

ANNEX 3

EU POSITION AND COMMENTS ON THE OIE FIFTH STRATEGIC PLAN 2011-15

The EU congratulates the OIE for the continuous and successful implementation of its 4th Strategic Plan since 2005 and for the permanent communication with the Members during this period and in the drafting of its 5th Strategic Plan. The EU thanks the OIE Council for having taken on board its comments, and supports the adoption of this Plan.

Nevertheless, the OIE should take into account some important comments.

1. Preliminary and editorial comments:

As the Strategic Plan refers to the new version of the Basic texts, the EU regrets that these texts are not adopted this year, at the same time.

In paragraph 134, it should read "European Union" and not "European Commission"; in paragraph 136 the text refers to financial procedures while the title refers to Basic Texts and Administrative Procedures.

2. General comments on standard setting:

First of all, the EU wishes to reiterate its former comment that the OIE should more clearly differentiate, on the one hand the standards that are binding as regards international trade and should only be included in the Codes and Manuals, and on the other hand the non binding guidelines aimed at helping Members in finding reliable and practical advice, which should be made available in other places. This should be one of the objectives of the Strategic Plan, and include a specific work on the information of Members and on the update of the Internet website.

Secondly, the EU commends that in the Objective number 2, the OIE wishes to "develop and in international trade encourage the use of the standards", as stated in paragraph 9, 4th bullet: "to ensure safety of world trade in animals and animal products by preparing, adopting and promoting the application of relevant health standards for such trade, as foreseen in the WTO Agreement on the application of Sanitary and Phytosanitary Measures (the SPS-Agreement)", and in paragraph 59: "Critical to the continued acceptance of these standards is transparency during standards development and the use of scientific risk-based approaches including assessment of adverse health or environmental consequences which in turn may lead to socio-economic consequences." The WTO-SPS Agreement obligates WTO members to implement the least trade restrictive measures in their risk management. Since the work of the OIE covers both risk assessment and risk management it is of importance that the OIE-members are regularly informed on the use of the OIE-standards and guidelines and, when appropriate, the occurring trade disputes as reported to the SPS-Committee. The OIE-representative to the SPS Committee already reports regularly to the SPS-Committee on the progress of the OIE standards development process. Reporting to the World Assembly on the progress of the SPS-Committee especially on trade disputes related to animal health could also help to promote the implementation of OIE-standards in international trade and where appropriate improve the risk management in the field of animal health. This could be included in paragraph 111.

Finally, the EU suggests that the OIE enhances its effort in order to facilitate the standard settings regarding aquatic animal health, and this should be a clear objective of the strategic plan.

3. Specific comment on Legislation and Good Governance

In paragraph 65 the OIE intends that “recommendations will be developed on updating veterinary legislation for the improvement of governance”. The EU wishes that for the assessment of the goals of the OIE in relation to “legislation and governance” there is in the text a better understanding of the intentions and possible actions of the OIE in this field in the upcoming 5 years. Where the focus is on capacity building and / or technical assistance to developing countries it is to be supported, including through the PVS pathway; however, if standardization or harmonization is intended, through new standards regarding veterinary legislation, it has to be evaluated very carefully, as international standards are not supposed to replace legislations or regulations.

4. Specific comment on cooperation with other International Standard Setting Organisations (ISSOs)

In paragraph 57 and 66, it is projected to develop “animal production food safety standards complementary to the food safety standards of the Codex Alimentarius Commission (CAC)”. The EU commends the OIE for standards setting complementary to the work of the CAC. However, in order to promote this field of work it is necessary that the cooperation between the ISSOs (OIE, CAC and IPPC) and also the WTO Secretariat is strengthened at the organisational level, and this element of international cooperation is missing in the 5th Strategic Plan.

5. Specific comment on private standards

In paragraph 61, reference is made to the Resolution XXXII of 29 May 2008. As already stated in the framework of our discussion on the Technical Item I on Private Standards, the EU agrees that common work is needed between public and private international organisations in order that private standards do not pose unjustified barriers to trade, including through conflicts with the internationally accepted standards. However, no international organisation, including the OIE, has the power to “ensure” that. Thus, the wording in the 5th Strategic Plan should differ from that of the Resolution and read “in order that” instead of “to ensure”.

6. Comment on the measure of performance:

In paragraph 146 the OIE envisages the use of performance measures; these measures should be more precisely detailed by the Council, at least in its next meetings, so that a real follow up is possible.

7. Comment on the scientific reference

The collaboration of the OIE with the private sector is not enough highlighted. Even if the paragraph 156 includes experts from the private sector, the OIE should encourage agreements between collaborating centres or reference laboratories and the private sector, for example via the creation of national and/or regional or even international technological platforms (“International Animal Health Technology Platform”).