has portrayed and framed the IWT water-sharing framework with Pakistan as one-sided and unfair to India. Additionally, the government has linked water resource sharing to issues of national security and cross-border terrorism, thereby leading to the securitization of water. In response, Pakistan has been consistent in refuting the Indian claims and the actions it has taken to change the status of the disputed territory of Kashmir calling the move as illegal and illegitimate (Kocis et al., 2019). Pakistan has also condemned the terrorist incidents in Kashmir and has urged India to provide evidence and information to counter cross-border terrorism instead of unfounded blame game. Pakistan also considers the IWT a viable water-sharing framework and expects India to comply with the treaty in its true letter and spirit.

### **Conclusion**

This paper finds that transboundary water governance between India and Pakistan is a complex issue having intricate connections to the geopolitical relations of both the riparian states. The phenomena of climate change, water scarcity and water-related disasters like floods highlight the limitations of the IWT. Further, the geopolitical factors such as political history, Kashmir issue and the incidents of cross-border terrorism in the Indian-administered Kashmir have brought the IWT under increased stress. In the aftermath of the Uri attack, the Modi led Indian government has initiated a policy of using water as a strategic leverage vis-à-vis the water-vulnerable downstream Pakistan. In response, Pakistan urges India to comply with the IWT in its true letter and spirit and refrain from using water resource as a political weapon. The paper also forecasts that transboundary

water governance between both the states will further become challenging unless there is a change in their approach and geopolitics vis-à-vis each other. The existing divergent narratives about transboundary water governance and the competitive geopolitics between both the riparian states may also have implications for the viability and survival of the IWT.

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