



***Pandemics and International Law:
Norms, Actors and Responsibility***
April – May 2021

Professor: Dr. Martina Buscemi, Professor of Public Health and Sustainable Development

N. hours: 20 (class of 90 minutes each, corresponding to 2 academic hours)

Maximum number of participants: 30

N. ECTS: 3 ECTS for other optional activities (“ulteriori attività formative”, art. 10 co. 5 lett. d. DM 270/2004). For students enrolled in REL: 3 ECTS, within the 9 ECTS for optional courses/activities (“a scelta libera”).

Recognition of 3 ECTS: subject to approval of a **final paper**, to be handed in by 15 June 2021, and verification of **compulsory attendance** (at least **80% of classes**).

Participation: the workshop is open to students enrolled in IPLE, SIE, SPO, Bachelor’s degree courses and in REL, GOV Master’s degree courses.

Learning objectives: The workshop purports to offer an overview of the interplay between **pandemics** and **public international law**. The aim is to provide students with the key tools to build a sound knowledge of the **international health governance** and, in particular, to understand current legal challenges posed by pandemics to **international human rights** and **WHO law**. By discussing, with a hands-on approach, current and possible **disputes** brought before international, regional and national courts, students will eventually be able to critically appraise the **responsibility** of States and International Organizations (IOs), with particular regard to the ongoing epidemic crisis.

Structure of the workshop: The workshop is structured in two modules. The first module analyzes **pandemic disease management**, focusing on **international human rights law** and the **WHO framework**, as well as outlining the main global actors involved in this field. Particular attention will be paid to the implementation in practice of the **(2005) International Health Regulations**, in light of the most recent outbreaks (SARS, MERS, Ebola, Zika, and Covid-19). The second module examines current and perspective **litigation**, in order to assess whether and under what conditions States and IOs can be held **responsible** for contributing to, or mismanaging, pandemics. Practical exercises will be conducted at the end of the workshop (**mock trials** and analysis of **case studies**). Lastly, a **final paper** is expected to be submitted, by the 15th of June 2021, on one of the topics discussed, also in view of the preparation of the **final essay/dissertation** for the Bachelor’s degree and/or the Master’s degree, and the possible inclusion in research projects or other activities. The workshop materials will be available on the Ariel platform at the following address: <https://ariel.unimi.it/offerta/teacher/451996>.

Programme:

Module I: Norms & Actors

1. **20 April 2021**, h 9.30-11, **room/MT**: *International Health Law: An Overview of the WHO Legal Framework, the Right to Health, and other Relevant Norms.*
2. **21 April 2021**, h 9.30-11, **room/MT**: *Managing Epidemics at the International Level: The Role of the WHO and the (2005) International Health Regulations.*
3. **22 April 2021**, h 9.30-11, **room/MT**: *The (2005) IHR in Practice: from the Swine Flu to the Zika and Ebola Outbreak.*
4. **27 April 2021**, h 9.30-11, **room/MT**: *The WHO Pandemics Law to the Test of Covid-19.*
5. **28 April 2021**, h 9.30-11, **room/MT**: *The Role of the Security Council and the ‘Securitization’ of Public Health.*

Module II: Responsibility

6. **29 April 2021**, h 9.30-11, **room/MT**: *State Responsibility for Causing or Mismanaging Pandemics: Different Types of Wrongful Acts and Possible Remedies.*
7. **4 May 2021**, h 9.30-11, **room/MT**: *Exercise 1 - Holding States and IOs Accountable Before National Courts.*
8. **5 May 2021**, h 9.30-11, **room/MT**: *Guest Lecture by Dr. Pedro Villareal: ‘The role of International Courts in Managing Pandemic Crisis’.*
9. **11 May 2021**, h 9.30-11, **room/MT**: *Exercise 2 - Holding States Accountable Before Human Rights Treaty-Bodies.*
10. **12 May 2021**, h 9.30-11, **room/MT**: *Exercise 3 - Holding States Accountable Before International Courts (the ICJ).*

How to apply: interested students should submit their application, along with a brief motivational statement, to **Dr. Martina Buscemi**, by writing an e-mail to the following address: martina.buscemi@unimi.it, from **15 to 31 March 2021**.