Article 86

Nullification, Impairment and Disputes

1. Nothing in this Article shall be construed to limit or exclude other procedures established in this Charter for consultation over and settlement of complaints or difficulties arising out of its operation.

2. If any Member considers that another Member has adopted any measure, whether or not it constitutes a breach of an obligation under this Charter, or that any situation has arisen, which has the effect of nullifying or impairing any object of this Charter, it may invite the Members concerned to consult thereon and they shall endeavour to reach a satisfactory settlement.

3. If no such settlement can be reached, the matter may be referred by an interested Member to the Executive Board, which shall give a ruling thereon.

4. 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 of the majority confirm or amend or reverse the ruling provided that

(a) it shall, if necessary, consult with the Economic and Social Council of the United Nations and with any other appropriate inter-governmental organizations; and

(b) if the matter involves a dispute as to the interpretation of the Charter, it shall at the instance of not less than one-third of the Members
Members request from the International Court of Justice an advisory opinion thereon and any proceedings for the review by the Conference of such a ruling of the Board shall thereupon be stayed until the opinion of the Court is delivered, and the Conference, when it finally reviews such ruling shall adopt and be bound by the advisory opinion delivered by the Court. The Conference after reviewing the ruling may make such further recommendations to the Members concerned as it thinks fit.

5. If it considers, in any case brought before it in pursuance of this Article, that a breach of obligations under this Charter or that nullification or impairment of any object of this Charter has taken place of a character serious enough to justify such action, the Conference may authorize any Member or Members to suspend the application to any other Member or Members of such obligations or concessions under the Charter as it may specify. If such obligations or concessions are, in fact, suspended, any affected Member shall then be free, not later than 60 days after such action is taken, to withdraw from the Organization upon the expiration of 60 days from the date on which written notice of such withdrawal is received by the Organization.

6. The Executive Board and the Conference shall respectively make rules of procedure for giving effect to this Article.