

Global Health Law in Context
1.5 credit course
POPF P8646

COURSE SCHEDULE

1st Quarter, Spring Semester 2025
Tuesdays
8h30 – 11h20
B-2 Conference Room in Haven Building

INSTRUCTOR(S)

Safura Abdool Karim, PhD
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Office Hours: TBC in first class

TEACHING ASSISTANT(S)

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COURSE DESCRIPTION

This course will provide an overview of the regulatory and legal aspects that govern and shape global health, including both hard and soft law instruments. Many reforms and innovations in global health law have occurred in response to crisis and advocacy (such as the Doha Declaration, the Framework Convention on Tobacco Control and the PIP Framework). Yet, not all instruments have been equally effective in achieving their goals. The course will examine how these legal instruments shape global health and responses to disease as well as the context in which these reforms arose and will critically consider these instruments in their political context to understand how different interests have shaped the effectiveness and impact of law on global health. Topics covered would include: human rights, justice and global health, pandemic response (the international health regulations and the pandemic influenza preparedness framework), corporate power, trade law and global health (including the TRIPS Agreement and tobacco control), non-communicable diseases and law (including the framework convention on tobacco control and the international code on breastmilk substitutes), equity and the ongoing pandemic accord negotiations, and using global health law to address rising threats such as antimicrobial resistance and climate change. Through lectures, case studies, and critical discussions, students will gain foundational knowledge, assess the impact and limitations of global health laws, and develop skills for identifying areas for reform and advocacy.

This course aims to give students 1) an overview and foundational understanding of key global health law instruments and how they operate 2) a critical understanding of the shortcomings and strengths of the instruments and 3) the ability to identify areas for reform and advocacy efforts to improve global health outcomes. Readings for this course will consist of interdisciplinary global health law scholarship, legal scholarship and public health policy research.

COURSE LEARNING OBJECTIVES

By the time you complete this course, you should be able to

- Identify key international law instruments that are relevant to and influence global health law.
- Discuss the influences and contexts that shape global health law and why instruments may be ineffective or effective in achieving global health aims.
- Critically analyze legal instruments and discuss shortcomings and strengths within existing instruments.
- Propose opportunities for reform and improvement of global health law areas as relevant to improving health outcomes.

COURSE REQUIREMENTS

Attendance and Participation

This course will take place in person at the Mailman School. Students are permitted 1 (one) unexcused absence. Any additional unexcused absences will be penalized at 10% of the attendance grade per absence.

Assignment Formatting

Please use the following format for your assignments:

Font: Arial, Calibri or Calibri Light

Size: 12pt

Spacing: 1,5 line spacing

Please include your name on your assignments. This style guide is a suggestion to assist you in formatting your assignment. You will not be penalized if you do not follow it

Referencing

Referencing is perhaps of more importance in legal areas than others as it not only serves to avoid plagiarism but serves as an authority for your arguments. To enable students to become familiar with the referencing style used in legal literature, referencing should be done through footnotes and draw on a comprehensive referencing system such as Chicago Manual (full note), OSCOLA, or Bluebook.

These referencing styles may be different to what you are used to, do not fret! You may draw on a referencing software such as Zotero or Juris M to assist. You will not be penalized for any errors in your referencing style nor will it affect your grade. Just try your best!

Late Assignments

Students should endeavor to submit assignments timeously but there may be reasons why this is not possible. If you find you need an extension, please contact the instructor *in advance of the deadline*, to request an extension.

Late assignments will be penalized 10% of the Assignment Grade for each day the assignment is late unless the student has requested and obtained an extension. Please note that for the final assignment, the School has determined when final grades are due and, as a consequence, extensions beyond a particular date may not be possible.

Use of Generative AI

Academic integrity is a core value at Mailman. For this reason, the use of generative artificial intelligence (AI) sites, (for example, but not only, Chat GPT) to complete an assignment or exam is not permitted unless the course instructor has provided clear written instruction about the use of generative AI.

Use of generative AI to complete an assignment or exam without written instruction from the course instructor will be regarded as the same as receiving unauthorized assistance from another person and can be reported as an academic integrity violation.

Where the use of AI is permitted, you should stick to the guidelines provided by the instructor. Under no circumstance can you submit any work generated by an AI program as your own. AI generated material should be cited like any other reference material using the APA or MLA guidelines. However, students bear responsibility

If unsure about policies on using generative AI, clarify with the course instructor or TA.

A note on using generative AI for legal analysis: Generative AI often creates or invents case law, legislation, papers or even international human rights instruments that do not exist. If you use generative AI to assist you in your assignments, please remember that you bear final responsibility for the correctness and accuracy of what is contained in your assignments and so you must check that what you've relied upon is correct.

Required Course Materials:

All materials will be provided on the CourseWorks site.

Prescribed readings will often include book chapters from one of three textbooks:

1. Mason Meier, Benjamin, Lawrence O. Gostin, and Mary Robinson, *Human Rights in Global Health: Rights-Based Governance for a Globalizing World* (2018; online edn, Oxford Academic, 19 Apr. 2018), <https://doi.org/10.1093/oso/9780190672676.001.0001>, accessed 15 Aug. 2024. ("**Human Rights and Governance**")
2. Gostin, Lawrence O., and Benjamin Mason Meier (eds), *Foundations of Global Health & Human Rights* (New York, 2020; online edn, Oxford Academic, 17 Dec. 2020), <https://doi.org/10.1093/oso/9780197528297.001.0001>, accessed 14 Aug. 2024. ("**Foundations**")
3. *Global Health Law and Policy : Ensuring Justice for a Healthier World*, edited by Lawrence O. Gostin, and Benjamin Mason Meier, Oxford University Press, Incorporated, 2023. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/columbia/detail.action?docID=7293883>. ("**Global Health Law**").

It is not necessary for students to buy these textbooks as their full text is available freely through the library. Individual chapters will be available through the library e-reserves and through courseworks.

COURSE STRUCTURE

The course consists of 7 (seven) in-person sessions, consisting of weekly lectures and in-class exercises.

Weekly lectures will cover a particular global health topic in a three-part structure. First, there will be a descriptive overview of the legal instruments relevant to the topic. Second, there will be a discussion of the political context and influences that shaped the aims and content of the instruments to provide content for critical analysis. Third, there will be class discussions and critical reflection on the strength of the legal instrument and whether it has achieved both its desired aims and benefitted global health. Sessions will consist of an initial lecture or overview of the materials covered in the readings and a class exercise to facilitate discussion.

Students will also be required to submit a response to the weekly discussion forum question. The posts should be approximately 2 (two) paragraphs and must be submitted by Wednesdays at noon.

Further details regarding the assignment will be provided in the first class.

ASSESSMENT AND GRADING POLICY

Student grades will be based on:

Mid-Term Assessment	25%
Final Essay Assignment	35%
Weekly Discussion Posts	30%
Class Attendance and Participation	10%

Assessment	Description	Due date
Weekly Reflections	Students will be required to provide weekly reflections in response to a given prompt. The posts should be approximately 250 – 300 words long and must be submitted by Wednesdays at 16h00. The reflections should be thoughtful and motivated opinions on the prompt and refer to the readings where appropriate. The reflections make up a significant portion of the grade for this course and will be assessed on their content.	Weekly
Mid-term Assessment: Quiz (Individual)	The assessment will consist of a timed quiz to gauge students understanding of key concepts and instruments. The quiz will be out of 25 points.	7 February 2025
Final Assessment: Essay (Individual)	Students will be required to write an essay of between 2000 and 3000 words. Students will have a choice of topics which they may write on. Students will be required to describe the legal instruments applicable to the global health topic they have chosen, critically analyze those instruments and the contextual factors which have influenced the strength and form of those instruments with reference to specific examples. Students will need to propose legal and policy strategies to strengthen the global health response to their identified topic. Students will be provided some introductory reading but may find it valuable to do some degree of independent reading outside of this list.	17 March 2025

Grading

- A+ Reserved for highly exceptional achievement.
- A Excellent. Outstanding achievement.
- A- Excellent work, close to outstanding.
- B+ Very good. Solid achievement expected of most graduate students.
- B Good. Acceptable achievement.
- B- Acceptable achievement, but below what is generally expected of graduate students.
- C+ Low achievement, above minimally acceptable level.

- C Low achievement, but only minimally acceptable.
- C- Very low performance.
- F Failure. Course usually may not be repeated unless it is a required course.

Please refer to the [School Handbook](#) for further details on grading and good academic standing.

Courseworks

Individual- and course-level activity data are collected and maintained in CourseWorks, Panopto and other educational technology tools, and may be analyzed or monitored by the course faculty, teaching team, and/or the Office of Education to improve course experience and student support. Details about the information collected can be found here:

<https://community.canvaslms.com/t5/Instructor-Guide/How-do-I-view-analytics-for-a-student-in-a-course/ta-p/969>.

MAILMAN SCHOOL POLICIES AND EXPECTATIONS

Students and faculty have a shared commitment to the School's mission, values and oath. mailman.columbia.edu/about/mission-history

Academic Integrity

Students are required to adhere to the Mailman School [Conduct and Community Standards](#), which includes the Code of Academic Integrity. Columbia Mailman and Columbia University take academic integrity very seriously. This instructor and course are no different. Should any student be suspected of an academic integrity violation, there will be a report submitted to the Center for Student Success & intervention/Student Conduct. After these offices conduct their process, if a student is found responsible for violating an academic integrity policy (see [Standards & Discipline/Academic Violations](#) and [Student Honor Code & Professional Guidelines](#)), they will be assigned a grade penalty, with a possible outcome being a 0% on the assignment.

Please review the university, school, and course policies, as you are responsible for behaving according to the outlined expectations.

Personal Support

Students sometimes experience life challenges that require additional support and connection to resources. If you are experiencing difficult circumstances, please reach out for help and support. Student Support Services in the Office of Student Affairs is poised to connect with students, provide resource referrals, and provide ongoing, non-clinical support. They are a good place to start if you do not know where to turn. If you would like to connect with this support resource, please contact Meurcie Zignoli.

Disability Access

In order to receive disability-related academic accommodations, students must first be registered with the Office of Disability Services (ODS). Students who have or think they may have a disability are invited to contact ODS for a confidential discussion at 212.854.2388 (V) 212.854.2378 (TTY), or by email at disability@columbia.edu. If you have already registered with ODS, please speak to your instructor to ensure that they have been notified of your recommended accommodations by Meredith Ryer (mr4075@cumc.columbia.edu), Assistant Director of Student Support and Mailman's liaison to the Office of Disability Services.

Bias Incidents

Our community at Columbia University's Mailman School of Public Health is committed to creating an inclusive working, learning, and living environment where all are respected. The occurrence of bias related incidents, involving conduct, speech, or expressions reflecting prejudice are an opportunity for learning and growing as a community.

As part of our efforts to create as inclusive a community as possible, when bias incidents occur at Columbia, we provide an opportunity for those involved to engage in education, advocacy and conversation. In this way, we work to address the incident and minimize the potential for future occurrences. Our community's tools to address bias include a reporting process and the Bias Incident Resource Team, plus resources within schools and various offices. You can access information about the Bias Reporting Process and FAQs [here](#).

COURSE SCHEDULE

Please see the modules and files sections of Courseworks to download the readings and lecture slides.

Session 1 – What is global health law?
<p>21 January 2025</p> <p><u>Learning Objectives:</u></p> <ol style="list-style-type: none">1. Students will be able to describe how international law operates in relation to global health.2. Students will gain an overview of the different areas of global health law and their relative state of development.3. Students will analyze and critically evaluate the overarching state of global health law and its priorities. <p><u>Overview</u></p>

This session will provide an overview of the field termed “global health law”, its history and development and an understanding of its structure under international law – as consisting of both hard and soft law instruments. This session will also explain global health law as a determinant of health to frame its use and relevance for public health. This session will explain the role of international law in shaping and informing global health law – both normatively and regarding implementation. Students will then critically analyze the shortcomings and strengths of the current system of global health law.

Required Reading:

1. Chapter 2, *Global Health Law* (25 pages)
2. Ruger, J.P., 2008. Normative foundations of global health law. *The Georgetown law journal*, 96(2), p.423. (19 pages)
3. Lawrence O. Gostin, Allyn L. Taylor, *Global Health Law: A Definition and Grand Challenges*, *Public Health Ethics*, Volume 1, Issue 1, April 2008, Pages 53–63, <https://doi.org/10.1093/phe/phn005> (10 pages)
4. Fidler, D.P., 2002. A globalized theory of public health law. *Journal of Law, Medicine & Ethics*, 30(2), pp.150-161. (11 pages)

Recommended Reading:

5. Meier, Benjamin Mason, and Alexandra Finch. "Seventy-five years of global health lawmaking under the World Health Organization: evolving foundations of global health law through global health governance." *Journal of Global Health Law* 1, no. 1 (2024): 26-49.
6. Fidler, D.P., 1999. International law and global public health. *U. Kan. L. Rev.*, 48, p.1. (read Part III & IV, pages 15-51)
7. Gostin, L.O., Monahan, J.T., Kaldor, J., DeBartolo, M., Friedman, E.A., Gottschalk, K., Kim, S.C., Alwan, A., Binagwaho, A., Burci, G.L. and Cabal, L., 2019. The legal determinants of health: harnessing the power of law for global health and sustainable development. *The lancet*, 393(10183), pp.1857-1910.
8. Gostin, L. O., & Sridhar, D. (2014). Global health and the law. *New England Journal of Medicine*, 370(18), 1732-1740. (8 pages)
9. World Health Organization. (2002). *Global health governance: overview of the role of international law in protecting and promoting global public health*.

Submission: Discussion Post due at 4pm the day after class.

Session 2 – Global Health Governance, Human Rights and Justice

28 January 2025

Learning Objectives:

1. Students will be able to identify and describe the main institutions, actors and structures governing global health.
2. Students will gain an assess and critique the relationship between global health law and human rights.
3. Students will critically analyze and evaluate the role of governance arrangements and human rights in realizing justice within global health using Covid-19 and political populism as case studies.

Overview:

This class will explore the intersection of global health governance, human rights, and justice, emphasizing the role of international institutions, policies, and legal frameworks in shaping global health outcomes. We will discuss the principles of equity, accountability, and social justice that underpin global health governance, and how these principles are applied (or not) in practice. The session will also consider the role of health as a fundamental human right and current challenges to the use of human rights in the pursuit of global health justice.

Required Reading:

1. Zhang, Hu. "Challenges and approaches of the global governance of public health under COVID-19." *Frontiers in public health* 9 (2021): 727214 (10 pages).
2. "Chapter 3 Framing Human Rights in Global Health Governance" in *Human Rights and Governance* (24 pages)
3. LO Gostin et al "Chapter 20 Global Health and Human Rights in the Age of Populism" *Foundations of Global Health & Human Rights* (20 Pages)
4. McBride, Bronwyn, Sarah Hawkes, and Kent Buse. "Soft power and global health: the sustainable development goals (SDGs) era health agendas of the G7, G20 and BRICS." *BMC Public Health* 19 (2019): 1-14. (14 pages)

Recommended Reading:

5. Giacomo Chiozza & Jeffrey King (2022) The state of human rights in a (post) COVID-19 world, *Journal of Human Rights*, 21:3, 246-262, DOI: 10.1080/14754835.2022.2051450
6. Chapters 2 – 4, *Human Rights and Governance*

Submission: Discussion Post due at 4pm the day after class.

Session 3 – Global Health Security and Equity: Tensions in priorities between the Global North and Global South

4 February 2025

Learning Objectives:

1. Students will examine the relationship between global health security and equity, with a particular focus on the tensions that have arisen.
2. Students will analyse how political contexts have influenced global health law instruments related to global health security and the role equity has played in these instruments.
3. Students will discuss and propose potential avenues for reform – considering, in particular, the ongoing efforts to adopt a pandemic accord.

Overview

Global health security and global health equity are two interlinked but sometimes conflicting goals. This session will look at these twin objectives in the context of efforts to pursue equitable access to medical counter measures. In particular, challenges and developments in relation to pathogen access and benefits sharing (PABS) has often been a lightning rod issue for this in the negotiation of equity in access. Students will use the examples of both the pandemic influenza preparedness framework and the negotiation of PABS in the pandemic accord to analyze how political contexts have shaped global health law and the priorities of global health security.

Required Reading:

1. S Sekalala and J Harrington "Chapter 10: Communicable Diseases, Health Security and Human Rights: From AIDS to Ebola" *Foundations*, 221-242 (21 pages)
2. Aginam, Obijiofor. "Globalization of infectious diseases, international law and the World Health Organization: Opportunities for synergy in global governance of epidemics." *New Eng. J. Int'l & Comp. L.* 11 (2004): 59. (17 pages)
3. Lakoff, Andrew. "Two Regimes of Global Health." *Humanity: An International Journal of Human Rights, Humanitarianism, and Development*, vol. 1 no. 1, 2010, p. 59-79. Project MUSE, <https://dx.doi.org/10.1353/hum.2010.0001>. (20 pages)

Recommended Reading:

4. Quinn, S.C. and Kumar, S., 2014. Health inequalities and infectious disease epidemics: a challenge for global health security. *Biosecurity and bioterrorism: biodefense strategy, practice, and science*, 12(5), pp.263-273.
5. Ooms, Gorik, and Albrecht Jahn. "Aiming for synergies between global health security and global health equity, with help from a Framework Convention on Global Health." In *Routledge Handbook on the Politics of Global Health*, pp. 181-187. Routledge, 2018.

6. Carlson, Colin, et al. "Save lives in the next pandemic: ensure vaccine equity now." *Nature* 626.8001 (2024): 952-953.
7. Cicero, A. and Phelan, A., 2024. A pandemic agreement is within reach. *Science*, 384(6695), pp.489-489.

Mid-term due date: 7 February 2025

Session 4 –Pandemic Responses - the International Health Regulations and Pandemic Accord

11 February 2025

GUEST LECTURE: Prof Benjamin Mason Meier, University of North Carolina Chapel Hill

Learning Objectives:

1. Students will learn how the International Health Regulations (IHR) govern and inform pandemic responses;
2. Students will critically analyze and critique the performance of the IHR during the Covid-19 pandemic;
3. Students will assess whether reforms to the IHR adequately address the shortcomings of the Covid-19 responses;
4. Students will apply the IHR to a pandemic response using mpox as a case study.

Overview

This session will focus on the global frameworks that govern pandemic responses, with a particular emphasis on the International Health Regulations (IHR) and the emerging pandemic accord. We will explore the evolution, strengths, and limitations of the IHR, and critically analyze how they have been applied in recent global health crises. The session will also examine the proposed Pandemic Accord, its goals, and its potential impact on global health governance. We will analyze the legal, political, and equity-related dimensions of these instruments and the implications for future pandemic preparedness and response. The 2024 mpox outbreak will be used as a case study.

Required Reading:

1. Silvia Behrendt and Amrei Müller, The Proposed Amendments to the International Health Regulations: An Analysis, <https://opiniojuris.org/2023/02/27/the-proposed-amendments-to-the-international-health-regulations-an-analysis/>
2. The future of the International Health Regulations, *The Lancet Global Health*, *The Lancet Global Health*, Volume 10, Issue 7, e927

[https://www.thelancet.com/journals/langlo/article/PIIS2214-109X\(22\)00254-6/fulltext](https://www.thelancet.com/journals/langlo/article/PIIS2214-109X(22)00254-6/fulltext) (1 page)

3. Chapter 6. Infectious Disease: Preventing, Detecting, and Responding to Pandemic Threats under International Law, *Global Health Law*, 147-172. (25 pages)
4. Aavitsland, P., Aguilera, X., Al-Abri, S.S., Amani, V., Aramburu, C.C., Attia, T.A., Blumberg, L.H., Chittaganpitch, M., Le Duc, J.W., Li, D. and Mokhtariazad, T., 2021. Functioning of the International Health Regulations during the COVID-19 pandemic. *The Lancet*, 398(10308), pp.1283-1287. (5 pages)
5. Mercy, Kyeng, Bethelhem Tibebu, Mosoka Fallah, Nuno R. Faria, Nicaise Ndembu, and Yenew Kebede Tebeje. "Mpox continues to spread in Africa and threatens global health security." *Nature Medicine* 30, no. 5 (2024): 1225-1226. (2 pages)

Recommended Reading:

6. Jackson, Carly, Roojin Habibi, Lisa Forman, Diego S. Silva, and Maxwell J. Smith. "Between rules and resistance: moving public health emergency responses beyond fear, racism and greed." *BMJ global health* 7, no. 12 (2022).
7. Olliaro, P., Bourner, J., Boum II, Y., Nakouné, E., Pesonel, E., Rojek, A., Yazdanpanah, Y., Lescure, F.X., Calmy, A., Grinsztejn, B. and Horby, P., 2024. Mpox: The alarm went off. Have we gone back to sleep?. *PLOS Neglected Tropical Diseases*, 18(1), p.e0011871.
8. Josh Michaud, Jennifer Kates, and Anna Rouw Published, "The 'Pandemic Agreement': What It Is, What It Isn't, and What It Could Mean for the U.S.," KFF (blog), April 1, 2024, <https://www.kff.org/global-health-policy/issue-brief/the-pandemic-agreement-what-it-is-what-it-isnt-and-what-it-could-mean-for-the-u-s/>.
9. Benjamin Mason Meier, Roojin Habibi & Lawrence O. Gostin, *A Global Health Law Trilogy: Transformational Reforms to Strengthen Pandemic Prevention, Preparedness, and Response*, 50 *JOURNAL OF LAW, MEDICINE & ETHICS* 625-627 (2022).

Submission: Discussion Post due at 4pm the day after class.

Session 5 – Non-Communicable Diseases – Hard and Soft Global Health Law

18 February 2025

GUEST LECTURE: Katherine Shats, UNICEF – Industry Interference in Codex

Learning Objectives:

1. Students will outline the distinction between hard and soft global health law and their respective roles in addressing non-communicable diseases (NCDs).
2. Students will analyze key international legal instruments and agreements related to NCD prevention and control, such as the WHO Framework Convention on Tobacco Control (FCTC) and the Global Action Plan for the Prevention and Control of NCDs.
3. Students will evaluate the strengths and limitations of hard and soft law approaches in the global governance of NCDs, considering issues of enforcement, compliance, and political will.

Overview

This session will explore the global health law landscape governing non-communicable diseases (NCDs), focusing on the interplay between hard law (binding legal obligations) and soft law (non-binding guidelines and frameworks). We will examine how different kinds of legal instruments are employed to manage NCD risk factors, including tobacco, alcohol, and unhealthy foods. This session will look specifically at two different global health law instruments – the Framework Convention on Tobacco Control (the first and only binding treaty created by the WHO) and the international code on the marketing of breastmilk substitutes – and how they have supported or failed to support NCD prevention efforts. Through this we aim will assess the effectiveness of these tools in promoting public health, identify the challenges in their implementation, and discuss the role of corporate actors in influencing the policy and legal landscape.

Required Reading:

1. Magnusson, R.S. and Patterson, D., 2014. The role of law and governance reform in the global response to non-communicable diseases. *Globalization and health*, 10, pp.1-18. (18 pages)
2. McGrady, Benn, Kritika Khanijo, and Suzanne Zhou. "Law and NCD prevention and control." In *Noncommunicable Diseases*, pp. 340-346. Routledge, 2023. (6 pages)
3. Barenes, H., Slesak, G., Goyet, S., Aaron, P. and Srouf, L.M., 2016. Enforcing the international code of marketing of breast-milk substitutes for better promotion of exclusive breastfeeding: Can lessons be learned?. *Journal of Human Lactation*, 32(1), pp.20-27. (7 pages)
4. Thomas, B. and Gostin, L.O., 2013. Tackling the global NCD crisis: innovations in law and governance. *The Journal of Law, Medicine & Ethics*, 41(1), pp.16-27. (11 pages)
5. Nygren-Krug, H., 2013. A Human Rights-Based Approach to Non-Communicable Diseases. In *Health and Human Rights in a Changing World* (pp. 567-580). Routledge. (13 pages)

6. Paichadze, N. and Hyder, A.A., 2023. Power and Commercial Determinants of Health. In *Global Health Essentials* (pp. 251-255). Cham: Springer International Publishing. (4 pages)

Recommended Reading:

7. McHardy, J., 2021. The WHO FCTC's lessons for addressing the commercial determinants of health. *Health promotion international*, 36(Supplement_1), pp.i39-i52.
8. Liber, Alex C. "Using regulatory stances to see all the commercial determinants of health." *The Milbank Quarterly* 100, no. 3 (2022): 918-961.
9. Chapter 7 *Global Health Law*
10. Chapter 11 *Foundations*
11. Becker, G.E., Zambrano, P., Ching, C., Cashin, J., Burns, A., Policarpo, E., Datu-Sanguyo, J. and Mathisen, R., 2022. Global evidence of persistent violations of the international code of marketing of breast-milk substitutes: A systematic scoping review. *Maternal & Child Nutrition*, 18, p.e13335.

Submission: Discussion Post due at 4pm the day after class.

Session 6 – Power and Commercial Interests: Trade, Investment and Global Health

25 February 2025

GUEST LECTURE: Dr Ximena Benavides, Yale Law School – Vaccine Equity during and after the Covid-19 Pandemic

Learning Objectives:

1. Students learn about the role of trade law in relation to global health through two case studies: trade challenges against tobacco control measures and equitable access to medicines.
2. Students will analyze the tensions between the priorities of trade law and global health
3. Students will evaluate trade law instruments against global health imperatives.
4. Students will gain a critical understanding of the shortcomings of using trade law to address global health issues.

Overview:

There are tensions between the priorities of trade law and global health. The World Trade Organisation is first, and foremost, designed to facilitate trade and protect commercial interests. Notwithstanding this, public health has become a

justification for introducing measures that restrict trade. This session will critically analyze the role of trade law in hindering global health through two case studies: tobacco control measures and equitable access to medicines and vaccines. We will critically analyze reform in trade law and whether it has achieved the global health goals it purports to.

Required Reading:

1. Chapter 17, *Human Rights and Governance*, pp 375-396 (22 pages)
2. Chapter 16, *Foundations*, pp 351-372 (21 pages)
3. Milsom, Penelope, Richard Smith, Phillip Baker, and Helen Walls. "Corporate power and the international trade regime preventing progressive policy action on non-communicable diseases: a realist review." *Health policy and planning* 36, no. 4 (2021): 493-508. (15 pages)
4. Lee, K., Sridhar, D. and Patel, M., 2009. Bridging the divide: global governance of trade and health. *The Lancet*, 373(9661), pp.416-422. (6 pages)

Recommended Reading:

5. Wood, B., Baker, P., & Sacks, G. (2022). Conceptualising the commercial determinants of health using a power lens: a review and synthesis of existing frameworks. *International journal of health policy and management*, 11(8), 1251.
6. Gostin LO, Karim SA, Mason Meier B. Facilitating Access to a COVID-19 Vaccine through Global Health Law. *J Law Med Ethics*. 2020 Sep;48(3):622-626. doi: 10.1177/1073110520958892. PMID: 33021168.
7. Sekalala, Sharifah, Lisa Forman, Timothy Hodgson, Moses Mulumba, Hadijah Namyalo-Ganafa, and Benjamin Mason Meier. "Decolonising human rights: how intellectual property laws result in unequal access to the COVID-19 vaccine." *BMJ global health* 6, no. 7 (2021).
8. Jarman, Holly. "Normalizing tobacco? The politics of trade, investment, and tobacco control." *The Milbank Quarterly* 97, no. 2 (2019): 449-479.
9. Voon, Tania. "Flexibilities in WTO law to support tobacco control regulation." *American Journal of Law & Medicine* 39, no. 2-3 (2013): 199-217.
10. Townsend, Belinda, and Ashley Schram. "Trade and investment agreements as structural drivers for NCDs: the new public health frontier." (2020).
11. Chapter 16 *Global Health Law*

Submission: Discussion Post due at 4pm the day after class.

Session 7 – Rising challenges in global health: Regulating the environment, planetary health and antimicrobial resistance (AMR)

4 March 2025

Learning Objectives:

1. Students will outline the role of global health law in addressing environmental degradation, planetary health threats, and AMR.
2. Students will evaluate the opportunities and barriers presented by global health law in addressing threats that require collective action, with a focus on the challenges posed by AMR and environmental degradation.
3. Students will critically assess the Swiss case Verein KlimaSeniorinnen Schweiz as a model for understanding how law can be used to advocate for climate action and public health, considering its implications for global health law.
4. Students will identify and propose strategies to strengthen global health law in order to better address the rising challenges of environmental health, climate change, and AMR, emphasizing the need for collective international action.

Overview

This session will explore the role of global health law in addressing the rising challenges posed by environmental degradation, planetary health threats, and AMR. We will examine how legal frameworks and international agreements are being used to address the challenge of creating a healthy environment and halting climate change. AMR and the Swiss case *Verein KlimaSeniorinnen Schweiz* will serve as case studies to identify the opportunities and barriers that law can sometimes create for addressing threats that require collective action.

Required Reading:

1. Chapter 19, *Foundations* pp 417-438 (21 pages)
2. Hösli, Andreas, and Meret Rehmann. "Verein KlimaSeniorinnen Schweiz and Others v. Switzerland: the European Court of Human Rights' Answer to Climate Change." *Climate Law* 1, no. aop (2024): 1-22. (22 pages)
3. Hoffman, Steven J., Kevin Outterson, John-Arne Røttingen, Otto Cars, Charles Clift, Zain Rizvi, Fiona Rotberg, Göran Tomson, and Anna Zorzet. "An international legal framework to address antimicrobial resistance." *Bulletin of the World Health Organization* 93 (2015): 66-66. (1 page)
4. Ruckert, A., Fafard, P., Hindmarch, S., Morris, A., Packer, C., Patrick, D., Weese, S., Wilson, K., Wong, A. and Labonté, R., 2020. Governing antimicrobial resistance: a narrative review of global governance mechanisms. *Journal of public health policy*, 41, pp.515-528. (13 pages)

Recommended Reading: (may be helpful for the final assignment)

1. Chapter 19, *Global Health Law*

2. Munkholm, Louise, and Susan Rogers Van Katwyk. "International Law and Antimicrobial Resistance." *Steering Against Superbugs: The Global Governance of Antimicrobial Resistance* (2023): 267.
3. Hoffman, S. and Behdinan, A., 2016. Towards an international treaty on antimicrobial resistance. *Ottawa Law Review*, 47(2).
4. McDonald, Jan. "The role of law in adapting to climate change." *Wiley Interdisciplinary Reviews: Climate Change* 2, no. 2 (2011): 283-295.
5. Purdy, Jedediah. "The politics of nature: climate change, environmental law, and democracy." *Yale LJ* 119 (2009): 1122.
6. Gupta, J., 2006. International law and climate change: The challenges facing developing countries. *Yearbook of International Environmental Law*, 16(1), p.119.
7. Firger, Daniel M., and Michael Gerrard. "Harmonizing climate change policy and international investment law: Threats, challenges and opportunities." *Yearbook on international investment law & policy* 11 (2010).
8. Peel, J., Godden, L. and Keenan, R.J., 2012. Climate change law in an era of multi-level governance. *Transnational Environmental Law*, 1(2), pp.245-280.

Final Essay Due Date: **17 March 2025**