



# Governing Global Health in Times of Pandemic

JOINT INITIATIVE OF THE FACULTY OF LAW AND THE SCHOOL OF INTERNATIONAL STUDIES - UNIVERSITY OF TRENTO

Trento, 28-29 November 2022

Venue: Department of Economics & Management and Faculty of Law  
University of Trento

*The Project 'The World Health Organization in the COVID-19 emergency: functions, limits and territorial impact' is financed by the University of Trento Covid-19 Research Fund  
The COVID19 Litigation Project has been developed thanks to the financial support of the World Health Organization.*

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The COVID19 pandemic has inspired new streams of research in all fields of science, from life sciences to social studies, from humanities to hard sciences, from theoretical to empirical studies. Developing pre-existing and emerging lines of research in all these areas, the University of Trento has coordinated in several international projects to contribute to a science-based response to the pandemic. An interdisciplinary approach has characterized many of these projects, based on the belief that no science alone may provide a sufficiently sound answer to global challenges like the one faced during the pandemic.

Moving from this perspective, the School of International Studies and the Faculty of Law have led two international projects in the last two years in the field of global health and fundamental rights: respectively, a project on the functions, limits and territorial impact of the World Health Organization in the COVID-19 emergency (School of International Studies) and a project on COVID-19 litigation raised by the pandemic and, more particularly, by the impact of public health measures upon fundamental rights (Faculty of Law). Though developed from different perspectives (the former focused on the institutional framework and the role played by international institutions, such as WHO, and the latter focused on the role of courts in the difficult task of balancing health policy needs with fundamental rights and freedoms), the two projects share a common interest in contributing to an international and interdisciplinary debate on global health governance in times of pandemic or comparable health crises.

Based on this, both projects' results will be presented and discussed within a two-days joint initiative co-coordinated by the School of International Studies and the Faculty of Law with a view to explore future research perspectives beyond the current pandemic context.

## SCIENTIFIC COORDINATORS

**Paola Iamiceli**, University of Trento

**Marco Pertile**, University of Trento

## PARTICIPANTS

**Matej Accetto**, President of the Slovenian Constitutional Court

**Ittai Bar-Siman-Tov**, Bar-Ilan University

**Emanuela Bozzini**, University of Trento

**Gian Luca Burci**, Graduate Institute Geneva

**Fabrizio Cafaggi**, Italian Council of State

**Damian Chalmers**, National University of Singapore

**Tina Cockburn**, Queensland University of Technology

**Hélène De Pooter**, Université de Franche-Comté

**Ludovica Di Lullo**, University of Trento

**Sondra Faccio**, University of Trento

**Anton Gao**, National Tsing Hua University

**Katherine Ginsbach**, Georgetown University

**Justice Vincent Hoong**, Supreme Court of Singapore

**Daniel Hougendobler**, World Health Organization

**Paola Iamiceli**, University of Trento

**Emmanuel Kasimbazi**, Makerere University

**Irene Landini**, University of Trento

**Madan Lokur**, Supreme Court of Fiji

**Benn McGrady**, World Health Organization

**Laila Medina**, Advocate General at the Court of Justice of the European Union

**Claudia Nannini**, World Health Organization

**Stefania Negri**, University of Salerno

**Louisa Parks**, University of Trento

**Marco Pertile**, University of Trento

**Natalia Rueda**, Universidad Externado de Colombia

**Stefano Schiavo**, University of Trento

**Tania Sebastian**, Vellore Institute of Technology

**Daniela Sicurelli**, University of Trento

**Pedro Villareal**, Berlin Institute for International and Security Affairs

**Bostjan Zalar**, High Court Judge at the Administrative Court of the Republic of Slovenia

**Edith Zeller**, Administrative Court of Vienna and President of the Association of European Administrative Judges

**Monday, November 28, 2022 – h 09.00-18.00**

**School of International Studies**

**Department of Economics & Management - Sala Conferenze**

**Via Inama, 5 Trento**

*Rethinking Global Health Law and Governance:*

*The Quest for Equity in the Reform Process*

This part of the Conference gathers together scholars of different disciplines (Law, Sociology, Political Science) to discuss the ongoing reform process of global health law and governance under the aegis of the World Health Organization.

The programme addresses two main topics closely intertwined with each other. The first panel is devoted to the analysis of current developments in the ongoing reform of global health law with a specific focus on the negotiation of the treaty on pandemic preparedness and response and on targeted amendments to the International Health Regulations. The second panel addresses the issue of equity in access to medical care and vaccines as part of the wider debate on the protection of the human right to health, which represent an essential element of the reform process.

This is the closing event of the University of Trento's project titled *The World Health Organization in the COVID-19 emergency: functions, limits and territorial impact*, which is financed by the University of Trento Covid-19 Research Fund. The project is aimed at analyzing legal and institutional aspects of the international health emergency, the technical tools for their management and the way forward for the improvement of the global health architecture. It has adopted an original approach, involving joint research between scholars in the social sciences and scholars in the hard sciences by crosscutting the growing interest in medical sciences and public health, to provide an integrated response to the challenges raised by the COVID-19 emergency.

This multidisciplinary approach and its relevance to the management of emergencies in the health field are crucial for the University of Trento also in view of the future activities of both the School of International Studies (SIS) and the new School of Medicine (CISMEd), supported by the Faculty of Law and the Faculty of Sociology.

**November 28, 2022 - School of International Studies**

*Rethinking Global Health Law and Governance:*

*The Quest for Equity in the Reform Process*

*9.00 - 9.15 Welcome Addresses*

**Stefano Schiavo** (Director of the School of International Studies)

**Marco Pertile** (University of Trento)

*9.30 - 10.00 Keynote Speech*

*Reform of Pandemic Preparedness and Response: The Legal and Governance Context*

**Gian Luca Burci** (Graduate Institute Geneva)

*10.15 - 13.00 Panel 1: Reforming Global Health Law and Governance*

*Chair: Louisa Parks* (University of Trento)

*Speakers*

**Claudia Nannini** (World Health Organization)

**Stefania Negri** (University of Salerno)

**Emanuela Bozzini, Daniela Sicurelli** (University of Trento)

Coffee break (11.15 - 11.35)

**Pedro Villarreal** (Berlin Institute for International and Security Affairs)

**Ludovica Di Lullo** (University of Trento)

Q&A (12.30- 13.00)

*13.00 - 14.30 Lunch Break*

*14.30 - 17.30 Panel 2: Equity and Solidarity in Access to Medical Care and Vaccines*

*Chair: Paola Iamiceli* (University of Trento)

*Speakers*

**Katherine Ginsbach** (Georgetown University)

**Hélène De Pooter** (Université de Franche-Comté)

**Sondra Faccio** (University of Trento)

Coffee break (15.30 - 15.45)

**Irene Landini** (University of Trento)

**Marco Pertile** (University of Trento)

Q&A (17.00-17.30)

*17.30 - 18.00 Concluding Remarks*

**Gian Luca Burci** (Graduate Institute Geneva)

**Tuesday, November 29, 2022 – h 09.00-18.30**

**Faculty of Law**

Faculty of Law – Sala Conferenze ‘Fulvio Zuelli’

Via Giuseppe Verdi, 53 Trento

*COVID-19 Litigation:*

*The Role of National and International Courts in Health Crisis Management*

This part of the Conference is aimed at presenting the main results of the *COVID19 Litigation Project*, coordinated by the University of Trento with the financial support of WHO, the participation of eight project partners in different world regions, and the contribution of a wide network of judges and scholars around the globe. The Project revolves around the COVID19 Litigation Database, collecting almost 2000 cases decided in all continents' courts in the field of fundamental rights affected by public health measures during the COVID19 pandemic. It is aimed to provide policy makers, judges and scholars with a tool for comparative legal analysis.

The panels will involve scholars, representatives of international institutions and supreme courts judges, to discuss whether and how the rule of law and due protection of fundamental rights shall forge public choices and policy decision-making in times of health crises and to what extent judicial decisions may contribute to such balancing.

The interplay between domestic and international laws in pandemic risk management, the role of judicial review in the protection of fundamental rights, the impact of health crises on the most vulnerable ones, will be among the topics addressed during this part of the Conference and provoking an interdisciplinary and inter-professional debate.

**November 29, 2022 - Faculty of Law**

*COVID-19 Litigation:*

*The Role of National and International Courts in Health Crisis Management*

*9.00 - 9.15 Welcome Addresses*

**Rector of the University of Trento**

**Dean of the Faculty of Law**

*9.15 – 10.15 Keynote Speech*

*Judicial Protection in the Pandemic and Post-pandemic Era: the Role of the European Court of Justice*

**Laila Medina** (Advocate General at the Court of Justice of the European Union)

*10.15 - 11.45 Panel 1: The COVID19 Litigation Project: The Way Forward*

*Chair: Benn McGrady* (World Health Organization)

*Project Presentation*

**Paola Iamiceli**, The COVID-19 Litigation Project

*Discussants*

**Matej Accetto** (President of the Slovenian Constitutional Court)

**Madan Lokur** (Supreme Court of Fiji)

Q&A (11.30 – 11.45)

Coffee Break (11.45 – 12.00)

*12.00 - 13.30 Panel 2: The Interplay between Domestic and International Laws in Pandemic Risk Management*

*Chair: Edith Zeller* (Administrative Court of Vienna and President of the Association of European Administrative Judges)

*Speakers*

**Gian Luca Burci** (Geneva Graduate Institute)

**Katherine Ginsbach** (Georgetown University)

**Pedro Villareal** (Berlin Institute for International and Security Affairs)

**Tina Cockburn** (Queensland University of Technology)

**Anton Gao** (National Tsing Hua University)

Q&A (13.00 – 13.30)

*13.30 - 15.00 Lunch Break*

## Tuesday, November 29, Faculty of Law

*COVID-19 Litigation:*

*The Role of National and International Courts in Health Crisis Management*

15.00 - 16.30 **Panel 3: The Role of National and International Courts in Time of Crisis: Judicial Review and the Protection of Fundamental Rights**

*Chair:* **Fabrizio Cafaggi** (Italian Council of State)

*Speakers*

**Justice Vincent Hoong** (Supreme Court of Singapore)

**Edith Zeller** (Administrative Court of Vienna and President of the Association of European Administrative Judges)

**Ittai bar Siman tov** (Bar-Ilan University)

Q&A (16.00 – 16.30)

Coffee break (16.30 – 16.45)

16.45 - 18.30 **Panel 4: Public Health and Fundamental Rights between Old and New Vulnerabilities: Is a Conciliation Possible?**

*Chair:* **Daniel Hougendolber** (World Health Organisation)

*Speakers*

**Damian Chalmers** (National University of Singapore)

**Natalia Rueda** (Universidad Externado de Colombia)

**Bostjan Zalar** (High Court Judge at the Administrative Court of the Republic of Slovenia)

**Tania Sebastian** (Vellore Institute of Technology)

**Emmanuel Kasimbazi** (Makerere University)

Q&A (18.00 – 18.30)