



联合国
粮食及
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Food and Agriculture
Organization of the
United Nations

Organisation des Nations
Unies pour l'alimentation
et l'agriculture

Продовольственная и
сельскохозяйственная организация
Объединенных Наций

Organización de las
Naciones Unidas para la
Alimentación y la Agricultura

منظمة
الأغذية والزراعة
للأمم المتحدة

COMMISSION ON PHYTOSANITARY MEASURES

Sixteenth Session

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**IPPC Dispute Settlement Procedures revision - Statement from COSAVE
and its member countries**

Agenda item 08.4

Prepared by COSAVE and its member countries

English only

Statement from COSAVE and its member countries regarding document CPM 2022/05 “IPPC Dispute Settlement Procedures-revision”. Agenda item 8.4

COSAVE and its member countries agree with the decision points of document CPM 2022/05 but believe that procedures should be further considered before the adoption and suggest in this paper some preliminary amendments to Appendix 1 of CPM 2022/05 detailed below.

Appendix 1

IPPC DISPUTE SETTLEMENT PROCEDURES

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5. ~~The Expert Committee Process under the IPPC~~ IPPC Dispute settlement process

5.1 Consultations

Article XIII of the IPPC (1997) requires, as a pre-condition to using the Expert Committee process, that the disputing parties first consult among themselves with a view to resolving the dispute. The consultation may be informal or formal. Each disputing party undertakes to accord sympathetic consideration to and afford adequate opportunity for consultation regarding any representations made by another disputing party concerning the interpretation or application of the IPPC.

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5.3 Formal consultation

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5.3.7 For consultations to succeed, the parties must have the will to resolve the problem and the flexibility to cooperate and make compromises when necessary. ~~This is frequently possible if the consultations consider only technical issues. If some political aspects are included into the discussions, the possibility of compromise diminishes as does the likelihood of resolving the issue.~~²⁰.....

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5.5 The Expert Committee Process

5.5.3.4 The three independent members of the Expert Committee shall be nominated by the IPPC Secretariat through a call for experts as described in Section 5.5.4 below. In case not enough experts are nominated to serve in the Expert Committee, the IPPC Secretariat may solicit nominations from contracting parties and the Regional Plant Protection Organizations without the need of a new call.³³

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5.5.4 Selection of Experts

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5.5.4.2 Experts may be nominated by contracting parties, and the Regional Plant Protection Organizations, ~~and other organizations invited by the IPPC Secretariat to provide nominees~~.³⁸

6.5 Amendment of these DSPs

Amendments to these DSPs ~~may~~ will be adopted by ~~a majority of the members of~~ the CPM at any plenary meeting.⁶²