
The Seoul Rules on International Groundwaters

Article 1

The waters of international aquifers

The waters of an aquifer that is intersected by the boundary between two or more States are international groundwaters and such an aquifer with its waters forms an international basin or part thereof. Those States are basin States within the meaning of the Helsinki Rules whether or not the aquifer and its waters form with surface waters part of a hydraulic system flowing into a common terminus.

Article 2

Hydraulic interdependence

1. An aquifer that contributes water to, or receives water from, surface waters of an international basin constitutes part of that international basin for the purposes of the Helsinki Rules.

2. An aquifer intersected by the boundary between two or more States that does not contribute water to, or receive water from, surface waters of an international drainage basin constitutes an international drainage basin for the purpose of the Helsinki Rules.

3. Basin States, in exercising their rights and performing their duties under international law, shall take into account any interdependence of the groundwater and other waters, including any interconnections between aquifers, and any leaching into aquifers caused by activities in areas under their jurisdiction.

Article 3

Protection of groundwater
1. Basin States shall prevent or abate the pollution of international groundwaters in accordance with international law applicable to existing, new, increased and highly dangerous pollution. Special consideration shall be given to the long-term effects of the pollution of groundwater.

2. Basin States shall consult and exchange relevant available information and data at the request of any one of them:

   (a) For the purpose of preserving the groundwaters of the basin from degradation and protecting from impairment the geologic structure of the aquifers, including recharge areas;

   (b) For the purpose of considering joint or parallel quality standards and environmental protection measures applicable to international groundwaters and their aquifers.

3. Basin States shall co-operate, at the request of any one of them, for the purpose of collecting and analyzing additional needed information and data pertinent to the international groundwaters or their aquifers.

   **Article 4**

   Groundwater management and surface waters

   Basin States should consider the integrated management, including conjunctive use with surface waters, of their international groundwaters at the request of any one of them.

   **Complementary Rules Applicable to International Water Resources**

   **Article I**

   Substantial injury

   A basin State shall refrain from and prevent acts or omissions within its territory that will cause substantial injury to any co-basin State, provided that the application of the principle of equitable utilization as set forth in Article IV of the Helsinki Rules does not justify an exception in a particular case. Such an exception shall be determined in accordance with Article V of the Helsinki Rules.
Article II
Measures within the territory of other basin States

If an undertaking, to be executed by a basin State, requires works or installations within the territory of a co-basin State, or the utilization of water resources in that territory, all questions connected with these measures are to be determined by agreement. The States concerned shall use their best endeavours to reach a just and reasonable agreement in accordance with the principle of equitable utilization.

Article III
Notification and objection

1. When a basin State proposes to undertake, or to permit the undertaking of, a project that may substantially affect the interests of any co-basin State, it shall give such State or States notice of the project. The notice shall include information, data and specifications adequate for assessment of the effects of the project.

2. After having received the notice required by paragraph 1, a basin State shall have a reasonable period of time, which shall be not less than six months, to evaluate the project and to communicate its reasoned objection to the proposing State. During that period the proposing State shall not proceed with the project.

3. If a basin State does not object to the project within the time permitted under paragraph 2, the proposing State may proceed with the project in accordance with the notice.

4. If a basin State objects to the project, the States concerned shall make every effort expeditiously to settle the matter consistent with the procedures set forth in Chapter 6 of the Helsinki Rules. The proposing State shall not proceed with the project while these efforts are continuing provided that they are not unduly protracted. If these efforts become unduly protracted, or an objecting State has refused to have resort to third party procedures for settlement of the remaining differences, the proposing State may, on its own responsibility, proceed with the project in accordance with the notice.

5. The notice and other communications referred to in this Article shall be transmitted through appropriate official channels unless otherwise agreed.