

SOLUTIONS AND TOOLS TO IMPROVE VETERINARY LEGISLATION

THE FAO ASSISTANCE IN DRAFTING NATIONAL AND REGIONAL VETERINARY LEGISLATION

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Veterinary legislation refers to the various legal instruments by which countries regulate, manage and control the veterinary sector. With agricultural commodities playing an increasingly important role in the trade agenda of developing countries, WTO member states must align their regulatory frameworks for sanitary measures to the SPS Agreement. To follow the internationally agreed standards and to fulfill their SPS obligations, countries may want to approve and implement national laws in line with the international standards issued by the OIE and the Codex Alimentarius Commission. Other international obligations assumed by countries on animal health, pathogenic organisms custodianship, or conservation of biological diversity (i.e., dual-purpose research, biological weaponry, or protection of endangered species) should also be incorporated by national legislation.

Drawing on these international elements, national legislation will serve to establish principles to guide decision-makers, allocate institutional responsibilities and set out mechanisms to achieve policy goals. Drafting national veterinary legislation will also require a broader appreciation of the entire veterinary domain, and the complementary and related legislation such as that for food safety, trade or wildlife conservation. As a result, the process of drafting national veterinary legislation needs to be based on the international framework, the national legal tradition and legislation governing related areas.

The Food and Agriculture Organization (FAO), through the Development Law Service of its Legal Office, provides technical assistance to countries in the development of such legislation in the areas under its mandate, through projects as diversified in scope and subject matter as they are in geographic distribution. To ensure full conformity with the country's legal tradition, the FAO has a multi-disciplinary team of lawyers with expertise that runs the gamut of veterinary-related topics. The work of its Service is further buttressed by in-house technical experts in each respective sub-area of agriculture, land use and food production, including the veterinary sector in the technical departments of the organization. This assistance may further include ensuring that national legislation is harmonized at regional level.

Keywords: Veterinary legislation – National legal systems – Regional harmonization – OIE and Codex standards.
