

Code
compliance

Legislation
reform

Effective
enforcement

Serve the
public good

Background

The overarching objective of the World Organisation for Animal Health (OIE) is 'to improve animal health and welfare worldwide regardless of the cultural practices or the economic situations in Member Countries'. In support of achieving that objective, the OIE has created a set of tools and programmes to assist its Member Countries in the strengthening of their Veterinary Services (VS). Taken together, this set of tools and programmes is known as the OIE PVS Pathway, where PVS refers to 'Performance of Veterinary Services'. By availing themselves of the various components of the PVS Pathway, Member Countries can better implement the international standards of the OIE which they have adopted.

The Veterinary Legislation Support Programme (VLSP), established in 2008 to help Member Countries recognise and address their needs for modern, comprehensive veterinary legislation, is one component of the PVS Pathway. Indeed, in many countries, veterinary legislation is outdated and not adequate to meet current and future challenges such as the growing global demand for foods of animal origin, increased participation in world trade, shifting patterns of disease associated with climate change, emergence and re-emergence of diseases that can rapidly spread across international borders and increased risks of bioterrorism.

Veterinary legislation is an essential element of a nation's infrastructure. It provides the powers and authorities necessary for VS to efficiently carry out their key functions in the veterinary domain¹ to ensure public safety and promote the public good. These functions include epidemio-surveillance; early detection and reporting of animal and zoonotic diseases; rapid response to and prevention and control of animal disease and food safety emergencies; animal product food safety; the welfare of animals; and the relevant certification of animals and animal products for export.

¹ The OIE defines the **veterinary domain** as 'all the activities that are directly or indirectly related to animals, their products and by-products, which help to protect, maintain and improve the health and welfare of humans, including by means of the protection of animal health and welfare, and food safety'

Objectives of the VLSP

The VLSP consists of two stages. The initial stage is **the Veterinary Legislation Identification Mission**, aimed at obtaining a detailed picture of the current state of veterinary legislation in a country. If the experts of this mission find that the country has sufficient political will and the human and financial resources to successfully undertake it, the second stage is **the Veterinary Legislation Agreement** aimed at supporting the country in correcting its deficiencies in veterinary legislation. Their respective objectives are as follows:

The **VETERINARY LEGISLATION IDENTIFICATION MISSION** objectives are to:

- raise awareness of the essential elements of legal drafting that result in quality veterinary legislation and of the importance of quality veterinary legislation for effective operation of the VS;
- assess compliance of the Member Country's veterinary legislation with Chapter 3.4. on veterinary legislation of the OIE *Terrestrial Animal Health Code (Terrestrial Code)*;
- ascertain the Member Country's available human, financial and organisational resources to produce high quality veterinary legislation;
- identify or support the preparation of national priorities in terms of veterinary legislation;
- develop recommendations to modernise the Member Country's veterinary legislation.

The **VETERINARY LEGISLATION AGREEMENT** objectives are to:

- establish specific objectives for legislation reform/modernisation according to the Member Country's priority needs and strategic objectives;
- raise awareness, strengthen relevant skills and promote collaboration between technical and legal drafters, with the emphasis on strengthening the Member Country's capability to prepare and implement veterinary legislation of acceptable quality; and
- support the development of specific new laws and regulations according to the Member's priority needs and strategic objectives.



Structure of the VLSP

STAGE 1: The Veterinary Legislation Identification Mission

Participation in the VLSP is voluntary. Any OIE Member Country that has completed a PVS Evaluation mission can request a Veterinary Legislation Identification Mission. Following a request from the Delegate, the OIE proposes dates for a 5 day in-country mission and a team of VLSP experts (at least one veterinarian and one lawyer). Once agreed, the mission Team Leader contacts the Delegate to begin a stage of pre-mission information gathering to obtain basic information on the legislative procedures in the country and the current status of the country's existing veterinary legislation. To that end, the Delegate and his colleagues are asked to complete and return a two-part Questionnaire, and provide the country's Constitution as well as full texts of key veterinary legislation to the mission team.

During the mission, the OIE team meets the Delegate, his technical staff and legal advisors, and representatives of relevant competent authorities throughout the veterinary domain, which may be outside the Veterinary Authority. As legislation is a matter for political decisions, it is expected that the Minister responsible for VS will attend the mission's closing meeting, when the OIE team's draft recommendations are presented and discussed.

After the mission, the OIE team prepares a preliminary mission report which is submitted to the Delegate for review and comment and then finalized and resubmitted to the Delegate for approval following consideration of those inputs. The report, in addition to an analysis of existing legislation and recommendations for legislation reform, includes an assessment of the country's capacity to undertake future work on legislation, which would be a factor in whether the OIE engages the country in a Veterinary Legislation Agreement.



(Photo courtesy of C. Loi)

OIE VLSP Identification Mission in Myanmar, March 2018

STAGE 2: The Veterinary Legislation Agreement

Based on the recommendations made in the Identification Mission report, a country may choose to pursue legislation reform by amending existing legislation or drafting new legislation. They may do this independently or can request further assistance from the OIE in the form of a Veterinary Legislation Agreement. The OIE reserves the right to engage or not engage in such a request based on the OIE identification mission team's assessment of the country's capacity to undertake future work on legislation.

An Agreement has two phases:

- **The Preparatory Phase (Phase 1 - up to six-month duration – mainly distance work - one 5 day mission possible, if necessary):** Prerequisite to the formal Agreement, the Preparatory Phase is intended to further assess the feasibility of the country to undertake the desired legislation reform and set a work plan by identifying a working group, objectives and benchmarks. The OIE expert provides a report of the activities and recommends to the OIE Director General if the implementation phase of the Agreement should be undertaken.
- **The Implementation Phase (Phase 2 - one year renewable for an additional year - distance work - up to two 5 day missions):** If it is agreed to initiate the Implementation Phase following completion of the Preparatory Phase, a formal Agreement is signed by the OIE Director General and the Minister responsible for VS, and the working group collaborates with the OIE expert on implementation of the work plan. The expert assumes an advisory role rather than a primary role in drafting new legislation: indeed, a cross-cutting objective of the Agreement is a transfer of methodology to the country for preparation of quality legislation. The expectation is that within the year the Agreement will achieve the objectives identified. However, if good progress is made but the work not completed by year's end, the Agreement can be extended for another year by exchange of letters between the OIE and the country.

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