

SYLLABUS
INTERNATIONAL HEALTH LAW

Professor Sarah Cassella 2022

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PROGRAM

7 November 5-7 pm	Introduction
17 November 1-4 pm	Health governance: actors and means of cooperation
22 November 1-4 pm	Legal regimes protecting health: the example of WHO law
29 November 1-4 pm	Human rights law and health
6 December 1-4 pm	Legal regimes taking health into account as an exception: the example of international economic law
13 December 1-4 pm	Legal regimes including health aspects: the examples of international environmental law and international security law
16 December 1-4 pm	Mock negotiation exercise of a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response

COURSE PRESENTATION AND ORGANIZATION

1. Objective

The objective of this course is to acquire a general knowledge of the highly fragmented legal regime of international health law, which is complementary to national and regional legal regimes. This requires that participants have a high level of knowledge of international law and of its main branches. The main skills acquired through this course are an understanding of the history of the emergence of health as an international issue as well as current developments; the main logics of the integration of the issue of health into the legal regimes of international law; a good understanding of the rules and mechanisms specifically devoted to the protection of health.

2. Conduct of the sessions

The course is run in a hybrid mode, with some participants being at the faculty, others assisting online and still others watching the recordings. The professor will nevertheless propose before each session documents (on the Moodle page of the course) that must be read by all in order to fully benefit from the course and will encourage exchanges as much as possible. Attendance is compulsory (unless otherwise stated) and any unjustified absence (official justification) will be taken into account in the final mark; it is also requested, by way of correction, to inform the professor in the event of an absence known in advance.

3. Grading

The final grade will be based on a mock negotiation exercise organized in the last session (the modalities will be adapted only for participants who would have a full exemption from participation) and on an online test organized after the end of the course at a date to be determined. For students who take the course live (at the faculty or online), active participation as well as attendance will be taken into account in the marking.

SELECTED BIBLIOGRAPHY

Books

- G. L. BURCI and B. TOEBES, *Research handbook on global health law*, 2018, Edward Elgar Publishing;
- L. CLARKE, *Public-private partnerships and responsibility under international law : a global health perspective*, 2014, Routledge;
- L. O. GOSTIN, *Global health law*, 2014, Harvard University Press

Articles

- G. L. BURCI, "The Legal Response to Pandemics", *Journal of international humanitarian legal studies*, 2020/1, p. 8;
- M. DAVISON and P. EMERTON, "The Treatment of Public Health Measures Affecting Intellectual Property Under Multilateral and Plurilateral Trade and Investment Agreements", *The journal of world investment & trade*, 2019/ 5, p. 759
- M. ECCLESTON-TURNER, S. MCARDLE and R. UPSHUR, "Inter-Institutional Relationships in Global Health : Regulating Coordination and Ensuring Accountability", *Global health governance*, 2018, p. 83;
- D.P. FIDLER, "International law and global public health", *University of Kansas Law Review*, 1999, p. 1;
- M. M. MBENGUE, "Public Health, International Cooperation", *Max Planck Encyclopedia of public international law*, 2010;
- A. TAYLOR, "Health", in S. CHESTERMAN, D. M. MALONE and S. VILLALPANDO (eds), *The Oxford Handbook of United Nations Treaties*, 2019, OUP, p. 339;
- P. A. VILLARREAL, "Public International Law and Human Health : Bridging Conceptual Gaps Through Governance", *German yearbook of international law*, 2018, p. 45.