Overview of the OIE Veterinary Legislation Support Programme

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Scope of presentation

• Purpose is to update National Focal Points on the OIE Veterinary Legislation Support Programme (VLSP)
  • The importance of veterinary legislation
  • History of the VLSP in the context of the PVS Pathway
  • OIE standards on veterinary legislation
  • Organisation and objectives of the VLSP
  • Current activities and future plans
Importance of Veterinary Legislation

• “...Legislation is the essential function of modern government; it is the way that we direct and manage the complex social, economic and technological systems that constitute modern society. Legislation, therefore, is the way that we, as a people, act collectively to control and improve the world in which we live. The quality of the legislation we enact determines whether we, as a society, will prosper or decline, and possibly whether we will survive or perish.”

Importance of Veterinary Legislation

- Veterinary legislation provides the powers and authorities necessary for Veterinary Services to efficiently carry out their key functions to ensure public safety and promote the public good.

- In the face of growing global demand for foods of animal origin, increasing world trade, shifting patterns of disease associated with climate change and the emergence and re-emergence of diseases that can rapidly spread across international borders, the Veterinary Services must be supported by effective and modern legislation.
Guiding Principle of the Veterinary Legislation Support Programme

Good governance is a recognised global public good of critical importance to OIE Member Countries and legislation is a key element in achieving good governance!
History of the VLSP

• The VLSP is an integral part of the PVS Pathway, with the first step in the PVS Pathway being the PVS Evaluation Mission.

• The OIE PVS Evaluation is a qualitative assessment of the performance and the compliance of Veterinary Services in accordance with the OIE international standards on quality of Veterinary Services.

• The assessment involves the careful evaluation of 47 different critical competencies that are deemed essential for the effective performance of Veterinary Services.

• Two of these critical competencies, IV-1 and IV-2 specifically involve aspects of veterinary legislation, namely the ability to prepare legislation (IV-1) and the ability to ensure compliance with legislation (IV-2).
VLSP Relationship to the PVS Evaluation

• From the beginning, PVS Evaluation Missions regularly revealed deficiencies in the veterinary legislation of Members:
  o Levels of advancement for Critical Competencies (CC) IV-1 and IV-2 were often low, and
  o In many cases, experts concluded that the veterinary legislation of Members was outdated and inadequate to meet current and future challenges and societal expectations.
The authority and capability of the VS to actively participate in the preparation of national legislation and regulations in domains that are under their mandate, in order to guarantee its quality with respect to principles of legal drafting and legal issues (internal quality) and its accessibility, acceptability, and technical, social and economical applicability (external quality).
<table>
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<tr>
<th>IV-1 Preparation of legislation and regulations</th>
<th>Levels of advancement</th>
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<tbody>
<tr>
<td>This competency includes collaboration with relevant authorities, including other ministries and Competent Authorities, national agencies &amp; decentralised institutions that share authority or have mutual interest in relevant areas.</td>
<td>1. The VS have neither the authority nor the capability to participate in the preparation of national legislation and regulations, which result in legislation that is lacking or is out-dated or of poor quality in most fields of VS activity.</td>
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<td></td>
<td>2. The VS have the authority and the capability to participate in the preparation of national legislation and regulations and can largely ensure their internal quality, but the legislation and regulations are often lacking in external quality.</td>
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<td>3. The VS have the authority and the capability to participate in the preparation of national legislation and regulations, with adequate internal and external quality in some fields of activity, but lack formal methodology to develop adequate national legislation and regulations regularly in all domains.</td>
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<td>4. The VS have the authority and the capability to participate in the preparation of national legislation and regulations, with a relevant formal methodology to ensure adequate internal and external quality, involving participation of interested parties in most fields of activity.</td>
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<td>5. The VS regularly evaluate and update their legislation and regulations to maintain relevance to evolving national and international contexts.</td>
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The authority and capability of the VS to ensure compliance with legislation and regulations under the VS mandate.
<table>
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<th>IV-2 Implementation of legislation and regulations and compliance thereof</th>
<th>Levels of advancement</th>
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<tr>
<td><strong>1.</strong> The VS have no or very limited programmes or activities to ensure compliance with relevant legislation and regulations.</td>
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<td><strong>2.</strong> The VS implement a programme or activities comprising inspection and verification of compliance with legislation and regulations and recording instances of non-compliance, but generally cannot or do not take further action in most relevant fields of activity.</td>
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<td><strong>3.</strong> Veterinary legislation is generally implemented. As required, the VS have a power to take legal action / initiate prosecution in instances of non-compliance in most relevant fields of activity.</td>
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<td><strong>4.</strong> Veterinary legislation is implemented in all domains of veterinary competence and the VS work to minimise instances of non-compliance.</td>
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<td><strong>5.</strong> The compliance programme is regularly subjected to audit by the VS or external agencies.</td>
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History of VLSP – Summary of problems identified

• Legal texts had been prepared in isolation and without consulting interested parties.

• The involvement of legal experts was often found to have been disconnected from the technical design, with veterinarians and jurists not working effectively together.

• Lack of an overall strategic vision, with the various domains, including the veterinary domain, seen as the property of the competent Services rather than as national provisions.

• Incomplete coverage of the veterinary domain.

• Defects in the quality of existing texts, in both internal quality (legal drafting) and external quality (implementation and impact).
History of the VLSP

• VLSP inaugurated, with pilot missions initiated in 2008
• In 2009, at Members’ request, the OIE developed *Guidelines on Veterinary Legislation*, identifying the essential elements that should be covered by legislation to meet the OIE standards. These were posted on the OIE website.
• In December 2010, the first *OIE Global Conference on Veterinary Legislation* was held in Djerba, Tunisia.
History of the VLSP

• A recommendation of the Djerba Conference was that the OIE propose the adoption & publication of the current *Veterinary Legislation Guidelines as standards in the Terrestrial Code*

• In response to this recommendation, OIE convened an *Ad Hoc Group on Veterinary Legislation* to develop the draft chapter on veterinary legislation.

• The *draft chapter on veterinary legislation* was unanimously adopted by the World Assembly of Delegates at the 80th OIE General Session in May 2012.

• *It is now Chapter 3.4 of the OIE Terrestrial Animal Health Code*
Organisation and Objectives of the VLSP

Supporting resources
- Manual for experts
- Chapter 3.4 – Veterinary Legislation
- Mission tools (questionnaires)
- Training of experts
- OIE support

Field Missions
- Veterinary Legislation Identification Mission
- Veterinary Legislation Agreement
  - Preparatory Phase
  - Implementation Phase
Veterinary Legislation
Identification Mission

• Objectives

• Raise awareness of the importance of veterinary legislation for modern, effective operation of the Veterinary Services

• Review principles for developing high quality veterinary legislation

• Identify weaknesses and encourage solutions

• Review the current status of the Member’s legislation relative to the OIE standards for veterinary legislation presented in Chapter 3.4
Veterinary Legislation Identification Mission

• Logistics
  • Initial request, OIE Team selection and designation of local contact
  • Pre-mission information gathering
    o Constitution, key veterinary laws and questionnaires
  • On-site mission of one week by OIE Team of experts
  • Follow up report and recommendations
    o Includes assessment for a potential OIE Veterinary Legislation Agreement
Veterinary Legislation Agreement

• Objectives

• To establish specific objectives of legislative reform/modernization,
• To sharpen skills in drafting of legislation,
• To support the development of specific new laws and regulations according to the Member’s priority needs, consistent with the strategic objectives of the Veterinary Services.
Veterinary Legislation Agreement

- **Logistics**
  - Following the Identification Mission, a Member may request to enter into an Agreement, though approval by OIE is not automatic.
  - 3 – 6 month Preparatory Phase to assess feasibility, set a work plan, identify a working group, and establish benchmarks.
  - One year follow-on Agreement (Implementation Phase) working with OIE expert to implement the plan, renewable for an additional year.
  - Role of OIE expert is to provide methodological support to the Member’s effort, not to draft the text for them.
## Current Activities and Future Plans

### Veterinary Legislation Support Missions - State of Play up to 16 May 2014

<table>
<thead>
<tr>
<th>OIE Members</th>
<th>Vet. Legislation mission requests received</th>
<th>Vet. Legislation missions implemented</th>
<th>Vet. Legislation documents received</th>
<th>Agreement requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>52</td>
<td>33</td>
<td>19</td>
<td>18</td>
</tr>
<tr>
<td>Americas</td>
<td>29</td>
<td>7</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Asia, the Far East and Oceania</td>
<td>32</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Europe</td>
<td>53</td>
<td>4</td>
<td>2</td>
<td>2</td>
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<tr>
<td>Middle East</td>
<td>12</td>
<td>4</td>
<td>4</td>
<td>4</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>178</strong></td>
<td><strong>53</strong></td>
<td><strong>35</strong></td>
<td><strong>34</strong></td>
</tr>
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Current Activities and Future Plans

- Raise awareness about the VLSP
- Encourage requests for Identification Missions
- Finalize 2nd edition of the VLSP Manual for Experts
- Train new VLSP experts, including jurists
- Provide refresher training for existing VLSP experts
- Expand the use of jurists in the VLSP
  - Encouraging vets and jurists to work together to improve the quality of new veterinary legislation
Current Activities and Future Plans

• Build greater capacity for legislation drafting
  • Proposed series of regional seminars
    o Each focused on a different theme in the veterinary domain
    o Attended by vets and jurists from each country
    o Critical reviews of existing legislation on the theme
    o Drafting exercises for new legislation on the theme
  • The working group activities on food safety legislation in which you will participate this afternoon
Thank you for your attention!