(b) The recommendations referred to above shall be made:

(i) at the initiative of the Commission if an appropriate Panel has not been established;

(ii) at the initiative of the Commission with the approval of at least two-thirds of all the Members of the Commission if an appropriate Panel has been established but a proposal has not been approved by the Panel;

(iii) on a proposal that has been approved by an appropriate Panel; or

(iv) on a proposal that has been approved by the appropriate Panels if the recommendation in question relates to more than one geographic area, species or group of species.

2. Each recommendation made under paragraph 1 of this Article shall become effective for all the Members of the Commission four months after the date of the notification from the Commission transmitting the recommendation to the Members of the Commission, unless otherwise agreed upon by the Commission at the time the recommendation is adopted and except as provided in paragraph 3 of this Article. However, under no circumstances shall a recommendation become effective in less than three months.

3. (a) If any Member of the Commission in the case of a recommendation made under paragraph 1(b)(i) or (ii) above, or any Member of the Commission which is also a member of a Panel concerned in the case of a recommendation made under paragraph 1(b)(iii) or (iv) above, presents to the Commission an objection to such recommendation within the period established pursuant to paragraph 2 above, the recommendation shall not become effective for those Members of the Commission who raised the objection.

(b) If objections have been presented by a majority of the Members of the Commission within the period established pursuant to paragraph 2 above, the recommendation shall not become effective for any Member of the Commission.

(c) A Member of the Commission presenting an objection in accordance with sub-paragraph (a) above shall provide to the Commission in writing, at the time of presenting its objection, the reason for its objection, which shall be based on one or more of the following grounds:

(i) the recommendation is inconsistent with this Convention or other relevant rules of international law;

(ii) the recommendation unjustifiably discriminates in form or in fact against the objecting Member of the Commission;

(iii) the Member of the Commission cannot practicably comply with the measure because it has adopted a different approach to conservation and sustainable management or because it does not have the technical capabilities to implement the recommendation; or

(iv) security constraints as a result of which the objecting Member of the Commission is not in a position to implement or comply with the measure.

(d) Each Member of the Commission that presents an objection pursuant to this Article shall also provide to the Commission, to the extent practicable, a description of any alternative conservation and management measures, which shall be at least equally effective as the measure to which it is objecting.

4. Any Member of the Commission objecting to a recommendation may at any time withdraw that objection, and the recommendation shall become effective with respect to such Member of the Commission immediately if the recommendation is already in effect, or at such time as it may become effective under the terms of this Article.

5. The Executive Secretary shall promptly circulate to all the Members of the Commission the details of any objection and explanation received in accordance with this Article and of each withdrawal of such an objection, and shall notify all the Members of the Commission of when any recommendation comes into effect."

Article 5

A new Article X shall be added to the Convention, which shall read as follows:

"Article X

1. Every effort shall be made within the Commission in order to prevent disputes, and the parties to any dispute shall consult each other in order to settle disputes concerning this Convention by amicable means and as quickly as possible.

2. Where a dispute concerns a matter of a technical nature, the parties to the dispute may jointly refer the dispute to an *ad hoc* expert panel established in accordance with the procedures to be adopted by the Commission. The panel shall confer with the parties to the dispute and shall endeavour to expeditiously resolve the dispute without recourse to binding procedures.

3. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of this Convention, best efforts shall be made to have the dispute resolved by peaceful means.

4. Any such dispute that is not resolved through means set out in the paragraphs above, may be submitted to final and binding arbitration for settlement, at the joint request of the parties to the dispute. Prior to jointly requesting arbitration, the parties to the dispute should agree on the scope of the dispute. The parties to the dispute may agree that an arbitral tribunal be constituted and conducted in accordance with Annex 1 of this Convention or in accordance with any other procedures that the parties to the dispute may decide to apply by mutual agreement. Any such arbitral tribunal shall render its decisions in accordance with this Convention, international law and relevant standards recognized by the parties to the dispute for the conservation of living marine resources.

5. The dispute settlement mechanisms set out in this Article shall only apply to disputes that relate to any act, fact, or situation that occurs after the date of the entry into force of this Article.

6. Nothing in this Article shall prejudice the ability of the parties to any dispute to pursue dispute settlement under other treaties or international agreements to which they are parties, in lieu of dispute settlement as provided for in this Article, in accordance with the requirements of that treaty or international agreement."

Article 6

Articles IX, X, and XI of the Convention shall be renumbered as Articles XI, XII, and XIII respectively, and amended to read as follows:

"Article XI

1. The Members of the Commission agree to take all action necessary to ensure the enforcement of this Convention. Each Member of the Commission shall transmit to the Commission, biennially or at such other times as may be required by the Commission, a statement of the action taken by it for these purposes.

2. The Members of the Commission agree:

(a) to furnish, on the request of the Commission, any available statistical, biological and other scientific information the Commission may need for the purposes of this Convention;