1. Set out hereunder are the amendments presented to Chapter VIII (Settlement of Differences - Interpretation). The footnotes contain references to explanations given by delegations in support of their amendments.

2. It would appear that the sub-committee might make the fastest progress if it did not attempt to embark upon a general discussion of Chapter VIII at the commencement of its work but began with an immediate examination of the first article of the Chapter, Article 89 (Consultation between Members). Points which might have been brought up in general debate will, it seems, inevitably come up in the course of discussion of particular articles.

CHAPTER VIII - SETTLEMENT OF DIFFERENCES - INTERPRETATION

Article 89

Consultation between Members

Amendment Proposed by the Delegations of India and Mexico

If any Member should consider that any benefit accruing to it directly, or indirectly under this Charter is being nullified or impaired, or that the attainment of any of the objectives set forth in Article 1 is being impeded, as a result of

\[(a)\] the failure of another Member to carry out its obligations under this Charter, \[or\]

\[(b)\] the application by another Member of any measure, whether or not it conflicts with the provisions of this Charter, or

\[(c)\] the existence of any other situation,

the Member may, discussions undertaken.

Amendment Proposed by the Delegation of Colombia

If any Member should consider that any benefit accruing to it directly or indirectly under this Charter is being nullified or impaired, or that the attainment of any of the objectives set forth in Article 1 is being impeded, as a result of

\[(a)\] the failure of
(a) the failure of another Member to carry out its obligations under this Charter, or
(b) the application by another Member of any measure, whether or not it conflicts with the provisions of this Charter,
(c) the existence of any other situation
the Member may,...........discussions undertaken.

Amendments Proposed by the Delegation of Uruguay

If any Member should consider that any benefit accruing to it directly or indirectly under this Charter is being nullified or impaired, or that the attainment of any of the objectives set forth in Article 1 is being impeded, as a result of
(a) the failure of another Member to carry out its obligations under this Charter, or
(b) the application by another Member of any measure, whether or not it conflicts with the provisions of this Charter,
(c) the existence of any other situation
the Member may,...........discussions undertaken.

Article 90
Reference to the Organization

Paragraph 1

Amendment Proposed by the Delegations of Colombia and Uruguay

1. If the matter is not satisfactorily adjusted within a reasonable time or if it falls within Article 89 (c), it may be referred to the Executive Board or, with the approval of the Executive Board, directly to the Conference. The Executive Board consultation necessary.

Amendments Proposed by the Delegation of Mexico

1. If the matter is not satisfactorily adjusted between the Members within a reasonable time, or if it falls within Article 89 (c), it may be referred to the Executive Board or, with the approval of the Executive Board, directly to the Conference. The Executive Board or the Conference, as the case may be, shall promptly investigate any matter so referred and shall make recommendations to the Members which it considers to be concerned or give a ruling on the matter, as appropriate. It may in the course of such investigations consult with Members, with the Committees or the Commissions of the Organization, the Economic and Social Council of the United Nations and any inter-governmental organization, in cases where it considers such consultation necessary.

/Amendments Proposed by
Amendments Proposed by the Delegation of South Africa

1. If the matter is not satisfactorily adjusted within a reasonable time or if it falls within Article 89 (c), it may, if the representations or proposals refer
   (a) to any obligation which a Member has assumed pursuant to Article 12; or
   (b) to exceptions which the Organization has granted pursuant to the provisions of Article 13, 14 or 15; or
   (c) to any obligations which a Member has assumed under Chapter IV or Chapter V or to any obligations which a Member has assumed through negotiations with any other Member or Members pursuant to Chapter IV, be referred to the Executive Board or, with the approval of the Executive Board, directly to the Conference. The Executive Board...consultation necessary.

Paragraph 2

Amendment Proposed by the Delegation of Italy

2. The Executive Board may refer the matter, with the consent of the Members concerned, at the request of any interested Member, shall submit the matter to arbitration upon such terms as may be agreed between the Board and such Members.

Amendment Proposed by the Delegation of the United Kingdom

2. The Executive Board may refer the matter, with the consent of the Members concerned, to arbitration upon such terms as may be agreed between the Board and such Members provided that (a) the Members concerned are not more than three in number, and (b) the matter is not one which must under the provisions of the Charter be referred to the Organization for decision.

Paragraph 3

Amendment Proposed by the Delegation of China

3. Any ruling of the Executive Board shall be reviewed by the Conference at the request of any interested Member. Upon such request the Conference shall by resolution confirm or modify or reverse such ruling. Any decision or determination of the Interim Tariff Committee may likewise be reviewed by the Conference.

Paragraph 4

Amendment Proposed by the Delegation of Mexico

4. If the Conference considers that the circumstances are serious enough to justify such action, it may authorize the Member or Members affected to suspend the application to any other the Member or Members causing the injury of such obligations or concessions under or pursuant to this Charter as the Conference determines to be appropriate. If the application...
Article 91
Reference to the International Court of Justice

Paragraph 1
Amendment Proposed by the Delegation of Australia*
1. The Conference or the Executive Board of the Organization may, of the Organization.

Paragraph 2
Amendment Proposed by the Delegation of Australia**
2. Any resolution of the Conference under paragraph 3 of Article 90 or decision of the Conference under any other Article of this Charter shall be subject to review by, if any substantially interested Member so requests, be referred to the International Court of Justice through the means of a request by the Organization for an advisory opinion pursuant to the statute of the International Court of Justice as to whether the Conference was legally competent to adopt the resolution or decision. The request for review of such resolution or decisions shall be made by the Organization, in appropriate form, upon the instance of any substantially interested Member.

Amendment Proposed by the Delegation of Italy
2. Any resolution............Interested Member. Any concerned Member may present to the International Court of Justice through the Organization or directly any documentation which it considers desirable.

Amendment Proposed by the Delegation of Sweden***
2. Any resolution or decision of the Conference under paragraph 3 of Article 90 or decision of the Conference under any other Article of this Charter shall, upon the instance of any substantially interested Member, be subject to review by the International Court of Justice through the means of a request by the Organization for an advisory opinion pursuant to the Statute of the International Court of Justice. The request for review of such resolution or decision shall be made by the Organization, in appropriate form, upon the instance of any substantially interested Member.

Amendment Proposed by the Delegation of Uruguay
2. Any resolution............upon the instance of any substantially interested Member.

** See document E/CONF.2/C.6/12, page 20, paragraph 2.
Paragraph 3
No amendment proposed.

Paragraph 4
No amendment proposed.

Paragraph 5
No amendment proposed.

Article 92

Miscellaneous Provisions
No amendment proposed.