



THE ROLE OF INTERNATIONAL LAW IN ADDRESSING GLOBAL HEALTH CRISES

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ABSTRACT

International law is essential in managing global health crises. It sets frameworks for coordinated responses and resource sharing. This article reviews key legal tools. It examines the International Health Regulations and the proposed Pandemic Treaty. These instruments aim to prevent disease spread and ensure timely reporting. They also boost international cooperation. The study uses case examples such as the 2010 Haiti cholera outbreak and the West African Ebola incident. The analysis shows successes and reveals gaps in enforcement. It points out where compliance has fallen short. Each case offers valuable lessons for future health emergencies. Challenges continue to hinder effective global responses. National sovereignty often conflicts with international obligations. Uneven resource distribution further complicates efforts. Political interference can delay necessary actions. The study also highlights the role of non-state actors. NGOs and private partners help in advocacy and implementation. The article concludes that stronger legal frameworks are critical. It calls for enhanced international collaboration to build resilient health systems. These improvements are vital for protecting vulnerable populations. It also helps guide policymakers in a rapidly changing world.

Keywords: International, Law, Health, Crisis, Cooperation, Regulations, Pandemic, International Health Regulations (IHR), World Health Organization (WHO).

INTRODUCTION

Global health crises are significant emergencies. They cross international borders. They affect large populations. They take many forms. Epidemics and pandemics are common. They cause widespread harm. Examples include SARS, Ebola, and COVID-19. Such crises demand urgent

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attention. They test global preparedness and response. Health systems must react swiftly. Worldwide action is needed now. Our future depends on immediate action. Global health crises deeply affect economies. They disturb international stability. Crises lead to economic downturns. They disrupt trade worldwide. Healthcare systems become overwhelmed. The COVID-19 pandemic hurt millions. Jobs were lost rapidly. Businesses closed unexpectedly. Recessions followed swiftly. Economic recovery requires hard work. Markets need strong rebuilding efforts. Financial strains cause public hardship. Economic damage requires strong interventions. Hope endures. Global health crises worsen social inequalities. They create deep political tensions. Vulnerable populations suffer the most. Increased poverty and unrest follow crises. Social support systems are strained. Public services struggle to cope. Weak healthcare worsens conditions. The World Health Organization warns repeatedly. Pandemics expose systemic weaknesses. Security risks rise globally. Communities face greater challenges. Society must rebuild fairness. Change urgently. Global challenges require coordinated responses. Nations must work together. No country can fight pandemics alone. International collaboration saves lives. Experts share information openly. Resources are pooled for solutions. Strategies are developed collectively. Disease spread is slowed by teamwork. Impacts are reduced with joint efforts. The United Nations supports global solidarity. Countries join hands to protect people. Cooperation builds stronger defences. International law is vital. It facilitates global cooperation. Legal frameworks set clear guidelines. Countries must follow these rules. Transparency is promoted through law. Accountability is enforced strictly. Dispute resolution mechanisms are in place. Resource allocation follows legal standards. The International Health Regulations guide responses. They help prevent health risks. Laws cross borders to protect people. They ensure fair practices globally.

HISTORICAL CONTEXT OF INTERNATIONAL HEALTH LAW

International health rules have grown over time. They reflect worldwide efforts to tackle cross-border threats. The journey started in the mid-nineteenth century. Early International Sanitary Conferences focused on cholera, plague, and yellow fever. These meetings built a foundation for joint health governance. Nations met and shared ideas. Early collaboration laid the groundwork for global health cooperation and improved disease management. A major milestone occurred in 1951. The World Health Organization adopted sanitary regulations. These rules monitored six quarantinable diseases. They included cholera and smallpox. In 1969, the rules were revised. They became known as International Health Regulations. The

focus shifted to four diseases. The new framework guided nations in managing plague, yellow fever, and emerging health risks effectively. It improved cooperation. In 2005, major changes were made to the IHR. The scope expanded to include all health emergencies. It was no longer limited to a few diseases. The revision stressed prompt reporting. Global response coordination became essential. In 2009, the H1N1 pandemic tested the new rules. They showed clear strengths and weaknesses. The experience spurred improvements in managing international health crises.¹ Past health emergencies taught important lessons. The Ebola outbreak in West Africa was a harsh reminder. It showed the need for strong health systems. Rapid international support is crucial. The outbreak exposed gaps in crisis responses. The IHR did not always work perfectly. Lessons learned have driven efforts to improve global health security. Future responses will benefit from these experiences.²

KEY INTERNATIONAL LEGAL FRAMEWORKS

International Health Regulations (IHR): International Health Regulations are essential global rules. They are legally binding for 196 countries, including every WHO member. Their main goal is to stop diseases from spreading internationally. They aim to protect, control, and respond to health threats quickly. They also work to prevent unnecessary disruptions to travel and trade. These rules promote cooperation and safeguard communities across borders globally. IHR require nations to build systems for tracking and responding to health threats. Countries must report outbreaks to the WHO promptly. They must slow disease spread through effective measures. The rules set criteria for identifying serious events. When a threat becomes an emergency, international actions are triggered. These rules help nations act quickly and coordinate responses to protect public health.³ IHR has a broad scope covering many health risks. They promote global cooperation. Their comprehensive design is a major strength. Yet challenges persist in enforcement and compliance. Member states must self-report and follow rules. National resource differences lead to uneven application. These limitations can weaken

¹ Katz, Rebecca & Fischer, Julie. (2009). The Revised International Health Regulations: A Framework for Global Pandemic Response. *Global Health Governance*. 3.

² Gostin LO, DeBartolo MC, Friedman EA. The International Health Regulations 10 years on: the governing framework for global health security. *Lancet*. 2015 Nov 28;386(10009):2222-6. doi: 10.1016/S0140-6736(15)00948-4. Epub 2015 Nov 25. PMID: 26615327; PMCID: PMC7138064.

³ International Health Regulations <https://www.who.int/health-topics/international-health-regulations>

effectiveness. Despite issues, IHR remains a vital tool for coordinating international health responses and protecting communities.⁴

World Health Organization (WHO) Framework: Since its founding in 1948, the WHO has become a central force in global health. It is the UN agency dedicated to public health worldwide. Its job is to direct and coordinate responses when health threats arise. It sets standards that guide nations and offers technical support when needed. The WHO stands as the main authority on international health matters within the UN system. In times of crisis, the WHO leads efforts on a global scale. It carefully evaluates public health risks and promptly shares crucial information. It gathers resources and provides clear advice on best practices. Nations follow its guidance to control and contain health threats. Its leadership ensures that international responses are coordinated and effective during emergencies, helping to protect communities around the world. Despite its strong authority, the WHO faces challenges in ensuring compliance with health rules. It does not hold direct power to enforce laws. Instead, it depends on nations to adopt its recommendations. Political issues and limited resources often hinder progress. National interests make coordinated action difficult. These challenges lessen WHO directives' impact and hinder global health cooperation. Clearly, challenges persist.⁵

Proposed Pandemic Treaty: The COVID-19 crisis exposed major gaps in global health security. These weaknesses sparked calls for a new international agreement. The proposed treaty aims to improve pandemic prevention, preparedness, and response. It seeks to unite countries for better cooperation and coordination. The plan will ensure swift effective responses to future emergencies. It learns from COVID-19 to build stronger health systems globally. Negotiations continue on the proposed treaty. Its main goals include improving global surveillance systems. It also aims to ensure fair access to vaccines and medical supplies. Clear rules for sharing information and resources will be set. The treaty strives to build resilience

⁴ Aavitsland P, Aguilera X, Al-Abri SS, Amani V, Aramburu CC, Attia TA, Blumberg LH, Chittaganpitch M, Le Duc JW, Li D, Mokhtariazad T, Moussif M, Ojo OE, Okwo-Bele JM, Saito T, Sall AA, Salter MWAP, Sohn M, Wieler LH. Functioning of the International Health Regulations during the COVID-19 pandemic. *Lancet*. 2021 Oct 9;398(10308):1283-1287. doi: 10.1016/S0140-6736(21)01911-5. Epub 2021 Sep 24. PMID: 34570995; PMCID: PMC8497022.

⁵ L.O. Gostin, D. Sridhar, D. Hougendobler, The normative authority of the World Health Organization, *Public Health*, Volume 129, Issue 7, 2015, Pages 854-863, ISSN 0033-3506, <https://doi.org/10.1016/j.puhe.2015.05.002>. (<https://www.sciencedirect.com/science/article/pii/S0033350615002000>)

among nations. It promotes solidarity and stronger responses to future pandemics through enhanced cooperation. This treaty ensures safety.⁶

The Intergovernmental Negotiating Body, set up by the World Health Assembly, now leads efforts to create a new pandemic treaty. Countries are actively discussing and drafting its terms. Their shared success depends on reaching a consensus. They must address the challenges revealed during COVID-19. Global cooperation and commitment are key to shaping this crucial international agreement. Strong unity drives future progress. International legal frameworks are vital in our health system. They offer structure and clear guidance for managing emergencies. Their strength comes from the commitment of all nations. Countries must work together to follow these regulations. By honouring established rules and agreements, communities worldwide can better protect their citizens. Ongoing collaboration is essential for safety and preparedness. Consistent enforcement builds trust.⁷

INTERNATIONAL LAW IN RECENT HEALTH CRISES

COVID-19 Pandemic: During COVID-19, the International Health Regulations played a central role in the global response. The World Health Organization declared the outbreak a Public Health Emergency of International Concern on January 30, 2020. This declaration was made under IHR guidelines to encourage coordinated international action and resource mobilization. Countries looked to these regulations for clear direction in managing the escalating crisis. Despite guidance from the IHR, legal challenges emerged during the pandemic. Several countries imposed unilateral travel restrictions and trade measures that strayed from WHO recommendations. Such actions conflicted with the IHR framework. Differing national health laws and varied interpretations of IHR obligations led to fragmented responses. These inconsistencies delayed coordinated global action in addressing the widespread health crisis across borders. The pandemic exposed clear limits in enforcing international health laws. The IHR lacks the power to compel compliance and depends on member states' goodwill. This reliance caused delayed reporting and poor information sharing. As a result, timely interventions were hindered. The experience underscores the need to

⁶ Pandemic prevention, preparedness and response accord 10 June 2024 Emergency Preparedness ADGO (EPA), Emergency Response (WRE) <https://www.who.int/news-room/questions-and-answers/item/pandemic-prevention--preparedness-and-response-accord>

⁷ Pandemic prevention, preparedness and response accord 10 June 2024 Emergency Preparedness ADGO (EPA), Emergency Response (WRE) <https://www.who.int/news-room/questions-and-answers/item/pandemic-prevention--preparedness-and-response-accord>

strengthen legal frameworks for effective global health governance and faster, immediate responses in future crises.⁸

Ebola Outbreaks: During the West African Ebola outbreak from 2014 to 2016, the World Health Organization declared a Public Health Emergency of International Concern. This declaration activated legal measures under the IHR framework. Authorities established quarantine protocols, issued travel advisories, and mobilized global support for affected nations. These steps aimed to contain the disease and provide essential resources for combating the outbreak. Global coordination during the outbreak received strong criticism. The international response was widely viewed as slow and insufficient. Weak health systems in affected regions, combined with delayed global intervention, worsened the crisis severely. The situation clearly revealed deficiencies in how the IHR were applied. It emphasized the urgent need for stronger compliance measures and effective responses in future emergencies globally. The Ebola crisis taught valuable lessons for future health emergencies. It highlighted the need for rapid responses and stronger health systems. Clear legal mandates and the authority to enforce regulations are essential. Building trust in communities and respecting cultural differences proved critical. These experiences show that international legal frameworks work when implemented on time with full compliance and flexible responses.⁹

CHALLENGES IN IMPLEMENTING INTERNATIONAL HEALTH LAW

Implementing international health law is difficult. Many challenges hinder global health efforts. National sovereignty often clashes with international health duties. Countries sometimes prioritize their own interests. They delay reporting outbreaks. They hesitate to adopt global guidelines. This tension weakens collective efforts to handle health emergencies. Balancing national control with global responsibility is an ongoing struggle for many governments every day.¹⁰ The International Health Regulations rely on voluntary compliance. They lack strong enforcement tools. This weakness leads to uneven implementation. During

⁸ Gostin, Lawrence O.; Habibi, Roojin; and Meier, Benjamin Mason, "Has Global Health Law Risen to Meet the COVID-19 Challenge? Revisiting the International Health Regulations to Prepare for Future Threats" (2020). *Georgetown Law Faculty Publications and Other Works*. 2264. <https://scholarship.law.georgetown.edu/facpub/2264>

⁹ Heymann, D. L., Chen, L., Takemi, K., Fidler, D. P., Tappero, J. W., Thomas, M. J., Kenyon, T. A., Frieden, T. R., Yach, D., Nishtar, S., Kalache, A., Olliaro, P. L., Horby, P., Torreale, E., Gostin, L. O., Ndomondo-Sigonda, M., Carpenter, D., Rushton, S., Lillywhite, L., Devkota, B., ... Rannan-Eliya, R. P. (2015). Global health security: the wider lessons from the west African Ebola virus disease epidemic. *Lancet (London, England)*, 385(9980), 1884–1901. [https://doi.org/10.1016/S0140-6736\(15\)60858-3](https://doi.org/10.1016/S0140-6736(15)60858-3)

¹⁰ Lawrence O. Gostin, Allyn L. Taylor, Global Health Law: A Definition and Grand Challenges, *Public Health Ethics*, Volume 1, Issue 1, April 2008, Pages 53–63, <https://doi.org/10.1093/phe/phn005>

the COVID-19 crisis, some nations did not meet their obligations. Without robust enforcement, inconsistent reporting and delayed actions became common. This failure hindered a timely global response. Strengthening enforcement is crucial for effective international health law to truly save lives.¹¹ Many countries face challenges in responding to health emergencies. Low- and middle-income nations often lack necessary resources. They struggle with vaccine access and limited healthcare infrastructure. These inequalities worsen global health gaps. Disparities hinder a unified international response. Equal support and resource sharing are needed. Bridging these gaps will improve overall resilience and protect vulnerable communities worldwide for lasting impact.¹² Political agendas often interfere with international health law. Economic interests also play a major role. Some countries impose travel bans and trade restrictions despite global advice. Domestic pressures can override international recommendations. These actions weaken the collective response. The influence of politics and economics challenges the implementation of agreed standards. Building trust and transparency is vital for unified action always.¹³

THE ROLE OF NON-STATE ACTORS

Non-state actors hold a major role in shaping global health policies. NGOs push for policy changes, offer on-the-ground support during crises, and hold governments accountable. Their active involvement brings diverse views and enriches policy formulation. These organizations ensure that communities are heard and that international health laws reflect real needs. They make global health governance more inclusive and responsive every day. The private sector also makes a significant impact on global health initiatives. Companies invest in funding, drive research, and develop innovative medical technologies that boost responses during emergencies. Public-private partnerships merge resources and ideas, fostering better collaboration. This cooperation accelerates innovation and boosts resource mobilization, helping build a more resilient and responsive health system worldwide in times of need overall. Civil society organizations play a crucial role in the development of health law. They engage

¹¹ Sohn M, Ro D, Koh DH, Lee S, Kim SY. The problems of International Health Regulations (IHR) in the process of responding to COVID-19 and improvement measures to improve its effectiveness. *J Glob Health Sci.* 2022 Jan;3(2):e18. <https://doi.org/10.35500/jghs.2021.3.e18>

¹² Gavin Yamey, Marco Schäferhoff & Shingai Machingaidze, How to fix the Global System for distributing Mpox shots *Time* (2024), https://time.com/7018580/mpox-vaccines-africa-distribution/?utm_source=chatgpt.com (last visited Feb 4, 2025).

¹³ Wilson, K., von Tigerstrom, B., & McDougall, C. (2008). Protecting global health security through the International Health Regulations: requirements and challenges. *CMAJ : Canadian Medical Association journal = journal de l'Association medicale canadienne*, 179(1), 44–48. <https://doi.org/10.1503/cmaj.080516>

in advocacy, provide education, and monitor the implementation of health policies. Their efforts ensure transparency and accountability in health governance. By representing community voices, they contribute to more inclusive decision-making. These groups work to keep governments responsive to the needs of the people they serve.¹⁴

CASE STUDIES

Successful International Legal Interventions: The 2010 Haiti cholera outbreak shows a strong international legal intervention. The United Nations took responsibility and acted promptly. They used a two-track strategy to fight the disease. One track increased emergency responses to reduce cholera cases. The other track offered material aid to affected communities. This comprehensive approach significantly lowered disease spread and improved public trust in legal actions. Several factors led to the success of the intervention. First, the UN accepted responsibility for the outbreak. This honesty built trust with the Haitian government and local communities. Second, the dual strategy tackled both immediate needs and long-term infrastructure. Finally, international partners contributed essential resources and expertise. These combined efforts created a coordinated and effective response against the cholera outbreak decisively.¹⁵ This experience provides clear lessons for future health emergencies. It shows that swift legal intervention can save lives. Strengthening legal frameworks is essential for better global responses. Coordinated international actions and transparent communication are crucial. Building resilient health systems and trust within communities will improve future outcomes. Such lessons remind us to enhance our legal and public health responses worldwide.

Shortcomings and Failures: During the West Africa Ebola outbreak from 2014 to 2016, international law fell short. The global response was slow and inadequate. Although the International Health Regulations existed, they did not work as planned. The World Health Organization was criticized for delaying a public health emergency declaration. This delay hindered funding and support. Timely international assistance was compromised during the crisis. During the Ebola crisis, several gaps became clear. A delayed response worsened the situation. Hesitation in declaring an emergency postponed vital funding and support. Many countries had weak health systems. They lacked robust infrastructure to fight the outbreak. The

¹⁴ Javed, S., & Chattu, V. K. (2020). Strengthening the COVID-19 pandemic response, global leadership, and international cooperation through global health diplomacy. *Health promotion perspectives*, 10(4), 300–305. <https://doi.org/10.34172/hpp.2020.48>

¹⁵ Lantagne D, Balakrish Nair G, Lanata CF, Cravioto A. The cholera outbreak in Haiti: where and how did it begin? *Curr Top Microbiol Immunol*. 2014;379:145-64. doi: 10.1007/82_2013_331. PMID: 23695726.

International Health Regulations did not enforce strict rules. This lack of compliance led to poor responses, showing areas needing urgent improvement.¹⁶

CONCLUSION

International law is vital for managing health crises. It offers frameworks for disease tracking, response coordination, and resource allocation. Instruments like the International Health Regulations and the proposed Pandemic Treaty aim to boost health security. Yet, national sovereignty, compliance gaps, and unequal resource distribution hinder these measures. Past cases, such as COVID-19 and Ebola, reveal both successes and failures clearly. Strengthening international legal frameworks is essential for swift and coordinated responses to health emergencies. Reforms must enforce compliance, integrate human rights, and ensure fair access to medical resources. Non-state actors like NGOs and private partners support initiatives. Lessons from past crises underscore the need for proactive legal measures that emphasize preparedness, strong accountability, and effective governance in global health management. Moving forward, global cooperation must improve to strengthen legal responses. Governments, international bodies, and civil society should unite to craft more effective, enforceable, and inclusive health regulations. Enhancing legal preparedness and fostering solidarity will build a resilient system for future emergencies. A proactive legal approach, built on lessons from past crises, will better equip the world to manage health threats.

¹⁶ David P. Fidler, *Epic Failure of Ebola and Global Health Security*, 21 *Brown Journal of World Affairs* 179 (Spr/Sum 2015) (2015). Available at: <https://www.repository.law.indiana.edu/facpub/2139>