



ESIL Interest Group on International Health Law

Hybrid workshop

Equity in Pandemic Response after COVID-19: Fairness through International Health Law and Beyond

Core instruments of International Health Law are undergoing reform processes. States have opted to launch negotiations at the World Health Organization (WHO) to create a new agreement on pandemic prevention, preparedness, response and recovery (a “pandemic treaty”) and to amend the existing International Health Regulations of 2005 (IHR). A number of key issues have emerged, including the focus on international law obligations fostering **equity** as a legal principle applicable between states. Resorting to equity as an international law basis would mean developing mechanisms to strengthen cooperation and solidarity between states, for example by sharing pharmaceuticals, vaccines and other medical products, as well as by supporting national healthcare systems towards achieving universal health coverage. At its core, the main objective is to avoid a repeat of counterproductive unilateral responses seen during the COVID-19 pandemic and, instead, promote multilateral cooperation against future health threats.

International law considerations of equity during pandemic response are not limited to the pandemic treaty and the IHR. Regime interaction theories show how other fields, such as international human rights law, environmental law, social security law, and international economic law – including trade, intellectual property and investment law – can contribute to foster a more equitable pandemic prevention, preparedness, response and recovery, or conversely hindering it. Therefore, a veritable reform of international health law would not only address the legally binding instruments under the WHO, but rather all fields which may be at stake in all-of-governments and all-of-society responses to pandemics and other major health threats.

The current workshop aims to bring together multiple perspectives on **fairness** in international law, to explore whether and to what extent reforms or new perspectives from multiple regimes can foster **equity** in pandemic prevention, preparedness, response and recovery. Legal innovations may take place in a variety of forms, including but not limited to new interpretations by treaty and quasi-judicial bodies, as well as international or regional courts if and where available.

All ESIL Members are hereby invited to submit abstracts touching upon a range of subjects, including:

- Equity and fairness in the future WHO "pandemic treaty" and in the amendments to the IHR: scope, content, principles and implications for each instrument.
- The evolution in the interpretation of human rights law in pandemic prevention, preparedness, response and recovery.

- The intersections with, and inspiration from equity considerations in international environmental law including climate change law and biodiversity law.
- The use of social security law to strengthen health systems.
- The current and potential role of international trade and investment law in fostering equity during pandemics.
- The challenge of reconciling intellectual property rights with equity and fairness in pandemic prevention, preparedness, response and recovery.

Interested persons should submit abstracts which are no longer than **500 words**. A short biography of maximum **200 words** including the name and affiliation of the author(s) should be added. Early career scholars¹ (PhD students, post-doc) are particularly encouraged to answer this call.

Abstracts can be submitted to any of the following e-mail addresses: esil.igihl@gmail.com; villarreal@mpil.de; stephanie.dagron@unige.ch .

The deadline for the submission of abstracts is **21 April 2023**. The results of the selection process will be notified by **30 April**. Authors should then submit either an extended abstract of 1,500 words or a draft paper of maximum 8,000 words by **31 July**.

Venue and dates: The event will take place in a hybrid mode, with its in-person component at the Law and Political Sciences Faculty of Aix-Marseille Université – Campus Aix-en-Provence, 3 Avenue Robert Schuman, Aix-en-Provence Cedex 01, on **31 August 2023**, from 09:30 AM until 12:30 PM.

The Interest group is unable to provide funding for travel and accommodation. Selected speakers will be expected to bear the costs of their own travel and accommodation. All selected speakers can apply for [travel and carers' grants](#) by **15 June 2023** at the latest (see for more details <https://www.esilaix2023.fr/register>).

Eligibility: All ESIL Members are invited to submit abstracts. Non ESIL Members are also eligible to submit, but ESIL membership will be required if the abstract is selected. Speakers will also be required to register for the Annual Conference. Lastly, speakers interested in applying for the Young Scholar Prize should indicate so in their submission (eligibility criteria are available at: <https://esil-sedi.eu/esil-yssp/>).

Abstracts will be selected pursuant to the following criteria:

- Originality and innovativeness of the proposal
- Relevance of the proposal to the topic of the event
- Geographical and gender balance

¹ In accordance with the definition adopted by the ESIL, “Early-career scholars are (i) candidates for a postgraduate degree in law; (ii) PhD candidates or those who have had their oral defence no longer than 3 years prior to the submission of an abstract; or (iii) those who are within the first 5 years of their career following the award of their last academic degree and who can provide evidence of their contribution to legal scholarship through academic publication”.

Steering Committee

Prof. Gian Luca Burci, Graduate Institute of International and Development Studies, Geneva, Switzerland.

Prof. Stéphanie Dagrón, Faculty of Law and Faculty of Medicine, University of Geneva, Switzerland.

Prof. Stefania Negri, School of law, University of Salerno, Italy.

Dr. Pedro A. Villarreal, Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany.