## WORLD TRADE

## ORGANIZATION

**TN/DS/W/82/Add.1/Corr.1**<sup>1</sup> 27 October 2005

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**Dispute Settlement Body Special Session**  Original: English

## NEGOTIATIONS ON IMPROVEMENTS AND CLARIFICATIONS OF THE DISPUTE SETTLEMENT UNDERSTANDING

<u>Further Contribution of the United States on Improving Flexibility</u> <u>and Member Control in WTO Dispute Settlement</u>

Communication from the United States

Addendum

Corrigendum

Page 3, penultimate paragraph, should read:

"With respect to the second type of gap-filling, where the application of the customary rules of treaty interpretation leaves the meaning of a provision ambiguous, e.g., there may be two plausible meanings, a WTO adjudicative body should not use that language as the basis for validating a claim or a defense where that validation would require foreclosing one of those meanings."

<sup>&</sup>lt;sup>1</sup> In English only.