



# Activities undertaken by COMESA VET-GOV program

## Dealing with Veterinary Legislation

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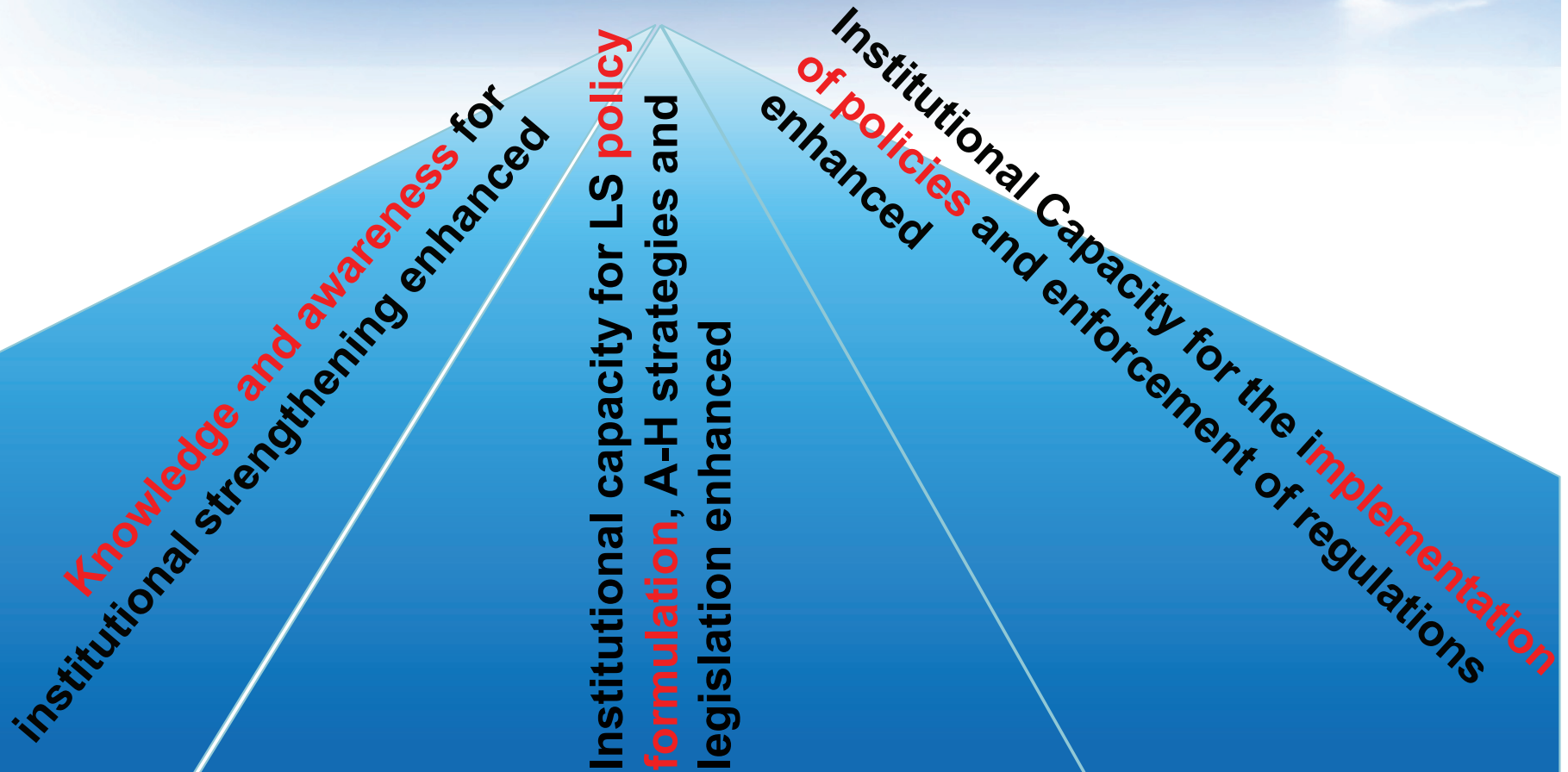


# VET-GOV Result Areas

## The 8 RECs



## VET-GOV Result Areas





# R-1: Knowledge and awareness for institutional strengthening enhanced



## **R1A1: Collate and document data to support knowledge creation.**

The collations of relevant data at the MS and regional level were completed. The findings of this activity have been completed and published “The livestock policy landscaping”.

Review of Veterinary Legislation was one of the activities conducted and SWOT analysis was done for each MS.



# Review of Veterinary Legislation



## The Strengths

**In most of the countries the Legislation:**

- **Provides an official definition of veterinary medicine**
- **The legislation clearly defines competent authority and it is legally binding**
- **Defines the prerogatives of the professionals involved in the practice of veterinary medicine;**
- **Defines the minimum initial educational requirements for the professionals;**
- **Prescribe the conditions for recognition of diplomas for veterinarians;**
- **Define the conditions for the exercise of veterinary professions;**
- **Define the professional responsibilities of veterinarians;**



# Review of Veterinary Legislation

## The Strength



- **The issues of disease control, slaughter of animals and their welfare are well defined and competent authority is stipulated**
- **Powers of inspectors is defined**
- **In some countries, Animal Welfare is well stipulated in prevention of cruelty to animals act**
- **Some of the countries have Veterinary Council Act**
- **In some of the countries the quality control mechanisms for Veterinary products and laboratory reagents and chemicals has been included**



# Review of Veterinary Legislation

## The Weakness



- The un-replaced legislations are very old (1913, 1929, 1964 and then 1994) and it doesn't take into account the prevailing conditions and the envisaged foreseeable future conditions
- The legislation clearly defines competent authority and it is legally binding but provides no regulations/implementation document to guide Veterinary professions.
- In most cases, the act does not describes the role, responsibility, obligation and quality requirement for the laboratory and field facilities, laboratory reagents etc
- The act does not address specific problems such as TADs and zoonosis control and surveillance





# Review of Veterinary Legislation

## The Weakness



- In some of the countries, the acts did not include all aspects of safeguarding the food production chain and traceability. It doesn't provides for quality assurance ASF, in terms of safety and means of determining safety levels and does defines responsible authorities and no implementation document
- In most cases it does not ensure that inspectors have the legal authority to intervene in accordance with the legislation –restriction of movement and disposal of infected animal and animal products-are there but implementation facilities are lacking
- Consistency of the legislations: legislations are not consistent with civil, penal and administrative laws and the associated procedures as appropriate.



# Review of Veterinary Legislation

## The Weakness



- **Although penalties are stipulated in all these pieces of legislation, they are too low and sometimes in wrong currencies (Stirling Pounds)**
- **In most of the legislations the issues of compensation in case of outbreaks of diseases and stamping out of animals has not been considered**
- **The act addresses the quality of veterinary products for the treatment of animals but does not addresses standards for animal feed and the control mechanisms are not in place**
- **The acts do not address delegations of functions with regards to certification, identification of animals and traceability etc.**
- **The legislations were not well communicated to stakeholders..the farmers, implementers, legal body etc.**
- **The Acts are fragmented and no system of coordination because of decentralization**





## LEGISLATION MAKING PROCESSES

- **Most of the countries Legislation development are lead by the Sector Ministries – in this case MOA/MOL Department of Veterinary and/or Livestock Development**
- **After discussing at various levels the final document is sent to the Legal Affairs/ Justice**
- **The legal affairs after orienting it into legal language the acts are sent to Cabinet. The cabinet after discussion and improvement sends to Parliament ---A lots of debate runs in the Parliament**
- **Legislation Gazetted and becomes a legislation for the country**



# **Actions taken to improve veterinary Legislation**



**After thorough discussions on the findings in each MS through the LPH, the following decisions were made**

- Most of the countries agreed on the importance of updating their veterinary legislation/ Animal Health Act**
- Agreement was also reached with those countries who did not undergo OIE PVS, Gap analysis and Legislation mission to request and have it done**
- Almost all have undergone PVS and gap analysis. Some have had the chance for Veterinary Legislation mission**
- Some countries have reviewed their legislation on their own and assigned professionals to work on the update.**
- For few countries who seek support from VET-GOV, consultants have helped in preparing the draft**



# **Actions taken to improve veterinary Legislation**



**After thorough discussions on the findings in each MS through the LPH, the following decisions were made**

- **For those countries who updated their Veterinary Legislations but have no implementation legal instrument, VET-GOV supported the development of Animal Health and other Livestock Specific Commodity level regulations**
- **The regulations has to go through the processes until enactment. Once enacted we advised them to share with implementers and exercise the law.**



# **Actions taken to improve veterinary Legislation**



## **Challenges:**

**As you are aware the process of Legislation enactment goes through:**

- 1. Legal office**
- 2. Cabinet of Ministers**
- 3. National Assembly**

**Some of the problems in some of the countries are**

- 1. There is disconnect between the DVS and up the ladder offices**
- 2. Some simply wait for OIE and never request, when they can use the OIE materials and move forward in updating.**
- 3. The partner organizations also refrain to support in this area as if it is the responsibility only for OIE**



# Veterinary Legislation



**Provisions at regional level: The COMESA Treaty stipulates Agricultural development is at the core of the developmental integration agenda of COMESA:**

**Article 3 of the COMESA Treaty refers to agriculture development and Chapter 18 of the Treaty is titled “Cooperation in Agriculture and Rural Development”.**

**As set out in Article 3 of the Treaty and in accordance with the relevant provisions of the Treaty, the Member States shall:**

- Co-operate in the agricultural development;**
- Adopt a common agricultural policy;**
- Enhance regional food sufficiency;**



# Veterinary Legislation



## Cont. As set in Article 3

- **co-operate in the export of agricultural commodities;**
- **co-ordinate their policies regarding the establishment of agro-industries;**
- **co-operate in agricultural research and extension;**
- **And enhance rural development.**





# Veterinary Legislation

## The COMESA Treaty



**ARTICLE 130 indicates that the MS co-operate in specific fields of agriculture, including:**

**The harmonization of agricultural policies to having a common agricultural policy:**

- **In research, extension and the exchange of technical information and experience;**
- **Agro-meteorology and climatology;**
- **The production and supply of food-stuffs;**
- **the coordination of the export and import of agricultural commodities;**
- **the coordination of bulk purchases of imports of essential agricultural inputs;**



# Veterinary Legislation

## The COMESA Treaty



- **The control of animal and plant diseases and pests;**
- **The exploitation and surveillance of the exclusive economic zones with regards to marine fisheries development;**
- **8. And the marketing and stabilization of prices of agricultural commodities bearing in mind internal agricultural and exchange rate policies in individual member countries.**



# Veterinary Legislation

## The COMESA Treaty



### **The Gap is:**

**Detailed agreement on the control and eradication of Animal Diseases and pests is yet to be prepared and agreed by all MS**

### **The Challenge is:**

**Similarly it has to pass through all MS's**

- 1. Cabinet of Ministers**
- 2. National Assembly**



# Veterinary Legislation

## The way forward



**The way forward is:**

**To collaborate and work in harmony with AU-IBAR, OIE, FAO and RECs and MS at all stages.**

**The RECs and MS needs to push through AU-IBAR and use all means to have robust implementation tool.**

**OIE and FAO to help technically and capacitate RECs and MS**

**THANK YOU and GOD BLESS YOU ALL!!**



**STAKEHOLDERS VALIDATION WORKSHOP OF LIVESTOCK POLICY FRAMEWORK  
08 JULY, 2015. LUSAKA, ZAMBIA.**





# Veterinary Legislation

## Time sequence of Veterinary Legislation

1. The Animal Diseases Act 1925
2. Prevention of cruelty to animal act 25 of 1957 30 Nov 1957
3. The meat act no. 54 1974
4. The animal feed control act RL 1/197 1978
5. The meat act of 1980 GN 136 of 1980
6. THE PHARMACY ACT 1983, Act 60/1983, Proclaimed by [Proclamation No. 24 of 1984] w. e. f. 1st January 1985
7. The meat act 1974-GN 39 of 1996
8. Animal disinfection act Cap 20-28 Dec 1998
9. Draft Animal Protection and Health Bill 2006





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