

**IN THE NEUTRAL EXPERT PROCEEDINGS  
UNDER THE INDUS WATERS TREATY 1960  
IN RESPECT OF THE RATLE AND KISHENGANGA HYDROELECTRIC PLANTS  
(PCA CASE NO. 2023-14)**

**-between-**

**THE REPUBLIC OF INDIA**

**-and-**

**THE ISLAMIC REPUBLIC OF PAKISTAN**

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**CORRECTION TO THE DECISION ON CERTAIN ISSUES  
PERTAINING TO THE COMPETENCE OF THE NEUTRAL EXPERT**

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**Neutral Expert**

Mr. Michel Lino

**Technical Assistant to the Neutral Expert**

Mr. Luc Deroo

**Registry**

Permanent Court of Arbitration

**31 March 2025**

## I. BACKGROUND

1. On 7 January 2025, the Neutral Expert issued his Decision on Certain Issues Pertaining to the Competence of the Neutral Expert (the “**Decision on Competence**”).
2. Paragraph 13.3 of the Supplemental Rules of Procedure adopted by the Neutral Expert on 1 June 2023 (the “**Supplemental Rules of Procedure**”) provides as follows:

Within thirty (30) days after the receipt of a decision rendered by the Neutral Expert, either Party, with notice to the other Party, may request the Neutral Expert to correct in that decision any errors in computation, any clerical or typographical errors, or any errors of similar nature. If the Neutral Expert considers that the request is justified, he shall issue a correction in writing, and Article 13.1 of these Rules shall apply. The Neutral Expert may within thirty (30) days after the communication of a decision make such corrections on his own initiative.

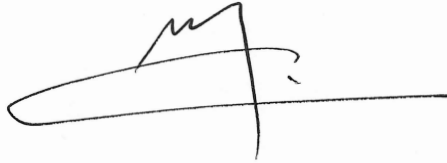
3. On 14 January 2025, India proposed the correction of “three minor typographical errors” at page 11 and paragraphs 333 and 539 of the Decision on Competence and requested the Neutral Expert to “consider carrying out these minor corrections before the signed originals are despatched to the parties”.
4. On 16 and 27 January 2025, the Neutral Expert invited Pakistan’s comments in response to India’s proposed corrections to the Decision on Competence.
5. On 6 February 2025, Pakistan confirmed that it had no comments regarding India’s proposed corrections and agreed that the Decision on Competence should be amended to reflect India’s proposed corrections. By the same correspondence, Pakistan proposed corrections to “minor, non-substantive points” at pages (v) and (vi) and paragraphs 29, 195, 233, 236, 244 and 338 of the Decision on Competence and submitted that it “does not press any of these proposed points of rectification, which are materially inconsequential, but simply draws them to the attention of the Neutral Expert in case he may consider it appropriate to address them”.
6. On 20 February 2025, the Neutral Expert invited India’s comments in response to Pakistan’s proposed corrections to the Decision on Competence.
7. On 27 February 2025, India confirmed that it does not object to Pakistan’s proposed corrections to pages (v) and (vi) and paragraphs 29, 195, 244 and 338 of the Decision on Competence. India however opposed Pakistan’s proposed corrections to paragraphs 233 and 236 of the Decision on Competence on the basis that the proposed corrections are “substantive changes” which “do not fall within the narrow scope of Rule 13.3 [of the Supplemental Rules of Procedure]”.
8. On 3 March 2025, the Neutral Expert invited Pakistan’s comments in response to India’s objections.
9. On 5 March 2025, Pakistan submitted its comments in response to India’s objections, stating, *inter alia*, that “the two points to which India objects manifestly fall within the scope of clerical errors or errors of a similar nature, as contemplated by paragraph 13.3 of the Neutral Expert’s Supplemental Rules” and reiterated that it “does not press its points of proposed rectification, which are materially inconsequential to the Decision on Competence”.

## II. THE NEUTRAL EXPERT’S DECISION

10. Having considered the Parties’ requests for corrections to the Decision on Competence and their views, the Neutral Expert decides that:

- A. India's request for corrections to the Decision on Competence pursuant to Paragraph 13.3 of the Supplemental Rules of Procedure is justified. Accordingly, the Decision on Competence is corrected as follows:
- i. At page 11 of the Decision on Competence, the name "Ms. Chirangana Singh" is corrected to "Ms. Chitrangna Singh".
  - ii. At Paragraph 333 of the Decision on Competence, the number "2026" is replaced with the number "2016".
  - iii. At Paragraph 539 of the Decision on Competence, the words "Annexure F" in line 6 are replaced with the words "Annexure D".
- B. Pakistan's request for corrections to the Decision on Competence pursuant to Paragraph 13.3 of the Supplemental Rules of Procedure is justified in part. Accordingly, the Decision on Competence is corrected as follows:
- i. At page (v) of the Decision on Competence, in the definition of the term "2022 CoA", the words "Court of arbitration" are replaced with the words "Court of Arbitration".
  - ii. At page (vi) of the Decision on Competence, in the definition of the term "Kishenganga Court", the words "Court of arbitration" are replaced with the words "Court of Arbitration".
  - iii. At paragraph 29 of the Decision on Competence, the words "decision making" are replaced with the word "decision-making".
  - iv. At paragraph 195 of the Decision on Competence, the word "online" is added in the last sentence of the paragraph after the word "met" and before the word "with".
  - v. At paragraph 244 of the Decision on Competence, the word "respectively" is replaced with a comma and the words "one to be".
  - vi. At paragraph 338 of the Decision on Competence, the word "pause" is put in quotation marks.
- C. The remaining text of the Decision on Competence remains unchanged.

Done this 31<sup>st</sup> day of March 2025



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Mr. Michel Lino  
Neutral Expert

For the Registry and Secretariat:



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Ms. Balla Galma Godana  
Registrar