

On the understandings to be reached with FAO and OIE

The following text has been developed by the Chairpersons of the Executive Committee in close consultation with the FAO Animal Health Service and the OIE. The version below was presented through the Secretariat of the EuFMD to the Legal Office of FAO for their review, in accordance with standard FAO procedures and Legal Framework concerning Agreements of Article XIV bodies with external parties. The position of the Legal Office of FAO on the document will be provided at, or before, the 40th Session.

DRAFT

AGREEMENT BETWEEN THE EUROPEAN COMMISSION FOR THE CONTROL OF FOOT-AND-MOUTH DISEASE (EUFMD) AND THE OFFICE INTERNATIONAL DES EPIZOOTIES (OIE)

Background

The European Commission for the Control of Foot-and-Mouth Disease (EuFMD) is an intergovernmental organization established as an Article XIV body under the Framework of the Food and Agriculture Organization of the United Nations (FAO). As such, Article XIV bodies have functions described in their Constitutions to which member states are bound by treaty, and are governed by their member states in accordance with these legal articles. Under the Constitution of the EuFMD, in its most recent revision (1997), the OIE, FAO and the European Commission (EC) are provided with a non-voting participant status. The EuFMD may enter into arrangements, through the Director-General of the FAO, with the OIE within the framework of any agreements between the FAO and the OIE to ensure that:

1. all EuFMD Members are provided with technical advice on any problem relating to the control of foot-and-mouth disease;
2. comprehensive information on outbreaks of the disease and identification of virus is collected and disseminated as quickly as possible;
3. special research work required on foot-and-mouth disease is carried out;

The agreement hereinafter shall supplement the above mentioned Articles of the EuFMD Constitution.

In accordance with the functions described in its Constitution, EuFMD primarily aims at promoting national and international action with respect to preventive and control measures against the occurrence of foot-and-mouth disease in Europe. Those objectives are to be achieved through co-operative actions of the member states, or with non-member states, other organizations, or regional groups to achieve mutual assistance on problems of controlling foot-and-mouth disease. This includes assistance in the prevention and control of outbreaks in emergency situations in any manner considered appropriate by the Commission and the Member or Members concerned.

The EuFMD and the World Organisation for Animal Health (OIE) , wishing to coordinate their efforts in the control of foot-and-mouth disease (FMD) within the framework of their respective mandates, agree to the following:

Article 1

EuFMD and OIE undertake to cooperate closely in matters of common interest pertaining to the international control of FMD.

Article 2

Within the framework of this agreement the OIE is primarily responsible for:

- a. establishing standards, guidelines and recommendations relevant to FMD in accordance with its Basic Texts and as recognised in the WTO-SPS Agreement.
- b. developing, updating and publication in the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of international science-based reference standards and validation of diagnostic methods for the tests for FMD and the quality of vaccines required in accordance with the Terrestrial Animal Health Code.
- c. collecting the official notifications of FMD related events and Disseminating official animal health information through the OIE WAHIS/WAHID
- d.. developing and updating the OIE PVS Pathway as a global programme for the sustainable improvement of the veterinary services in member countries of OIE towards compliance with OIE standards on the quality of Veterinary Services, including laboratory capacities.
- e. developing and updating the published "Recommendations on the competencies of graduating veterinarians ('Day 1 graduates') to assure the National Veterinary Services of quality".
- f. Contributing with FAO and EuFMD to the regular updating of the PCP FMD tool.

Article 3

3.1. General remarks to the EuFMD work program:

- a. A multiannual work program shall be prepared by the Secretariat for approval by Members at the General Session.
- b. The multiannual program shall be linked to the agreement concluded for a period of 4 years between the European Commission (EC) and FAO on the use of the EU-Trust Fund and will be in line with the FAO/OIE FMD Global Control Strategy.
- c. To prepare the multiannual program, the Secretariat will seek as appropriate inputs and feedback on planned activities from the OIE, the FAO/OIE GF-TADs FMD Working Group and the Global and relevant Regional Secretariat of GF-TADs.
- d. A 24-month work and budget plan is to be prepared by the Secretariat and presented by the Chairman of the Executive Committee to the regular EuFMD General Session for approval. This plan shall detail for the two consecutive 12-month periods the activities with their corresponding time lines, which are to be reviewed and updated, if needed, during the regular meetings of the Executive Committee.

3.2. Content and geographical scope of the EuFMD work program

- e. The Secretary of EuFMD manages the Secretariat and associated staff for the effective implementation of a multifaceted program funded by contributions from Members, the EU-Trust Fund, and, other donors.
- f. The activities of EuFMD shall be focused on three strategic pillars determined by Members and implemented for their benefit:
 - i. Improve readiness for FMD crisis management by the Members,

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- ii. Reduce the risk of FMD to the Members from the European neighbourhood (assistance in the application of progressive control in neighbouring regions); and
 - iii. Promote the PCP-FMD, including financial support to the WRL (Pirbright Institute, UK).
- g. EuFMD contributes to the global understanding of FMD and provides information on its assessment of risks to the European neighbourhood arising from the circulation of different FMD viruses. To this end, EuFMD produces reports for its Members and makes recommendations on vaccine strains for the national and EU antigen and vaccine banks.
- h. The neighbourhood of the current 36 Members is defined as follows:
 - i. European Member Countries of the World Organisation for Animal Health (OIE) and member of the OIE Regional Commission for Europe which are eligible for membership in EuFMD;
 - ii. the countries and territories adjacent to members.
 - iii. The countries in North Africa cooperating with Members in the framework of REMESA
- i. EuFMD - activities in the above areas **shall be coherent with GF-TADs regional plans** and regional networks (i.e. REMESA,, West-Eurasia Roadmap, South-East Mediterranean platform) and shall be **carried out in consultation with the GF-TADs Management Committee** to ensure that all relevant parties of a region are informed and involved in these actions. Information sharing will be reciprocal between OIE and EuFMD. Regarding North Africa, EUFMD activities will be defined in the framework of REMESA
- j. EuFMD undertakes to share with the Global Secretariat of GF-TADs (secretariat-GF-TADS@fao.org), any relevant information received (disease information, project reports and requests for assistance) to ensure that such information can be included in the programming of activities related to the prevention, early warning and forecasting of FMD related events.
- k. Without prejudice to emergencies referred to in Section III, EuFMD involvement in activities outside its program and geographical scope as defined in 3.2 h) must and should be of benefit to the Members as regards prevention and reduction of risks and shall be cost effective and complying with 3.2 provisions. Cost recovery for such inputs would require previous agreement with the Executive Committee.

3.3. Activities in emergency situations

- i. Where the epidemiological situation so warrants, in particular where new FMD virus strains have been introduced into the European neighbourhood, EuFMD shall inform the Global Secretariat of GF-TADS, and the regional OIE offices of any emergency activities it plans to carry out. Those activities shall not commence on-the-spot until approved by the GF-TADs Management Committee and the Executive Committee.
- m. Should an emergent situation arise that requires immediate decisions for intervention or other actions (i.e., mission or vaccine procurement) the lead operators of the GF-TADs Management Committee would consult by teleconference and are powered to request assistance from EuFMD and its personnel, if needed.
- n. Where the EC requests EuFMD to use the EU-Trust Fund in order to carry out activities in areas outside the European neighbourhood in response to the epidemiological situation or the request of a country situated outside that neighbourhood, the Secretariat shall inform and obtain agreement of the GF-TADs Management Committee and where appropriate assist on request the EC to coordinate with GF-TADs.
- o. The Executive Committee reserves its right to respond in a flexible way to changing epidemiological circumstances of FMD across endemic areas by adapting its programming of activities aimed at protecting Members. Where emergencies require activities outside the European neighbourhood they will be carried out after consultation and agreement with the GF-TADs Management Committee (e.g. emergency meetings, teleconference, or other).

3.4. EuFMD and the Progressive Control Pathway (PCP)

- p. EuFMD has been a key player for the continuous technical development of the PCP-concept and is prepared to support the global GF-TADs FMD Working Group by reviewing and updating the PCP FMD technical documents.
- q. EuFMD may support relevant training programs on the application of the PCP at national or regional level by providing on request human resources and the expertise of the Secretariat to FAO and OIE. EuFMD is not institutionally responsible for the development of regional PCP roadmaps with the exception of those involving member states and shall not be engaged in the evaluation of the PCP-Status of countries outside its Membership.

Article 4

EuFMD and the OIE collaborate, in particular, by the following means:

- a. Reciprocal exchange of reports, publications and information, including on incidences of FMD;
- b. The use of the GF-TADs - mechanism to ensure the exchange of information on forthcoming meetings and conferences dealing with matters of mutual interest
- c. Participation of representatives of each party in the relevant meetings and conferences of the other, with the right to take part in the discussions on a consultative basis. .
- d. Regular consultations between the Chairman of the EuFMD Executive Committee and the Director General of OIE on matters of common interest, with a view to promoting arrangements for joint activities in specific fields of the PCP;
- e. Adoption by EuFMD and OIE of appropriate administrative arrangements necessary to implement the policies agreed between the Chairman of the Executive Committee of EuFMD and the Director-General of OIE, which may include exchange of experts and training of personnel.
- f. Permanent exchange of views on request of the President of EuFMD or the Director General of the OIE.

Article 5

Both parties may request that the present Agreement be amended. Any such amendment shall be adopted by mutual consent. An exchange of letters will detail the implementation of this agreement.