



POSITION STATEMENT ON THE IMPLEMENTATION AND ENFORCEMENT OF OIE ANIMAL WELFARE GUIDELINES

PREPARED BY THE INTERNATIONAL COALITION FOR ANIMAL WELFARE

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The International Coalition for Animal Welfare (ICFAW), on behalf of the more than 12 million supporters of our member organizations,¹ believes there are significant shortcomings with the implementation and enforcement of OIE animal welfare guidelines. We fear that the credibility and impact of the OIE welfare standards, which have the potential to greatly improve the health and well-being of billions of animals globally, will be severely undermined if they are not uniformly implemented and, just as importantly, enforced by all member countries.

In 2004, the OIE permanent working group created to address animal welfare identified as an important issue “the need to actively involve all OIE member countries in the implementation of the initiative and to ensure that effective communication and consultation with stakeholders take place at member country level.”² We do not believe the OIE member countries are fulfilling that mandate in this regard and would welcome leadership from the OIE on engaging all of the member countries in both implementing and enforcing the animal welfare initiatives.

We are heartened that the OIE has expressed its acknowledgment that both the implementation and enforcement of its animal welfare standards is an issue that needs to be addressed—an understanding that has led to OIE organizing its 2nd conference on animal welfare to assess this issue and develop a model for a way forward, which we find promising.

ICFAW recognises that the OIE is not an enforcement body itself. Nonetheless, we believe that constructive action by the OIE is needed to encourage implementation of the welfare guidelines by its member countries. It would, for example, be helpful if, when the OIE receives reliable information of breaches of the guidelines, it were to raise this with the country concerned in order to encourage necessary steps to properly implement the guidelines and so avoid similar problems in future. Regrettably, the OIE has declined to take any action when presented with detailed evidence of contraventions of its guidelines, as has been the case when ICFAW member organisations, including Compassion in World Farming (Compassion) and the Humane Society of the United States (HSUS), have submitted evidence of violations of welfare guidelines to the OIE.

¹ The member organisations of the International Coalition for Animal Welfare, representing more than 12 million individual supporters internationally, include: Compassion in World Farming, Eurogroup for Animals, the Humane Society of the United States and Humane Society International, the International Fund for Animal Welfare, the Japanese Farm Animal Welfare Initiative, the National Council of SPCAs, the Royal Society for the Prevention of Cruelty to Animals, RSPCA Australia, and the World Society for the Protection of Animals.

² World Organisation for Animal Health and the European Commission. 2004. Global conference on animal welfare: an OIE initiative. Paris, 23–25 February. www.oie.int/eng/Welfare_2004/proceedings.pdf.

In October 2007, for example, Compassion submitted detailed written and videotape evidence to the OIE of serious violations of the welfare guidelines in Jordan, Kuwait, Oman, and the United Arab Emirates. The OIE's response confined itself to generalities and made no reference to the problems identified in these countries; indeed, from the reply letter, it appeared that OIE was not prepared to raise these violations with the countries concerned.³

In February 2008, HSUS requested assistance from the OIE after an investigation found widespread mistreatment of cattle in a California abattoir.⁴ Violations of several OIE slaughter standards, as specified in Article 2 of Appendix 3.7.5 of the International Animal Health Code 2006, were documented on videotape. As with Compassion's complaint, the OIE was unresponsive to the Humane Society.

At present, there is no procedure within OIE for complaints regarding failures by member countries to implement and enforce the animal welfare standards to be addressed and reviewed, and, if found to be correct, to be remedied. As well, there is no protocol or incentive for member countries to implement and enforce the guidelines. Failure by OIE member countries to implement the guidelines undermines the credibility of the standards and puts into question the value of the standards development process.

As evidenced with the examples provided above, violations of OIE guidelines are present in both developed and developing member countries. Without a clear implementation and enforcement protocol, concerns regarding breaches of welfare standards cannot be addressed. ICFAW would welcome OIE's guidance as to the appropriate procedure for addressing the identified deficiencies.

We believe that implementation entails two distinct steps. Member countries should: 1) incorporate the guidelines into their legislation and 2) ensure that they are observed in practice. Enforcement, as well, must be addressed. To facilitate the discussion and protocol development that will be the focus of the upcoming conference in Cairo, we respectfully submit a model used in CITES that has a reasonably successful history of addressing and reviewing its implementation and enforcement procedures. Whilst the CITES model may not serve OIE's needs conclusively, we offer it as an example of a framework from which OIE could draw to fulfill its mandate. The CITES model is set out in an appendix to this paper.

We recognise the importance of OIE's forthcoming 2nd Global Conference on Animal Welfare, aptly titled 'Putting the OIE Standards to Work', and welcome OIE's expressed commitment to support the setting and implementation of national standards, as identified as a primary objective of the conference in Cairo. Indeed, the OIE has made some encouraging progress in develop guiding principles and standards, but the challenge must now be to harness the support of all OIE member countries and stakeholders for implementation and enforcement.

We look forward to working with OIE and supporting member countries in developing, implementing, and enforcing operational standards to improve the welfare of animals.

³ Letter of 6 November 2007 from the General Director of the OIE to Compassion in World Farming.

⁴ Letters of 1 February 2008 to Drs. Bernard Vallat and Hassan Aidaros from the Humane Society of the United States.

Appendix: The CITES Model

The CITES framework provides one model OIE could pursue towards developing, promoting, and ultimately incentivising member countries to fully embrace commitments and practices to adhere to all OIE welfare guidelines.

Implementation: Article VIII, paragraph 7, of the CITES Convention requires each Party to submit to the CITES Secretariat a biennial report on legislative, regulatory, and administrative measures taken to enforce the provisions of the Convention. The reports provide an opportunity for Parties to share information regarding their overall implementation of the Convention, including progress in the development and application of laws and regulations, administrative procedures, economic and social incentives, and wildlife trade policies. Such reports may contain summaries of national compliance and enforcement efforts, including but not limited to awareness-raising, training, monitoring, inspections, investigations, seizures, confiscations, prosecutions, convictions, penalties, and court decisions, as well as serve as a tool for self-assessment through which Parties can identify achievements, significant developments or trends, gaps or problems, and possible solutions. On an international level, the comparison and synthesis of information in biennial reports can support substantive and procedural decision-making by the Conference of the Parties and various subsidiary bodies.

Enforcement: Parties also submit an annual report on enforcement issues. This provides the basis for comparative trade analysis, analysis of problem areas with high trade volumes, and assessment of overall compliance with and enforcement of the Convention. The Conference of the Parties (CoP) and the Standing Committee (which meets annually between CoPs) examine the reports for trends and areas of non-compliance. Recommendations to solve non-compliance issues are discussed with the Parties and, if necessary, can be turned into Decisions of the Parties, which mandate a Party to undertake a rectifying action. There are measures to address persistent non-compliance with the obligation to submit annual reports that have been agreed by all the Parties. The ultimate sanction for non-compliance could be suspension of trade.

These reporting processes are fully transparent, and resources are provided to facilitate compliance with reporting requirements. The Secretariat maintains a report of annual and biennial submissions accessible online, and CITES trade data are available via the [CITES trade database](#). CITES also has an annual cycle of training programmes to assist members with the completion of the reports and to offer training on enforcement where gaps in enforcement are revealed.