**Weaponizing water warfare**

Syed Ali Zafar

Thursday, Feb 09, 2023

“The supreme art of war is to subdue the enemy without fighting.” – Sun Tzu

While the Indus Waters Treaty (IWT) has survived major wars and numerous conflicts between Pakistan and India, due to India’s belligerent attitude and devious manipulations, tensions have now escalated to a point where a ‘water war’ has begun, which will decide the future of the two nations.

The battle is taking place on two fronts – one in the Court of Arbitration in The Hague on the illegal designs of the Kishanganga and Ratle hydropower projects on Jhelum and Chenab, and the other in the arena of international law, where India, in a further strategic move, again sent a notice to Pakistan threatening to modify the six-year-old IWT.

This is a war in which upper riparian India, which controls the flow of all five rivers into Pakistan, began playing long ago. We all know how Nehru used his influence with Edwina and forced Radcliffe to redraw the original boundary line of Punjab giving Madhupur and Ferozepur headworks to India and then immediately closed all canals turning thousands of Pakistani acres to barren waste. India has always tried to control Pakistan’s sovereignty by using water as a weapon of coercion. A Shiv Sena leader recently said “The plans India has in store for Pakistan will make them forget what happened centuries ago in Karbala”. Similar threats have been repeated by Modi “Now every drop of this water will be stopped….(India’s) water cannot be allowed to go to Pakistan.”

Pakistan is already facing a water shortage, with experts predicting that it will run dry by 2025 unless immediate action is taken. If there is any adverse impact of the arbitration and India’s threat materializes, it will be the biggest catastrophe for Pakistan. We will face famine and be unable to feed the growing population.

While admittedly the IWT was a mixed bag, it was born out of necessity for both nations and is one of the best examples of modern diplomacy of win-win for all sides. The main reason Pakistan agreed to lose the use of three rivers was the quid pro quo that it would receive funds for and would be able to build the trilogy of the Mangla, Tarbela, and Kalabagh (KBD) dams. The construction of all three dams was an integral part of Pakistan’s counter-strategy to meet India’s growing dominance over Pakistan’s waters. KBD was the most important of the three.

However, while India used this treaty to its advantage, utilized its exclusive rights over the eastern rivers, and constantly planned a water onslaught against Pakistan, we damaged ourselves along the way. Our biggest fault was not building KBD, which succumbed to terrible infighting created through false apprehensions, which India happily fueled. Resultantly, Pakistan, while suffering the worst water shortage, lets more than 38 MAF of river water go to waste in the sea.

India also used this failure to build KBD against Pakistan to push the idea of ‘Treaty II’. They argue that water is a global asset, while Pakistan is wasting it, and India is entitled to stop this water on the upper Indus, Jhelum, and Chenab to fulfill its needs. Instead of countering this by categorically stating that we, too, intend to build KBD, one finds constant statements from successive governments in Sindh, Khyber Pakhtunkhwa, Balochistan, and sometimes even from federal ministers, asserting that KBD will not be built. I pray that with this latest attack by India, there is no more room for this kind of negligence.

We must win this water war now. The real question is how to tackle this onslaught. It is never too late, and the lawfare thrust on Pakistan must be fought on several fronts. This arbitration will primarily be decided on technical grounds, as we have seen in the past arbitrations conducted under the treaty. Therefore first Pakistan must gather the best technical and legal team of experts in the relevant fields available in the world to represent our nation in this hour of need. With respect, the present ‘delegation’ gathered to represent Pakistan may be well meaning but are not experts and this spells imminent disaster. Remember result of Reko Diq? Is our government sleeping?

The legal position is that the treaty is sacrosanct and cannot be changed, having been implemented irretrievably, and that Pakistan’s right to water is a fundamental human right.

In law, India’s threat to violate the treaty is an unfair means to deprive the natural resources that rightfully belong to Pakistan. But the law on Pakistan’s side is not sufficient in today’s world. The technical and legal strategy has to gel and sync with the political strategy and diplomatic outreach.

Second, therefore, Pakistan has to make the international community, UN, and all human rights organizations understand that since the beginning, Pakistan has implemented the IWT in letter and spirit, allowing India to build as many dams on the rivers assigned to it, and direct its water in whichever place India wants. So much so that these rivers in Pakistan have virtually dried up and are not more than seasonal streams.

The international community must be told that India has always tried its utmost to breach the treaty and built dams upon the rivers assigned to Pakistan under the pretext of being ‘run of the river’ projects, while this is far from the truth.

But pleas of injustice and historical arguments are rarely helpful in a world where countries only look at their self interest. It is only the threat of dire consequences that is taken seriously. Therefore, above all, the international community and India need to be made aware that if Pakistan’s 191 million people are faced with famine, Pakistan will deem India’s aggression to be an act of war, thereby posing severe security concerns not just for India but for the world.

Cutting off Pakistan’s river flows would also be a massive human disaster and entail major flooding on the parts of Indian Occupied Jammu & Kashmir and even Indian Punjab. This point, too, needs to be hammered, particularly for the benefit of the farmers on both sides of Punjab, something which we need to exploit.

Further, India must realize that if it decides to contract itself out of the IWT unilaterally and cut off Pakistan’s water, it sets a dangerous precedent for itself in light of its status as lower riparian to upper riparian China. The Brahmaputra flows into the Indian state of Assam. Any coercive measures taken by India against Pakistan, through blocking off the water, would be replicated by China in its water dealings with India. China has to get involved in this fray.

Issues of terrorism, rising prices, corruption, and political disputes are all surmountable. Still, if we don’t aggressively come up with countermoves of our own and effectively respond to the attack on our waters, the consequences will be irreversible. Mahathir Muhamed rightly said Pakistan is blessed with something greater than oil and gold: its geographical location, Gwadar being one example. But what good will that be if we cannot utilize the greatest resource of all – water. India is trying to steal this water from us, and all we can do is send a motley lot consisting of only one expert, the water commissioner, to fight this most critical battle of our survival.

The writer is a practising advocate of the SupremeCourt, a current senator and chairman of the Senate Standing Committee on Law and Justice. He tweets @syedalizafar1 and can be reached at: ali@mandviwallaandzafar.com