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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	28 August 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

Subject:	Recommendation for a COUNCIL DECISION authorising the opening of negotiations, in the interest of the European Union, on a revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the World Organisation for Animal Health
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Delegations will find attached document COM(2025) 460 final.

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EUROPEAN
COMMISSION

Brussels, 28.8.2025
COM(2025) 460 final

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations, in the interest of the European Union, on a revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the World Organisation for Animal Health

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

Further to a 2024 Resolution of the World Assembly of Delegates of the World Organisation for Animal Health (WOAH), a revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the WOAH, collectively referred to as the WOAH Basic Texts, will be prepared by a Governance Review Committee (GRC) from 2025 to 2027, with a view to submitting proposals to the World Assembly of Delegates to revise WOAH's institutional, technical and financial governance to secure a robust legal framework and WOAH's ability to deliver its mandate efficiently, effectively, and sustainably into the future.

The Union is not a party to the WOAH, but all its Member States are parties. Representatives from three Member States (Austria, Ireland, Cyprus) are currently members of the GRC, while experts from Member States and the Commission serve as advisors to those members.

This decision should therefore authorise the Member States that are Members of the GRC, acting jointly in the interest of the Union, to negotiate the changes to the WOAH Basic Texts. The negotiation directives for these Member States should be set out in the Annex to this Council Decision. These include, i.a. amending the WOAH Basic Texts in such a way as to allow Regional Economic Integration Organisations such as the EU to become a party to WOAH.

• Consistency with existing policy provisions in the policy area

The proposed recommendation is in line with the existing Union legal framework on animal health, as currently set out under Regulation (EU) 2016/429 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law')¹, on zoonoses as set out in Directive 2003/99/EC² on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC, as well as other relevant pieces of legislation in this policy area (Regulation (EC) No 1069/2009³, Regulation (EC) No 999/2001)⁴.

• Consistency with other Union policies

The proposed recommendation is also in line with Union policies on health as regards the prevention and management of zoonotic diseases as part of a "One Health" approach.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The procedural legal basis for the proposed decision is Article 218(3) and (4) of the TFEU.

Article 218(3) of the TFEU provides that the Commission shall submit recommendations to the Council, which shall adopt a decision authorising the opening of negotiations and nominating the Union negotiator. According to Article 218(4) of the TFEU, the Council may

¹ OJ L 84, 31.3.2016, p. 1.

² OJ L 325, 12.12.2003, p. 31.

³ OJ L 300, 14.11.2009, p. 1.

⁴ OJ L 147, 31.5.2001, p. 1.

address directives to the negotiator and designate a special committee in consultation with which the negotiations must be concluded.

The substantive legal basis was chosen to cover WOA's main remit, which is animal health and zoonoses, and safe international trade in animals and animal products. On those aspects, the Union has adopted harmonised measures and established a common organisation of agricultural markets for certain products on the basis of Article 43(2) of the TFEU. This involves animal keeping in agriculture production. Animal health is an intrinsic element of it and the Union legislation is covering those aspects. For animal health, Regulation (EU) 2016/429 on transmissible animal diseases, provides for animal health requirements for the movements of animals and their products between the Member States within the Union including their entry into Union. Importantly, in accordance with Article 168(4)(b) of the TFEU, the EU can lay down measures in the veterinary field which have as their direct objective the protection of public health in the Union to meet common safety concerns in the EU. The EU legislation governing animal health and zoonoses, *inter alia* covers measures for transmissible animal diseases affecting animals and humans, including aspects of public health protection as pursued in accordance with Article 168 TFEU.

- **Union competence**

These are amendments to international agreements that amend the institutional framework of the relevant international agreement, that fall in the Union competence, and which therefore require a Council decision under Article 218(3) of the Treaty on the Functioning of the European Union (TFEU).

By virtue of Regulation (EU) 2016/429 and Directive 2003/99/EC, the Union has put in place harmonised rules governing animal health and zoonoses. This legislation includes rules on listing of animal diseases for the EU intervention, measures of disease prevention, disease control and eradication, movements of animals and their products between the Member States within the Union as well as their entry into the EU, and zoonosis monitoring. Even if Member States may take certain disease control measures nationally, this field is considered to be fully harmonised by Union law. In particular, the Union has exclusive competence in the area of movements of animals and products between the Member States within the Union and the rules for entry into the Union, the so-called 'trade' aspects. WOA's remit covers these fields and policy areas. In conclusion, the above areas with involved animal and human health components and fully harmonised EU legislation in the above referred fields fall under EU competence.

- **Subsidiarity (for non-exclusive competence)**

Animal health policies are largely harmonised at Union level. WOA standards on animal health and zoonoses are recognised as reference international sanitary rules under the World Trade Organization's Sanitary and Phytosanitary Agreement. Union legislation therefore needs to take into consideration WOA standards relating to animal health conditions for international trade. In order to reduce the risk of trade disruption, Union animal health measures laid down in the EU Animal Health Law (Regulation (EU) 2016/429) aim at an appropriate level of convergence with WOA standards. Influencing WOA standards to reflect as much as possible Union policies is therefore in the interest of the Union and its Member States, and can best be achieved at Union level as this allows sharing of resources and expertise.

- **Proportionality**

A revision of the governance of the WOAAH to ensure it is fit-for-purpose and capable of supporting an efficient, effective, and sustainable organisation into the future is a priority for the EU and is clearly in the interest of the Union.

A Council Decision is necessary to authorise the opening of negotiations by the Member States, acting in the interest of the Union, on a revision of the WOAAH Basic Texts and to provide negotiating directives.

The proposed recommendation does not go beyond what is necessary for achieving the objectives pursued, in accordance with Article 5(4) of the Treaty on European Union.

- **Choice of the instrument**

The choice of the instrument is stipulated in Article 218(3) and Article 218(4) of the TFEU.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable.

- **Stakeholder consultations**

Not applicable.

- **Collection and use of expertise**

Not applicable.

- **Impact assessment**

Not applicable.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

Not applicable.

4. BUDGETARY IMPLICATIONS

Budgetary implications for members of the WOAAH will depend on the level of ambition of the outcome of the negotiations on the amendment of the WOAAH Basic Texts, for example in terms of the scope of the organisation's mandate and thus its future activities. This can however not be quantified at this stage.

Implications on the Union budget will also depend on whether or not the EU will become a party to the WOAAH as an outcome of negotiations on a revision of the WOAAH Basic Texts, and under what conditions. Achievement by the Union negotiators of an amendment of the WOAAH Basic Texts that would allow membership of Regional Economic Integration Organisations is however not foreseeable at this time.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

The implementation of this recommendation will follow the work programme of the WOAHA GRC, that will include a roadmap for negotiations. That work programme is currently being finalised as part of the ongoing preparatory work and will be presented to the WOAHA World Assembly of Delegates in May 2025 for its consideration and adoption. Negotiations are expected to start soon thereafter.

- **Explanatory documents (for directives)**

Not applicable.

- **Detailed explanation of the specific provisions of the proposal**

The Commission recommends that:

- The Council authorise the Member States that are Members of the GRC representing the WOAHA Region of Europe to open and conduct negotiations for the revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the World Organisation for Animal Health, collectively referred to as the WOAHA Basic Texts;
- The representatives of those Member States that are Members of the GRC be nominated as Union negotiator, acting in the interest of the Union;
- The Member States that are Members of the GRC representing the WOAHA Region of Europe conduct the negotiations in consultation with the special committee if designated by the Council in accordance with Article 218(4) TFEU;
- The Council approve the negotiating directives annexed to this recommendation.

- **The choice of the negotiator**

The Union is not a party to the WOAHA, but all of its Member States are Parties. Given only Members were invited by WOAHA to join the GRC, the body in which the negotiations will take place, the representatives of those Member States that are Members of the GRC representing the WOAHA Region of Europe should be designated as Union negotiator, acting in the interest of the Union.

Recommendation for a

COUNCIL DECISION

authorising the opening of negotiations, in the interest of the European Union, on a revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the World Organisation for Animal Health

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(2) and Article 168(4)(b), in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) The World Organisation for Animal Health (WOAH) is an intergovernmental organisation founded in 1924 as Office International des Epizooties. Its legal texts include the International Agreement for the creation of an Office International des Epizooties and the Organic Statutes of the Office International des Epizooties (1924), the Organic Rules of the Office International des Epizooties (1973), the Financial Rules (1987) and the General Rules of the World Organisation for Animal Health (OIE) and other texts (2011), collectively referred to as the WOAH Basic Texts⁵. WOAH standards on animal health and zoonoses are recognised as reference international sanitary rules under the World Trade Organization's Sanitary and Phytosanitary Agreement. As of 2025, 183 Members are party to the organisation, including all EU Member States. The European Commission has observer status.
- (2) In 2023, at the turn of its centenary, the WOAH commissioned an external and independent review of its governance to ensure it is fit-for-purpose and capable of supporting an efficient, effective, and sustainable organisation into the future. The *"Report on the Analysis and evaluation of the institutional, technical, and financial governance of the World Organisation for Animal Health"*⁶ was presented at the World Assembly of Delegates of the WOAH in May 2024 and discussed in a forum during that event entitled *"Is WOAH ready for the future?"*⁷.
- (3) On 30 May 2024, the World Assembly of Delegates adopted Resolution Nr. 12 *"Revision of the WOAH Basic Texts"*⁸ by which the World Assembly decided the Director-General establish a dedicated group on governance, inclusive of the Membership of the WOAH with representatives from each region, to carry out further work to revise the WOAH Basic Texts.
- (4) A Governance Review Committee (GRC) was established in December 2024 and according to its Terms of Reference consists of 16 Members from all WOAH Regions. Three of the current Members of the GRC are EU Member States: Austria and Ireland are among those Members representing the WOAH Region of Europe, and Cyprus is

⁵ <https://www.woah.org/en/who-we-are/structure/framework/>

⁶ <https://www.woah.org/app/uploads/2024/03/91gs-2024-wd-adm-13-basic-texts-en-1.pdf>

⁷ <https://www.woah.org/app/uploads/2024/07/91gs-2024-final-report-en-1.pdf>

⁸ <https://www.woah.org/app/uploads/2024/03/91gs-2024-res-12-adm-basic-texts-en.pdf>

among those Members representing the WOAAH Region of the Middle East. Among the Advisors of those Members are experts from Member States and the Commission. The first GRC meeting took place in January 2025.

- (5) The GRC prepared a holistic work programme of multi-year activities and initial recommendations to support revisions to the WOAAH Basic Texts, that after validation by the WOAAH Council were presented to the World Assembly of Delegates⁹, which adopted Resolution Nr. 5 “*Work Programme of the WOAAH Governance Review Committee and Initial Adjustments to Support Revisions to the WOAAH Basic Texts*” on 29 May 2025¹⁰ with support from the Union¹¹. In line with its work programme, the GRC has embarked on the first substantive phase of its work (assessment phase) in late May 2025.
- (6) The Union has adopted harmonised measures and established a common organisation of agricultural markets for certain products in line with Article 43(2) of the TFEU. This involves animal keeping in agriculture production. Animal health is an intrinsic element of that Union legislation. For animal health, Regulation (EU) 2016/429 on transmissible animal diseases, provides for animal health requirements for the movements of animals and their products between the Member States within the Union and their entry into the Union. Importantly, in accordance with Article 168(4)(b) of the TFEU, the EU can lay down measures in the veterinary field which have as their direct objective the protection of public health in the Union to meet common safety concerns in the EU. The EU legislation governing animal health and zoonoses, *inter alia* covers measures for transmissible animal diseases affecting animals and humans, these covering aspects of public health protection. In conclusion, the above areas with involved animal and human health components and fully harmonised EU legislation in the above referred fields are part of the EU, rather than the Member States, competency.
- (7) In light of the above, and by virtue of Regulation (EU) 2016/429 and Directive 2003/99/EC, the Union has put in place harmonised rules governing animal health and zoonoses. This legislation includes rules on listing of animal diseases for the EU intervention, measures of disease prevention, disease control and eradication, movements of animals and their products between the Member States within the Union and their entry into the EU, as well as zoonoses monitoring.
- (8) It is in the Union's interest to play an effective role in the works of the WOAAH. This will promote consistency in the Union's approach to policies falling within the remit of the WOAAH, and reinforce its commitment to the long-term development of global animal health and control of zoonoses, animal welfare, animal production food safety, safe international trade of animals and animal products, and food security.
- (9) Currently, the WOAAH Basic Texts do not allow for the participation of Regional Economic Integration Organisations (REIOs), such as the Union, as a Contracting Party to the WOAAH International Agreement. It is thus appropriate to authorise the representatives of the Member States that are Members of the GRC to negotiate, in the interest of the Union, an amendment to the WOAAH Basic Texts with a view for the Union becoming a full contracting party to the WOAAH, in addition to its Member States.

⁹ <https://www.woah.org/app/uploads/2025/03/92gs-adm-06-en-report-of-the-woah-governance-review-committee.pdf>

¹⁰ <https://www.woah.org/app/uploads/2025/06/2025-92gs-resolutions-final-en.pdf>

¹¹ <https://data.consilium.europa.eu/doc/document/ST-9171-2025-INIT/en/pdf>

- (10) The Member States and the Commission should cooperate closely during the negotiation process,

HAS ADOPTED THIS DECISION:

Article 1

1. The representatives of EU Member States that are Members of the World Organisation for Animal Health Governance Review Committee representing the WOAHA Region of Europe (“the representatives”) are hereby authorised to negotiate, in the interest of the Union, a revision of the International Agreement and Organic Statutes, the Organic Rules, the Financial Rules and the General Rules and other texts of the World Organisation for Animal Health (collectively referred to as WOAHA Basic Texts), within the Governance Review Committee.
2. As part of the negotiations within the Governance Review Committee, the representatives shall propose an amendment to the WOAHA Basic Texts in order to allow participation of Regional Economic Integration Organisations in the WOAHA, as well as take the necessary steps to promote its adoption.

Article 2

The negotiating directives are set out in the Annex.

Article 3

The negotiations shall be conducted in consultation with the Working Party on Animals and Veterinary Questions (Chief Veterinary Officers), which is hereby designated as the special committee within the meaning of Article 218(4) of the Treaty on the Functioning of the European Union.

Article 4

This Decision is addressed to the Member States.

Done at Brussels,

*For the Council
The President*