

CHAPTER VIII.—SETTLEMENT OF DIFFERENCES— INTERPRETATION

Article 89

Consultation between Members

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, with a view to the satisfactory adjustment of the matter, make written representations or proposals to the other Member or Members which it considers to be concerned. Any Member thus approached shall give sympathetic consideration to the representations or proposals made to it. In any such case, the Members concerned shall keep the Director-General informed generally of any discussions undertaken.

Article 90

Reference to the Organization

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 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 investigation consult with Members, 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.

Chapter VIII.

The Preparatory Committee points out that a limited time has been devoted to the study of the means of providing for interpretation of the Charter and for the settlement of differences among Members and between Members and the Organization. Therefore the Preparatory Committee recommends that this subject should receive early and full re-examination by the World Trade Conference and the drafts contained in this Report have been prepared on the assumption that this course will be followed.