

Veterinary Legislation and Animal Welfare

Tania Dennison
and
David M. Sherman

Objectives of the Presentation

- Part 1
 - Brief background on the OIE Veterinary Legislative Support Program (VLSP) in the context of the OIE PVS pathway
- Part 2
 - Identify the role of veterinarians in animal welfare
 - Identify animal welfare sections of the Terrestrial Code
 - Identify key elements and resources in drafting animal welfare legislation

OIE support to improve welfare legislation



- OIE World Fund
- Performance of Veterinary Services (PVS) Pathway
- Veterinary Legislative Support Programme (VLSP)
- OIE recommendations in the Terrestrial Code

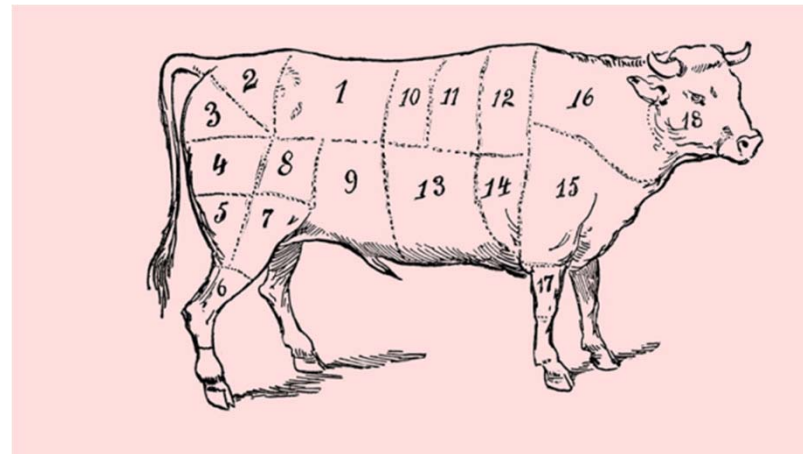


OIE World Fund

- Established in 2004
- Objectives include:
 - *Improving governance of animal health systems*, including veterinary services and their compliance with OIE standards on quality via the OIE PVS Pathway
 - *Modernising* existing national veterinary legislation
- World Fund resources are used to implement the
 - Performance of Veterinary Services (PVS) Pathway
 - Veterinary Legislative Support Programme (VLSP)

The PVS Pathway – what is it?

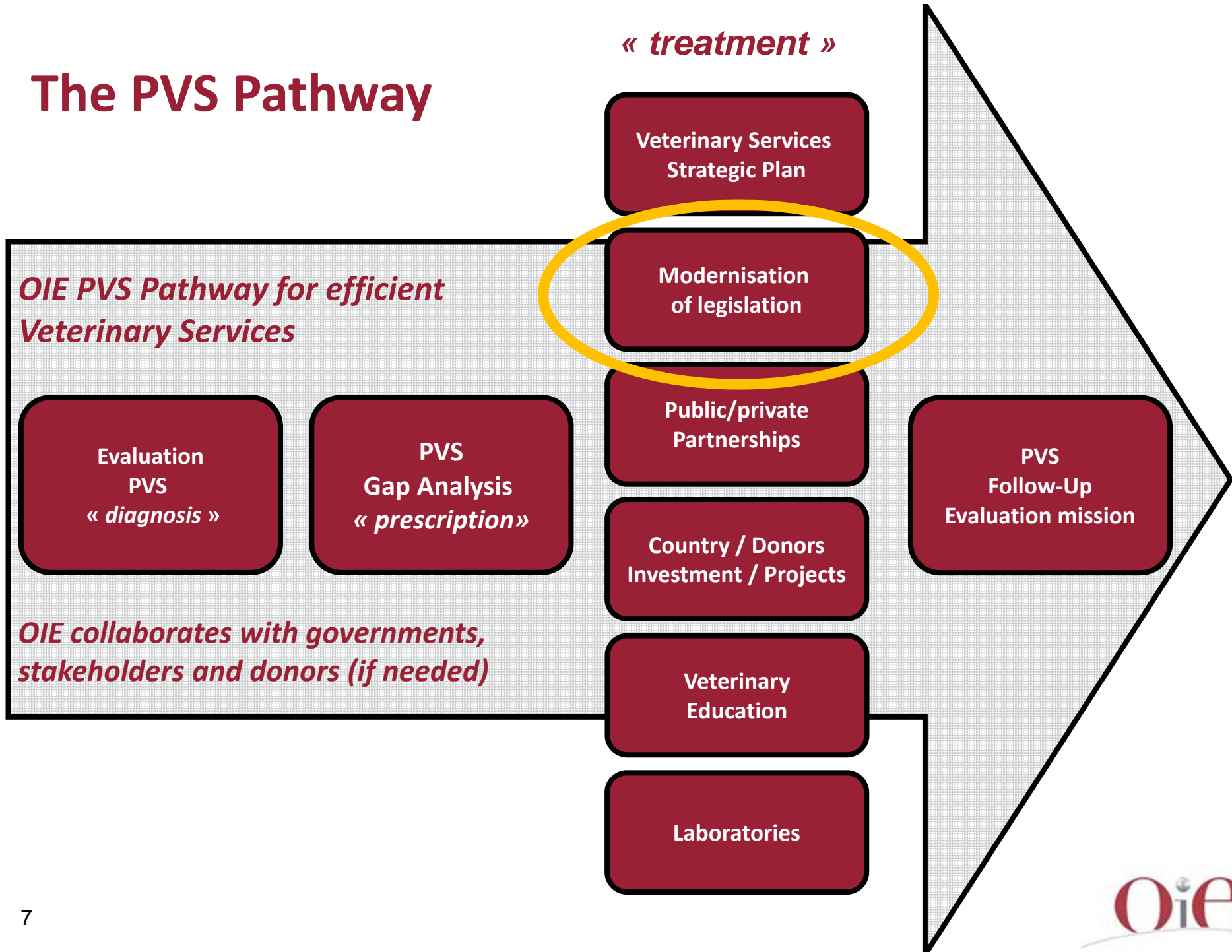
- **Global** programme for the **sustainable improvement of a country's Veterinary Services' compliance with OIE standards** on the quality of Veterinary Services.
- **Important foundation** for improving animal and public health and enhancing compliance with SPS standards, at the national, regional and international level.



The PVS Pathway –how does it work?

1. Members **request** an expert mission
2. OIE send a **team of experts** to conduct an objective, standardized, systematic evaluation of 46 critical competencies within the Members' overall veterinary services.
3. PVS evaluation report identifies **strengths and weaknesses in the veterinary services**
4. Report serves as a **guide for decision making:**
 - setting priorities and allocating resources to improve veterinary services
 - the basis for additional OIE missions, e.g., PVS gap analysis or legislative identification mission.

The PVS Pathway



OIE PVS Evaluation Missions

(State of play through 13 September 2012)

OIE Regions	OIE Members	PVS Requests received	PVS Missions done
Africa	52	51	47
Americas	29	22	21
Asia & Pacific	32	18	18
Europe	53	15	14
Middle East	12	12	11
Total	178	118	111

The Importance of Veterinary Legislation



Importance of Veterinary Legislation

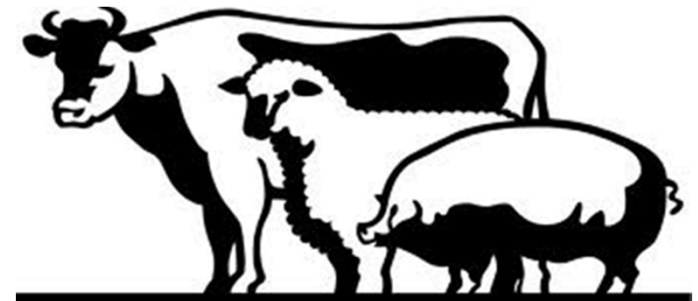
- Essential element of the *national infrastructure*.
- Provides the *legal basis, powers and authorities* for Veterinary Services to efficiently carry out their key functions including:
 - epidemio-surveillance;
 - early detection and reporting of diseases, including zoonoses;
 - rapid response to and prevention and control of sanitary emergencies;
 - food safety;
 - animal welfare;
 - relevant certification of animals and animal products for export.

Importance of Veterinary Legislation

- This is why the ***development and efficient implementation of legislation*** is included among the 46 critical competencies identified in the OIE PVS *Tool for the Evaluation of Performance of Veterinary Services*.



Veterinary Legislation Support Programme



History of the VLSP

- PVS evaluations revealed that, *in many cases, veterinary legislation is outdated and inadequate* to meet current and future challenges and societal expectations.
- 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.
- In December 2010, the first *OIE Global Conference on Veterinary Legislation* was held in Djerba (Tunisia).

History of the VLSP

- A recommendation of the Conference was that the OIE propose the adoption and 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.
- 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 Terrestrial Code*

Services of the VLSP

- As a follow up to an evaluation of the Performance of Veterinary Services (PVS) using the OIE *PVS Tool*, and at the request of Members, the ***OIE conducts missions to help governments that wish to modernise the national veterinary legislation*** and thereby help the veterinary services to meet the OIE standards.
- After an ***initial 'identification' mission*** the country may request a ***longer term collaboration*** with the OIE, under a formal agreement, with the objective of modernising the national veterinary legislation.
- As with other elements of the OIE PVS Pathway, legislation missions are undertaken by experts who are trained and certified by the OIE for this purpose. Mission reports are confidential unless/until the country authorises release to Donors or other OIE partners.

Veterinary Legislative Identification Missions

Objectives: to clarify the situation in the country and analyse its needs relative to veterinary legislation.

1. Preparatory phase before the mission. It involves completion of questionnaires to provide the team with advance information on the fundamental characteristics of the legal system and the current laws.

2. One week visit by the mission team (usually 2 persons) – 3 steps:

Step 1 – OIE concepts and tools used by the Team are presented at in-country discussions and the current situation is reviewed.

Step 2 – Review of legislation and questionnaires to determine coverage of the veterinary domain.

Step 3 – Assessment of needs and approaches to addressing them.

3. Follow up report with recommendations on legislative reform and further actions for approval and acceptance by Member.

Veterinary Legislation

Identification Missions (through 13th Sept 2012)

	OIE Members	Mission requests received	Mission Done	Report Finalised
Africa	52	22	15	15
Americas	29	5	3	3
Asia + Pacific	32	5	4	4
Europe	53	3	2	2
Middle East	12	4	4	4
TOTAL	178	39	28	28

Veterinary Legislation and Animal Welfare



Role of Veterinarians in Animal Welfare

- Society recognizes the *important role of veterinarians*, based on their training and professional activities, in relation to both animal health and welfare.
- Freedom from disease is an essential element for ensuring animal welfare. *Sick animals suffer.*
- OIE continues to highlight the *responsibility of the veterinary profession* for improving animal health and welfare globally.
- At the national level, the veterinary profession must be *actively involved in the drafting, implementation and enforcement* of laws on animal welfare.
- Veterinary involvement is required to ensure that provisions relating to animal welfare are *founded on scientific principles*, not on emotional considerations.

Aspects of Animal Welfare Covered in Section 7 of the Terrestrial Code

- Guiding principles for animal welfare
- The **transport** of animals by land
- The **transport** of animals by sea
- The **transport** of animals by air
- The **slaughter** of animals for human consumption
- The **killing** of animals for disease control purposes
- The **control** of **stray dog** populations
- The **use** of animals in **research and education**
- Animal welfare and **beef cattle productions systems**

Legislation and the terrestrial code

- Veterinary legislation on animal welfare should be *consistent with the recommendations of the Terrestrial Code*
- Members may *choose to include other animal welfare issues* in their legislation, e.g.,
 - Sale and breeding of companion animals
 - Welfare of working animals
 - Treatment of animals used in sport
 - Capture of wild animals
 - Well being of animals kept in zoos



Important Considerations for Drafting Animal Welfare Legislation

- **Wide consultation** during development is essential
- Ensure **as many stakeholders as possible** are involved
- You should identify:
 - **Types of animals** the legislation applies to
 - **Competent authority** for enforcement of animal welfare legislation
 - Appropriate personnel to whom **powers of enforcement** are given, i.e., veterinary inspectors or others, and their powers
 - **Mechanism for exacting penalties** – e.g., it may be included in the penal code

Ensuring Harmonisation

- **Harmonize** animal welfare legislation with:
 - Local legislation, e.g. environmental laws, veterinary medicine laws, public health laws
 - Legislation of regional neighbours
 - Legislation of trading partners
 - Other relevant international legislation, treaties, conventions, guidelines (e.g. IATA, CITES)

To ensure consistency of humane treatment of animals during transport and other procedures.

Conclusions

- Animal welfare is a responsibility of the veterinary profession.
- Animal welfare is growing as a consideration for international trade in animals.
- Veterinary legislation must include provisions to protect animal welfare and these provisions must be science based.
- The OIE provides support and guidance to Members in drafting veterinary legislation, including animal welfare legislation, through the OIE Veterinary Legislative Support Programme.

Sources of additional information

- <http://www.oie.int/support-to-oie-members/veterinary-legislation/> (OIE web page on legislation)
- <http://www.oie.int/animal-welfare/animal-welfare-key-themes/> (OIE web page on welfare)
- <http://www.fao.org/ag/againfo/themes/animal-welfare/aw-resources/en/> (FAO gateway)
- <http://awic.nal.usda.gov/government-and-professional-resources/international> (USDA Animal Welfare Information Centre)
- <http://www.animallaw.info/> (Animal Legal and Historical Centre)

Thank you

