

3. (a) Unless the Council decides otherwise by special vote, the panel shall consist of five persons as follows:

(i) Two persons, one having wide experience in matters of the kind in dispute and the other having legal standing and experience, nominated by the exporting Members;

(ii) Two such persons nominated by the importing Members; and

(iii) A Chairman selected unanimously by the four persons nominated under (i) and (ii) above or, if they fail to agree, by the Chairman of the Council.

(b) Nationals of Members and of non-Members shall be eligible to serve on the advisory panel.

(c) Persons appointed to the advisory panel shall act in their personal capacities and without instructions from any Government.

(d) The expenses of the advisory panel shall be paid by the Organization.

4. The opinion of the advisory panel and the reasons therefor shall be submitted to the Council, which, after considering all the relevant information, shall decide the dispute by special vote.

ARTICLE 33

Action by the Council on complaints and on non-fulfilment of obligations by Members

1. Any complaint that a Member has failed to fulfil its obligations under this Agreement shall, at the request of the Member making the complaint, be referred to the Council, which, subject to prior consultation with the Members concerned, shall take a decision on the matter.

2. Any decision by the Council that a Member is in breach of its obligations under this Agreement shall specify the nature of the breach.

3. Whenever the council, whether as the result of a complaint or otherwise, finds that a Member has committed a breach of this Agreement, it may, without prejudice to such other measures as are specifically provided for in other articles of this Agreement, by special vote:

(a) Suspend that Member's voting rights in the Council and in the Executive Committee; and, if it deems it necessary,

(b) Suspend further rights of such Member, including that of being eligible for or of holding office in the Council or in any of its committees, until it has fulfilled its obligations; or, if such breach significantly impairs the operation of this Agreement,

(c) Take action under article 41.