All modern systems of law are based on writing. The application is very variable but the trend is toward the « rule of law » … at least in the announcement!

Everybody expects that rhetoric and reality will join « one day » in the course of time … subject to stability!
There is a need for an effective veterinary legislation
There is a need

Food security

Public health and food safety as these relate to animal health and zoonotic diseases

Animal welfare as defined by the OIE
There is a need

IN THE GENERAL CONTEXT OF "GLOBALIZATION"

THE PRINCIPLES OF WORLD TRADE ORGANISATION (WTO)

• FREEDOM OF EXCHANGES
• FAIR TRADING
• CONSUMER PROTECTION
  (Sanitary & Phyto-Sanitary (SPS) Agreement)
THERE IS A NEED FOR AN EFFECTIVE IMPLEMENTATION OF THE OIE CODES
There is a need

Shown by the new OIE tool for the evaluation of “performance of Veterinary Services”

PVS Tool

4 fundamental components:
• the human, physical and financial resources
• the technical authority and capability
• the sustained interaction with stakeholders
• the ability to access markets through compliance/harmonisation with existing international standards and their implementation
PVS tool has identified a lack in legal knowledge at the level of the veterinary services.

- Few or no distinction is made between the legislative and the executive powers.
- It results in a mix-up between the first level of Acts or Laws depending on the political power (parliament) and the action means used by the civil services;
- It blurs the distinction between means and objectives.
PVS tool has identified a lack in legal knowledge at the level of the veterinary services.

- Ignorance of legal procedures
- Under estimation of citizens’ rights
- Under estimation of legal security
There is a need

Because of lacks in the veterinary global strategy at local/national level,

Mainly, the current veterinary rules aim to solve only specific problems depending on circumstances

They tend towards the locking of some situations

These rules do not reflect the final expected impact of the legislative or regulatory plan
Draft project of the administration

After compromise with stakeholders

Advised by lawyers

Adopted and financed

What the citizens really needed

Swing principle
The answer of the OIE

OIE has generated the demand and responded with a few missions.
The answer of the OIE

Establishment of draft Guidelines usable by every Member Country

FLEXIBILITY

Adjustment

They are not a Legislative pattern

Legislation must be adapted to the legal Membership landscape and needs
The answer of the OIE

Establishment of Guidelines usable by every Member Country

FLEXIBILITY
Adjustment

They are not a Legislative pattern

National legislation will not be written by OIE expert

But by each Member Country
The answer of the OIE

Establishment of Guidelines usable by every Member Country

Analyse of the current situation of the applicant

FLEXIBILITY
Adjustment

PILOT PROJECTS
Establishment of draft guidelines
Establishment of draft guidelines

- General principles
- Objectives of veterinary legislation
- Penalties and sanctions
- Powers and financing of the competent authority
- Veterinary inspectors/Veterinary and para-veterinary professions
- Laboratories in the veterinary field
- Collaboration with stakeholders
- Sanitary provisions and welfare relating to animal production
- Safeguards for the food production chain and traceability
- Veterinary medicinal products
- International movements: import/export
General principles: Respect of the hierarchy of Acts

LEVEL 1

NATIONAL PARLIAMENT

> 50%
General principles: Respect of the hierarchy of Acts

LEVEL 1

RESTRICTS RIGHTS and CREATES OBLIGATIONS
LEVEL 1

VETERINARY FRAMEWORK ACT
General principles: Respect of the hierarchy of Acts

LEVEL 2

GOVERNMENT and MINISTRIES

ADOPTION OF SECONDARY LEGISLATION

REGULATION
LEVEL 1

LEVEL 2

REGULATION

REGULATION

REGULATION

REGULATION
Objectives: The legislation should as a minimum address the veterinary specific elements to protect...
Penalties and sanctions: To be provided at the level required for proper implementation of the overall strategy.

Penal sanctions, to be applied by the competent jurisdictions according to current penal procedures.

Administrative sanctions that are designed for immediate application in the case of activities posing a risk to animal health, animal welfare or public health.

Seizure

Ban

Withdrawal
Power and financing of the competent authority

GOVERNMENT

CVO HEADQUARTER

FINANCING

REGIONAL LEVEL

LOCAL LEVEL
Veterinary inspectors/Veterinary and para-veterinary professions

SAME EDUCATION AND TRAINING

STATE OFFICIAL

FREE PRACTICE

VETERINARY INSPECTOR AUXILIARIES

MANDATED VETERINARIAN PARA PROFESSIONALS

OTHER VETERINARIAN PARA PROFESSIONALS
Laboratories in the veterinary field

Collaboration with stakeholders

Operators

Consumers
Sanitary provisions and welfare relating to animal production

Safeguards for the food production chain and traceability

VETERINARY SERVICES AS COMPETENT AUTHORITY
Veterinary medicinal products

Manufacturing
Quality control
Marketing
Distribution and use

PHARMACOVIGILANCE
International movements: import/export
Proposal for an OIE recommendation

Thank you