

## **WORKSHOP REPORT**

Heidelberg, Germany, 13-14 November 2019

On 13-14 November, 2019, the Workshop “The Contested Authority of International Institutions in Global Health: National Decouplings, Regional Stumbling Blocks and International Collisions” took place in Heidelberg. It was jointly organized by the Forschungsstätte der evangelischen Studiengemeinschaft/FEST (Thomas Lange) and the Max Planck Institute for Comparative Public Law and International Law (Pedro A. Villarreal).

The main goal of the workshop was to explore how institutions play a central role in the formation of structures – including in the governance of international policy areas. This is particularly the case in international health policy. Despite many successful examples, the action of institutions can be associated with complications and blockages. For this reason, global health faces a growing set of obstacles in several topics, such as the protection against non-communicable diseases, or public health emergencies. This applies equally to the international, regional and national levels. The panels of the workshop were divided across these thematic lines.

Thomas Lange (FEST-Institute Heidelberg) held introductory remarks, outlining the overall conceptual themes of the workshop, as well as an overview of the format. At the beginning of the workshop, Professor Till Bärnighausen provided a keynote speech in which he explored multiple issues in which the work of medical experts in global health stumbles upon governance issues at all levels. The use of quantitative data, while necessary, needs to be contrasted with other social, non-medical issues as well.

The first panel of the workshop was divided in two parts, where presentations focused on the multilateral level, and a set of diverse Inter-Institutional Links and Collisions in Public Health. In the first part, André Isidro (Technical University of Munich) shared with the audience his research on “What Makes Global Health Partnerships Successful Coordination Mechanisms? Institutional Design, Partnership Dynamics, and the Strategic Choice of Actors”. Later, a joint presentation by Yoshiko Naiki (Nagoya University) and Akiko Kato (Nihon University) followed suit, with the topic “The Role of Non-State Actors in a Polycentric Health Governance System: The Case of Access to Medicines and Pharmaceutical Company Ranking”. Closely related to the latter, Wolfgang Hein discussed his work on “Access to Medicines: WHO Authority Contested by Non-State Actors and their Alliances with Member States”. Both touched upon the salient role of non-state actors in general, and the pharmaceutical industry in particular, in both the creation of new, and the steering of existing frameworks of access to medicines.

In the second part of the first panel, Jhon Carmona (Harvard University) joined the workshop remotely via conference call. He dealt with “Tuberculosis Control Policies: International Institutions, the Limits of Standardization and the Risks of Competition”, by focusing on a case study of Peru. In turn, Thérèse Murphy (Queen’s University Belfast) spoke on “Calibrating Contested Authority: The Case of the United Nations Special Procedures”, by explaining at length how this mechanism fosters the promotion of human rights through thematic or country-specific reports focused on national developments. Their uncertain legal status raises questions regarding their conceptual weight. Brigit Toebes (University of Groningen) discussed “Global Health Law: A Diamond in the Rough?”. She fleshed out some of the burgeoning legal components of the concept, which require additional debates regarding their breadth and scope. In the final presentation of this part, Margherita Melillo (Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law) addressed the topic of “The Growing Role of ‘Expert’ Civil Society in Institutional Law Making: From the Negotiations of the Framework Convention on Tobacco Control to the Development of the Guidelines”. In sum, the first panel included both general and specific themes having the multilateral level as a common element.

The second panel, also divided in two parts, purported to look at how regional developments can constitute either building or stumbling blocks for the promotion of health at the international level. The first part consisted of Amitabha Sarkar (Jawaharlal Nehru University), who joined the workshop from India also via conference call. He focused on his recently finished PhD Dissertation, by presenting on “International Health Governance Revisited: World Bank in the Age of Global Health Governance”. Among other things, he dealt with the multiple layers of governance and a critical perspective on how, in the past, the World Bank promoted a neoliberal approach of healthcare system-building based on privatization as a means to achieve policy goals. Anne Roemer-Mahler (University of Sussex) presented her work, co-authored with Lewis Husain, Adamu Addissie and Yisambi Mwanshemele, on “The New Africa Centres for Disease Control and Prevention (Africa CDC) and the Governance of Health in Africa: Spaces of Collaboration and Contestation”. The unique features of this relatively new institution were analyzed more deeply, in order to better assess its role within the African Union.

The second part of the second panel started with Susan Bergner, who discussed her joint work with Maike Voss on “Stability and Cooperation through Health: A New Narrative for the European Union’s Global Health Policy”. Of particular interest were the complex dynamics related to the distribution of competences in issues of public health between the EU institutions, on one hand, and its Member States, on the other hand. Then, Patrycja Dąbrowska-Kłosińska (Queen’s University Belfast/Warsaw University of Technology) held a presentation on “Comparative Judicial Standards on Human Rights and Vaccination Refusals: ‘Stepping Stones’ or ‘Stumbling Blocks’ for Addressing Vaccine Hesitancy by the WHO?”. She undertook a comparison of existing case law rising from reforms in several European countries establishing mandatory vaccination.

The third and last panel dealt with national-focused studies, and how they are ultimately determinant of the stated goals of the international promotion of health. Here, Hayley MacGregor (Institute of Development Studies) discussed her research on “Preparedness

from Below’: What Does Understanding of Epidemic Preparedness Reveal about Challenges for Global Health Governance across Local, Regional and Global Levels?”. Field research through the Sonar Project in Sierra Leone and Uganda, particularly in the aftermath of the West-African Ebola crisis of 2014-2016, is made through an emphasis on the question: who is being prepared for what, and by whom? Lastly, the presentation by Tom Syring (Human Rights Research League), entitled “Emergency Relief in the ‘Heart of Darkness’: International Organizations, Humanitarian Actors, and the Challenges of Access and Cooperation in Failing States – The Case of the Democratic Republic of the Congo”, showcased his on-the-ground experience in the DRC during the Ebola outbreak that began in 2018. Contradictions in the relief work of international institutions in its implementation at the country level, were also highlighted. At the end of the workshop, Pedro A. Villarreal provided concluding remarks, by hinting at possible steps for future joint collaborations amongst the attending participants.



