



Course program and reading list

Semester 2 Year 2020

School: Harry Radzyner Law School LL.B.

Legal issues in times of pandemics

Lecturer:

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Course No.:	Course Type :	Weekly Hours :	Credit:
2847	Elective	1	1

Course Requirements :	Group Code :	Language:
Final Paper	202284700	English

Prerequisites

Prerequisite:

4 - Legal English Advanced 2 **OR** 10061 - Legal English Advanced for - Honors Program



Course Description

Legal Issues in Pandemics

Living through the Covid-19 pandemic, many may have seen a number of ethical, legal, and social issues arise as a result of the virus rapidly spreading worldwide. This timely course will look to presenting a broad array of topics at the intersection of science and society, from a range of researchers, in many different fields. Like the virus itself, the

issues that the pandemic raises are moving targets with factors and conditions changing over time, often due to unprecedented necessity. Hollywood and some percipient billionaires have been predicting this event for some time, and some of the issues that we are now facing have been raised before, but not taken seriously enough. Even with their foresight, we were far from ready for the many ethical, legal and social concerns that have arisen. The question is, when is the next event like this, and will we be ready for that one. This course will look at a handful of the potential legal considerations that arise during a pandemic. Some of the issues are listed below. Students will be polled prior to the course to narrow down the issues that they find are particularly interesting and relevant. The class will be based on the interests of the majority of the students

Intellectual Property: Israel demanded a compulsory license from a branded drug manufacturer to import its HIV antiviral for off-label use against the coronavirus. This was an unprecedented act by Israel. We will examine the legal framework associated with compulsory licenses, discuss what they required, and why Israel was so loathe to demand such a license.

Pharmaceutical Regulation: Gilead Science, a US based drug manufacturer, has been directing clinical trials for a government funded drug, developed academically. The drug, Remdesivir, is experimental and has been proven neither safe nor effective. Yet during the pandemic hundreds have demanded a compassionate use waiver to access the drug. We will discuss the nature of such waivers and why they are often ineffective during pandemics.

Electronic monitoring: Israel informed the population during the pandemic that it would institute monitoring of the population, primarily through cell phone location data, but also through public transportation data (ravkav), especially those who were either quarantined- to police the quarantine, or those who had tested positive, to back-trace all their potential interactions. This had been used successfully in a number of Asian countries, but it raises concerns related to privacy, and government over-reach and intrusion.

Health care triage: Limited resources have forced doctors to hack together substitutes for missing parts (for example by illegally printing them) or through other means such as sharing ventilators. The lack of sufficient resources for the entire population has forced health-care providers to make life and death decisions based on factors extrinsic to the disease, such as age, or celebrity status, we will examine the social justice issues that such distribution of resources creates.

Laws available to world leaders during pandemics In the US in particular, the president has the ability to enable certain laws (often designed for war-time) This includes issuing declarations of emergencies, waiving certain requirements under various regulations to speed up actions, and the Defense Production Act which grants the president to requisition supplies from local manufacturers for wartime efforts. We will examine these laws and how they are implemented



Course Goals

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Grading

The course will be graded on a final paper. 3000-5000 words in Hebrew or in English



Reading List

N/A