

REGIONAL ORGANISATIONS - MERCOSUR

Francisco Muzio

President pro tempore – Comité Veterinario Permanente del Cono Sur

Factors determining the development of joint and/or coordinated regional actions by countries in the area of animal health

A number of factors contribute to and drive countries to develop joint and/or coordinated regional activities in the area of animal health. Some factors determine the success of subregional disease control or eradication programmes. Foot and mouth disease is a case in point.

- Economic globalization, which has resulted in a trend among the States to form regional economic and trading blocs and investment blocs.
- Social and economic inequality with respect to other economic blocs with highly demanding markets.
- The trend for highly demanding markets or economic blocs purchasing animal products to establish 'regionalisation' as a world standard for ensuring food quality and safety, with Latin America being considered as a unit in this respect.
- The establishment of common terms of trade among countries under better conditions, in the face of highly demanding consumer markets for livestock products.
- The guidelines of international agencies (the OIE, World Trade Organization (WTO) and Codex Alimentarius Commission) and of the economic blocs of developed countries, which impose constant obligations relating to trade in animal products.
- The weaknesses and shortcomings of the Veterinary Services of some countries in the region, which, owing to their lack of human resources, infrastructure and, above all, their funding shortage, create problems both in the countries themselves and in the region as a whole, mainly arising from these countries' lack of credibility, and prevent certain regional objectives and goals from being met.

There is therefore a crucial need, deserving of special mention, to establish a common sanitary barrier for the protection of border areas and areas at risk of the introduction of disease, primarily zoonoses and economically important diseases. This calls for the establishment of organisations comprising the competent Veterinary Authorities of countries in the region, which, with strong institutions and an appropriate legal and regulatory framework, will be able to tackle the region's animal health issues jointly.

A country's veterinary legislation is the basic (and often founding) instrument of a Veterinary Service and is a key factor in determining the performance of the competent Veterinary Authority, especially its governance.

Animal health rules should distribute and define the powers and responsibilities of the Competent Authorities in order to prevent overlaps.

The latter should take into account the national and regional reality in political, socioeconomic and cultural terms, in order to set up a specialist animal health and food safety entity that is capable of developing the programmes of the Veterinary Services. For this, the right legal instruments must be sought and identified in order to endow the reference institution with the tools and powers it needs to achieve its objectives, including a proper organisational and operational structure.

In countries where the agriculture and livestock sector is the cornerstone of the economy, and where the export of livestock products generates major foreign exchange earnings, it is a critical factor for guaranteeing the countries' animal health status and building trust in their certificates.

Veterinary legislation must respect the hierarchy of norms, determined by each country's constitution and the founding texts of its legal system. Legislation should also ensure that any regulations that are enacted for implementing the laws are issued by the bodies that are competent in the matter, and that they do not infringe the law, either in letter or spirit.

In the regulatory system of the majority of countries, *a clear differentiation must exist between primary and secondary rules*, which is governed by the principle of hierarchy and is depicted as a pyramid with the highest-ranked norm in the hierarchy (the constitution) at the apex, followed by the law, implementing regulations, orders, byelaws, and so on, in accordance with each country's legal system.

The Competent Authorities must ensure that the texts of veterinary legislation, implementing regulations and related documents are notified to all stakeholders, in accordance with the procedures established by each country's legal system, in order to ensure their compulsory enforcement. The Competent Authorities must also disseminate the content of these texts.

The author will present experiences of expanded MERCOSUR in detail at the Conference.

Keywords: MERCOSUR, Regional coordination on animal health, International Standards, Strengthen Veterinary Services, Veterinary legislation
