**International law and health**

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***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The recent pandemic teaches us many lessons. One the one side, although some international instruments on infectious diseases exist, there is not enough coordination among states. The international organization in charge of these matters, the WHO, has limited powers and can only intervene to a very limited extent. On the other side, domestic health systems differ, are often based on different premises and standards of protection of population varies, requiring further considerations on the protection of human rights and on the role of health as a public good as a global issue. Moreover, the recent pandemic must be considered within the larger context of climate change, protection of the environment and social rights, since the concept of ‘health’ today has a much broader understanding. These are all matters that require international cooperation and joint efforts. Finally, the current trade system that sustains globalization strongly affects our general understanding of protection of health, and to many extents principles of free trade interfere with those of health protection.

The aim of the course is to start from the recent pandemic to delve into the global governance of health, evidencing the complexity of the issues at stake and proposing a holistic analysis of these. After the course the student:

* Will be acquainted with all existing international instruments and organizations focusing on health.
* Will be familiar with also WTO, OECD and other international bodies that play an indirect role on cooperation on health and influence the global governance.
* Will know human rights approaches on health.
* Will have acquired practice with indicators applied by international organizations assessing domestic policies.
* Will adopt a holistic approach to health issues at international level.
* Will be able to have a critical approach to issues at stake.

***COURSE CONTENT***

The course will address the issues of health and environment protection through the lenses of existing international theory and the most modern approaches on what is usually called “global law”, as a concept going much beyond the analysis of the positive sources of international law (treaties and regulations). Students shall be required to read cases and understand the law in progress, as well as analyse critically concrete examples or actual reports of international organizations. Some economics, political science and theories of governance shall help in better understanding the issues at stake.

To approach global health under all the prospected angles, the course is organized in two interconnected modules. Following an introduction on the works of the WHO and the content of the SDGs in the field of health, these shall develop as follows:

1. One module, by Professor Villarreal Pascual, will address general issues on human rights norms and standards as well as indicators used to assess their impact on health policies and programs. Additionally, it will delve into an in-depth analysis of the matters above through practical exercises.
2. Another module, by Prof. Malaguti, will address issues connected to trade and investments, on the one side, and health, food safety and environment protection, on the other side. These will also include treatment of pharmaceuticals, IP and the role of innovation. In this context, also the issue of patentability of viruses will be analysed, as one of the most urgent issues to be considered following the COVID-19 pandemic.

***READING LIST***

Students who follow classes on a regular basis will study on the basis of materials distributed during the course and coming from different sources, in particular actual cases.

Students who do not follow classes on a regular basis shall read the following text, which is in any event a reference textbook for all students who want to have a complete and systematic understanding of the matter and supplement materials received in the course.

* Lawrence O. Gostin, *Global Health Law* (Harvard University Press, 2014)

***TEACHING METHOD***

Frontal lessons, case studies and discussions with students. Guests from international organizations and/or ONG may be invited to share their concrete experience with the students.

***ASSESSMENT METHOD AND CRITERIA***

Students regularly participating into classes will conclude each module by submitting an individual written essay. Final grades will be the average resulting from the combined scores received in the two essays.

Students not participating into classes on a regular basis will sustain an oral exam based on the reference textbook.

***NOTES AND PREREQUISITES***

Students are kindly asked to refer to the backboard website for updated information and teaching materials related to the course.