

# Required competencies of Veterinary Services in the context of the international trade

## Opportunities and challenges

# 3.

## Challenges faced by Veterinary Services in the context of international trade and examples of successful practices

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# Challenges faced by Veterinary Services in the context of international trade and examples of successful practices

The aim of this study is to provide an analysis of the main challenges faced by Veterinary Services in the context of international trade and to give some examples of successful practices. The challenges are categorised using an analytical framework that takes advantage of current reflections for the OIE Observatory.

## Materials and methods used for the analysis

The analysis used PVS<sup>1</sup> Evaluation reports as its main source of material. The PVS Tool provides a standardised and systematic framework for the evaluation of a country's Veterinary Services, structured around four fundamental components, each comprising several Critical Competencies (CCs). In a PVS Evaluation report, countries are assigned a Level of Advancement between 1 (weakest) and 5 (strongest) for each of the CCs, followed by text on strengths, weaknesses and recommendations.

The analysis also took into account other sources of information:

- Interviews with OIE Delegates or high-level government representatives of nine OIE Members (Canada, Ethiopia, Japan, Kazakhstan, The Netherlands, Paraguay, South Africa, Singapore, Tunisia), carried out in February 2020. Countries were selected with the aim of ensuring, as far as possible, a balance between i) OIE regions; ii) countries' level of development; iii) their importing and exporting profile; iv) their engagement in the PVS Pathway; and/or v) their engagement in OIE activities.

- The Technical Item for the 86th General Session of the World Assembly of Delegates of the OIE (Paris, France, May 2018) 'Implementation of OIE Standards by OIE Member Countries: state of play and specific capacity building needs' (1). The report on this Technical Item was the result of the analysis of a survey on the subject, to which 145 OIE Members had replied.
- The World Trade Organization (WTO) Sanitary and Phytosanitary Information Management System (2), a database collecting countries' notifications and trade concerns, with a search function by keywords.
- A review of the literature.

An **analytical framework** was defined to identify the main challenges faced by Veterinary Services in the context of international trade (Figure 1). It was structured around:

- the three-phase trade process: before/during/after trade negotiation, and;
- three major areas: i) Legislation and policies; ii) Interaction with stakeholders; iii) Technical capacity.



Figure 1. Analytical framework

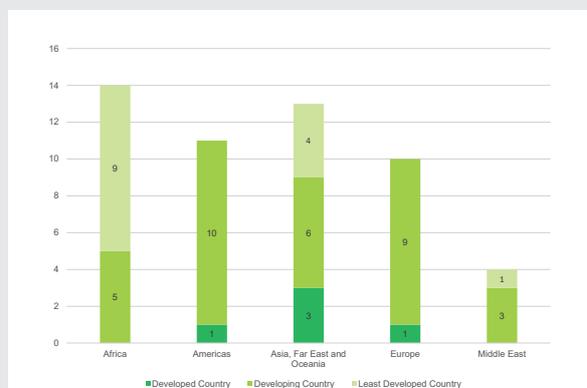
<sup>1</sup>PVS: Performance of Veterinary Services

# Description of the methodology

An analysis of the PVS Evaluation reports of countries in association with their trade profile was carried out to identify the key competencies of Veterinary Services to support the export and import of animals and animal products.

## • Selection of a sample of PVS Evaluation reports for analysis

To ensure that the information analysed was as near as possible to the current reality, the most recent PVS Evaluation reports (initial or follow-up reports) conducted in 52 countries between January 2014 and December 2019 were selected. The sample thus comprised 52 reports.



**Figure 2: Distribution of the 52 countries selected for analysis of their PVS Evaluation reports, by OIE region and by level of development as classified by the United Nations (3)**

## • Defining countries' trade profile

International Trade Centre (ITC) statistics were used to construct each country's trade profile in terms of import and/or export of terrestrial live animals and animal products (4). Based on the nomenclature of the Harmonized System (HS), the commodities selected for analysis were those considered to be highly associated with potential animal health risks (see Table 1).

The countries that fall among the 30 main trading countries worldwide for at least one of these commodities were defined as "countries with a high or medium trade profile" (data refer to 2018, by value).

On the basis of this cut-off, the countries selected for the analysis of their PVS reports (N=52) were classified into four groups:

**Group A:** Countries with a high or medium trade profile for both exports and imports (n=8)

**Group B:** Countries with a high or medium trade profile for exports and a low trade profile for imports (n=12)

**Group C:** Countries with a high or medium trade profile for imports and a low trade profile for exports (n=7)

**Group D:** Countries with a low trade profile (i.e. both for exports and for imports) (n=25)

### Chapter 01. Live animals

- 0102 Live bovine animals
- 0103 Live swine
- 0104 Live sheep and goats
- 0105 Live poultry: fowls of the species Gallus domesticus, ducks, geese, turkeys and guinea fowls

### Chapter 02. Meat and edible meat offal:

- 0201 Meat of bovine animals, fresh or chilled
- 0202 Meat of bovine animals, frozen
- 0203 Meat of swine, fresh, chilled or frozen
- 0204 Meat of sheep or goats, fresh, chilled or frozen
- 0207 Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen fowls

**Table 1. Selected commodities according to the Harmonized System (HS)**

## Description of the methodology

### • Analysing a set of PVS Critical Competencies and cross-checking with other sources of information

The PVS reports selected for the analysis were the outcome of missions conducted using the 6th edition of the PVS Tool (2013). The analysis focused on a set of CCs considered to be directly related to the role of the Veterinary Services in international trade (Annex 1).

For the purpose of the analysis, the median level of advancement for each selected CC was used. The median is the middle value in a group of numbers ranked by size. It is the number which is exactly in the middle so that 50% of the ranked numbers are above and 50% are below the median.

The text on strengths, weaknesses and recommendations in the 52 PVS reports – 150 000 words – was collected and analysed in order to identify any gaps in terms of resources, workforce, legislation and enforcement, information system and interaction with stakeholders.

The multitude of variations in the way gaps were described in the different PVS reports resulted in a laborious manual analytical process to identify and categorise the findings for subsequent analysis. Table 2 indicates the categories of gaps applied for the subsequent analysis of the set of CCs. The number of times they occurred was measured to compare their impact on the Veterinary Services' capacity to assume their role in international trade.

These findings were also cross-checked with the other sources of information used in the study, namely the WTO Sanitary and Phytosanitary Information Management System, interviews and the review of the literature.

Data analysis was performed using Excel, with Qlik Sense being used for dynamic data visualisation.

Visualisation of the data in Qlik Sense is available [here](#).

 <b>LEGISLATION</b>		 <b>ENFORCEMENT</b>		
Deficiencies in defining national priorities, strategy and planning	Lack of good regulatory practices (including use of international standards, regulatory transparency)	Ineffective chain of command, roles and responsibilities, delegation, independence, sanctions/penalties	Insufficient standard operating procedures	Inadequate supervision / reporting system / audit
 <b>INTERACTION WITH STAKEHOLDERS</b>				
Lack of interaction with other public authorities		Lack of interaction with other private sector and other interested parties		
 <b>RESOURCES</b>			 <b>WORKFORCE</b>	
Insufficient financial resources	Insufficient / inadequate infrastructure	No effective compensation mechanism	Insufficient human resources	Lack of training
 <b>INFORMATION SYSTEM</b>				
Inadequate Animal Health information system	Inadequate animal identification and traceability system		Inadequate information system for import and export	

Table 2. Categories of gaps applied when analysing the text in the 52 PVS reports

# Identification of the main challenges faced by Veterinary Services and successful practices

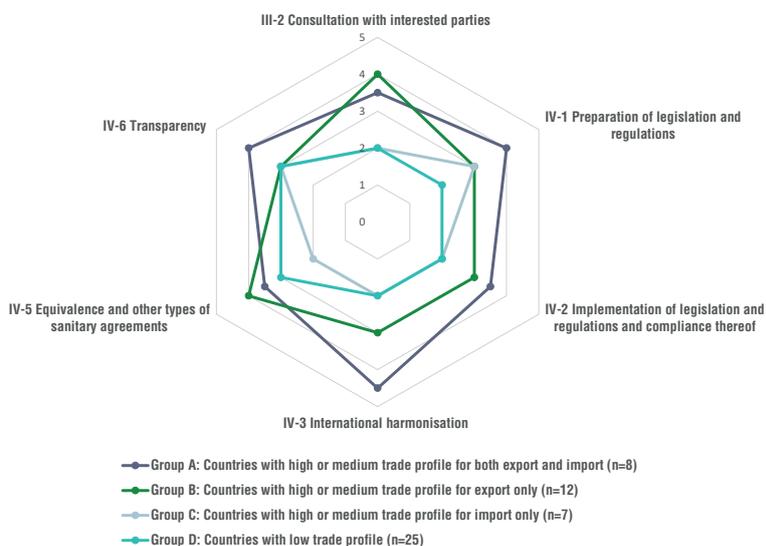
## Before trade negotiation

### Common challenges faced by the Veterinary Services of countries seeking to engage in international trade

According to countries' trade profile group, the analysis shows differences in the level of advancement for Veterinary Services' competencies relating to the development and implementation of national policies and legislation supporting programmes in the veterinary domain and giving the authority to negotiate trade measures (Figure 3). Consultation with stakeholders, efficiency in preparation of legislation, use of international standards and transparency are good regulatory practices and are well implemented by countries with a high or medium trade profile for both imports and exports (Group A). The non-application of these good regulatory practices, specifically by countries with a low trade profile (Group D), undoubtedly has an adverse impact on their ability to engage in international trade.

As in the case of countries with a low trade profile (Group D), countries with a high or medium trade profile for imports only (Group C) have a low level of advancement for competencies relating to the development and implementation of national legislation and to the use of international standards. This can be explained by the fact that these countries need to import on a massive scale due to a lack of local production or for food security reasons. For these countries, protecting their human population against sanitary risks and aligning their legislation with safe international standards may not be seen as national priorities.

It is also interesting to highlight the specific competencies for which high levels of advancement are achieved by countries with a high or medium trade profile for exports only (Group B), namely consultation with stakeholders, international harmonisation and equivalence of sanitary measures, which seems logical as a means of facilitating access of their products to international markets.



**Figure 3. Comparison of median level of advancement for PVS CCs related to development and implementation of national policies and legislation, according to countries' trade profile**

According to the analytical framework, the key challenges faced by the Veterinary Services of countries seeking to engage in international trade are related to a lack of good regulatory practices (use of international standards, regulatory transparency), insufficient interaction with the private sector and insufficient human resources (Figure 4).



Diagram represents a hierarchical view of categories of gaps in the form of nested rectangles, the area of each corresponding to its numerical value (i.e. number of times the gap was mentioned in the analysed reports).

**Figure 4. Common challenges before trade negotiation: Main gaps identified through a text analysis of PVS Tool CCs III-2, IV-1, IV-2, IV-3, IV-5 and IV-6 in the 52 PVS reports**

## Legislation and enforcement

### Lack of efficiency in the preparation of legislation, regulations, policies and procedures

Some Veterinary Services face difficulties in developing an appropriate legal framework due to the **absence of a clearly defined strategic plan and clearly defined national priorities** that take into account the resources necessary for implementation.

In addition, some Veterinary Services face difficulty in assuming their responsibilities because of administrative and legal barriers:

- **Multiple competent authorities:** in some countries, the export and import of animal products for human consumption falls within the purview of two competent agencies, for animal health and food safety, respectively.
- **No clear chain of command:** in some countries, the lack of a clear division of responsibilities between different public authorities and different levels of governance are obstacles to the enforcement of legislation.
- **Lengthy and/or complex legal procedures:** some countries have import requirements prescribed in legislation and making amendments would require political approval.

These legal and administrative barriers can prevent the Veterinary Services from tackling complex issues such as threats related to emerging diseases, climate change, biodiversity loss or illegal trade. They can also make it difficult for the Veterinary Services to take advantage of the opportunities offered by new technologies, for example for animal identification, product traceability and electronic certification.

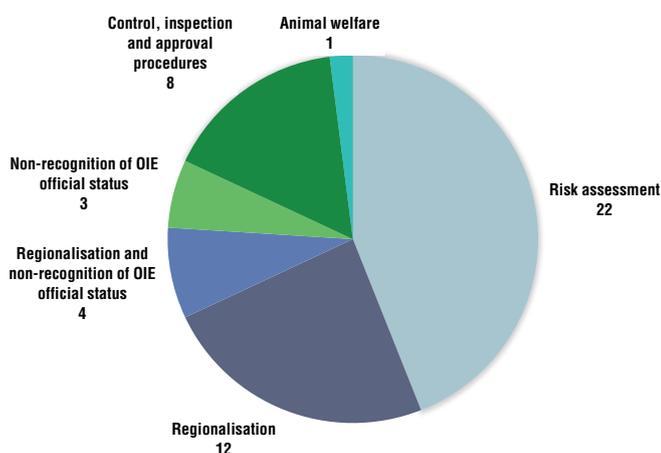


Figure 5. Analysis of 50 animal-health related STCs raised since 2010, by type of trade issue

Source: WTO, SPS Information Management System

### Lack of consistency with the SPS Agreement and international standards

Trade concerns raised at the WTO Sanitary and Phytosanitary Committee (SPS Committee) might be a sign of incorrect application or interpretation of SPS Agreement principles or OIE standards.

Analysis of the specific trade concerns (STCs) raised at the SPS Committee shows that the most important trade issues are related to the implementation of key SPS principles, such as risk assessment, regionalisation and non-recognition by trading partners of a country's OIE official animal disease status (Figure 5). A substantial number of trade issues are also related to control, inspection and approval procedures (e.g. undue delay, discrimination, no proportionality).

This lack of consistency with the international regulatory framework can be explained by a lack of knowledge and understanding of the key SPS principles and OIE standards but also by the technical complexity of the issue in question. The format of OIE standards, organised by disease rather than by commodity, can also present challenges to their implementation (5) (6). It must be acknowledged that a sound level of legal expertise and understanding of how to use the OIE Codes (i.e. *Terrestrial Animal Health Code* and *Aquatic Animal Health Code*) are prerequisites for the practical implementation of SPS principles and OIE standards.

### Insufficient regulatory transparency

The lack of accessibility to trading partners' legislation and difficulty in dealing with foreign languages can hamper the Veterinary Services' capacity to engage in international trade.

Making national sanitary legislation available to the public on an official website could be an essential step in improving transparency and facilitating understanding. However, according to a survey of OIE Members conducted in preparation for the OIE 86th General Session Technical Item (1), one third of the countries that responded reported that, after entry into force, their sanitary requirements for importation and veterinary certificates were not available to the public on a website.

## Interaction with stakeholders

### Insufficient consultation with the private sector and other interested parties

According to the survey conducted for the OIE 86th General Session Technical item (1), requests from the private sector are recognised as triggers for the development and review of sanitary requirements; however, private sector stakeholders are not consulted systematically when sanitary measures are being set (60% of respondents).

Veterinary Services face difficulties in consulting stakeholders due to external or internal obstacles:

- **Lack of effective organisation for the representation of sectoral interests:** in some countries, most of the livestock population is held by small-scale farmers who are not widely organised in the form of associations, which makes interaction with the Veterinary Services difficult.

In other countries, there are national industry associations but there may be limited representation of producers and smaller operators

- **No consumer protection associations** for consultation or to provide advocacy for safe and secure foodstuffs of animal origin.
- **No formal consultation procedures and mechanisms** to allow effective involvement of a wide range of stakeholders in the development of legislation.
- **No communication campaign** to ensure better awareness among stakeholders involved in the implementation of veterinary legislation and regulations and to facilitate their implementation. Weak formal interaction between the Veterinary Services and stakeholders can limit the capacity to ensure compliance with the regulations but also to enable private sectors to engage in international trade.

## Identification of successful practices regarding the development of national legislation and policies relating to international trade

- **A whole-government approach encouraging multi-agency collaboration and consultation:** coordination mechanisms and tools between governmental authorities, such as the establishment of interagency committees or frameworks for interagency cooperation.
- **Defining a national strategy for international trade and national priorities** through:
  - definition of priority criteria (e.g. economic aspects, feasibility of trade negotiation, free trade agreements, sustainable agriculture, animal welfare).
  - establishment of prioritisation mechanisms, including consultation with the private sector.
  - definition of an action plan regarding programmes in the veterinary domain.
- **Developing transparent consultation mechanisms** (fora, committees, etc.) to allow effective involvement of a wide range of stakeholders (producers' associations, industry associations, private veterinarians, consumers) in the development of legislation and the delivery of Veterinary Services' activities in the field of animal health and food safety.
- **Developing a legal framework consistent with the SPS Agreement and OIE international standards**, including the legal basis for key concepts to facilitate safe trade, such as recognition of equivalence and recognition of another country's disease-free zones or compartments, with sufficient agility to respond to a rapidly evolving animal health situation.
- **Improving regulatory transparency to establish trust between trading partners**, by achieving a greater degree of clarity, predictability and information exchange on trade policies, regulations and procedures. Below are some examples of websites publishing online information on import/export requirements:

**European Union:** [https://ec.europa.eu/food/safety/international\\_affairs/trade\\_en](https://ec.europa.eu/food/safety/international_affairs/trade_en)

**Canada:** <https://www.inspection.gc.ca/animal-health/terrestrial-animals/imports/import-policies/eng/1320806430753/1320806678417>

**Singapore:** <https://www.sfa.gov.sg/food-import-export/import-export-transshipment-of-live-poultry-livestock>

**South Africa:** <https://www.daff.gov.za/daffweb3/DAFF-Services/Imports>

**Japan:** [https://www.maff.go.jp/e/policies/ap\\_health/animal/index.html#a\\_3](https://www.maff.go.jp/e/policies/ap_health/animal/index.html#a_3)

## Specific challenges faced by Veterinary Services in enabling countries to export

According to countries' trade profile, the analysis shows differences in the level of advancement for Veterinary Services' competencies related to programmes supporting veterinary certification, in terms of animal health surveillance, disease prevention, disease control, identification of animals and traceability of animal products, and food safety control (Figure 6).

In comparison to countries with a high or medium trade profile for exports (Group A + Group B), countries with a low trade profile for exports (Group C + Group D) have a low level of advancement for competencies to carry out these programmes, specifically for active epidemiological surveillance, identification and traceability, and food safety.

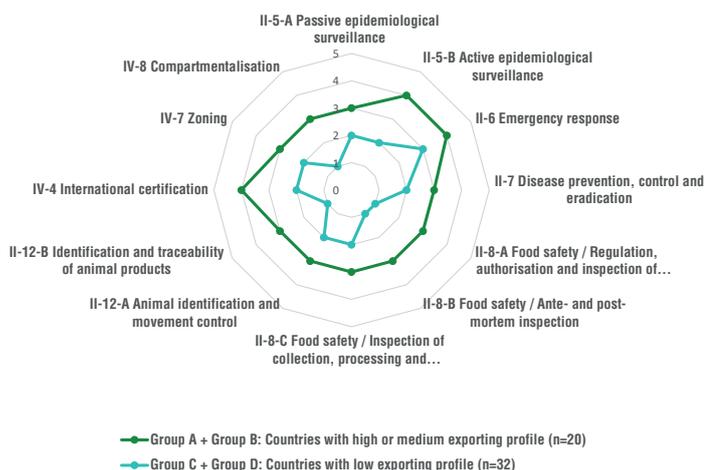


Figure 6. Comparison of median level of advancement for PVS CCs related to veterinary certification, according to countries' exporting profile

According to the analytical framework, the key challenges faced by Veterinary Services in enabling countries to export are related to their technical capacity (including lack of training and insufficient standard operating procedures), deficiency in defining national priorities, ineffective chain of command and insufficient interaction with the private sector (Figure 7).

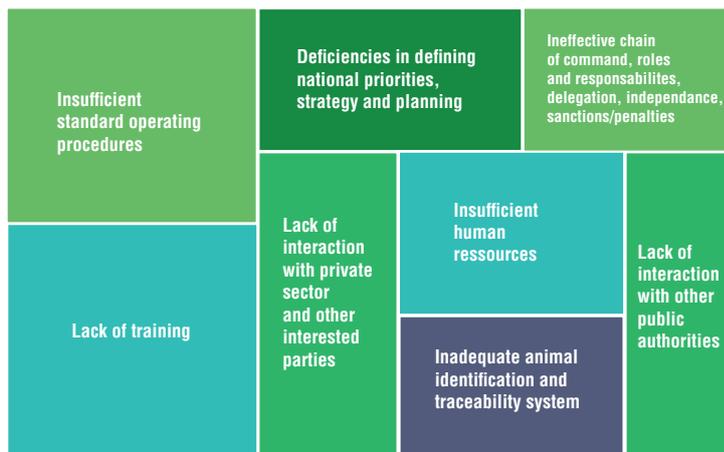


Diagram represents a hierarchical view of categories of gaps in the form of nested rectangles, the area of each corresponding to its numerical value (i.e. number of times the gap was mentioned in the analysed reports).

Figure 7. Specific challenges before trade negotiation: Main gaps identified through a text analysis of PVS Tool CCs II-5, II-6, II-7, II-8, II-12, IV-4, IV-7, IV-8 in the 52 PVS reports

## Technical capacity

### Limited capacities for diagnosis and surveillance

Lack of access to veterinary diagnostic laboratories and lack of staff with the required competences are obstacles to providing necessary the testing for animals to be exported. They are also obstacles to providing support for disease surveillance to enable the Veterinary Services to monitor which diseases are absent or present and report disease status to the OIE and trading partners to satisfy certification requirements.

### No effective identification and traceability system

Meaningful farm-to-fork traceability is challenging to achieve and is lacking in many parts of the world. It requires a well-organised supply chain, adequate government oversight, and efficient and secure means to collect, register and share data throughout the supply chain (7). According to a survey carried out for the 83rd OIE General Session Technical item (2015), only a quarter of existing OIE Members at that time maintained records on animal traceability, identification and movement (8).

## Interaction with stakeholders

### Lack of effective compensation mechanisms

For several least developed and developing countries, there is a lack of swift and fair compensation mechanisms, which seriously affects their capability for early detection of disease outbreaks and rapid response. In some countries, it was observed that the absence of compensation mechanisms could contribute to the spread of animal diseases: when an outbreak was in progress, animal owners would quickly try to sell their animals to reduce their financial losses. Ineffective passive surveillance and emergency response hamper the Veterinary Services' ability to provide guarantees to trading partners on animal health status and to satisfy certification requirements.

### Lack of effective Public-private partnerships (PPP)

The level and scope of involvement of the private sector in national Veterinary Services varies widely across the world. Private sector involvement is greatest in some of the most developed trading countries and least used in some countries where the capacity of the public sector is particularly limited. A specific study on PPPs was carried out on PVS Evaluation reports for 41 countries (from 2007 to date), looking at Veterinary Services' critical competencies relating to accreditation, authorisation and delegation. Out of 41 countries, 25 showed some involvement of the private sector. This involvement was mostly in animal health activities (24 countries) followed by food safety (9 countries) and export certification (4 countries) (9).

According to the survey conducted for the OIE 86th General Session Technical item (1), lack of private sector investment was identified by 43% of respondent countries as a challenge to the use of zoning or compartmentalisation approaches.

## Identification of successful practices regarding engagement with the private sector

### Close cooperation with producers' associations to define trade priorities

regarding types of export commodities and targeted international markets, as well as the activities to be developed or strengthened in order to obtain an OIE official disease status (e.g. surveillance and animal identification system).

### Effective PPPs

There is clearly the potential in many countries to strengthen the involvement of the private sector through strong partnerships in the development of robust national official assurance systems to support international trade. For less developed countries, the development of PPP requires a prioritisation of scarce public sector resources to set up governance and systems to assure sustainable private sector delivery (9).

### PPP to apply compartmentalisation

According to a study on PVS mission reports related to avian influenza (10), two countries developed public-private partnerships with the poultry industry to apply compartments to avoid the disruption of international trade in the event of an outbreak of avian influenza.

24th Conference of the OIE Regional Commission for the Americas (November 2018), Technical item “Sustainability of Veterinary Services: experiences and challenges”, Jaime Romero (12):

OIE official recognition of disease status has contributed significantly to the development of the livestock sector in the Americas and its impact on international trade.

Countries across Latin America and the Caribbean (LAC) have made considerable progress with their official disease status. Animal disease eradication programmes have delivered significant results, and Veterinary Services have undoubtedly been effective in controlling OIE-listed diseases. In parallel, growth in animal populations, animal production and international trade across LAC in recent decades has led to global recognition for the region as a reservoir of animal protein. There is no doubt that improved official disease status has contributed significantly to the development of the livestock sector in the Americas.

Veterinary Services with experience in controlling and subsequently eradicating animal diseases are at the forefront of the great challenge posed by the management of OIE officially recognised disease freedom. The extensive experience gained from disease control and eradication programmes poses a challenge to the Veterinary Services, in that new competencies will be needed to navigate the transition from endemic to officially recognised disease-free status and, in particular, to maintain and generate benefits from this official disease-free status. First of all, countries should, in their different ways, accelerate and/or consolidate the eradication of diseases with an impact on trade. Once this has been achieved, and after securing OIE endorsement, the Veterinary Services should spearhead the drive to ensure that potential trading partners acknowledge this official disease status for the purposes of trade with those countries. Skills and competencies in risk analysis and negotiation are crucial for this.

## Focus on Paraguay

Dr Hugo Federico Idoyaga Benítez, OIE Delegate of Paraguay: *“PVS was crucial for Paraguay, as recommendations were key to support the momentum for development of the Veterinary Services. This was sometimes challenging because it exposed some weaknesses to trading partners, but our awareness of them and our efforts to implement the recommended corrective measures were always recognised and valued by the countries we were negotiating with.”*

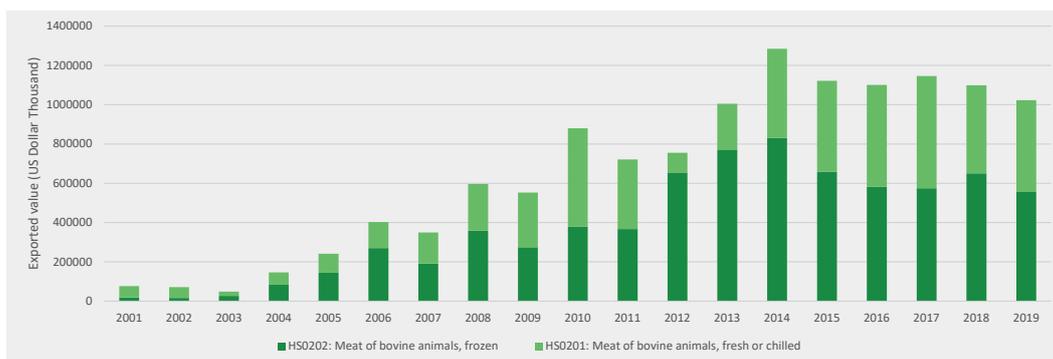
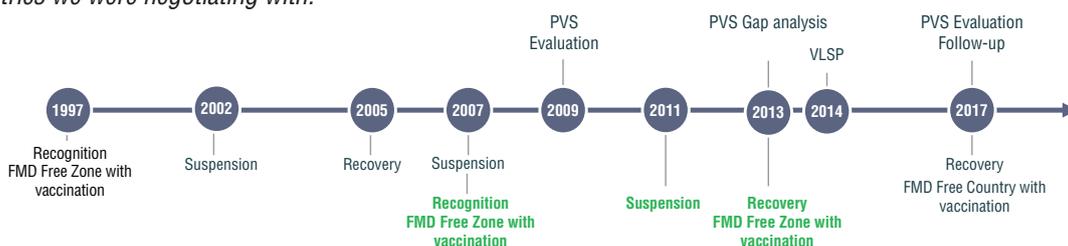


Figure 8. Timeline of OIE official FMD status recognition and PVS missions, and evolution of exported value of bovine meat



## During trade negotiation

### Common challenges faced by Veterinary Services to conduct trade negotiations

The process of implementing OIE standards is not defined or prescribed by the OIE *Codes*. OIE Members develop their own approach as to how to use and implement the OIE standards, because of differences in animal health situations, legal frameworks and procedures, trade profiles and acceptable levels of risk. This results in a variety of approaches among Members, and thus in difficulty in reaching a common understanding. Exporting countries face difficulties in providing relevant evidence in support of their claims, while importing countries face difficulties in conducting import risk analysis and identifying the level of consistency of an exporting country's sanitary measures with OIE standards.

An analysis of STCs raised at the SPS Committee since 2010 (Figure 9) shows that the main animal diseases subject to trade concerns were: bovine spongiform encephalopathy (BSE), foot and mouth disease (FMD), avian influenza (AI) and African swine fever (ASF). These are also the diseases for which the Terrestrial Code provides the most articles in disease-specific chapters, which would appear to confirm the complexity of managing related risks: 42 articles in the FMD chapter, 29 articles in the BSE chapter, 33 articles in the AI chapter and 33 articles in the ASF chapter.

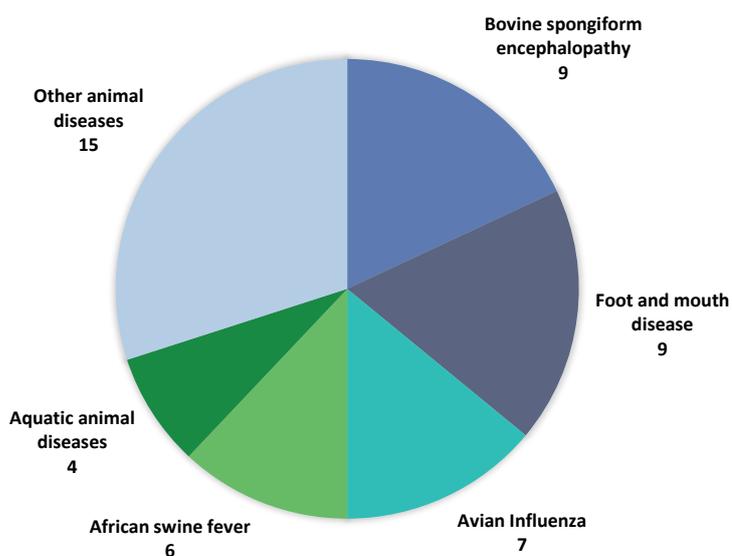
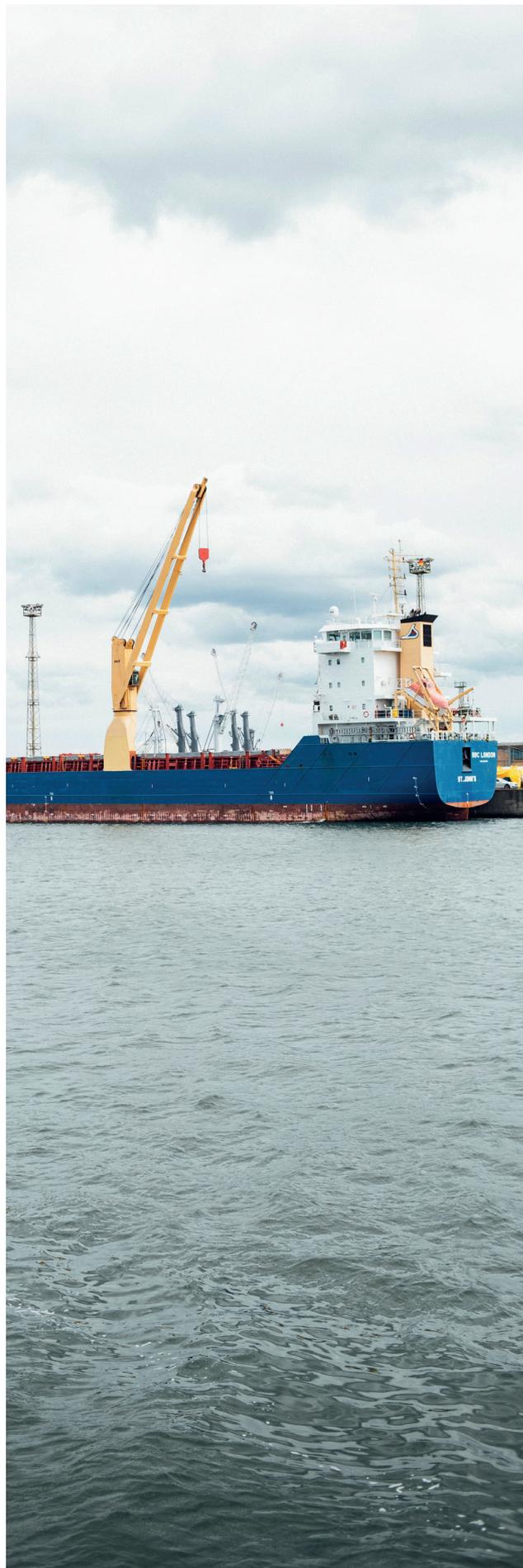


Figure 9. Analysis of 50 animal-health-related STCs raised since 2010, by animal disease

Source: WTO, SPS Information Management System



According to the analytical framework, the following key challenges have been identified relating to the Veterinary Services' technical capacity and interaction with stakeholders:

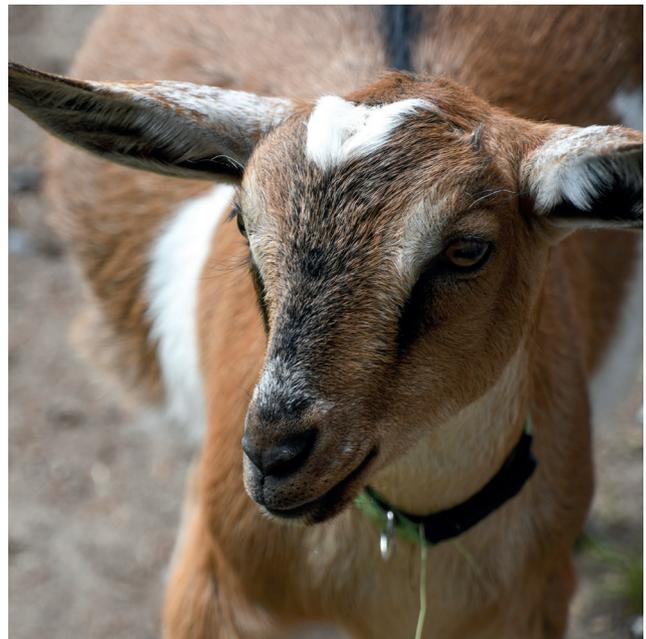
## Technical capacity

### Difficulty in providing and considering evidence to support claims regarding animal disease status

Exporting countries deploy considerable efforts in order to obtain effective recognition of their animal disease status by importing countries, including using OIE official status recognition or self-declaration through the OIE. According to the survey conducted for the OIE 86th General Session Technical Item (1), official recognition of disease status by the OIE and self-declaration were considered as very important for export market access by 92% and 59% of countries, respectively. Nevertheless 53% declared that it was not sufficient in and of itself, as importing countries regularly requested dossiers or the completion of questionnaires and/or made on-site visits to verify animal health status.

Since 2010, seven STCs have been raised at the SPS Committee due to non-acceptance by trading partners of official decisions for recognition of animal health status by the OIE: four of these STCs were related to FMD status, two to BSE status and one to CSF status. An analysis of these STCs identified the following reasons given for the failure to recognise OIE official disease status:

- Some countries reserve the right to **conduct their own risk assessment** regarding the status of the exporting country, in accordance with their appropriate level of protection. For that purpose, countries can request the exporting country to share its OIE dossier, to fill in an additional questionnaire and/or to receive an expert visit on-site.
- The review by an importing country of an exporting country's animal health status can be part of a long administrative procedure including, in some cases, public consultation and political intervention.



- Some importing countries are cautious about recognising the official status of the exporting country **in order to protect their own official disease status**, for which they expended significant resources.
- Absence of recognition of OIE official disease status for a zone can result from a lack of trust between trading partners, particularly when an importing country suspects a **lack of transparency** by an exporting country due to delays in notifying the OIE of disease outbreaks in another part of the country.

## Interaction with stakeholders

### Lack of a diplomatic network and existence of a language barrier

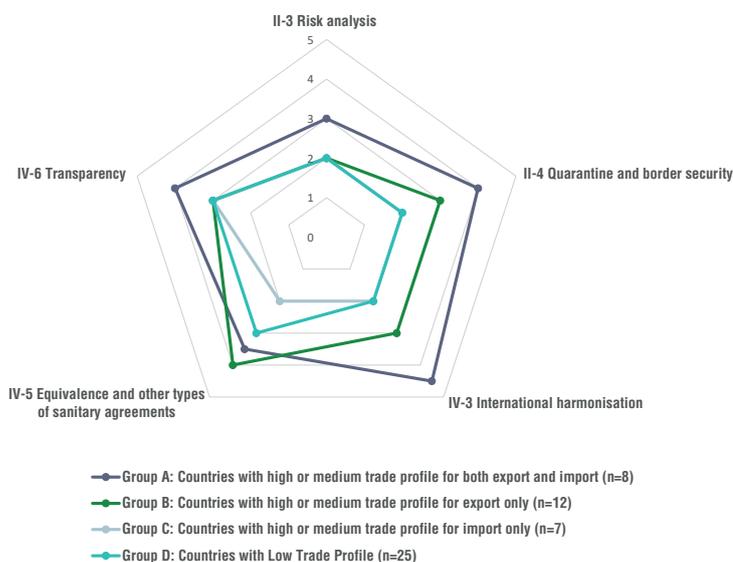
Many least developed and developing countries have difficulty engaging in international trade due to their lack of a diplomatic network and the existence of a language barrier. Under these conditions, it is difficult to initiate trade negotiations and to exchange the necessary information. These difficulties are all the more important for communication in the case of disease outbreaks or failure of national official assurance systems.

## Specific challenges faced by Veterinary Services in setting import requirements ‘fit for purpose’

According to countries’ trade profile group, the analysis shows differences in the level of advancement for Veterinary Services’ competencies related to the import risk analysis process and the definition of import requirements (Figure 10).

Countries with a high or medium trade profile for both imports and exports (Group A) showed a high level of competencies related to import risk analysis.

As in the case of countries with a low trade profile (Group D), countries with a high or medium trade profile for imports only (Group C) have a low level of competencies in this respect. This can be explained by the fact that these countries need to import on a massive scale due to a lack of local production or for food security reasons. For these countries, protecting their population against sanitary risks and aligning their legislation with safe international standards may not be seen as national priorities.



**Figure 10. Comparison of median level of advancement for PVS CCs supporting or related to the import risk analysis process and the definition of import requirements, according to countries’ trade profile**

According to the analytical framework, the key challenges faced by Veterinary Services in setting import requirements are related to lack of training, an inappropriate legal framework and insufficient interactions with stakeholders (Figure 11).



Diagram represents a hierarchical view of categories of gaps in the form of nested rectangles, the area of each corresponding to its numerical value (i.e. number of times the gap was mentioned in the analysed reports).

**Figure 11. Specific challenges during trade negotiation: Main gaps identified through a text analysis of CCs II-3, II-4, IV-3, IV-5 and IV-6 in the 52 PVS reports**

## Legislation and enforcement

### Political interference

Many veterinary decision-makers have experienced protectionist trade policies that use sanitary measures as a non-tariff trade barrier. These policy decisions lead to the introduction of overly complex or expensive sanitary measures which are not scientifically justified. In other situations, sanitary measures may be used as a ‘bargaining chip’ for market access or in retaliation to conditions imposed by trading partners (6).

### Lack of scientific justification

Many trade concerns raised at the SPS Committee deal with the lack of justification in the case of import requirements that are stricter than OIE standards.

Developing scientific and evidence-based measures is directly related to the application of good regulatory practices: risk assessment, consultation with stakeholders, use of international standards and transparency (11).

### Lack of harmonisation and rationalisation in certification requirements

Countries face challenges in rationalising and harmonising certification requirements because of the format of OIE standards, which are organised by disease rather than by commodity. This lack of harmonisation and rationalisation can create unnecessary cost and complexity, which need to be managed by exporting countries’ national official assurance systems (5).

## Technical capacity

### Failure of importing countries' Veterinary Services to recognise another country's disease-free regions<sup>2</sup>

As shown in Figure 5, a third of trade concerns raised by exporting countries at SPS Committee deal with the non-recognition of another country's disease-free regions by importing countries. The most recent trade concerns are related to import restrictions imposed by importing countries due to avian influenza and African swine fever outbreaks.

A study on import restrictions due to avian influenza was carried out on publicly available PVS Evaluation reports (10). The challenges faced by importing countries in recognising regionalisation that were identified in the study included:

- lack of capacity: three countries adopted country bans due to avian influenza because they did not recognise the regionalisation principle when developing import measures. The PVS Evaluation reports identified that one cause could be a lack of capacity to undertake risk analysis;
- lack of capability: one country had improved its regulatory practices (greater transparency, recognition of the regionalisation principle in national legislation) but also showed a lack of capability (in terms of human resources and experience) to recognise low-risk areas and thus allow imports.

### Failure of importing countries' Veterinary Services to recognise equivalence

According to the survey conducted for the OIE 86th General Session Technical Item (1), the most commonly reported obstacle to decisions on equivalence was lack of transparency or failure to provide information by the exporting country (60% of responding countries). It is interesting to note that 30% of countries reported a lack of OIE guidance as a challenge to establishing equivalence, despite the topic being addressed in Chapter 5.3. of the OIE *Codes*.

## Interaction with stakeholders

### Insufficient consultation with foreign governments and exporters/importers

According to the survey conducted for the OIE 86th General Session Technical Item (1), 61% of responding countries reported not systematically seeking comments from foreign governments or exporters/importers when developing import sanitary requirements.

## Identification of successful practices related to interaction with stakeholders

### Taking advantage of international and regional fora to discuss specific trade issues with trading partners.

Discuss with trading partners during international fora (General Session of the World Assembly of OIE Delegates, SPS Committee) and regional fora (e.g. REMESA\*, ASEAN\*\*) through informal bilateral meetings or, if applicable, through formal agenda items.

\*REMESA: Mediterranean Animal Health Network  
\*\* ASEAN: Association of Southeast Asian Nations  
\*\*\* ALOP: appropriate level of protection

### Negotiating 'peace-time' agreement on recognition of regionalisation/zoning:

According to a specific study on PVS Evaluation reports related to avian influenza (10), three countries with a high ALOP\*\*\* have developed formal agreements to recognise zoning before outbreaks occur, to allow trade to continue at a bilateral or regional level. The PVS Evaluation reports highlight that, for these countries, trust and confidence between national Veterinary Services underpin their recognition of regionalisation/zoning.

<sup>2</sup> As indicated in OIE *Terrestrial Code Article 5.3.7*. "the terms 'zone' and 'zoning' in the *Terrestrial Code* have the same meaning as 'region', 'area' and 'regionalisation' in the SPS Agreement of the WTO".

## CASE STUDY

# Use of self-declarations to support the lifting of import restrictions related to avian influenza

Avian influenza is a highly contagious viral disease affecting several species of birds, and some strains are zoonotic. This disease has captured the attention of the international community over the years, with outbreaks in poultry having serious consequences for both livelihoods and international trade in many countries.

Exporting countries where outbreaks of avian influenza have occurred may be subject to import restriction measures by their trading partners. An analysis of restrictive import measures related to avian influenza notified by importing countries was performed to identify how many exporting countries were affected by import-restrictive measures and whether these restrictions applied to the whole territory of the affected country or only to the regions where outbreaks occurred (Figure 12).

Over the last 10 years, 61 exporting countries have been affected by temporary restrictive measures imposed by importing countries due to outbreaks of avian influenza. The proportion of import-restrictive measures affecting the whole territory of the exporting country has remained high, despite the

development of OIE standards to recognise the principle of regionalisation or zoning and to avoid the disruption of trade from free zones.

This lack of recognition of the principle of regionalisation represents one third of STCs raised at the WTO SPS Committee since 2010 (Figure 5).

To limit the economic impact of import restrictions, exporting countries deploy considerable efforts to maintain trust with their trading partners, by assuming their obligation to notify the OIE through WAHIS but also by communicating directly and regularly with their trading partners on the evolution of the animal health situation and on control measures applied to contain the disease.

After having fulfilled the conditions to recover avian influenza free status in accordance with OIE standards, 31 OIE Members, i.e. half of the countries affected by import restrictions, have voluntarily submitted a self-declaration of avian influenza-free status to the OIE for publication on its website, to provide evidence on surveillance and control measures.

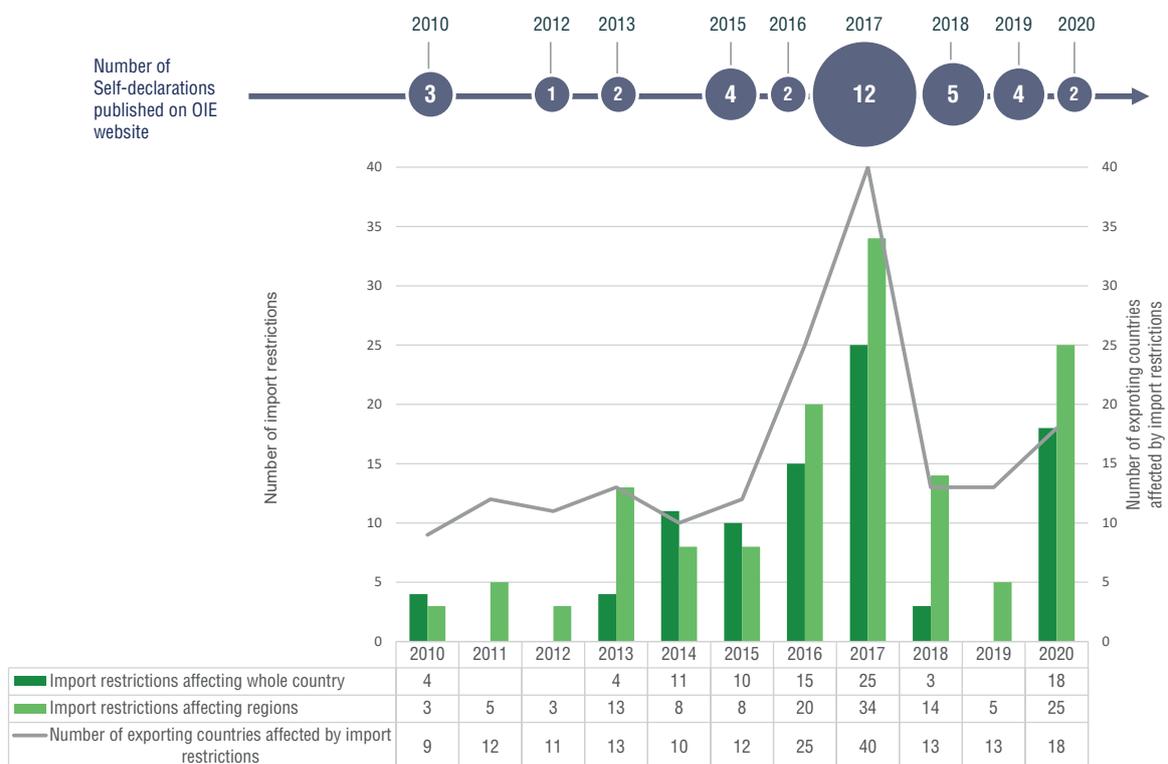


Figure 12. Restriction measures notified to SPS Committee and self-declarations relating to avian influenza since 2010

Source: WTO, OIE

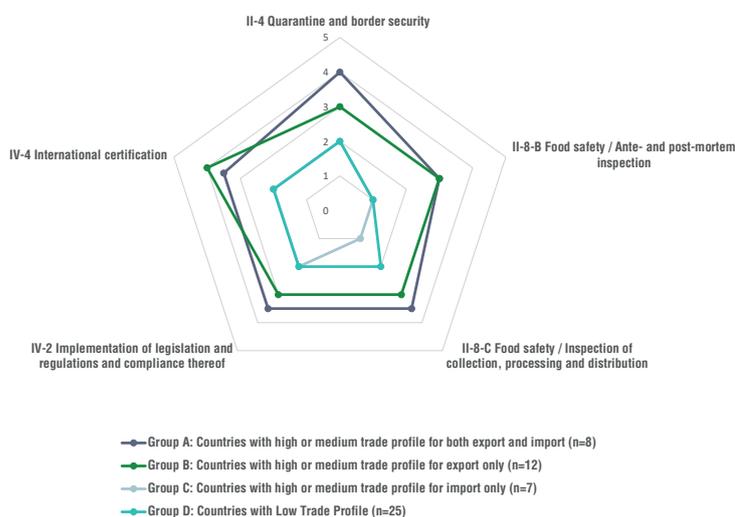
## After trade negotiation

### Common challenges faced by Veterinary Services relating to the implementation and maintenance of trade

According to countries' trade profile, the analysis shows differences in the level of advancement for the Veterinary Services' competencies related to the implementation of legislation, certification and inspection at border posts and along the value chain (Figure 13).

Countries with a high or medium trade profile for both imports and exports (Group A) and for exports only (Group B) show a high level of competencies relating to the certification process and border inspections.

As in the case of countries with a low trade profile (Group D), countries with a high or medium trade profile for import only (Group C) have a low level of competencies in this respect. This can be explained by the fact that these countries need to import on a massive scale due to a lack of local production or for food security reasons. For these countries, protecting their human population against sanitary risks and aligning their legislation with safe international standards may not be seen as national priorities.



**Figure 13. Comparison of median level of advancement for PVS CCs related to the implementation of legislation, certification and inspection, according to countries' trade profile**

According to the analytical framework, the key challenges faced by Veterinary Services in implementing and maintaining trade are related to the enforcement of legislation.

### Legislation and enforcement

#### Ineffective enforcement

Veterinary Services may undertake insufficient enforcement due to an absence of legal powers and a lack of resources, but also due to a lack of clarity regarding the chain of command and delegation. This can be solved by an appropriate legal framework that clarifies roles and responsibilities all along the chain "from farm to fork" and provides for a system of sanctions and penalties.

#### Insufficient standard operating procedures

Veterinary Services face difficulties in assuming their responsibilities for certification, quarantine and border inspections due to a lack of standard operating procedures and detailed instructions for inspectors as well as the absence of an information system to monitor the certification process and import controls.



## Specific challenges faced by Veterinary Services in developing electronic certification

Electronic certification (e-certification) presents numerous benefits for businesses and competent authorities, by improving the transparency and integrity of veterinary certificates, improving efficiency and reducing clearance times and administrative costs. The following key challenges have been identified related to the development of e-certification.

### Interaction with stakeholders

#### Lack of coordination with other government authorities

Veterinary Services should coordinate with customs and the other government agencies in charge to implement a digital government strategy and a single window system. Establishment of a clearly designated lead agency or committee is seen as a big challenge for the development of e-certification (13).

### Technical capacity

#### Lack of IT infrastructure and specific expertise for developing e-certification

IT infrastructure and human resource expertise are seen as big challenges for the development of e-certification (13). Furthermore, technological advances in areas such as blockchain may further enhance the security and efficiency of electronic certification. In this regard, greater efforts can be made to help countries adopt the necessary IT infrastructure and processes to implement electronic certification, and to help developers adopt new technologies that can enhance e-certification systems (14).

## CASE STUDY

## Trade facilitation measures in response to the COVID-19 pandemic

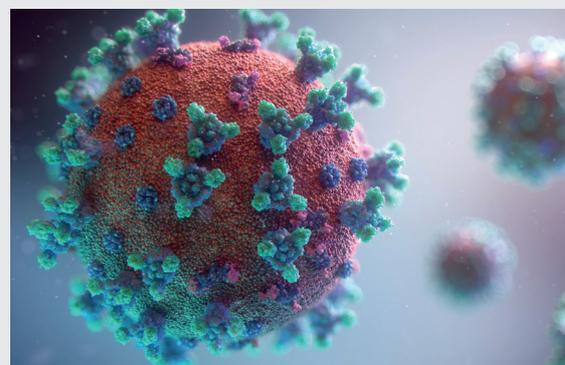
The crisis related to coronavirus disease (COVID-19) represents an exceptional and unprecedented challenge to the capacity of countries to fully conduct the certification process and border controls.

Many countries have imposed lockdown and movement restriction measures and this has had a serious impact on their capacity to deploy sufficient numbers of suitably qualified and experienced staff to perform controls related to international trade.

In particular, difficulties have arisen regarding the clinical examination of animals, certain checks on products of animal origin and the testing of samples in official laboratories.

Other difficulties have arisen regarding the signing and issuance of the original paper official certificates that should accompany consignments of animals and animal products. As a result, several countries have authorised an alternative to the presentation of original paper official veterinary certificates.

As of May 2020, seven countries and the European Union have notified the WTO of measures to facilitate the acceptance of an electronic/scanned copy of the original of veterinary certificates or electronic certificates and thereby avoid disruption of controls for international trade of live animals and products of animal origin.



Source: [https://www.wto.org/english/tratop\\_e/covid19\\_e/notifications\\_e.htm](https://www.wto.org/english/tratop_e/covid19_e/notifications_e.htm)

# Synthesis of the main challenges faced by Veterinary Services (VS) in the context of international trade

The analysis findings were used to populate the framework developed in the methodology (see Figure 14).

	BEFORE TRADE NEGOTIATION	DURING TRADE NEGOTIATION	AFTER TRADE NEGOTIATION, IMPLEMENTATION
LEGISLATION & ENFORCEMENT	<p>Deficiencies in preparation of legislation, regulations, policies and procedures</p> <p>Lack of consistency with SPS Agreement and international standards</p> <p>Insufficient regulatory transparency</p>	<p>Specific challenges faced by VS in setting import requirements “fit for purpose”:</p> <p>Political interference</p> <p>Lack of scientific justification</p> <p>Lack of harmonisation and rationalisation in certification requirements</p>	<p>Ineffective enforcement (chain of command, roles and responsibilities, delegation, sanctions and penalties)</p> <p>Insufficient standard operating procedures</p>
INTERACTION WITH STAKEHOLDERS	<p>Insufficient consultation with the private sector and other interested parties</p> <p>Lack of effective compensation mechanisms</p> <p>Lack of effective PPP to be able to export</p>	<p>Lack of diplomatic network</p> <p>Language barrier</p> <p>Insufficient consultation with foreign governments and exporters / importers</p>	<p>Lack of coordination with other government authorities</p>
TECHNICAL CAPACITY	<p>Specific challenges faced by VS to be able to export:</p> <ul style="list-style-type: none"> <li>Limited capacities in diagnostic and surveillance</li> <li>No effective identification and traceability system</li> </ul>	<p>Difficulty to provide and consider evidence to support animal disease status</p> <p>Failure of importing countries’ VS to recognise another country’s disease-free regions</p> <p>Failure of importing countries’ VS to recognise equivalence</p>	<p>Lack of IT infrastructure and specific expertise for developing e-certification</p>

Figure 14. Synthesis of the main challenges faced by Veterinary Services according to the analytical framework

## List of PVS Critical Competencies selected for the analysis

Chapter II: Technical authority and capability	6 <sup>th</sup> edition of PVS tool	7 <sup>th</sup> edition of PVS tool
Risk analysis	II-3	II-2
Quarantine and border security	II-4	II-3
Epidemiological surveillance and early detection		
A. Passive epidemiological surveillance	II-5-A	II-4-A
B. Active epidemiological surveillance	II-5-B	II-4-B
Emergency response	II-6	II-5
Disease prevention, control and eradication	II-7	II-6
Food safety		
A. Regulation, authorisation and inspection of establishments for production, processing and distribution of food of animal origin	II-8-A	II-7-A
B. Ante- and post-mortem inspection at abattoirs and associated premises (e.g. meat boning/cutting establishments and rendering plants)	II-8-B	II-7-B
C. Inspection of collection, processing and distribution of products of animal origin	II-8-C	II-7-C
Identification and traceability		
A. Animal identification and movement control	II-12-A	II-12-A
B. Identification and traceability of products of animal origin	II-12-B	II-12-B
Chapter III: Interaction with interested parties		
Consultation with interested parties	III-2	III-2
Chapter IV: Access to market		
Preparation of legislation and regulations	IV-1	IV-1-A
Implementation of legislation and regulations and compliance thereof	IV-2	IV-2-B
International harmonisation	IV-3	IV-2
International certification	IV-4	IV-3
Equivalence and other types of sanitary agreements	IV-5	IV-4
Transparency	IV-6	IV-5
Zoning	IV-7	IV-6
Compartmentalisation	IV-8	IV-7

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