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Presentation of the Veterinary Legislation Support Programme (VLSP)

Gaborone 31 October 2011

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Outline

- Findings
- Model versus guidelines
- VLSP
- How it works
- VLSP in the PVS Pathway



***OIE PVS Pathway for efficient
Veterinary Services***

Evaluation
PVS
« *diagnosis* »

PVS
Gap Analysis
« *prescription* »

*OIE collaborates with governments,
Stakeholders and donors (if needed)*

« *treatment* »

Veterinary Services
Strategic Plan

Modernisation
of legislation

Public/private
Partnerships

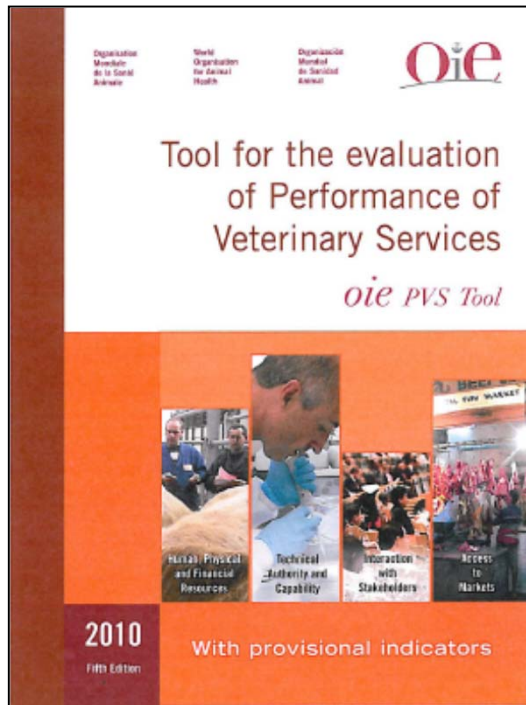
Country / Donors
Investment / Projects

Veterinary
Education

Laboratories

PVS
Follow-Up
Evaluation mission

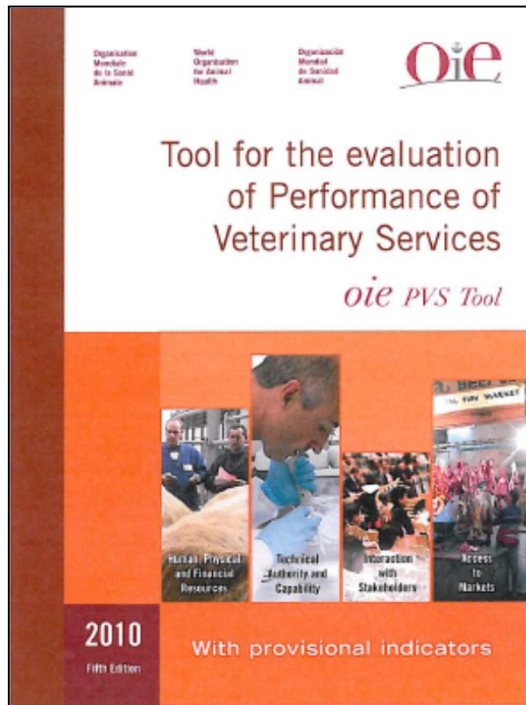
PVS Evaluations



- The legislative basis is a component of most of the critical competencies
- Specifically considered by CC IV-1 and IV-2



PVS Lessons



- **Legal bases of the activity:**
existence of texts
- **Safety of the activity:**
legal quality of texts
- **Relevance of the activity:**
availability of texts and actor
competencies
- There is a great need in these
matters.



Variable coverage of the field

Too few texts



Too
many
texts

Too many texts:

- multiple administrations on the same topic or
- poor legal approach or
- overlapping of periods of applicability or
- too many provisions applying...



On the qualitative level

- Many good elements but also:
 - Some bad,
 - Some superfluous,
 - Some useless,
 - Some harmful,
 - Some misleading...



Causes

- Veterinary technocracy (ignoring politics)
- Poor needs definition
- Inadequate strategic thinking
- Inadequate legal training
- Inadequate infrastructures



Defining the need

- **Observations:**
 - Over or under estimation of text quality
 - Too little legal and technical analysis
 - Incomplete and biased answers
 - Overestimation of text strength
 - **Attempts to legislate without defining aims.**
- **Do not neglect needs definition**



Inadequate strategic vision

- Economic pressures (crises and **projects**)
- Knee-jerk reactions
- Understaffing (quantitative and qualitative)
- Partitioning (too many texts applying)

Result in practical aspects predominating over strategic aspects and demand focusing more on short term compliance rather than on longer term development.

Phenomena emphasized by the Projects



Legal Culture ...

- Ignorance of the functions of the norm
- Confusion of executive and legislative and infringement of the rule of law
- Neglect of fundamental rights (seizure, inspection, culling, recourse...)
- Ignorance of the rule of law and legal uncertainty (DBMS, dissemination...)
- Ignorance of procedures (abuse of power)



Techniques and structures

- Veterinary services without their own legal services or effective external support
- Procedures for putting in place legislative and regulatory measures are poorly known
- Poor formal participation of beneficiaries
- Lack of statistics
- Self-destructive ad hoc repeals
- Lack of material means and especially human resources



Answer

Dealing with problems

- Regarding quality of legislation
- Regarding method of production



Models or
guidelines?



Models

- 1. They ignore the interrelations with other areas of the law
- 2. They cannot take into account the law of all countries.
- 3. They prescribe technical and legal choices when there could be other more relevant local solutions.
- 4. They don't factor in cost and time.
- 5. They ignore applicability criteria.



Guidelines: an overview

- List of objectives but not of means
- Adaptable to the chosen area
- Respect each socio-cultural and legal environment
- Need for ownership



Models *versus* GL

Models

Guidelines

Drawbacks

Use without ownership
Rigidity, need for fine distinctions
Unsuitability to situations

Very general
Importance of ownership
No technical solution

Advantages

Easy to use

Suitable law
Gaining autonomy



First, a general section

- Overall objectives
- Quality of legislation and legislation drafting
- Competent authorities and chain of command
- Powers of officials
- Penalties
- Funding
- Etc. ...



Second, a specific section

1. Veterinary professions
2. Laboratories
3. Delegations
4. Health provisions regarding livestock
5. Animal diseases
6. Animal welfare
7. Veterinary pharmacy
8. Food chain
9. International trade



VLSP Objective

- To cover the veterinary field
- To create quality legislation by bringing in methodology support and references

Development methods enabling autonomy are more of a priority than the product.



Programme scope

VLSP is technically determined by:

- A sphere of activity: the veterinary area
- The object of the activity: the veterinary legislation
- The tools: methodological support and implementation of concepts



Coverage of the area

- Define the area
- Identify the «gaps» (tables of correspondence)
- Decide on the programme



Definition of quality

- Useful
 - Pertinent
 - Acceptable
 - Applicable
 - Applied
-
- VLSP objectives



Deploy the method and the tools

- Identification of the project
- Working groups
- Databases
- Training
- Consulting
- Impact studies...

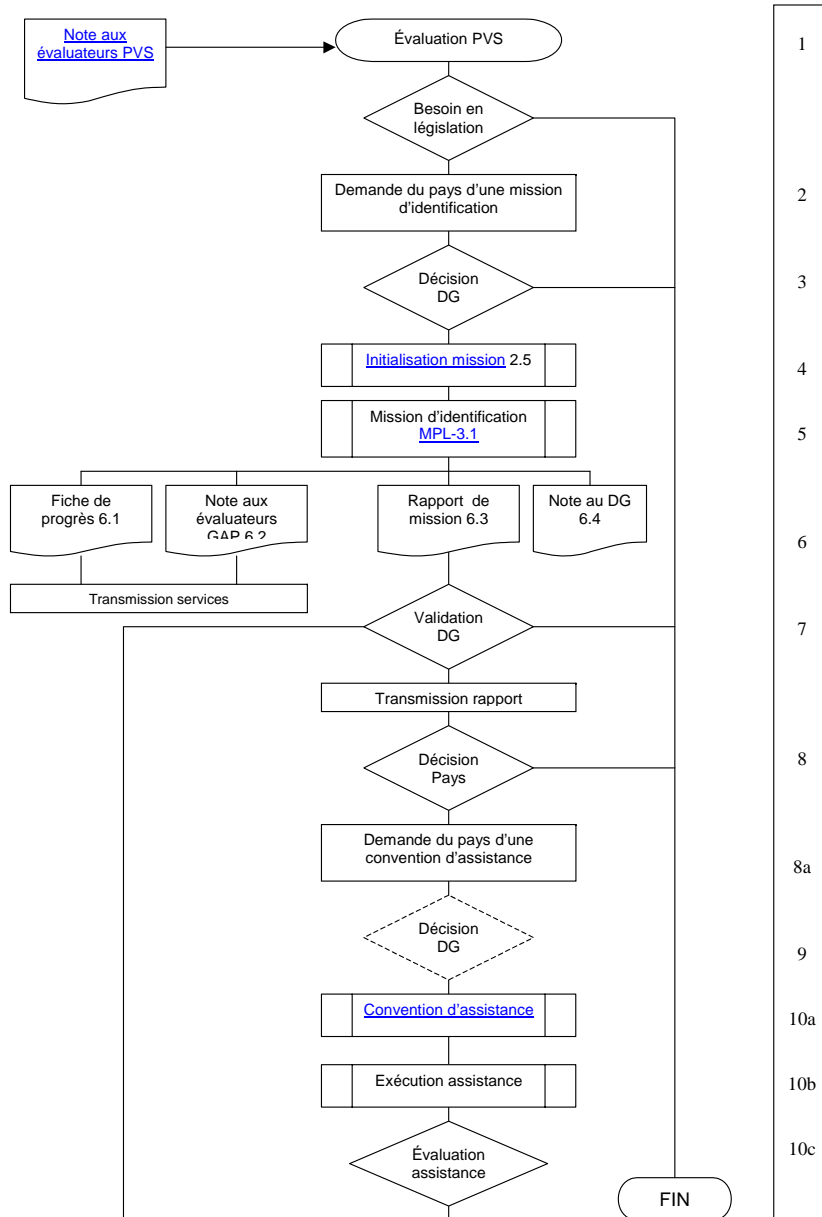


Target Countries

	Quality satisfactory	Quality unsatisfactory
Comprehensive coverage of veterinary area	1	3
Incomplete coverage of veterinary area	2	4



Programme Overview



- Formulation of the need
- Identification mission
- Support mission



Formulation of a need

- Spontaneous formulation
- PVS Mission
- GAP analysis
- Independent expertise



Identification Mission

- Average of 4-5 days
- Objectives: define the country situation, its needs and conditions for improvement.
- Preceded by a preparatory phase based on questionnaires.
- In the field,
 - First part: sharing of all concepts and tools used in the programme. Assessment of the general situation.
 - Second part: study texts and coverage of the veterinary area
 - Third part: assessment of the needs, specifically methodology.



Memorandum of Understanding regarding support

- Formal request by the country = commitment
 - Nomination of a corresponding project manager
 - Creation of a strategic programme
- Nomination of an OIE corresponding expert
- **Signature of Memorandum of Understanding (1 year)**
 - OIE provides methodological support and external references
 - Followed by correspondence and adjustment missions in the field (1 or 2)
- OIE does not "displace" and does not finance
- The responsibility remains with the country
- Support is only assistance provided to the work of the beneficiary and is never a substitute.

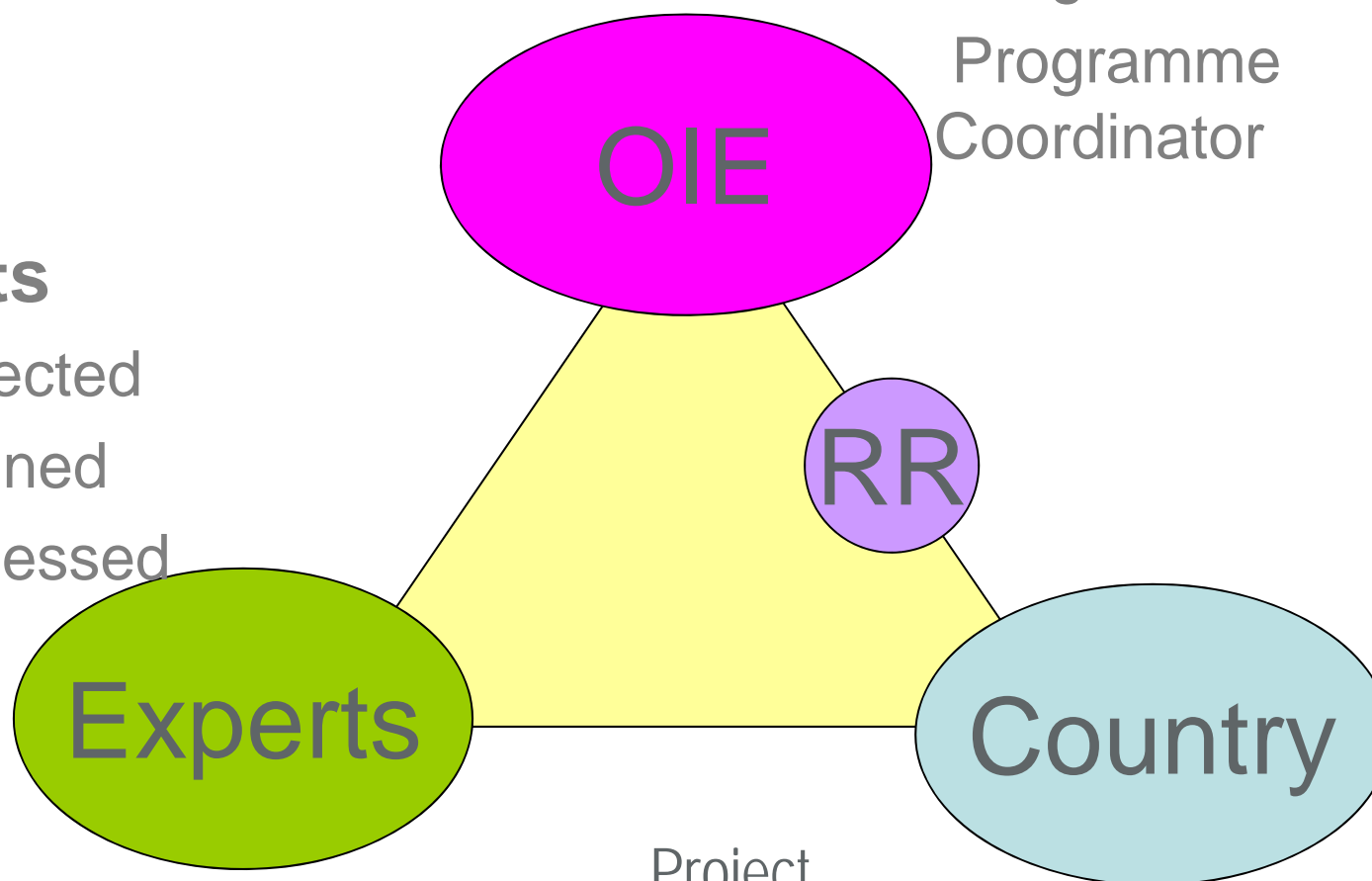


Organization

Programme Officer
Programme
Coordinator

Experts

- Selected
- Trained
- Assessed



Project
Manager



Format

- A Programme Manual
 - Background
 - Programme administration (expert management)
 - Identification mission
 - Assistance
 - Guidelines with comments
 - Toolbox
 - Communication



Funding

- **OIE will be responsible for**
 - Execution of the programme
 - Training and expert follow-up
 - Experts travel for identification and support missions
- **The beneficiary States will be responsible for**
 - Logistics on the field
 - Implementation in the country
 - TRANSLATIONS



Situation

Legislation missions State of Play - as of June, 2011

	OIE Members	Legislation Missions Requests received	Legislation Missions done
Africa	52	18	11
Americas	30	4	2
Asia and Pacific	31	4	3
Europe	53	3	1
Middle East	12	4	4
TOTAL	178	31	21



cluding (Pilot project) Botswana, South Africa and 1st mission in Zambia



VLSP main points

- Preliminary quantitative and qualitative analysis
- Definition of a technical strategy
- Overall design and lifetime of legislation for effective application
- Beneficiary country responsibilities and consideration for its uniquenesses



Conclusions

- Importance of veterinary legislation and its coherence for the governance of VS and international health security.
- Development of a reference (GL) and an approach by objective but not by model.
- Availability of methodology support in conformity with the environment of each beneficiary
- Requires a strategy and a will
- Corresponds to a transfer of technology
- Consolidation of the global public good

Thank you for your attention



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