

ARTICLE XII

SETTLEMENT OF DISPUTES

- [1. Disputes that may arise concerning the application, interpretation or implementation of the Convention and this Protocol shall be settled in accordance with the relevant provisions of the Convention and this Protocol and in conformity with the Charter of the United Nations and other rules of international law.
2. When a dispute arises between two or more States Parties, or between one or more States Parties and the Organization, relating to the application, interpretation or implementation of this Protocol, the parties concerned shall engage in consultations without delay with a view to the expeditious settlement of the dispute by negotiation or by other mutually agreed peaceful means of the parties' choice, including recourse to appropriate organs of this Protocol or other organs established and entrusted by the Executive Council or the Conference of States Parties with tasks related to the settlement of these disputes in conformity with Articles IV and IX, and referral to the International Court of Justice in conformity with the Statute of the Court. The parties to a dispute [shall] [may] inform the Executive Council of the commencement of consultations, and shall keep the Executive Council informed of the actions being taken [and their outcomes]. The Executive Council may contribute to the settlement of a dispute by negotiation by whatever means it deems appropriate, including offering its good offices.
3. The Conference of States Parties shall consider questions related to disputes raised by States Parties, the Organization or brought to its attention by the Executive Council.
4. The Conference of States Parties and the Executive Council are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the activities of the Organization. An agreement between the Organization and the United Nations shall be concluded for this purpose in accordance with Article IX.
- [5. This Article is without prejudice to Articles III and V of this Protocol.]
6. Nothing in this Article shall affect the right of two or more States Parties to clarify and resolve any dispute among themselves.]