[1]**Draft Terms of Reference for** the Implementation and Capacity Development Committee (IC) Sub-group on **Dispute Avoidance and Settlement (as revised by IC June 2018)**

[2]**1. Purpose**

[3]The IC Sub-group will provide support, guidance and advice on phytosanitary related disputes to the IC and IPPC Secretariat in accordance with the relevant CPM procedures.

[4]**2. Duration**

[5]The IC Sub-group will operate until May 2020. This duration may be extended upon agreement by the IC.

[6]**3. Membership**

[7]The IC Sub-group should consist of 4 to 6 members with combined legal, technical and phytosanitary experience, considering wide geographic representation (including developing country participation).

[8]**4. Conflict of interest**

[9]The IC Sub-group will take the necessary measures to avoid any conflicts of interest that may arise from the operations of the IC Sub-group.

[10]**5. Tasks**

[11]The IC Sub-group operates under the guidance and supervision of the IC, and serves as a forum for:

[12]Dispute avoidance:

[13]1. Provide guidance on options for dispute avoidance.

[14]2. Provide support and inputs for the development of advocacy and guidance materials to promote dispute avoidance.

[15]3. Support capacity development activities which promote dispute avoidance.

[16]4. Identify cases studies and lessons learned from publically available disputes to be used in the development of guidance materials for dispute avoidance.

[17]5. Provide advice on the actions or ways to promote dispute avoidance procedures.

[18]6. Undertake other functions related to dispute avoidance as directed by the IC.

[19]Dispute settlement:

[20]7. Oversee the revision of the CPM adopted procedures, as needed.

[21]8. Review nominations of independent experts based on the relevant CPM procedures and make recommendations to the IC.

[22]9. Identify areas that repeatedly trigger disputes and recommend remedies.

[23]10. Provide advice on the actions or ways to promote the dispute settlement procedures

[24]11. Undertake other functions related to dispute settlement as directed by the IC.

[25]**6. Reporting**

[26]The IC Sub-group reports to the IC annually and if necessary, upon request.

[27]**7. Rules of Procedure**

[28]The IC Sub-group Rules of Procedure will apply to the IC Sub-group on Dispute Avoidance and Settlement.

[29]**8. Amendments**

[30]Amendments to these Terms of Reference, if required, shall be adopted by the IC.