

PLCY 570: Global Health and Human Rights

University of North Carolina at Chapel Hill

Fall 2020

Tuesdays & Thursdays, 4:45 PM – 6:00 PM
Online from Professor Meier's Kitchen Table
<https://unc.zoom.us/j/5250071405>
Password: MeierUNC

Benjamin Mason Meier, JD, LLM, PhD
Department of Public Policy
working remotely
bmeier@unc.edu
917-445-4566

Office Hours: Wednesdays, 4:00 PM - 6:00 PM
by online appointment through "Sign-Up" tab

COURSE DESCRIPTION

Human rights are inextricably linked to the achievement of public health policy goals. Examining human rights under international law as a basis for public health, these rights offer global standards by which to articulate duties and evaluate policies and outcomes under law, shifting the policy debate from political aspiration to legal accountability. This course provides an introduction to the relationship between human rights and global health. As a survey course, it ranges broadly over theoretical approaches and concrete issues relating to the realization of human rights, applying a human rights perspective to public health policies, programs, and practices. For public policy and public health students seeking to gain an understanding of human rights, this course will provide an overview of the field of "health and human rights," giving students a foundation for future studies at the intersection of human rights and public health.

The field of health and human rights—spanning interconnected legal and public health analysis—has been a powerful force for promoting those human rights that underlie global health. Providing a foundational understanding of the field, this course seeks to (1) explain the norms and principles that define the field, (2) examine the methods and tools for implementing human rights to promote health, (3) apply human rights to leading health threats, and (4) analyze rising human rights challenges in a rapidly globalizing world. The issues addressed throughout the course will reflect the successes of human rights, the challenges of the twenty-first century, and the resilience of human rights in global health.

This course will teach you how to apply human rights to a wide range of critical issues in global health, exploring the role of human rights as both a safeguard against harm and a catalyst for health promotion. Upon completion, you will have acquired an understanding of the social, economic, cultural, legal, and political processes by which human rights inform health objectives. Where rising threats in an increasingly divided world are challenging the progressive

evolution of health-related human rights, this course will provide you with the tools to revitalize human rights at the center of public health practice and secure a future of global health with justice. It is my hope that this detailed understanding of the evolving relationship between global health and human rights will provide you with a human rights foundation for the advancement of health policies, programs, and practices throughout your lives.

COURSE LEARNING OBJECTIVES

Students who successfully complete this course will be able to:

- Recognize the influence of the “health and human rights movement” in the progression of both global health and human rights.
- Understand the evolving importance of human rights for global health.
 - How historical conceptions of natural rights led to the modern birth of human rights through the United Nations.
 - What international law adds to the fight for social justice in global health.
 - How human rights have evolved to codify a right to health and a rights-based approach to health.
- Examine how human rights can be used as a tool to change the lived reality of health by:
 - Implementing international legal norms and principles in domestic policies, programs, and practices.
 - Facilitating accountability for national efforts to implement human rights for health through advocacy, litigation, monitoring and review, and global governance.
- Apply international legal norms and principles to address systemic human rights threats that shape health inequities.
 - Conceptualize how human rights limitations have enabled the spread of both communicable and non-communicable disease threats and how human rights can frame national and global health policy.
 - Recognize how human rights have been reconceptualized to address new health threats, advancing human rights to support water, sanitation, and hygiene; disability and mental health; and sexual and reproductive health and rights.
- Evaluate contemporary threats to global health and human rights.
 - Apply human rights to rising health challenges of inequitable economic development, international trade policy, complex humanitarian emergencies, globalized pharmaceutical research, and global climate change.
 - Respond to the health and human rights challenges of populist nationalism amidst an unprecedented pandemic threat.

COURSE STRUCTURE

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

Unit 1:	Developing Norms and Principles of Human Rights
Unit 2:	Accountability for the Implementation of Human Rights in Public Health
Unit 3:	Applications of Human Rights to Disease Prevention and Health Promotion
Unit 4:	New Health Challenges in a Globalizing World

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 (under the “Forums” tab) 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 immediately preceding the start of each session. These quizzes (under the “Tests & Quizzes” tab) 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.

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:

Undergraduate Students

Abstract (250 words)

2,500-3,000 words

Graduate Students

Abstract (250 words)

3,000-3,500 words

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.

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 health and human rights.

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 human rights 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 human rights in health and the harms caused by human rights violations, 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 and find the support and guidance you need to become a GRADUATE.

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

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.

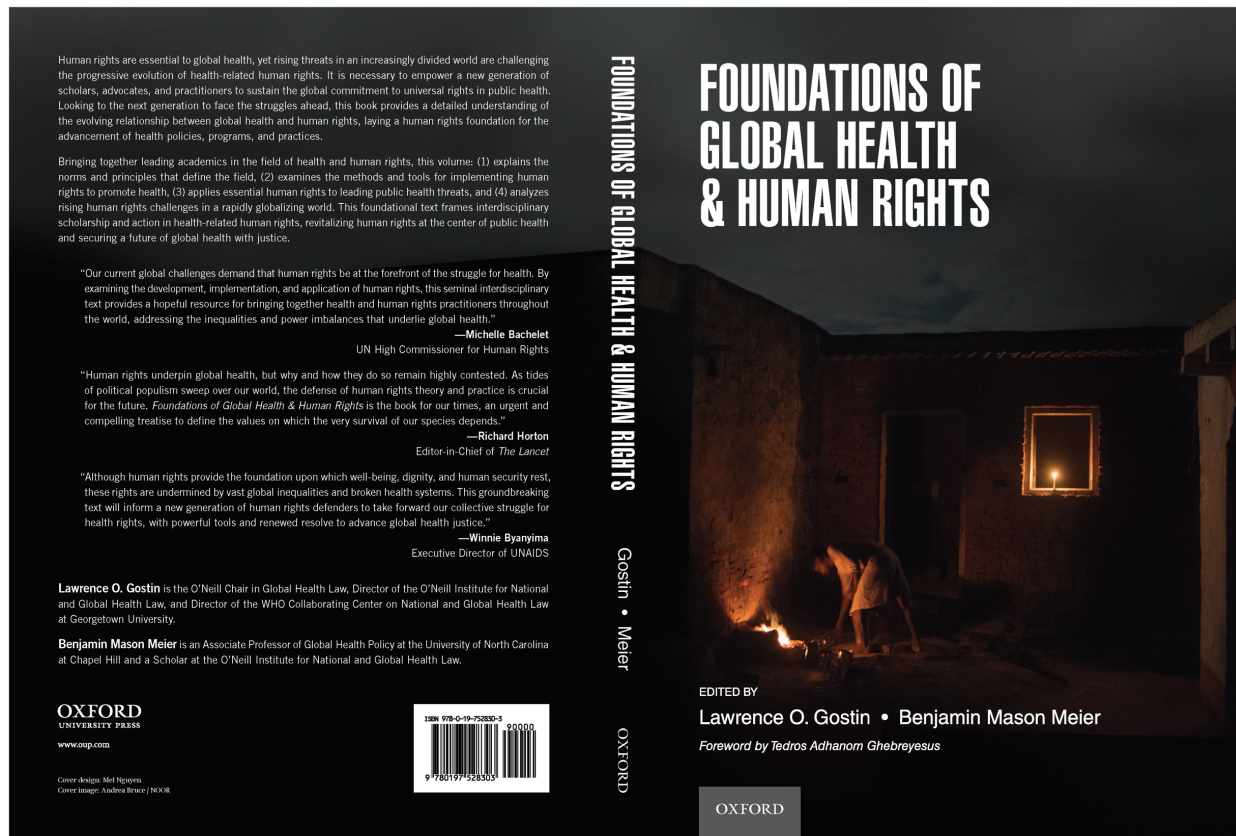
The principles of academic honesty, integrity, and responsible citizenship have long governed the performance of all academic work and student conduct at the University. Your enrollment in the University presupposes a commitment to the principles embodied in the Code of Student Conduct and a respect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

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, *Foundations of Global Health & Human Rights*, with additional readings included below to highlight current applications of the principles in the text and optional readings for further study.



August 11 – Welcome to Health & Human Rights

Required Readings

- Introduction. Global Health and Human Rights
- Linda Fried et al., Global Health Is Public Health, 375 LANCET 535-537 (2010).
- Benjamin Mason Meier & Lawrence O. Gostin, Human Rights Must Be the Foundation of the COVID-19 Response, OUP Blog (2020).

Unit 1: Developing Norms & Principles of Human Rights

This unit seeks to introduce you to the normative foundations and legal principles for understanding: the birth of human rights as a foundation for global justice, the historical evolution of human rights under international law as a basis for public health, and the legal development of both the human right to health and the rights-based approach to health.

August 13/18 - Session 1: The Idea of Human Rights is Born

Required Readings

- Chapter 1. The Birth and Development of Human Rights for Health
- Micheline Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era 2-14* (2008).
- World Health Organization, [Female Genital Mutilation](#) (2020).

Optional Readings

- Jonathan M. Mann et al., [Health and Human Rights](#), in *HEALTH AND HUMAN RIGHTS* 7-20 (Jonathan M. Mann et al., eds. 1999).
- Gerald M. Oppenheimer, et al. Health and Human Rights: Old Wine in New Bottles, 30 J. L., MED. & ETHICS 522-532 (2002).

Questions to Consider Before Class

- How do notions of “natural rights” relate to the modern understanding of “human rights”?
- How did the UN reframe the idea of rights in the aftermath of World War II?
- How did states include both medical care and underlying determinants of health under the broad umbrella of “a standard of living” adequate for health and wellbeing in the UDHR?

August 20/25 - Session 2: The Development of Human Rights Under International Law

Required Readings

- Chapter 2. Global Health Law: Legal Foundations for Social Justice in Public Health
- Sofia Gruskin, Edward J Mills & Daniel Tarantola, *History, Principles, and Practice of Health and Human Rights*, 370 LANCET 449-455 (2007).
- Lawrence O. Gostin, *The Next WHO Director-General’s Highest Priority: A Global Treaty on the Human Right to Health*, 4 LANCET GLOBAL HEALTH 890-892 (2016).

Optional Readings

- Stephen P. Marks, *The Past and Future of the Separation of Human Rights into Categories*, 24 MD. J. INT’L L. 209-243 (2009).
- 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).
- Video - Alicia Yamin - [History of Health and Human Rights: Through the Late 1990s](#)

Questions to Consider Before Class

- Why is it necessary for human rights to be codified under international law?
- How do human rights under international law complement social justice advocacy for public health?
- Why was the right to health a central dispute in the ideological conflict among the Cold War superpowers?

August 27/September 1 - Session 3: Health as a Human Right

Required Readings

- Chapter 3. The Right to Health and Health-Related Human Rights
- Dainius Pūras, Judith Bueno de Mesquita, Luisa Cabal, Allan Maleche & Benjamin Mason Meier, The Right to Health Must Guide Responses to COVID-19, 395 LANCET 1888-1890 (2020).

Optional Readings

- Eibe Riedel, The Human Right to Health: Conceptual Foundations, in REALIZING THE RIGHT TO HEALTH 21-39 (Andrew Clapham & Mary Robinson eds. 2009).
- Benjamin Mason Meier & Larisa M. Mori, The Highest Attainable Standard: Advancing a Collective Human Right to Public Health, 37 COLUMBIA HUMAN RIGHTS L. REV. 101 (2005).

Questions to Consider Before Class

- Why is a right to health care insufficient in reflecting the normative content of the right to health?
- What funding allocations must states make to progressively realize the right to health?
- Is it inevitable that privatization of health services will undermine the right to health?

September 3 - Session 4: Cross-Cutting Principles of Human Rights

Required Readings

- Chapter 4. The Rights-Based Approach to Health
- Paul Hunt, Interpreting the International Right to Health in a Human Rights-Based Approach to Health, 18 HEALTH & HUMAN RIGHTS 109-130 (2016).

Optional Readings

- Leslie London, What Is a Human-Rights Based Approach to Health and Does It Matter?, 10 HEALTH & HUMAN RIGHTS (2008).
- Alicia Yamin, Will We Take Suffering Seriously? Reflections on What Applying a Human Rights Framework to Health Means and Why We Should Care, 10 HEALTH & HUM RIGHTS 45 (2008).

Questions to Consider Before Class

- Given the existence of a right to health, why is it also necessary to consider a rights-based approach to health?
- How did the rights-based approach to health first arise out of the context of the HIV/AIDS response?
- How have the SDGs both succeeded and failed in embracing a rights-based approach in meeting health-related goals?

**** Position Paper 1 Due September 9***

Unit 2: Accountability for the Implementation of Human Rights in Public Health

This unit seeks to examine mechanisms of human rights implementation and accountability in health through domestic health policy, human rights advocacy, monitoring and review institutions, human rights litigation, and global health governance.

September 8/10 - Session 5: Implementing Human Rights through Public Policy

Required Readings

- Chapter 5. Translating International Law into Domestic Law, Policy, and Practice
- Carmel Williams, Alison Blaiklock & Paul Hunt, The Right to Health Supports Global Public Health, in OXFORD TEXTBOOK OF GLOBAL PUBLIC HEALTH (2020).

Optional Readings

- Benjamin Mason Meier & Lance Gable, US Efforts to Realise the Right to Health through the Patient Protection and Affordable Care Act, 13 HUMAN RIGHTS LAW REVIEW 167-190 (2013).
- Beth A. Simmons, From Ratification to Compliance: Quantitative Evidence on the Spiral Model, in THE PERSISTENT POWER OF HUMAN RIGHTS: FROM COMMITMENT TO COMPLIANCE 43-59 (Thomas Risse et. al. eds., 2013).

Questions to Consider Before Class

- Why is it important for a state to codify health-related human rights obligations in domestic law and policy?
- How does engagement with the international human rights system support accountability for national implementation of health-related human rights?
- Where the state is resistant to implementing human rights, what recourse do NGOs have to press for the implementation of health-related human rights?

September 15 - Session 6: Advocating for Human Rights as a Basis for Policy Reforms

Required Readings

- Chapter 6. Human Rights Advocacy in Global Health
- Diederik Lohman and Joseph Amon, Evaluating a Human Rights-Based Advocacy Approach to Expanding Access to Pain Medicines and Palliative Care: Global Advocacy and Case Studies from India, Kenya, and Ukraine, 17 HEALTH AND HUMAN RIGHTS 149-165 (2015).
- [TBD: Human Rights Advocacy for a “People’s Vaccine”]

Optional Readings

- Kenneth Roth, Defending Economic, Social and Cultural Rights: Practical Issues Faced by an International Human Rights Organization, 26 HUMAN RIGHTS QUARTERLY 63-73 (2004).
- Katharine Young and Jeremy Perelman, Rights as Footprints: A New Metaphor for Contemporary Human Rights Practice, 9 NORTHWESTERN JOURNAL OF HUMAN RIGHTS 27-58 (2010).

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?

September 17 - Session 7: Accountability through Monitoring & Review

Required Readings

- Chapter 7. Monitoring and Review to Assess Human Rights Implementation

- Malcolm Langford and Sakiko Fukuda-Parr, The Turn to Metrics, 30 NORDIC JOURNAL OF HUMAN RIGHTS 222-238 (2012).

Optional Resources

- Benjamin Mason Meier and Virginia Brás Gomes, Human Rights Treaty Bodies: Monitoring, Interpreting, and Adjudicating Health-Related Human Rights, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 509-535 (Benjamin Mason Meier & Lawrence O. Gostin, eds. 2018).
- Judith R. Bueno de Mesquita, Connor Fuchs, and Dabney P. Evans, The Future of Human Rights Accountability for Global Health through the Universal Periodic Review, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 537-555 (Benjamin Mason Meier & Lawrence O. Gostin, 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?

September 22 - Session 8: Litigation as a Basis for Human Rights Accountability

Required Readings

- Chapter 8. Justiciability of Human Rights for Health
- Alicia Ely Yamin, Beyond Compassion: The Central Role of Accountability in Applying a Human Rights Framework to Health, 10 HEALTH & HUMAN RIGHTS 1-20 (2008).

Optional Readings

- George J. Annas, The Right to Health and the Nevirapine Case in South Africa, 348 NEW ENG. J. MED. 750 (2003).
- Benjamin Mason Meier & Alicia Ely Yamin, Right to Health Litigation and HIV/AIDS Policy, 39 JOURNAL OF LAW, MEDICINE & ETHICS 81-84 (2011).

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?

September 24 - Session 9: Human Rights in Global Health Governance

Required Readings

- Chapter 9. Advancing Human Rights through Global Health Governance
- Benjamin Mason Meier & William Onzivu, The Evolution of Human Rights in World Health Organization Policy and the Future of Human Rights Through Global Health Governance, 128 PUBLIC HEALTH 179-187 (2014).

Optional Readings

- Paul Hunt, Configuring the UN Human Rights System in the “Era of Implementation”: Mainland and Archipelago, 39 HUMAN RIGHTS QUARTERLY 489-538 (2017).
- 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).

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 September 30**

Unit 3: Applications of Human Rights to Disease Prevention and Health Promotion

Drawing from the first two units, this unit seeks to explore the application of human rights in contemporary efforts to: respond to infectious disease threats, address the rise of non-communicable diseases, recognize new rights to water and sanitation, establish the importance of rights in addressing the chronic harms disability and mental illness, and advance gender-based norms for sexual and reproductive health and rights.

As part of this application of human rights to health, you will develop an outline for your final paper in this course and learn more about the process of developing your own research.

September 29 - Session 10: Communicable Disease Prevention, Detection & Response

Required Readings

- Chapter 10. Communicable Diseases, Health Security, and Human Rights: From AIDS to Ebola
- Sharifah Sekalala et al., Health and Human Rights Are Inextricably Linked in the COVID-19 Response, *BMJ GLOBAL HEALTH* (forthcoming).

Optional Readings

- Lawrence Gostin & Jonathan Mann, Towards the Development of a Human Rights Impact Assessment for the Formulation and Evaluation of Health Policies, *1 HEALTH & HUMAN RIGHTS* 59-80 (1994).
- Benjamin Mason Meier, Dabney P. Evans & Alexandra Phelan, Rights-Based Approaches to Preventing, Detecting, and Responding to Infectious Disease Outbreaks, in *INFECTIOUS DISEASES IN THE NEW MILLENNIUM: LEGAL AND ETHICAL CHALLENGES* 217-253 (Mark Eccleston-Turner & Iain Brassington, eds. 2020).

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?

October 1 - Session 11: Commercial Determinants of Non-Communicable Disease

Required Readings

- Chapter 11. Human Rights and Non-Communicable Diseases: Controlling Tobacco and Promoting Healthy Diets
- Sofia Gruskin, Laura Ferguson, Daniel Tarantola & Robert Beaglehole, Noncommunicable Diseases and Human Rights: A Promising Synergy, 104 AMERICAN JOURNAL OF PUBLIC HEALTH 773-775 (2014).

Optional Readings

- Carolyn Dresler & Stephen Marks, The Emerging Human Right to Tobacco Control, 28 HUMAN RIGHTS QUARTERLY 599-651 (2006).
- 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 Toebe eds. 2018).

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?

October 7 (Wednesday night) - [Health & Human Rights Lecture](#)

October 8 - Session 12: The Rights to Water & Sanitation

Required Readings

- Chapter 12. The Emergence of “New” Health-Related Human Rights: Recognizing the Human Rights to Water and Sanitation.
- Catarina de Albuquerque, Introduction, in REALISING THE HUMAN RIGHTS TO WATER AND SANITATION: A HANDBOOK 23-36 (2014).
- Inga Winkler, Human Rights Shine a Light on Unmet Menstrual Health Needs and Menstruation at the Margins, 133 OBSTETRICS & GYNECOLOGY 235-237 (2019).

Optional Readings

- Benjamin Mason Meier, Georgia Lyn Kayser, Urooj Quezon Amjad & Jamie Bartram, Implementing an Evolving Human Right Through Water and Sanitation Policy, 15 WATER POLICY 116-133 (2013).
- Inga T. Winkler & Virginia Roaf, Taking the Bloody Linen out of the Closet: Menstrual Hygiene as a Priority for Achieving Gender Equality, 21 CARDOZO J.L. & GENDER 1-37 (2014-2015).

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 October 12**

Please submit a one-paragraph summary and short outline of your final paper. This outline should address an issue of global health and human rights 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.

October 13 - Session 13: Mental Health & Human Rights

Required Readings

- Chapter 13. Chronic Illness: Disability and Mental Health.
- Amita Dhanda, From Duality to Indivisibility: Mental Health Care and Human Rights, 32 SOUTH AFRICAN JOURNAL OF HUMAN RIGHTS 438-456 (2016).

Optional Readings

- Lance Gable & Lawrence O. Gostin, Mental Health as a Human Right, in REALIZING THE RIGHT TO HEALTH 249-261 (2009).
- Arlene S. Kanter, THE DEVELOPMENT OF DISABILITY RIGHTS UNDER INTERNATIONAL LAW: FROM CHARITY TO HUMAN RIGHTS 21-63 (2014).

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?

October 15 - Session 14: Sexual and Reproductive Health & Rights

Required Readings

- Chapter 14. Equity in Health: Sexual and Reproductive Health and Rights.
- Sofia Gruskin et al., Using Human Rights to Improve Maternal and Neonatal Health: History, Connections and a Proposed Practical Approach, 86 BULLETIN OF THE WORLD HEALTH ORGANIZATION 589-593 (2008).
- Richard G. Parker, Sexuality, Health, and Human Rights, 97 AMERICAN JOURNAL OF PUBLIC HEALTH 972-973 (2007).

Optional Readings

- Lynn P. Freedman & Marta Schaaf, Act Global, But Think Local: Accountability at the Frontlines, 21 REPRODUCTIVE HEALTH MATTERS 103-112 (2013).
- Gita Sen, Aditi Iyer, Sreeparna Chattopadhyay & Rajat Kosla, When Accountability Meets Power: Realizing Sexual and Reproductive Health and Rights, 19 SEXUAL AND REPRODUCTIVE HEALTH MATTERS 1-11 (2020).

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 October 21**

October 20 - Bonus Session: Research in Health & Human Rights

Required Readings

- Caitlin R. Williams, How to Write a Global Health & Human Rights Paper (July 2020)

Optional Readings

- Bård A. Andreassen, Hans-Otto Sano and Siobhán McInerney-Lankford, Human Rights Research Method, in RESEARCH METHODS IN HUMAN RIGHTS 1-13 (Bård A. Andreassen et al., eds. 2017).
- Lawrence Gostin & Jonathan M. Mann, Towards the Development of a Human Rights Impact Assessment for the Formulations and Evaluation of Public Health Policies, 1 HEALTH & HUMAN RIGHTS 59-80 (1994).

Unit 4: New Health Challenges in a Globalizing World

This final unit looks ahead to the rising human rights challenges of a rapidly globalizing world, addressing: the human rights implications of economic development policy, the global health impacts of international trade governance, the humanitarian norms attendant to health emergencies, the ethical standards governing clinical trials, the cataclysmic effects of climate change, and the populist threat to global health and human rights.

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.

October 22 - Session 15: Economic Development Policy for Public Health

Required Readings

- Chapter 15. Health and Human Rights through Development: The Right to Development, Rights- Based Approach to Development, and Sustainable Development Goals.
- Paula Braveman & Sofia Gruskin, Poverty, Equity, Human Rights and Health, 81 BULLETIN OF THE WORLD HEALTH ORG. 539-545 (2003).

Optional Readings

- Benjamin Mason Meier & Ashley M. Fox, Development as Health: Employing the Collective Right to Development to Achieve the Goals of the Individual Right to Health, 30 HUMAN RIGHTS QUARTERLY 259-355 (2008).
- Stephen P. Marks, Integrating a Human Rights-Based Approach to Development and the Right to Development into Global Governance for Health, in HUMAN RIGHTS IN GLOBAL HEALTH: RIGHTS-BASED GOVERNANCE FOR A GLOBALIZING WORLD 331-351 (Benjamin Mason Meier & Lawrence O. Gostin eds. 2018).

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?

October 29 - Session 16: International Trade Law as a Threat to Health & Human Rights

Required Readings

- Chapter 16. International Trade, Public Health, and Human Rights.
- 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).

Optional Readings

- Forman, Lisa. 2016. "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).
- Harold Hongju Koh, Global Tobacco Control as a Health and Human Rights Imperative, 57 HARVARD INTERNATIONAL LAW JOURNAL 433-453 (2016).

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?

November 5 - Session 17: International Humanitarian Law to Protect Public Health

Required Readings

- Chapter 17. Health and Human Rights in Conflict and Emergencies.
- ICRC, What is International Humanitarian Law? (2004) Available from: https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf

Optional Readings

- The Sphere Standards Handbook, 311-348 (2018), Available from: <https://www.spherestandards.org/handbook/editions/>
- World Health Organization, Global Health Cluster Strategy, 2017-2019 (2017)

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?

November 10 - Session 18: Human Rights in Human Experimentation

Required Readings

- Chapter 18. Human Subjects in Globalized Health Research.
- Stanley A. Plotkin & Arthur Caplan, Extraordinary Diseases Require Extraordinary Solutions, 38 VACCINE 3987-3988 (2020).

Optional Readings

- Ezekiel J. Emanuel et al., What Makes Clinical Research in Developing Countries Ethical? The Benchmarks of Ethical Research, 189 J INFECTIOUS DISEASE 930 (2004).
- Benjamin Mason Meier, International Protection of Persons Undergoing Medical Experimentation: Protecting the Right of Informed Consent, 20 BERKELEY J. INT'L L. 513 (2003).

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?

November 12 - Session 19: Climate Change as a Cataclysmic Threat to Health & Human Rights

Required Readings

- Chapter 19. The Environment, a Changing Climate, and Planetary Health.
- John Knox, Bringing Human Rights to Bear on Climate Change, 9 CLIMATE LAW 165-179 (2019).

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).
- M. Joel Voss, Contesting human rights and climate change at the UN Human Rights Council, 11 JOURNAL OF HUMAN RIGHTS AND THE ENVIRONMENT 6-29 (2020).

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?

November 17 - Session 20: Populist Challenges to Future Progress

Required Readings

- Chapter 20. Global Health and Human Rights in the Age of Populism.
- Caitlin R. Williams, Jocelyn Getgen Kestenbaum & Benjamin Mason Meier, Populist Nationalism Threatens Health & Human Rights in the COVID-19 Response, AMERICAN JOURNAL OF PUBLIC HEALTH (forthcoming 2020).

Optional Readings

- Benjamin Mason Meier, Dabney P. Evans, Matthew M. Kavanagh, Jessica M. Keralis & Gabriel Armas-Cardona, Human Rights in Public Health: Deepening Engagement at a Critical Time, 20 HEALTH & HUMAN RIGHTS JOURNAL 85-91 (2018).
- Ewe Speed & Russell Mannion, The Rise of Post-Truth Populism in Pluralist Liberal Democracies: Challenges for Health Policy, 6 INTERNATIONAL JOURNAL OF HEALTH POLICY AND MANAGEMENT 249-251 (2017).

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 Tuesday, November 24***