

INTERNATIONAL HUMAN RIGHTS IN PUBLIC HEALTH

HPM 301.655,

2d Quarter, 1998/1999

The Johns Hopkins School of Hygiene and Public Health

Professor Lawrence O. Gostin

SYLLABUS¹

This seminar examines the interrelationships between modern concepts of public health and international human rights, focusing on the AIDS pandemic and other global health threats as models of demonstration. The first relationship to be examined is the impact of health policies, programs, and practices on human rights. The second relationship is the health impacts resulting from violations of human rights. The third relationship is the inextricable linkage between health and human rights. The seminar will use the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights as the dominate instruments of analysis. We will carefully consider the meaning of the right to health and the material differences between negative and positive rights in international law. We will also explore the tensions between human rights as entitlements which are universal or culturally-relative.

I. Course Requirements

- A. **Time and Place.** The course will meet on Monday afternoons from 1:30-3:20 p.m. in Room 244, Hampton House Building, Broadway.
- B. **Readings.** The Syllabus contains a list of readings for each meeting. The required text is **LAWRENCE O. GOSTIN AND ZITA LAZZARINI, HUMAN RIGHTS AND PUBLIC HEALTH IN THE AIDS PANDEMIC**. A package of handout materials to be distributed to students at the beginning of the term is also required. Students are responsible for reading all assignments and familiarizing themselves with the appropriate international instruments before each class.
- C. **Team Presentations and Papers.** Students will be assigned to mutli-disciplinary teams comprised of students with varied backgrounds to make a presentation in class on a relevant subject in health and human rights. This presentation should also be the subject of a scholarly paper prepared by the team members for the course. Papers should not exceed fifteen (15) pages. **Note** - teams handing out materials for the class to facilitate discussion on their

¹ . The idea and content of this course were developed collectively by Professor Jonathan Mann, Zita Lazzarini, and I at the Harvard School of Public Health. A similar course is given at Harvard and at Johns Hopkins entitled "International Health and Human Rights."

topics should do so the week prior to delivering their presentation.

- D. **Grading.** An individual's grade for the course will be assigned based on individual and team performance. Each individual's grade will be based on the following: individual class participation outside team presentation (25%), team's presentation (25%), and the team's scholarly paper (50%). Individual class participation will be assessed on a qualitative rather than quantitative basis.

II. Structure of the Course

- A. **Lectures and Discussions.** Most class sessions will be based on a lecture and class discussion of the issues raised by the lecture and the readings. Class discussions showing rigorous thought and an informed understanding of the subject matter will be an integral part of the learning process.
- B. **Cases.** Several sessions will include discussion of specific case studies. The students will be asked to apply the Public Health/Human Rights Impact Assessment to the specific cases.

III. Assigned Readings/Topics

The following assignments from the text are required in addition to any additional readings contained in the handout materials or distributed in advance during the course of the semester:

WEEK OF:	#	CLASS TOPIC AND ASSIGNED TEXT PAGES:
November 2 LOG	1	Introduction to the Course and the History and Context of Human Rights , text pp. vii-xvii, 1-43 & Week 1 handout materials
November 9 LOG	2	Core Principles of Human Rights and the International Bill of Human Rights , text pp. 43-55, 193-198 & Week 2 handout materials

November 23 ² LOG	3	Evaluating the Impact of Public Health Policies and Programs on Human Rights: The Public Health/Human Rights Impact Assessment , text pp. 57-67 & Week 3 handout materials <u>ASSIGNMENT OF TEAM MEMBERS</u>
November 30 LOG	4	The Realization of Economic, Social, and Cultural Rights: The Right to Health , Week 4 handout materials <u>SELECTION OF TEAM PRESENTATION TIMES</u>
December 7 JGH	5	AIDS Policies and Practices: Integrating Public Health and Human Rights , <i>Case Study 2: Breast Feeding and Vertical Transmission of HIV</i> , text pp. 69-107, 148-157 and Week 5 handout materials
December 14 LOG	6	TEAM PRESENTATIONS: 1. TEAM _____ (1:30-2:20 p.m.) 2. TEAM _____ (2:30-3:20 p.m.)
December 21 LOG	7	TEAM PRESENTATIONS [continued]: 3. TEAM _____ (1:30-2:20 p.m.) 4. TEAM _____ (2:30-3:20 p.m.)
January 4 LOG	8	TEAM PRESENTATIONS [continued]: 5. TEAM _____ (1:30-2:20 p.m.) 6. TEAM _____ (2:30-3:20 p.m.)
January 11 LOG		TEAM PRESENTATIONS [continued]: 7. TEAM _____ (1:30-2:20 p.m.) 8. TEAM _____ (2:30-3:20 p.m.) FINAL TEAM PAPERS DUE

IV. Administrative Details

- A. **Instructor Availability.** I will be available after each class to answer any questions and by appointment. My office at Georgetown University Law Center is Room 470. My office telephone number is **662-9373; 662-9680** (fax). My secretary is Jennifer Fairfax. You can also reach me via e-mail: *gostin@law.georgetown.edu*.
- B. **Final Thoughts.** I have long been fascinated by the subject matter of this course and have spent years studying and researching various topics at the interface of international human rights and public health. I hope you will share my enthusiasm for

². The class on November 16, 1998 will not meet due to the American Public Health Association conference.

the intellectually challenging ideas presented in the readings and the class work. I look forward to getting to know you and to many thoughtful discussions. If I can ever be of assistance, please come by and see me at any mutually convenient time.

V. Team Assignments

Team A:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team C:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team E:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team B:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team D:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team F:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team G:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate

Team H:

J.D. or J.D. candidate

Ph.d., M.D., or candidate

MPH candidate