

**PRESS RELEASE****Proceedings under the Indus Waters Treaty
(Islamic Republic of Pakistan v. Republic of India)**

THE HAGUE, 19 July 2024

The Court of Arbitration Concludes Hearing for the First Phase on the Merits

On Tuesday, 16 July 2024, the Court of Arbitration in an arbitration initiated by the Islamic Republic of Pakistan against the Republic of India pursuant to Article IX and Annexure G of the Indus Waters Treaty concluded its hearing for the First Phase on the Merits.

In these proceedings, Pakistan requests the Court of Arbitration to address the interpretation and application of the Indus Waters Treaty to certain design elements of the run-of-river hydro-electric projects that India is permitted by the Treaty to construct on the Indus, Jhelum, and Chenab and their tributaries, before those rivers flow into Pakistan.

In accordance with the Court's Procedural Order No. 6 dated 6 July 2023, in this phase of the proceeding, the Court is addressing certain questions concerning the overall interpretation and application of the Treaty's provisions on hydro-electric project design and operation, as well as the legal effect of past decisions of dispute resolution bodies under the Treaty.

Pakistan was represented during the hearing by Mr. Raja Naeem Akbar, Deputy Agent and Federal Secretary of the Ministry of Law and Justice; Mr. Syed Ali Murtaza, Federal Secretary of the Ministry of Water Resources; Mr. Syed Muhammad Mehar Ali Shah, Pakistan Commissioner for Indus Waters; Mr. Asad Khan Burki, Legal Adviser of the Ministry of Foreign Affairs; Mr. Zohair Waheed, Office of the Attorney-General; H.E. Mr. Suljuk Mustansar Tarar, Ambassador of Pakistan to the Kingdom of The Netherlands; Ms. Fatima Hamdia Tanveer and Mr. Jamal Nasir of the Embassy of Pakistan to the Kingdom of The Netherlands; Sir Daniel Bethlehem KC, Professor Philippa Webb, Dr. Cameron Miles, Professor Attila Tanzi, Mr. Stephen Fietta KC, Ms. Laura Rees-Evans, Mr. Abdullah Tariq, and Ms. Megan Rippin, as counsel; Dr. Gregory L. Morris and Mr. Peter J. Rae as Technical Advisers and Advocates.

India did not respond to an invitation to participate in the hearing and did not appear.

The Court of Arbitration is chaired by Professor Sean D. Murphy of the United States. The other members are Professor Wouter Buytaert of Belgium, Mr. Jeffrey P. Minear of the United States, Judge Awn Shawkat Al-Khasawneh of Jordan, and Dr. Donald Blackmore of Australia.

Pursuant to a decision by the Court of Arbitration, the PCA acts as the secretariat for the proceedings.

* * *

The **Permanent Court of Arbitration** is an intergovernmental organization established by the 1899 Hague Convention on the Pacific Settlement of International Disputes. The PCA has 122 Contracting Parties. Headquartered at the Peace Palace in The Hague, the Netherlands, the PCA facilitates arbitration, conciliation, fact-finding, and other dispute resolution proceedings among various combinations of States, State entities, intergovernmental organizations, and private parties. The PCA's International Bureau is currently administering 6 inter-state arbitrations, 1 other inter-state proceeding, 102 arbitrations arising under bilateral or multilateral investment treaties or national investment laws, 97 cases arising under contracts involving a State or other public entity, and 5 other proceedings. More information about the PCA can be found at www.pca-cpa.org.

Contact: Permanent Court of Arbitration

E-mail: bureau@pca-cpa.org

PHOTOGRAPHS ACCOMPANYING PRESS RELEASE



The Deputy Agent of the Islamic Republic of Pakistan, Mr. Raja Naeem Akbar, addressing the Court of Arbitration



Pakistan Commissioner for Indus Waters, Mr. Syed Muhammad Mehar Ali Shah, being examined by the Court of Arbitration



Counsel for the Islamic Republic of Pakistan, Sir Daniel Bethlehem KC, addressing the Court of Arbitration



Counsel for the Islamic Republic of Pakistan, Professor Philippa Webb, addressing the Court of Arbitration



Counsel for the Islamic Republic of Pakistan, Ms. Laura Rees-Evans addressing the Court of Arbitration



Federal Secretary of the Ministry of Water Resources, Mr. Syed Ali Murtaza, addressing the Court of Arbitration



The Court of Arbitration