



PRESS RELEASE

The Indus Waters Western Rivers Arbitration (Islamic Republic of Pakistan v. Republic of India)

THE HAGUE, 9 February 2026

The Court of Arbitration Concludes Its Hearing for the Second Phase on the Merits

On Tuesday, 3 February 2026, the Court of Arbitration concluded its hearing for the Second Phase on the Merits 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.

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. 17 dated 21 November 2025, in this phase of the proceedings, the Court is "resolving the basis upon which India must determine the installed capacity and anticipated load of a proposed Annexure D, Part 3 HEP, and, once determined, how these elements are to be taken into account for purposes of the calculation of maximum Pondage".

Pakistan was represented during the two-day hearing by Mr. Mansoor Usman Awan, Agent and Attorney General for Pakistan; Syed Muhammad Mehar Ali Shah, Pakistan Commissioner for Indus Waters; H.E. Mr. Syed Haidar Shah, Ambassador of Pakistan to the Kingdom of The Netherlands; Mr. Jamal Nasir, Deputy Head of Mission at the Embassy of Pakistan to the Kingdom of The Netherlands; Sir Daniel Bethlehem KC, Professor Philippa Webb, Dr. Cameron Miles, Ms. Charlotte Westbrook, Mr. Abdullah Tariq, as counsel; and Mr. Peter J. Rae and Dr. Gregory L. Morris, 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, Professor 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.

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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 127 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 eight inter-state arbitrations, one other inter-state proceeding, 92 arbitrations arising under bilateral or multilateral investment treaties or national investment laws, 93 cases arising under contracts involving a State or other public entity, and seven 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 THE PRESS RELEASE



The Court of Arbitration



The Agent of the Islamic Republic of Pakistan, Mr. Mansoor Usman Awan, addressing 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*



The Court of Arbitration