

PLCY 565/HPM 565: Global Health Law & Policy

University of North Carolina at Chapel Hill

Fall 2024

Tuesdays & Thursdays, 11:00 AM – 12:15 PM

Greenlaw 319

On Zoom When Necessary

<https://unc.zoom.us/j/5250071405>

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by online appointment through “Sign-Up” tab

COURSE DESCRIPTION

Global health faces an existential crisis. Where no country acting alone can respond effectively to the health threats of a globalizing world, global governance has become necessary to coordinate the global health response. Yet, the COVID-19 pandemic has exposed the limitations of global governance, threatening the global solidarity necessary for global health. It will be crucial to reform global health governance to prepare for future global health threats, but the world remains divided in confronting common threats through global action. These uncertain times for global health raise an imperative for the advancement of global health law and policy. Drawing from the dramatic expansion of scholarship at the intersection of global health and public policy, over the past decade and especially through the COVID-19 response, this course provides a comprehensive introduction to the field of global health law.

Global health law structures new forms of global governance responsive to the major health threats of a globalizing world, bridging national boundaries to alleviate global inequities. The field of global health law encompasses the law and policy frameworks that apply to the new public health threats, non-state actors, and regulatory instruments that structure global health. Providing a foundational understanding of the field, this course seeks to (1) explain the conceptual frameworks and governance institutions that define the field, (2) apply global health governance to disease prevention and health promotion, (3) examine economic institutions that influence global health, and (4) analyze international legal efforts to address the rising health threats of a rapidly globalizing world. The issues addressed throughout the course will reflect the successes of global health law, the challenges of the twenty-first century, and the resilience of global governance institutions.

This course provides an introduction to the field of global health law, exploring its major doctrinal boundaries and its enduring controversies. The focus of this course will be on public policy approaches to global health, employing interdisciplinary methodologies to understand global health governance. Providing a foundation for responding to global health harms, this course will teach you how to apply policy analysis to a wide range of critical issues in global health determinants, interventions, and impacts. Where rising threats in an increasingly divided world are challenging global health, this course will provide you with the tools to revitalize global governance at the center of public health practice and ensure justice for a healthier world. It is my hope that this detailed introduction to global health law and policy will provide you with a public policy foundation for the advancement of global health throughout your lives.

COURSE LEARNING OBJECTIVES

Students who successfully complete this course will be able to:

- Delineate the social, political and economic determinants of global health;
- Conceptualize the evolving landscape of global health governance, including the national institutions, international organizations, NGOs, private interests, and global partnerships structuring global health law and policy;
- Analyze the ethical, moral, and human rights norms that frame global health law;
- Evaluate the diplomatic processes by which global governance institutions develop global health law and policy;
- Apply global health governance to address disease prevention and health promotion, recognizing divergent law and policy approaches to respond to varied global health threats;
- Identify the effects of international economic policies on underlying determinants of health, considering the role of economic governance institutions that impact global health; and
- Recognize the importance of international legal efforts in addressing the rising health threats of a globalizing world.

COURSE STRUCTURE

This course is divided into four major units that seek to group together the most pressing issues in the global health law and policy literature:

Unit 1:	Frameworks & Institutions of Global Health
Unit 2:	Global Health Governance for Disease Prevention & Health Promotion
Unit 3:	Economic Institutions, Corporate Regulation & Global Health Funding
Unit 4:	International Legal Efforts to Address Rising Health Threats

ASSIGNMENTS

Student grades will be based on:

Participation	20%
Reading Quizzes	10%
Three (3) Position Papers	30%
Final Paper	40%

If you need accommodations in meeting these assignments, **you have a right to have these met**. It is important that you notify me about these accommodations as soon as possible so that we can work together to develop the most appropriate learning plan for you.

Participation

The course is a seminar and the success of the course will depend on your active engagement. Consequently, attendance and participation are strongly encouraged. Students should come to

each session having completed all of the required readings, prepared to raise provocative issues for discussion. To facilitate active engagement beyond the formal class sessions, assigned questions will be posted online (on our Canvas website) to encourage online participation prior to each session.

Reading Quizzes

To ensure that you are reading and understanding the course material, there will be a reading quiz in the day preceding the start of each session. These quizzes (on our Canvas website) should take no more than a few minutes and are intended to assure basic comprehension of the required readings and preparation for class discussion. The lowest quiz grade will be dropped.

Position Papers

The three (3) position papers will be due in the week following the conclusion of each respective unit. (Note: There will be no position paper due at the conclusion of the fourth unit.) The position papers (submitted under the “Dropbox” tab) will provide a succinct (<500 word) response an assigned question through applications of readings and discussions across the unit.

These position papers are intended to highlight the lessons learned across a unit and the application of course discussions to new global health issues. In providing this analysis across the entire unit, you should make sure to reference readings and discussions from each of the sessions in the unit alongside outside research on the specific focus of the assigned question.

Final Paper

The final research paper is intended to allow you to investigate an issue of interest to you, serving as a springboard for your career. As this will require an investigation of issues outside of the course content, the paper should make use outside research to investigate an issue of interest to you. Drawing from this research, it is expected that you will be able to develop an analysis of the following length:

	<u><i>Undergraduate Students</i></u>	<u><i>Graduate Students</i></u>
In developing these papers, it is expected that your final papers will include (a) the historical background of the issue, (b) a human rights analysis of the issue, and (c) your discussion of the policy implications.	Abstract (250 words) 2,500-3,000 word paper	Abstract (250 words) 3,000-3,500 word paper Corresponding Poster Presentation

As you begin to consider this paper, you will be required to provide a preliminary summary and outline of your paper for my review, which will be followed by a “bonus session” to discuss the development of your research in global health policy.

GRADING SCALE

Final course grades will be determined using the following [UNC](#) Undergraduate Grading System

A (93-100)/A- (90-93): Mastery of course content at the highest level of attainment that can reasonably be expected of students at a given stage of development. The A grade states clearly that the students have shown such outstanding promise in the aspect of the discipline under study that he/she may be strongly encouraged to continue.

B+ (87-90)/B (83-87)/B- (80-83): Strong performance demonstrating a high level of attainment for a student at a given stage of development. The B grade states that the student has shown solid promise in the aspect of the discipline under study.

C+ (77-80)/C (73-77)/C- (70-73): A totally acceptable performance demonstrating an adequate level of attainment for a student at a given stage of development. The C grade states that, while not yet showing unusual promise, the student may continue to study in the discipline with reasonable hope of intellectual development.

D (60-69): A marginal performance in the required exercises demonstrating a minimal passing level of attainment. A student has given no evidence of prospective growth in the discipline; an accumulation of D grades should be taken to mean that the student would be well advised not to continue in the academic field.

F (0-59): For whatever reason, an unacceptable performance. The F grade indicates that the student's performance in the required exercises has revealed almost no understanding of the course content. A grade of F should warrant an advisor's questioning whether the student may suitably register for further study in the discipline before remedial work is undertaken.

INCLUSIVE LEARNING ENVIRONMENT

It is my intent that students from all diverse backgrounds and perspectives be well served by this course, and that your learning needs will be addressed both in and out of the classroom. The diversity of perspective and lived experience that you bring to this class is a resource, a strength, and a benefit – and all of our learning will be the richer for it.

This class, like the global health challenges we are studying, is grounded in the fundamental principle that all people are equal in dignity. Following from this principle, you have a right to equality of treatment and to a classroom environment that supports your learning. It is my goal to ensure that this right is met.

Instrumental to your dignity, you have a right to be called and referred to by the name and pronouns that best reflect your identity. I will do my best to address and refer to you accordingly and support your classmates to do the same.

Additionally, you have a right to the resources and supports that you need to be successful. If English is not your primary language, there are services at UNC to help you and support your writing. This support is offered through resources, workshops, and one-on-one consultations. For more information, contact the [UNC Writing Center](#).

As we discuss global health threats and public policy challenges, please be aware that we may discuss topics that are both intellectually and emotionally difficult. While I expect rigorous

discussion and even disagreement, I ask that we engage in these discussions with empathy for one another and respect for everyone's equal worth.

Finally, if you are a first-generation college student, a veteran or military-affiliated student, an older student, or an otherwise "non-traditional" student – know that I am excited to have you here. My goal is to help you be successful in our course and find the support and guidance you need to become a UNC GRADUATE.

This class is about you. Your suggestions for improving the effectiveness of this course are encouraged and appreciated throughout the semester.

UNC HONOR CODE

The UNC honor code (<http://honor.unc.edu>) will be in effect in this class. If you have questions about appropriate behavior regarding the honor code, please do not hesitate to let me know.

The principles of academic honesty, integrity, and responsible citizenship have long governed the performance of all academic work and student conduct at the University. Your enrollment in the University presupposes a commitment to the principles embodied in the Code of Student Conduct and a respect for this most significant Carolina tradition.

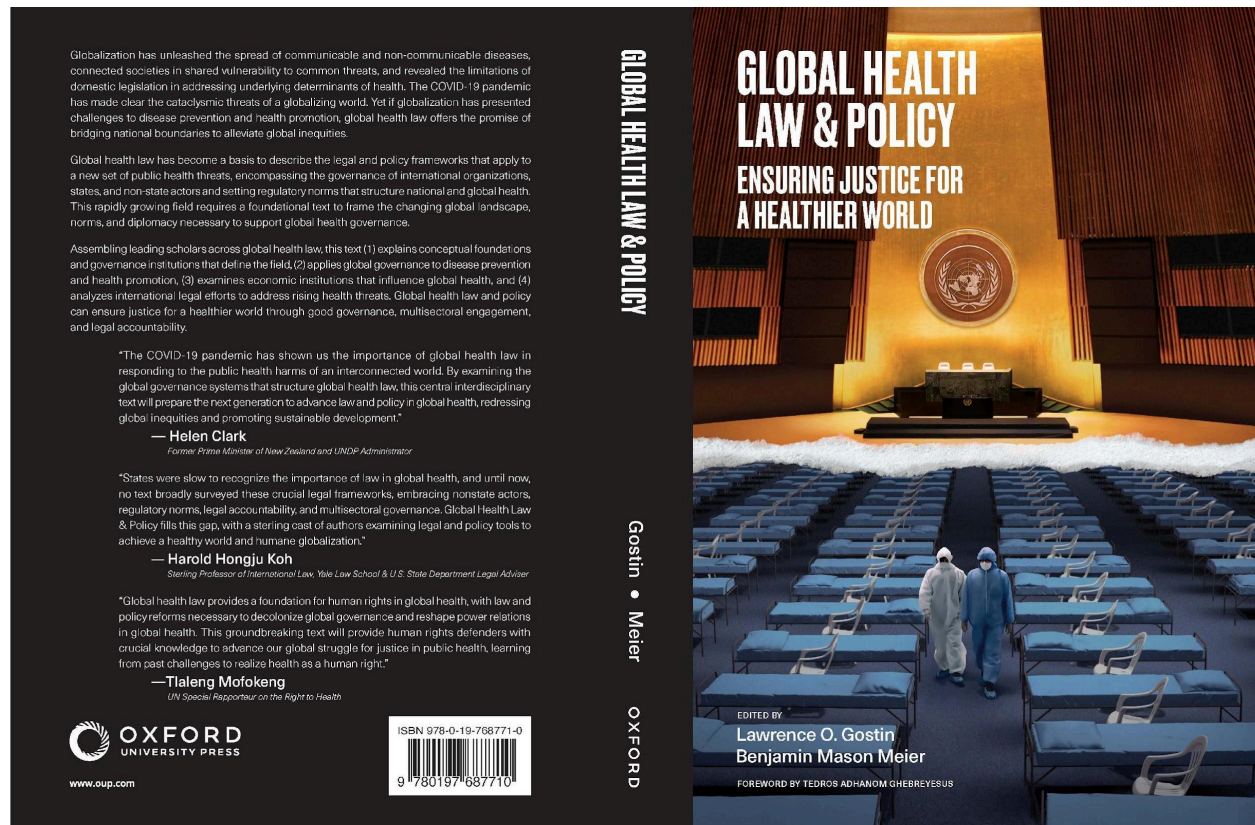
Your participation in this course comes with the expectation that your work will be completed in full observance of the Honor Code. Academic dishonesty in any form is unacceptable, because any breach in academic integrity, however small, undermines your education.

To ensure this academic integrity in your work, you may not use generative AI (such as ChatGPT or Bard) to compose work that you submit in this class. The use of generative AI constitutes academic dishonesty at UNC and would violate the plagiarism standard of the Honor Code.

The University requires that you read "The Instrument of Student Judicial Governance" (<http://instrument.unc.edu>). If you have any questions about the responsibility of faculty members under the Honor Code, please consult with either the Office of the Student Attorney General or the Office of the Dean of Students.

SEMINAR SCHEDULE

The readings will derive primarily from the course text, *Global Health Law & Policy: Ensuring Justice for a Healthier World*, with additional readings included below to highlight current applications of the principles in the text and optional readings for further study.



Introductory Session

Required Readings

- Introduction. Foundations of Global Health Law & Policy.
- Lawrence O. Gostin & Benjamin Mason Meier, Introducing Global Health Law, 47 JOURNAL OF LAW, MEDICINE & ETHICS 788-793 (2020).
- Madhu Pai, Global Health Is Broken, But Young People Plan to Repair It, FORBES (2022).

Optional Readings

- Foreword. The Law as a Fundamental Determinant of Health.
- Preface. A Field Born of Trying Times.

Unit 1: Frameworks & Institutions of Global Health: Shifting Actors and Norms in a Globalizing World

This unit seeks to introduce you to the conceptual frameworks and institutional foundations necessary to understand the role of law and policy in protecting and promoting public health in a globalizing world, providing a basis to frame: the evolving nature of global health and global governance, the encompassing scope of global health law, the expanding actors in the global health landscape, the norms that structure global health efforts, and the diplomatic processes by which global health law and policy are developed..

Session 1: Global Health

Required Readings

- Chapter 1. Global Health: Global Determinants, Global Governance, and Global Law.
- David P. Fidler, The Globalization of Public Health: The First 100 Years of International Health Diplomacy, 79 BULLETIN OF THE WORLD HEALTH ORGANIZATION 842-849 (2001).
- Linda Fried et al., Global Health Is Public Health, 375 LANCET 535-537 (2010).

Optional Readings

- Julio Frenk, Octavio Gómez-Dantés & Sue Moon, From Sovereignty to Solidarity: A Renewed Concept of Global Health for an Era of Complex Interdependence, 383 LANCET 94-97 (2014).
- Madhukar Pai, Can We Reimagine Global Health in The Post-Pandemic World? FORBES (2020).

Questions to Consider Before Class

- How did states first come to see the need for international cooperation to address public health threats?
- Why did states see the UN as necessary to the postwar development of international law?
- Why was WHO's mandate so much broader than that of previous institutions? Was this mandate realistic, encompassing WHO efforts to realize for all people "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity"?

Session 2: Global Health Law & Policy

Required Readings

- Chapter 2. Global Health Law: Legal Frameworks to Advance Global Health.
- Sharifah Sekalala & Haleema Masud, Soft Law Possibilities in Global Health Law, 49 JOURNAL OF LAW, MEDICINE & ETHICS 152-155 (2021).

Optional Readings

- Theodore M. Brown, Marcos Cueto & Elizabeth Fee, The World Health Organization and the Transition from 'International' to 'Global' Public Health. 96 AMERICAN JOURNAL OF PUBLIC HEALTH 62-72 (2005).
- Benjamin Mason Meier et al., The World Health Organization in Global Health Law, 48 JOURNAL OF LAW, MEDICINE & ETHICS 796-799 (2020).

Questions to Consider Before Class

- Why did the WHO Constitution provide authority to develop different types of law and policy instruments – both binding and non-binding?
- Why does global health law rely heavily on soft law to shape public health throughout the world?

- Why did states neglect their international legal obligations under the IHR in the COVID-19 response?

Session 3: Global Health Landscape

Required Readings

- Chapter 3. Global Health Landscape: The Proliferating Actors Influencing Global Health Governance.
- Lawrence O. Gostin, Suerie Moon & Benjamin Mason Meier, Reimagining Global Health Governance in the Age of COVID-19, 110 AMERICAN JOURNAL OF PUBLIC HEALTH 1615-1619 (2020).

Optional Readings

- Chelsea Clinton & Devi Sridhar, GOVERNING GLOBAL HEALTH: WHO RUNS THE WORLD AND WHY? 48-82 (2017).
- David P. Fidler, Architecture Amidst Anarchy: Global Health's Quest for Governance, 1 GLOBAL HEALTH GOVERNANCE (2007).
- Jeremy Youde, Global Health Partnerships: The Emerging Agenda, in THE HANDBOOK OF GLOBAL HEALTH POLICY 505-518 (Garrett W. Brown, Gavin Yamey & Sarah Wamala, eds. 2014).

Questions to Consider Before Class

- How did the Cold War undermine WHO leadership in global health governance?
- Why has the proliferation of new actors in global health limited the efficiency and effectiveness of global health governance? How do partnerships seek to alleviate these limitations?
- What do efforts to decolonize global health seek to change in global health governance? Why have these changes proven so difficult to realize?

Session 4: Global Health Norms

Required Readings

- Chapter 4. Global Health Norms: Human Rights, Equity, and Social Justice.
- Lawrence O. Gostin, Benjamin M. Meier, Rebekah Thomas, Veronica Magar & Tedros A. Ghebreyesus, 70 Years of Human Rights in Global Health: Drawing on a Contentious Past to Secure a Hopeful Future, 392 LANCET 2731-2735 (2018).

Optional Readings

- Benjamin Mason Meier & Lawrence O. Gostin, Framing Human Rights in Global Health Governance, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 63-85 (2018).
- Sharifah Sekalala et al., Health and Human Rights Are Inextricably Linked in the COVID-19 Response, BMJ GLOBAL HEALTH (2021).
- Judith Bueno de Mesquita, Anuj Kapilashrami & Benjamin Mason Meier, Strengthening Human Rights in Global Health Law: Lessons from the COVID-19 Response, 49 JOURNAL OF LAW, MEDICINE & ETHICS 328-331 (2021).

Questions to Consider Before Class

- Why did the end of the Cold War open a political space to advance human rights in global health governance?

- How can normative frameworks of human rights, equity, and social justice complement each other to support global health with justice?
- How has the COVID-19 pandemic challenged human rights in global health?

Session 5: Global Health Policy Diplomacy

Required Readings

- Chapter 5. Global Health Diplomacy: The Process of Developing Global Health Law and Policy.
- Ilona Kickbusch, Gaudenz Silberschmidt & Paulo Buss, Global Health Diplomacy: The Need for New Perspectives, Strategic Approaches and Skills in Global Health, 85 BULLETIN OF THE WORLD HEALTH ORGANIZATION 230-232 (2007).
- Lawrence O. Gostin, Benjamin Mason Meier & Barbara Stocking, Developing an Innovative Pandemic Treaty to Advance Global Health Security, 49 JOURNAL OF LAW, MEDICINE & ETHICS 503-508 (2021).

Optional Readings

- Ilona Kickbusch & Austin Liu, Global Health Diplomacy—Reconstructing Power and Governance, 399 LANCET 2156-2166 (2022).

Questions to Consider Before Class

- How did decolonization shift global health diplomacy to support primary health care?
- What independent role does the WHO Director-General play in setting the WHO agenda?
- How have geopolitical conflicts among states constrained WHO authority in the COVID-19 response?

*** Position Paper 1 Due [Date]**

Unit 2: Global Health Governance for Disease Prevention & Health Promotion

This unit seeks to examine the divergent approaches taken in global health governance to respond to threats from the spread of infectious disease, the commercial products that underlie non-communicable disease, the human rights violations undermining mental health policy, and the environmental health challenges that have structured a “One Health” approach.

Session 6: Infectious Disease

Required Readings

- Chapter 6. Infectious Disease: Preventing, Detecting, and Responding to Pandemic Threats under International Law.
- 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).

Optional Readings

- Sara Davies, Securitizing Infectious Disease, 84 INTERNATIONAL AFFAIRS 295-313.
- Lawrence O. Gostin, Roojin Habibi & Benjamin Mason Meier, Has Global Health Law Risen to Meet the COVID-19 Challenge? Revisiting the International Health Regulations to Prepare for Future Threats, 48 JOURNAL OF LAW, MEDICINE & ETHICS 376-381 (2020).

Questions to Consider Before Class

- How does human rights advocacy differ from other forms of advocacy?

- How have advocates sought to draw public attention and policymaker focus to neglected issues of health and human rights?
- Why is it necessary to evaluate the impact of human rights advocacy?

Session 7: Non-Communicable Disease

Required Readings

- Chapter 7. Non-Communicable Disease: Regulating Commercial Determinants Underlying Health.
- G. Lien & K. DeLand, Translating the WHO Framework Convention on Tobacco Control (FCTC): Can we use tobacco control as a model for other non-communicable disease control?, 125 PUBLIC HEALTH 847-853 (2011).

Optional Resources

- Haik Nikogosian & Ilona Kickbusch, The Legal Strength of International Health Instruments – What It Brings to Global Health Governance?, 5 INTERNATIONAL JOURNAL OF HEALTH POLICY AND MANAGEMENT 683-685 (2016).
- Katharina Ó Cathaoir, Mette Hartlev & Céline Brassart Olsen, Global Health Law and Obesity: Towards a Complementary Approach of Public Health and Human Rights Law, in RESEARCH HANDBOOK ON GLOBAL HEALTH LAW (Gian Luca Burci and Brigit Toebes eds. 2018).

Questions to Consider Before Class

- How does monitoring and review facilitate state accountability for national human rights implementation?
- How do overlapping monitoring and review mechanisms across levels of governance (national, regional, and international) complement each other in assessing the implementation of health-related human rights?
- How can public health monitoring efforts through global health governance institutions facilitate accountability for the implementation of health-related human rights?

Session 8: Mental Health

Required Readings

- Chapter 8. Mental Health: From Institutions to Community Inclusion.
- Amita Dhanda, From Duality to Indivisibility: Mental Health Care and Human Rights, 32 SOUTH AFRICAN JOURNAL OF HUMAN RIGHTS 438-456 (2016).

Optional Readings

- Oliver Lewin & Soumitra Pathare, Chronic Illness: Disability and Mental Health, in FOUNDATIONS OF GLOBAL HEALTH & HUMAN RIGHTS 285-305 (2020).
- Lance Gable & Lawrence O. Gostin, Mental Health as a Human Right, in REALIZING THE RIGHT TO HEALTH 249-261 (2009).

Questions to Consider Before Class

- How did the AIDS crisis galvanize litigation efforts to assure access to essential medicines?
- How should courts approach questions of national resource constraints in the progressive realization of health-related human rights?

- Should courts decide whether individuals have a right to reasonable level of publicly funded health care, education, social assistance, and other social determinants of health—or should this be left to public policymakers in the legislative and executive branches of government?

Session 9: Environmental Health

Required Readings

- Chapter 9. Environmental Health: Regulating Clean Air and Water as Underlying Determinants of Health.
- Kent Buse, Marlies Hesselman & Benjamin Mason Meier, The Human Right to a Healthy Environment – Time for the Public Health Community to Take Urgent Action, 378 BMJ 2313 (2022).
- Michel de Garine-Wichatitsky et al, Will the COVID-19 Crisis Trigger a One Health Coming-of-Age? 4 LANCET PLANETARY HEALTH e377–e378 (2020).

Optional Readings

- Stefania Negri, A Human Rights Approach to Environmental Health, in ENVIRONMENTAL HEALTH IN INTERNATIONAL AND EU LAW 25–42 (Stefania Negri ed. 2020).
- John H. Amuasi et al. Reconnecting for Our Future: The Lancet One Health Commission. 395 LANCET 1469-1471 (2020).

Questions to Consider Before Class

- Given that international organizations are not parties to international treaties, why should they be seen as having responsibilities to implement human rights?
- What does it mean to “mainstream” human rights in global governance?
- What barriers have organizations faced in seeking to mainstream human rights into their organizational practices?

*** Second Position Paper Due [Date]**

Unit 3: Economic Institutions, Corporate Regulation & Global Health Funding

Exploring poverty as a fundamental underlying determinant of health, this unit looks to development as a means to improve public health through: the adoption of the Sustainable Development Goals, the evolution of economic development policy, the responses to international trade law, the advancement of corporate social responsibility, and the establishment of global health funding agencies.

Session 10: Sustainable Development

Required Readings

- Chapter 10. Sustainable Development: The 2030 Agenda and Its Implications for Global Health Law.
- Claire E. Brolan, Public Health and the UN Sustainable Development Goals, in OXFORD RESEARCH ENCYCLOPEDIA OF GLOBAL PUBLIC HEALTH (2022).

Optional Readings

- [Anuj Kapilashrami](#) & [Olena Hankivsky](#), Intersectionality and Why It Matters to Global Health, 391 LANCET 2589-2591 (2018).
- Lawrence O. Gostin et al., The Legal Determinants of Health: Harnessing the Power of Law for Global Health and Sustainable Development, 393 LANCET 1857-1910 (2019).

Questions to Consider Before Class

- How did human rights frame the establishment of global governance institutions to address the HIV/AIDS pandemic and finance HIV treatment?
- In what ways did states seek to protect human rights in the 2005 revision of the IHR?
- How can the “security” frame and the human rights frame be reconciled in infectious disease control?

Session 11: Economic Development Policy

Required Readings

- Chapter 11. Economic Development Policy: Poverty Alleviation for Public Health Advancement.
- Devi Sridhar, Janelle Winters & Eleanor Strong, World Bank's Financing, Priorities, and Lending Structures for Global Health, 358 BMJ (2017).
- Alexander Kentikelenis et al., Softening the Blow of the Pandemic: Will the International Monetary Fund and World Bank Make Things Worse?, 8 LANCET GLOBAL HEALTH 758-759 (2020).
- Kaci Kennedy McDade & Gavin Yamey, Three Big Questions Facing the World Bank's New Pandemic Fund, 379 BMJ (2022).

Optional Readings

- Yusra Ribhi Shawar & Jennifer Prah Ruger, The World Bank: Contested Institutional Progress in Rights-Based Health Discourse, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 353-373 (Benjamin Mason Meier & Lawrence O. Gostin eds. 2018).
- Jennifer Prah Ruger, The Changing Role of the World Bank in Global Health, 95 AMERICAN JOURNAL OF PUBLIC HEALTH 60-70 (2005).

Questions to Consider Before Class

- Why are human rights seen as necessary in supporting NCD policy?
- What obligations do states bear under the right to health to prevent individuals from unhealthy behaviors?
- How have advocates sought to facilitate corporate accountability for human rights?

Session 12: International Trade Governance

Required Readings

- Chapter 12. International Trade Governance: Free Trade and Intellectual Property Threaten Public Health.
- Kelley Lee, Devi Sridhar & Mayur Patel, Bridging the Divide: Global Governance of Trade and Health, 373 LANCET 416-422 (2009).
- Sharifah Sekalala et al., Decolonising Human Rights: How Intellectual Property Laws Result in Unequal Access to the COVID-19 Vaccine, 6 BMJ GLOBAL HEALTH (2021).

Optional Readings

- Suerie Moon & Thirukumaran Balasubramaniam, The World Trade Organization: Carving Out the Right to Health to Promote Access to Medicines and Tobacco Control in the Trade Arena, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 375-396 (2018).
- Lisa Forman, The Inadequate Global Policy Response to Trade-Related Intellectual Property Rights: Impact on Access to Medicines in Low and Middle-Income Countries 31 MARYLAND JOURNAL OF INTERNATIONAL LAW 8-20 (2016).

Questions to Consider Before Class

- Why is it necessary to recognize “new” human rights to reflect newly understood health threats?
- Why is affordability a central attribute of the rights to water and sanitation?
- How have the rights to water and sanitation provided a normative foundation for global governance to address water, sanitation, and hygiene?

*** Final Paper Outline Due** [Date]

Please submit a one-paragraph summary and short outline of your final paper. This outline should address an issue of global health law and policy but look beyond the topics and readings of our course, investigating a topic of interest to you. I hope to provide you with feedback on your outline before you begin your research and writing.

Session 13: Commercial Determinants of Health

Required Readings

- Chapter 13. Commercial Determinants of Health: Corporate Social Responsibility as Smokescreen or Global Health Policy?
- Gauden Galea & Martin McKee, Public-Private Partnerships with Large Corporations: Setting the Ground Rules for Better Health, 115 HEALTH POLICY 138-140 (2014).
- Milton Friedman, The Social Responsibility of Business Is to Increase Its Profits. NEW YORK TIMES (1970).

Optional Readings

- Kathryn Sikkink, Codes of conduct for transnational corporations: The case of the WHO/UNICEF code, 40 INTERNATIONAL ORGANIZATION 815-840 (1986).
- Anna B. Gilmore, Emily Savell & Jeff Collin, Public Health, Corporations and the New Responsibility Deal: Promoting Partnerships with Vectors of Disease?, 33 JOURNAL OF PUBLIC HEALTH 2-4 (2011).

Questions to Consider Before Class

- What were the weaknesses of early UN efforts to address human rights in the context of mental health institutions?
- Why does the CRPD address physical disability, intellectual disability, and mental health in the same treaty?
- How does the CRPD (and CRPD Committee) clarify the linkages between civil and political rights and economic, social, and cultural rights in the context of disability?

Session 14: Global Health Funding Agencies

Required Readings

- Chapter 14. Global Health Funding Agencies: Developing New Institutions to Finance Health Needs.
- Katerini Tagmatarchi Storenga, Antoine de Bengy Puyvallée & Felix Stein, COVAX and the Rise of the ‘Super Public Private Partnership’ for Global Health, GLOBAL PUBLIC HEALTH (2021).

Optional Readings

- Rifat Atun et al., Innovative Financing for Health: What is Truly Innovative?, 380 LANCET 2044-2049 (2012).
- Gavin Yamey et al., Financing Global Common Goods for Health: When the World is a Country, 5 HEALTH SYSTEMS & REFORM 334-349 (2019).

Questions to Consider Before Class

- How did feminist advocacy transform SRHR?
- Why were international conferences crucial in key shifts in SRHR?
- How might advocates overcome conservative obstacles to SRHR progress in national policy and global governance?

*** Third Position Paper Due [Date]**

Bonus Session: Research in Global Health Law & Policy

Required Readings

- Caitlin R. Williams, How to Write a Global Health Policy Paper (July 2023)

Optional Readings

- [TBD]

Unit 4: International Legal Efforts to Address Rising Health Threats

This final unit looks ahead to analyze international legal efforts to address the rising health threats of a rapidly globalizing world, recognizing efforts in global governance to: frame collective action to address antimicrobial resistance, ensure pathogen sharing in exchange for access to medicines, safeguard sexual and reproductive health and rights, implement international humanitarian law in conflicts and emergencies, mitigate and adapt to the health threats of climate change, and promote universal health coverage.

As you reflect on these threats to global health and human rights, consider how your final paper can be the first step in addressing these rising threats and realizing global health with justice.

Session 15: Antimicrobial Resistance

Required Readings

- Chapter 15. Antimicrobial Resistance: Collective Action to Support Global Public Goods.
- Lindsay A. Wilson et al., A Global Pandemic Treaty Must Address Antimicrobial Resistance, 49 JOURNAL OF LAW, MEDICINE & ETHICS 688-691 (2021).

Optional Readings

- Steven J. Hoffman, Reema Bakshi & Susan Rogers Van Katwyk, How Law Can Help Solve the Collective Action Problem of Antimicrobial Resistance, 33 BIOETHICS 798-804 (2019).
- Susan Rogers Van Katwyk and Kevin Outterson, AMR Belongs in the Pandemic Instrument, 50 JOURNAL OF LAW, MEDICINE & ETHICS 6-8 (2023).

Questions to Consider Before Class

- What is the difference for global health between a rights-based approach to development and the right to development?
- In what ways did advocates succeed in advancing human rights in the development of the SDGs?
- What are the obstacles to applying the right to development as a tool for clarifying priorities and measuring progress in advancing sustainable development and global health?

Session 16: Pathogen Sharing

Required Readings

- Chapter 16. Pathogen Sharing: Balancing Access to Pathogen Samples with Equitable Access to Medicines.
- Abbie-Rose Hampton et al., Equity in the Pandemic Treaty: Access and Benefit Sharing as a Policy Device or a Rhetorical Device?, 51 JOURNAL OF LAW, MEDICINE & ETHICS 217-220 (2023).

Optional Readings

- Mark Eccleston-Turner, The Pandemic Influenza Preparedness Framework: A viable procurement option for developing states?, 17 MEDICAL LAW INTERNATIONAL 227-248 (2017).
- Mark Eccleston-Turner & Michelle Rourke, Arguments Against the Inequitable Distribution of Vaccines Using the Access and Benefit Sharing Transaction, 70 INTERNATIONAL & COMPARATIVE LAW QUARTERLY 825-858 (2021).

Questions to Consider Before Class

- How did the Doha Declaration seek to balance imperatives for international trade and human rights in an effort to protect public health?
- What has been achieved by efforts to bring together the WTO, WHO, and OHCHR to develop common understandings of international trade, global health, and human rights?
- How can the WTO take into account a country's health and human rights obligations in assessing public health regulations that restrict trade?

Session 17: Sexual and Reproductive Health

Required Readings

- Chapter 17. Sexual and Reproductive Health and Rights: Advancing Human Rights to Protect Bodily Autonomy and Sexuality.
- Gita Sen et al., When Accountability Meets Power: Realizing Sexual and Reproductive Health and Rights, 19 SEXUAL AND REPRODUCTIVE HEALTH MATTERS 1-11 (2020).

- Aoife M. O'Connor et al., Transcending the Gender Binary under International Law: Advancing Health-Related Human Rights for Trans* Populations, 50 JOURNAL OF LAW, MEDICINE & ETHICS 409-424 (2022).

Optional Readings

- Gita Sen, Sexual and Reproductive Health and Rights in the Post-2015 Development Agenda, 9 GLOBAL PUBLIC HEALTH 599-606 (2014).
- Kelli Stidham Hall et al., Centring Sexual and Reproductive Health and Justice in the Global COVID-19 Response, 395 LANCET 1175-1177 (2020).

Questions to Consider Before Class

- In what ways do complex humanitarian emergencies threaten public health?
- How can human rights support international humanitarian law in addressing health in complex humanitarian emergencies?
- Given that states are both the duty-bearers of human rights and also the most frequent violators of human rights in emergency contexts, how can international humanitarian law enforce human rights in humanitarian contexts?

Session 18: Health in Conflict

Required Readings

- Chapter 18. Health in Conflict: International Humanitarian Law as Global Health Policy
- ICRC, What is International Humanitarian Law? (2004) Available from: https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf.
- Lawrence O. Gostin & Leonard S. Rubenstein, Attacks on Health Care in the War in Ukraine: International Law and the Need for Accountability, 327 JAMA 1541-1542 (2022).

Optional Readings

- Benjamin Mason Meier, Hannah Rice & Shashika Bandara, Monitoring Attacks on Health Care as a Basis to Facilitate Accountability for Human Rights Violations, 23 HEALTH & HUMAN RIGHTS JOURNAL 55-70 (2021).
- Dabney P. Evans, Edward L. Queen & Lara S. Martin, Health and Human Rights in Conflict and Emergencies, in FOUNDATIONS OF GLOBAL HEALTH & HUMAN RIGHTS 373-393 (2020).

Questions to Consider Before Class

- How did the globalized practice of clinical trials challenge the adequacy of international ethical guidelines?
- What is the relationship between bioethics and human rights?
- How can governments assure that human rights protections do not stifle necessary health research?

Session 19: Climate Change

Required Readings

- Chapter 19. Climate Change: A Cataclysmic Health Threat Requiring Global Action.

- Benjamin Mason Meier, Flavia Bustreo & Lawrence O. Gostin, Climate Change, Public Health and Human Rights, 19 INTERNATIONAL JOURNAL OF ENVIRONMENTAL RESEARCH & PUBLIC HEALTH 13744 (2022).

Optional Readings

- Stephen J. Turner, Conclusion: Analysing the Development of Standards in the Field of Environmental Rights, in ENVIRONMENTAL RIGHTS: THE DEVELOPMENT OF STANDARDS 383-400 (Stephen J. Turner et al. eds. 2019).
- John Knox, Bringing Human Rights to Bear on Climate Change, 9 CLIMATE LAW 165-179 (2019).

Questions to Consider Before Class

- Why were health and human rights largely ignored in early efforts to respond to climate change?
- Why is framing climate change as a human rights issue beneficial for action on climate change?
- How can human rights frame health system reforms to adapt to the health harms of climate change?

Session 20: Universal Health Coverage (and Professor Meier's Birthday)

Required Readings

- Chapter 20. Universal Health Coverage: Whole of Government Approaches to Determinants of Health.
- Arush Lal et al., Pandemic Preparedness and Response: Exploring the Role of Universal Health Coverage within the Global Health Security Architecture, 10 LANCET GLOBAL HEALTH 1675-1683.

Optional Readings

- Lawrence O. Gostin, The Legal Determinants of Health: How Can We Achieve Universal Health Coverage and What Does It Mean?, 10 INTERNATIONAL JOURNAL OF HEALTH POLICY & MANAGEMENT 1-4 (2021).
- Afterword. Foundational Information for a New Generation.

Questions to Consider Before Class

- Why have populist leaders sought to isolate their nations from the world?
- Why are states now less accountable to international human rights law?
- Why are human rights crucial in responding to the global health harms of populist forces?

*** Final Paper Due December 10, 12:00-4:00**