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COMMISSION ON PHYTOSANITARY MEASURES

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Report on the Activities of the Subsidiary Body on Dispute Settlement (SBDS) in 2015
Agenda item 10.4
Prepared by Prepared by the SBDS Chairperson

1. The Subsidiary Body on Dispute Settlement (SBDS) held one teleconference on 11 March 2015 and met once from 9-11 September, 2015. The teleconference was a coordination meeting to update members on the ongoing phytosanitary dispute and make plans to progress the other work of the Secretariat.
2. The SBDS placed focus on *Dispute Settlement Towards 2020*. Emphasis will continue to be on dispute avoidance and it was felt there is a need for increase promotion of the IPPC Dispute Avoidance and Settlement Process (DASS) through regular and continuous communication by the IPPC contact points in their ministries. In addition, a broader range of stakeholders needed to be involved in the awareness campaign.
3. The IPPC Secretariat has been active in providing assistance on dispute avoidance to two countries. These have involved the participation in workshops and the Secretariat is working with other trade related divisions in FAO to provide DASS support to countries. This work will be ongoing during 2016.
4. The SBDS has also agreed to a work plan to progress the work on awareness raising and advocacy in 2016. However, without a dedicated Secretariat staff member to dispute avoidance, support from the Secretariat is once again limited.

5. The SBDS has continued to progress the work related to dispute avoidance and has produced:

- A brief guide to dispute avoidance under the IPPC
- A Guide for Industry on the Settlement of Phytosanitary Disagreements and Disputes under the IPPC
- A presentation on “Detail of the IPPC Dispute Avoidance and Settlement System (DASS)”
- A presentation on “An introduction to the IPPC Dispute Avoidance”

6. In 2016, the Secretariat will develop on-line material for dispute avoidance awareness raising to build on the awareness activities initiated during the 2015 IPPC Regional Workshops, a Dispute Avoidance Tool Box will also be established on the IPP, “Lessons Learnt” and case studies will be documented when possible, a form on the IPP will be made available to allow easier requests for DASS assistance, while ways of increasing the involvement of RPPOs in DASS will also be explored.

7. The formal dispute between South Africa and the EU was discussed by the disputing parties in the margins of CPM-10 (2015) in April 2015. Since then the parties have been working on improvements for the Terms of Reference for the establishment of an IPPC Dispute Settlement Expert Committee. However, an agreement on these Expert Committee for Citrus Black Spot Terms of Reference have not been reached yet.

8. Once the formal dispute between South Africa and EU is finalized, all dispute settlement procedures and processes will need revision in light of the experience gained in the first formal dispute. This will then also allow for the revision of the IPPC Dispute Settlement Procedures, the Dispute Avoidance and Settlement Manual and all associated advocacy material.

9. CPM is invited to:

- 1) *Note* the activities of the Subsidiary Body on Dispute Settlement in 2015