



**Eighth Meeting of Subsidiary Body for Dispute Settlement  
13 & 14 March 2012 – FAO, Rome, Italy**

**REPORT**

**1 Opening**

The meeting was opened by the Chair, Ms Lois Ransom.

**2 Adoption of Agenda**

Adopted.

**3 Matters arising from the previous report**

Last meeting 3 years ago and therefore no matters arising.

**4 Report of IPPC Secretariat on dispute settlement activities**

No progress on formal dispute due to resource challenges. No informal discussions took place with the Secretariat in 2011.

**5 Update on progress with the IRSS**

The IPPC Secretariat provided an update on IRSS activities:

1. IRSS page up on the IPP <https://www.ippc.int/index.php?id=1111059&L=0#irssactivities>
2. Activities in 2011 = survey and 7 regional workshops. 2012 - analysed and summarized data – global and regional. Will go to a workshop in Asia to provide solutions and recommendations. Set up a training programme for pest surveillance (workshops or e-learning) & ISPM 6 manual. Draft report to be published on IPP by 19 March 2012. Section H will go to the SC.
3. Four studies undertaken: aquatic plants – uses and risks (done); risks associated with Internet trade of plants and plant products (done); and equivalence application in context of IPPC (April 2012) – need to find equivalence document generated a number of years ago; ISPM 4 & 8 survey completed in a response to SC request for input into the review process for the 2 standards. This data will become public later; and
4. Help Desk: generating material for the Help Desk. Now have country profiles page of statistics – 5 FAO data sets are available and the Secretariat will need to build the rest over time. Secretariat also generating a projects database, including all documents generated in the projects; an activities and experts databases; e-Learning module for PRA – converted previous material into an e-learning package and available in English and Spanish.

The SBDS would like the IRSS to look at ISPM 13 (non-compliance) next. This is primarily related to the scope of the SBDS and this activity would complement the review of the IPPC Dispute Settlement system.

SBDS needs to produce a proposal on analysing phytosanitary trade disputes for June 2012 Bureau meeting.

## **6 Implementation challenges**

SBDS 2012/03 presented to the SBDS. Regarding implementation challenges for ISPM 15, there is clear overlap with the IRSS process and capacity development activities. A number of approaches can be made for the implementation of ISPM 15 issues:

- i) need a fast solution = provide clear guidance document on practical implementation to improve quality of work (manual by capacity development) i.e. what can be done to improve compliance after non-compliance.
- ii) need IRSS to look more systematically of all ISPM 15 components and make recommendations for all phases, including revision of the ISPMs.
  - a. treatments
  - b. certification
  - c. assurance / audit
  - d. wood packaging
- iii) capacity development programme to address ISPM 15 implementation – ISPM 15 workshop outcomes could feed into this process.

Get feedback from RPPOs on experiences on ISPM 15.

*Recommendation:* Primarily implementation issues that be dealt with through the IRSS system and capacity development activities. First need to generate more accurate and detailed information on ISPM 15 implementation challenges through a workshop (follow up to that in Canada in 2006) – organization committee would establish agenda and participants - and with the purpose of producing an operational / good practices manual to assist with ISPM 15 implementation. Suggest that the CPM Bureau addresses this with the Secretariat to get this onto the IPPC work programme.

## **7 Clarifications on ISPMs**

No formal request for clarifications on ISPMs.

## **8 Review of the SBDS and Dispute Settlement process.**

*Recommendation:* IRSS to undertake a study on previous phytosanitary disputes and implementation of ISPM 13. This would provide information for the Dispute Settlement review that needs to be undertaken in time for SPTA.

If no response from ISPM 13, then go to SBDS to resolve “dispute”. Possibly a new process to feed into the SBDS.

IRSS – output = mid-June  
SBDS – mid-July  
SPTA – first week October.

## 9 Other business

### 9.1 Advocacy

Continue promoting the IPPC Dispute Settlement activities, particularly now that resources in the Secretariat should once again be available to support dispute settlement activities.

### 9.2 Communication:

- Notify *SBDS of disputes* – every 3 months if any activity. Minimum information to be supplied would be parties involved and measured involved. Informal phytosanitary discussions then describe the nature of phytosanitary issue being discussed and if relevant then way forward.
- Post *SBDS clarification statements*. Ideally the minimum information to be supplied would be parties (subject to agreement of parties) involved, ISPM / issue involved.
- *Informal consultations*: Could produce a FAQ with naming parties if confidentiality is a problem. Needs to capture concerns and possible solutions. Make this a standard item on the SBDS agenda. Even if trade disputes or consultations are withdrawn, if there is activity from the Secretariat, then need to report it.

## 10 Closure