Research Seminar

‘Is there an international duty to protect persons in the event of an epidemic?’

By: Dr Sarah Davies, ARC Research Fellow at GAI and CGPP

In 2006, the International Law Commission included in its long-term programme of work the topic ‘Protection of persons in the event of disasters’ and appointed Special Rapporteur Mr Eduardo Valencia-Ospina. Though the Special Rapporteur’s report is not due until 2011, there has already been detailed discussion pertaining to the precise scope of the topic, especially on the definition of ‘protection’, ‘persons’ and ‘natural disasters’. Of interest to this paper, is the inclusion of ‘epidemics’ as a natural disaster since the topic was first introduced for the Commission’s programme of work in 2004. The significance of the Commission is that its legal findings are able to lead to recommendations to the General Assembly for further consideration and action. Thus, this paper seeks to examine first, what legal and political ramifications are involved in including 'epidemics' into the concept of protection and, second, to what extent does the concept of protection entail the duty to assist individuals in the event that the affected state proves unwilling or unable to assist their own population in the event of a disease outbreak.

Sara Davies is an ARC Postdoctoral Fellow based at the Griffith Asia Institute and Centre for Governance and Public Policy. Sara was awarded a sole ECR-ARC discovery project that explores cooperation between East Asian states in the area of infectious disease surveillance. She is also a partner CI on an ARC grant exploring early warning mechanisms for mass atrocities and genocide. Sara is author of Legitimising Rejection: International Refugee Law in Southeast Asia (Martinus Nijhoff, 2007) and Global Politics of Health (Polity Press), forthcoming 2009. Sara is also co-editor of the new quarterly issue journal Global Responsibility to Protect (http://www.brill.nl/gr2p). Sara can be reached at sara.davies@griffith.edu.au.

→ Thursday 23 April 2009
→ N16 Room 1.22
→ Nathan campus
→ 12.30 -1.50pm

To RSVP, please contact Natasha Vary on (07) 3735 5322 or n.vary@griffith.edu.au no later than 5.00pm Tuesday 21 April 2009