TREATY OF ISLAMABAD

ON KASHMIR, THE INDUS WATERS, AND COUNTER-TERRORISM COOPERATION

A Bilateral Treaty Between

THE ISLAMIC REPUBLIC OF PAKISTAN

and

THE REPUBLIC OF INDIA

Concluded under the auspices of MMUN 2026 - Bilateral Track (Pakistan–India), with the international community present in observer capacity only

PREAMBLE

The Islamic Republic of Pakistan and the Republic of India (hereinafter "the Parties"),

RECALLING the shared civilizational, geographic, and hydrological inheritance of the subcontinent, and the responsibility that inheritance places on both Parties to govern it lawfully rather than unilaterally,

RECOGNIZING that unresolved status disputes, contested water governance, and unattributed acts of terrorism have, since 1947, produced three declared wars, one undeclared conflict, and repeated crises that have brought two nuclear-armed states to the edge of confrontation,

REAFFIRMING the binding character of United Nations Security Council Resolutions 47 (1948), 91 (1951), and 122 (1957) on the status of Jammu and Kashmir, none of which has been superseded, revoked, or fulfilled,

REAFFIRMING ALSO the continuing legal force of the Indus Waters Treaty of 19 September 1960 ("IWT 1960"), including its dispute-resolution architecture under Article IX and Annexures F and G, and the binding character of rulings issued thereunder,

NOTING that the Islamic Republic of Pakistan has sustained over eighty thousand (80,000) civilian and military casualties in counter-terrorism operations since 2001, and that both Parties possess a mutual interest in the verifiable, evidence-based suppression of terrorism originating from any territory, including ungoverned spaces along their shared periphery,

AFFIRMING that the rule of law not the unilateral discretion of either Party must govern the status of disputed territory, the flow of shared rivers, and the attribution of terrorist violence,

HAVE AGREED as follows:

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PART I

DEFINITIONS AND GENERAL PRINCIPLES

Article 1 Definitions

1.1. “J&K” refers to the whole of the former princely state of Jammu and Kashmir as it existed on 14 August 1947, including all territory currently administered by either Party or by any third party, without prejudice to final status;

1.2. “Line of Control (LoC)” refers to the ceasefire line established under the Simla Agreement of 1972, as subsequently delineated;

1.3. “Plebiscite Administration” refers to the joint-and-neutral mechanism established under Part II of this Treaty to conduct the referendum promised under UNSC Resolution 47;

1.4. “Permanent Indus Commission (Reconstituted)” refers to the body established under Part III to replace and expand the Permanent Indus Commission of IWT 1960;

1.5. “Joint Evidentiary Standard” refers to the attribution protocol established under Part IV governing claims of state sponsorship of terrorism;

1.6. “Court of Arbitration” refers to the body constituted under Annexure G of IWT 1960, whose 2023 and 2025 rulings are affirmed as binding under Article 15 of this Treaty;

Article 2 General Principles

2.1. Neither Party shall take unilateral action that alters the status of J&K, the flow or apportionment of the waters of the Indus system, or the attribution of a terrorist act, without recourse to the mechanisms established in this Treaty;

2.2. No provision of this Treaty may be suspended, held in “abeyance,” or otherwise set aside by either Party acting alone. Suspension of any Part requires the joint written consent of both Parties, recorded with the Depositary under Article 31;

2.3. This Treaty is severable by Part but not by Article within a Part: a dispute concerning Part III shall not suspend the operation of Parts II or IV, and vice versa;

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PART II

JAMMU AND KASHMIR: STATUS AND SELF-DETERMINATION

Article 3 Reaffirmation of the Right to Self-Determination

3.1. The Parties reaffirm that UNSC Resolutions 47, 91, and 122 remain in force and that the right of the people of J&K to determine their own political future through a free and impartial plebiscite has not lapsed through the passage of time, administrative action by either Party, or non-implementation;

3.2. Article 370 of the Constitution of India, revoked on 5 August 2019, and any domestic legislative or administrative action taken by either Party altering the demographic, electoral, or constitutional status of any part of J&K after 1 January 1989, is a matter to be reviewed by the Joint Status Commission established under Article 5, and shall not be treated by either Party as dispositive of final status pending that review;

Article 4 Phased Demilitarization

4.1. Within eighteen (18) months of entry into force, both Parties shall reduce conventional force presence within J&K, on their respective sides of the LoC, to peacetime internal-security levels, defined as no more than one security-force member per 350 civilian residents, verified by the Joint Verification Cell established under Article 4.4;

4.2. Reduction shall proceed in three equal six-month tranches, each independently verified before the next tranche begins;

4.3. This obligation is without prejudice to each Party's right to maintain conventional force posture along the international border and the LoC itself for territorial defense; it applies specifically to internal deployment within populated areas of J&K;

4.4. A Joint Verification Cell, composed of four (4) officers from each Party's armed forces and chaired on a rotating six-month basis, shall certify compliance with paragraphs 4.1-4.2 and report jointly to both governments;

4.5. Communications restrictions (internet suspension, curbs on press movement, and detention of journalists) within J&K shall not exceed seventy-two (72) hours in any single instance without joint notification to the Joint Status Commission and a stated, reviewable security justification;

Article 5 Joint Status Commission

5.1. A Joint Status Commission shall be established within six (6) months of entry into force, composed of:

(a) three (3) members appointed by Pakistan;

(b) three (3) members appointed by India;

(c) one (1) independent chair selected by mutual agreement, or, failing agreement within ninety (90) days, appointed by the President of the International Court of Justice from a shortlist of five candidates jointly submitted by the Parties;

5.2. The Joint Status Commission shall, within thirty-six (36) months of its establishment:

(a) compile a joint electoral roll for J&K based on residency as of 15 August 1947, adjusted for documented displacement and refugee return under Article 6;

(b) design a plebiscite question consistent with the original terms of UNSC Resolution 47;

(c) establish security, monitoring, and access protocols for a Plebiscite Administration;

5.3. The Plebiscite Administration shall be jointly staffed by nationals of both Parties in equal number, supplemented by observer personnel from up to five (5) states mutually agreed by the Parties, none of which shall have decision-making authority. Observers attend; they do not adjudicate;

5.4. The plebiscite shall be held no later than sixty (60) months after entry into force of this Treaty, offering the population of J&K a choice consistent with the original 1948–49 UN framework, adapted by mutual agreement of the Parties to reflect the passage of time, which may include an option for continued status quo administration pending further review;

Article 6 Refugees, Displacement, and Family Reunification

6.1. Both Parties shall establish a joint Family Reunification Corridor across the LoC at not fewer than four (4) crossing points within twelve (12) months of entry into force, permitting documented family visits without requiring third-country transit;

6.2. Displaced persons registered as originating from J&K prior to 1989, on either side of the LoC, shall retain the right to be counted on the joint electoral roll under Article 5.2(a), whether or not currently resident in J&K;

Article 7 Non-Prejudice Clause

7.1. Nothing in this Part shall be construed as a unilateral recognition by either Party of the other’s claim to J&K pending the outcome of the plebiscite under Article 5.4. Each Party’s constitutional and legal position on J&K as of the date of signature is preserved without prejudice for the duration of the process established in this Part;

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PART III

THE INDUS WATERS: RESTORATION AND STRENGTHENED GOVERNANCE

Article 8 Restoration of the Indus Waters Treaty of 1960

8.1. The Parties affirm that IWT 1960 has been, is, and remains in full legal force. The purported placement of the Treaty "in abeyance" by the Republic of India, communicated on 23 April 2025, is recorded by both Parties as having no legal effect under the terms of IWT 1960 itself, which under Article XII(3) [now Article 12.3 of this Treaty's incorporated text] contains no unilateral suspension mechanism and permits modification only "by a duly ratified treaty concluded for that purpose between the two Governments;"

8.2. All data-sharing, flow-notification, and flood-warning obligations under IWT 1960 Annexures D and E, suspended after 23 April 2025, are restored to full operation within thirty (30) days of entry into force of this Treaty;

8.3. The Permanent Indus Commission (Reconstituted) shall resume mandatory annual meetings (minimum two per year, per Article VIII(5) of IWT 1960) with no further interruption, save for force majeure jointly certified by both Commissioners;

Article 9 Binding Effect of Arbitral Rulings

9.1. The Parties affirm as final and binding the ruling of the Court of Arbitration constituted under Annexure G, including its competence ruling of 2023 and its supplemental ruling of May 2025 on reservoir design and drawdown limits at the Kishenganga and Ratle projects;

9.2. Neither Party may characterize the Court of Arbitration as "illegally constituted" as a means of avoiding compliance with a ruling issued under a mechanism to which both Parties are signatories. Objections to composition or jurisdiction must be raised, per Annexure G, before the tribunal itself, and a ruling once issued binds both Parties regardless of a Party's prior procedural objection;

9.3. A Standing Compliance Panel, composed of one engineer and one jurist nominated by each Party, shall certify semi-annually that reservoir operation at all run-of-river hydroelectric projects on the Western Rivers (Chenab, Jhelum, Indus) conforms to design limits set by the Court of Arbitration;

Article 10 Technical Modernization of the Treaty

10.1. Recognizing that hydrological and climatic conditions have materially changed since 1960, the Parties establish a Joint Technical Working Group to, within twenty-four (24) months:

(a) update flow-measurement infrastructure at all headworks and barrages on the Eastern and Western Rivers to real-time telemetry, with data feeds shared simultaneously with both Parties and archived with the Neutral Depositary under Article 31;

(b) reassess design-flood and silt-management provisions of Annexure D in light of glacial melt trends, without altering the underlying apportionment of waters set out in Articles II and III of IWT 1960;

(c) establish an early-warning protocol for glacial lake outburst floods (GLOF) on the Western Rivers, with joint notification within two (2) hours of detection;

10.2. No modification made under this Article shall alter the water-share entitlements of either Party as fixed in IWT 1960 Articles II and III absent a separate treaty concluded for that specific purpose, per Article 8.1 above;

Article 11 Prohibition on Linkage

11.1. Neither Party shall condition compliance with this Part on the resolution of, or the other Party's conduct with respect to, any matter arising under Part II or Part IV of this Treaty. Water governance under this Part is a legal and technical matter, non-derogable and non-negotiable against unrelated political grievances;

11.2. Any public or official statement by either Party conditioning water-treaty compliance on the cessation of a separate dispute shall be recorded as a material breach of this Article by the Neutral Depositary and shall trigger the dispute mechanism under Article 12;

Article 12 Dispute Resolution Under This Part

12.1. Disputes concerning the interpretation or application of this Part shall first be referred to the Permanent Indus Commission (Reconstituted). Failing resolution within ninety (90) days, either Party may refer the matter to a Neutral Expert under Annexure F procedures, and failing resolution there, to the Court of Arbitration under Annexure G;

12.2. Rulings of the Court of Arbitration issued under this Article are final, binding, and not subject to domestic legislative override by either Party;

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PART IV

COUNTER-TERRORISM COOPERATION AND JOINT EVIDENTIARY STANDARDS

Article 13 Joint Evidentiary Standard for Attribution

13.1. Neither Party shall publicly attribute a terrorist act to state sponsorship, tolerance, or complicity by the other Party absent submission of evidence to the Joint Counter-Terrorism Evidentiary Panel established under Article 14, meeting the following minimum threshold:

(a) forensic or communications evidence linking the perpetrators to a specific organization;

(b) evidence of that organization's operational or financial links to state or para-state actors, if such attribution is alleged;

(c) an opportunity for the accused Party to respond in writing within thirty (30) days prior to any public statement of attribution;

13.2. This Article applies symmetrically. Pakistan's own attribution claims regarding organizations including but not limited to the Balochistan Liberation Army (BLA) and other groups alleged to operate with external support are subject to the identical evidentiary threshold set out in 13.1;

Article 14 Joint Counter-Terrorism Evidentiary Panel

14.1. A standing Panel of six (6) members three appointed by each Party, drawn from retired judicial or senior law-enforcement officers not currently serving in either government shall review all attribution claims submitted under Article 13;

14.2. The Panel shall issue a public finding within sixty (60) days of referral, classified as: (a) evidence sufficient to support attribution; (b) evidence insufficient; or (c) evidence inconclusive, pending further investigation;

14.3. A finding under 14.2(a) obligates the named Party to undertake the cooperative measures specified in Article 15. A finding under 14.2(b) obligates the originating Party to issue a public retraction of the attribution claim within fourteen (14) days;

Article 15 Joint Operational Mechanisms

15.1. Joint Intelligence Liaison Cell: Both Parties shall establish a standing, secure communications channel between their respective counter-terrorism agencies for real-time, actionable threat-sharing, operating independently of the broader political relationship and not subject to suspension absent a joint decision recorded with the Depositary;

15.2. Cross-Border Safe-Haven Protocol: Where the Joint Evidentiary Standard under Article 13 establishes that a designated terrorist organization maintains operational presence in the territory of either Party or in ungoverned space along their shared periphery (including third-country territory adjoining both Parties), the host Party shall, within ninety (90) days, either (a) conduct verified operations to dismantle that presence, with joint monitoring, or (b) accept internationally supervised joint operations under terms negotiated by both Parties;

15.3. Terror-Financing Cooperation: Both Parties reaffirm their respective obligations under Financial Action Task Force (FATF) standards and agree to share, on a reciprocal basis, financial-intelligence data relevant to the terror-financing networks of organizations named under Article 13, through their respective Financial Intelligence Units;

15.4. Extradition and Legal Assistance: Both Parties shall conclude, within twelve (12) months, a supplementary Mutual Legal Assistance Protocol specific to terrorism-related offenses, providing for expedited evidence-sharing and extradition requests subject to each Party’s constitutional safeguards;

Article 16 Non-Weaponization Clause

16.1. Neither Party shall cite an unresolved or pending attribution dispute under this Part as grounds for suspending obligations under Part II or Part III of this Treaty. The linkage prohibition of Article 11 applies with equal force in this direction;

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PART V

GENERAL PROVISIONS

Article 17 Neutral Depositary

17.1. A Neutral Depositary, mutually agreed by the Parties and not a national of either, shall maintain the official record of this Treaty, certify compliance reports submitted under Articles 4.4, 9.3, and 14.2, and register any allegation of breach;

Article 18 Non-Suspension and Severability

18.1. As set out in Article 2.2, no Party may unilaterally suspend any Part of this Treaty. A material breach of one Part, certified by the relevant panel or commission under that Part, gives rise to the remedies specified within that Part only, and does not automatically suspend the operation of the other Parts;

Article 19 Review Conference

19.1. The Parties shall convene a Joint Review Conference at the thirty-six (36) month mark following entry into force, to assess implementation across all three Parts and to consider such technical amendments as both Parties agree are warranted;

Article 20 Entry Into Force

20.1. This Treaty shall enter into force upon the exchange of instruments of ratification by both Parties, and shall remain in force indefinitely, subject to review under Article 19;

Article 21 Authentic Texts

21.1. This Treaty is done in Urdu, Hindi, and English, all texts being equally authentic. In case of divergence, the English text shall prevail for purposes of interpretation before the Court of Arbitration.

ANNEX A

Summary Table of Key Obligations and Timelines

Part	Obligation	Deadline from Entry Into Force
II (Kashmir)	Joint Status Commission established	6 months
II (Kashmir)	Demilitarization complete (3 tranches)	18 months
II (Kashmir)	Family Reunification Corridor opened	12 months
II (Kashmir)	Joint electoral roll & plebiscite design complete	36 months (from Commission’s start)
II (Kashmir)	Plebiscite held	60 months
III (Indus)	Data-sharing and flood-warning restored	30 days
III (Indus)	Permanent Indus Commission resumes meetings	Immediate
III (Indus)	Joint Technical Working Group modernization complete	24 months
IV (Terror)	Joint Intelligence Liaison Cell operational	6 months (implied, per Panel formation)
IV (Terror)	Mutual Legal Assistance Protocol concluded	12 months
IV (Terror)	Panel finding on any referred attribution claim	60 days per claim
All	Joint Review Conference	36 months

End of Treaty Text

IN WITNESS WHEREOF

the undersigned, being duly authorized by their respective Governments, have signed this Treaty.

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For the Islamic Republic of Pakistan

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For the Republic of India

Observers present at signature (non-signatory, non-adjudicatory capacity):
[To be listed per committee dais record]