

**PRESS RELEASE****INDUS WATERS TREATY NEUTRAL EXPERT PROCEEDINGS
(REPUBLIC OF INDIA V. ISLAMIC REPUBLIC OF PAKISTAN)**

VIENNA, 8 JULY 2024

Neutral Expert Conducts First Site Visit of Hydroelectric Plants on the Kishenganga/Neelum and Chenab Rivers

From 20 to 28 June 2024, Mr. Michel Lino, the Neutral Expert appointed under Annexure F to the Indus Waters Treaty 1960 (the “Treaty”), conducted a site visit of the Kishenganga Hydroelectric Plant (the “KHEP”) located on the Kishenganga/Neelum River in the Gurez Valley, and the Ratle Hydroelectric Plant (“RHEP”) and the Dul-Hasti Hydroelectric Plant, located on the Chenab River in the Chenab Valley. The site visit was preceded by a 3-day preparatory visit by the Technical Assistant to the Neutral Expert, Mr. Luc Deroo, and a 2-person engineering team from each Party (the “Preparatory Visit”).

The site visit was conducted pursuant to the Protocol Concerning the First Site Visit (the “Site Visit Protocol”) adopted by the Parties and the Neutral Expert following extensive consultations. In accordance with the Site Visit Protocol, the purpose of the site visit was to engage in an exercise of fact-finding to facilitate the Neutral Expert’s determination in due course of the differences of which he is seized (without prejudice to his eventual decision under Paragraph 7 of Annexure F to the Treaty as to whether any particular difference falls within his competence). The Site Visit Protocol included an itinerary which was adjusted during the site visit to account for weather conditions and other circumstances.

The Preparatory Visit took place from 17 to 19 June 2024. Its purpose was to ensure that the Technical Assistant and the engineering teams of both Parties would thereafter be adequately prepared to assist the Neutral Expert in his examination of the sites. On 20 June 2024, the members of the delegations for the Preparatory Visit were joined in Srinagar by the Neutral Expert, the other members of his delegation and the Parties’ full delegations. In Srinagar, technical presentations were made by both Parties. The itinerary for the following days was also discussed in the light of the Technical Assistant’s and the engineering teams’ experience during the Preparatory Visit.

From 21 to 28 June 2024, the full delegations visited (i) the KHEP dam and reservoir, as well as the nearby gauging station at Achura bridge, (ii) the RHEP construction site, as well as the nearby Premnagar gauging station, and (iii) the Dul-Hasti dam. At these sites, experts *in situ* explained the technical details of the design and operation of these projects and responded to queries and comments by the delegations. The delegations also met in Jammu with experts *in situ* from the Baglihar Hydroelectric Project.

On 28 June 2024, the Neutral Expert’s delegation and Pakistan’s delegation travelled to Delhi, from where they departed from India.

India’s delegation consisted of Mr. Kushvinder Vohra, Chairman of the Central Water Commission (CWC); Mr. S.K. Sibal, Member (Design & Research), CWC; Mr. M.A.K.P. Singh, Member (Hydro), Central Electricity Agency (CEA); Mr. J.P. Singh, Joint Secretary, Ministry of External Affairs; Mr. Darpan

Talwar, Indian Commissioner for Indus Waters; Mr. V.K. Saini, Executive Director, NHPC Ltd.; Dr. Kim Wium Olesen, Dansk Hydraulisk Institut (DHI), Prof. (Dr.) Anton J. Schleiss, and Prof. Gerrit Roux Basson, as technical experts; and Mr. Anandh Venkataramani as counsel. On 20 and 28 June 2024 (only), the Designated Representative for India, Ms. Debashree Mukherjee, Secretary, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti joined the Indian delegation.

Pakistan was represented by Mr. Syed Ali Murtaza, Federal Secretary of the Ministry of Water Resources; Mr. Syed Muhammad Mehar Ali Shah, Pakistan Commissioner for Indus Waters; Mr. Muhammad Umar Farooq, engineer; Mr. Tariq Javed Bhatti, engineer; Mr. Someir Siraj Khan of the Attorney General's Office; by Sir Daniel Bethlehem KC, Professor Philippa Webb, and Dr. Cameron Miles, as counsel; and by Dr. Gregory L. Morris and Mr. Peter J. Rae as technical experts.

The Neutral Expert's delegation was comprised of Mr. Michel Lino, Neutral Expert; Mr. Luc Deroo, Technical Assistant to the Neutral Expert; Ms. Evgeniya Goriatcheva, Registrar and PCA Senior Legal Counsel; Ms. Balla Galma Godana, PCA Legal Counsel; Ms. Polina Fedorova, videographer; and Mr. Alexei Antonov, sound technician.

The delegation for the Preparatory Visit was comprised of members of the above-mentioned delegations, namely the Technical Assistant Mr. Deroo; Mr. Sibal and Dr. Olesen for India; and Dr. Morris and Mr. Rae for Pakistan.

A record of the Site Visit, including photographs, video recordings and transcripts, will be made available to the Parties. A copy of the Site Visit Protocol and a selection of photographs from the Site Visit are enclosed with this press release.

Background on the Proceedings

On 13 October 2022, the International Bank for Reconstruction and Development (the World Bank), pursuant to Article IX and Annexure F of the Indus Waters Treaty 1960, and after consultation with each of the Parties, appointed Mr. Michel Lino as Neutral Expert in proceedings commenced by the Republic of India against the Islamic Republic of Pakistan concerning the KHEP and the RHEP.

The Neutral Expert convened a first meeting with the Parties on 27 and 28 February 2023 at the headquarters of the PCA at the Peace Palace, in The Hague.

Following the first meeting, the Neutral Expert's Terms of Retainer were fixed on 2 May 2023. The Terms of Retainer also recorded the appointment of Mr. Luc Deroo as the Neutral Expert's Technical Assistant.

On 1 June 2023, the Neutral Expert issued Supplemental Rules of Procedure, including a Work Programme, which was subsequently revised on 21 August, 11 October and 2 November 2023, and most recently on 29 May and 4 June 2024.

On 5 June 2023, the Permanent Court of Arbitration was appointed as Registry and Secretariat by the Neutral Expert. The proceedings are administered by the Vienna Office of the PCA, in cooperation with its Mauritius Office.

On 31 August 2023, India submitted its Memorial.

A second meeting with the Parties was held on 20 and 21 September 2023 at the Imperial Hofburg Palace in Vienna. Matters discussed at that meeting included the organization of the first site visit, questions arising from India's Memorial, and amendments to the Work Programme for the proceedings.

Following the second meeting, Pakistan submitted its Statement under Paragraph 7 of Annexure F to the Treaty on 1 February 2024 and India submitted its Reply to Pakistan's Paragraph 7 Statement on 14 June 2024.

More information about the proceedings can be found at <https://pca-cpa.org/en/cases/297/>.

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Contact: Permanent Court of Arbitration
E-mail: bureau@pca-cpa.org

PHOTOGRAPHS ACCOMPANYING PRESS RELEASE



The Neutral Expert, the Technical Assistant, members of India's and Pakistan's Delegations, and members of the Registry in Jammu during the First Site Visit in June 2024.



The Neutral Expert, the Technical Assistant, members of India's and Pakistan's Delegations, India's experts in situ, and members of the Registry in Srinagar during the First Site Visit in June 2024.



The Neutral Expert, the Technical Assistant, members of India's and Pakistan's Delegations, and members of the Registry at the First Site Visit Wrap-Up meeting in New Delhi in June 2024.



The Neutral Expert, the Technical Assistant, and members of the Registry in Srinagar during the First Site Visit in June 2024.



Discussion with India's experts in situ at the Kishenganga Dam.



The Neutral Expert, the Technical Assistant, and the members of India's and Pakistan's Delegations in discussion with India's expert in situ at the Kishenganga Hydroelectric Project.



A section of the Kishenganga/Neelum River, on which the KHEP is located.



The Neutral Expert, the Technical Assistant, and members of India's and Pakistan's Delegations in discussion with India's expert in situ along the banks of the Chenab River.



Discussion at the Ratle site.



The Neutral Expert, the Technical Assistant, members of India's and Pakistan's Delegations, and members of the Registry at the Ratle construction site.