

SIXTH COMMITTEE: ORGANIZATION

DRAFT CHARTER

MEXICO: PROPOSED AMENDMENTS

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 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.

"2. Unaltered.

"3. Unaltered.

/"4. If the

"4. If the Conference considers that the circumstances are serious enough to justify such action, it may authorize [a Member or Members] the Member or Members affected to suspend the application to 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 to any Member of any obligation or concession is in fact suspended, that Member shall then be free, not later than sixty days after such action is taken, to advise the Director-General in writing of its intention to withdraw from the Organization and such withdrawal shall take effect upon the expiration of sixty days from the day on which written notice of such withdrawal is received by the Director-General."

Article 95 - Amendments

"1. Unaltered.

"2. Any amendment to this Charter which involves a change in the obligations assumed by Members shall, after receiving the approval of the Conference, become effective for each Member accepting the amendment, upon acceptance on the part of two-thirds of the Members and thereafter for each remaining Member on acceptance by it. [The Conference may at any time determine that any amendment under this paragraph is of such a nature that all Members which have not accepted it within a period specified by the Conference shall be required to withdraw from the Organization; Provided that the Conference may, by the affirmative votes of two-thirds of the Members present and voting, determine the conditions under which this requirement shall be waived with respect to any such Member.] A Member not accepting an amendment shall be free to withdraw from the Organization; and such withdrawal shall be effective upon the expiration of [six months] sixty days from the day on which written notice of such withdrawal is received by the Director-General.

Article 98 - Entry into Force and Registration

"1. Unaltered.

"2. This Charter shall enter into force on the sixtieth day following the day on which the number of governments represented at the United Nations Conference on Trade and Employment which have deposited instruments of acceptance pursuant to paragraph 1 of this Article [shall reach twenty] shall reach at least half of the number of countries which were invited to, and took part in, that Conference, and the instrument of acceptance of each other accepting government shall take effect on the sixtieth day following the day on which it is deposited;

[Provided

Provided that, if this Charter shall not have entered into force by
..... 194.., any of the governments applying the General Agreement
on Tariffs and Trade dated 194.., together with any other
governments represented at the United Nations Conference on Trade and
Employment, may, upon conditions to be agreed between them, bring this
Charter into force.] Any instrument of acceptance deposited with the
Secretary-General of the United Nations shall be taken as covering
both procedures] the procedure for bringing this Charter into force,
unless it expressly provides to the contrary or is withdrawn before the
entry into force of this Charter.

"3. Unaltered.

Article 99 - Territorial Application

"1. Unaltered.

"2. Unaltered.

"3. Each Member shall take all necessary measures to assure observance
of the provisions of this Charter by the regional and local governments
and authorities within its territory and shall be responsible for any
act or omission to act contrary to the provisions of this Charter on
the part of any such governments or authorities."
