

**National Seminar
on
Convergence of Health Laws &
Practice : Recent Developments
and Contemporary Challenges**

FEBRUARY 25-26, 2022

**Organised by
School of Law
IMS Unison University
Dehradun**



IMS UNISON
UNIVERSITY

Nurturing Knowledge. Empowering Minds.

IMS UNISON UNIVERSITY

IMS Unison University Dehradun, a constituent of Unison Group has made fast strides in the horizon of education as a premier educational and research University. Nestled amidst beautiful and serene surroundings, it offers an environment that fosters learning and stimulates creativity. Ever since its inception in 1996 as IMS Dehradun, as a non-profit organization led by a group of visionaries, it has dedicated itself for the cause of changing the face of professional education in Uttarakhand. The University today provides a platform for excellence in teaching, learning and



research. State-of-the-art information technology is extensively used in the University contributing to the development of well-trained graduates, postgraduates and doctorate students to fulfil the manpower needs of the corporate world. IMS Unison University aspires to become a renowned center for creation & dissemination of knowledge. It aims to provide a holistic career-oriented education that develops intellectual, moral and physical capabilities of the students, nurturing creativity and innovation. The University is committed for the cause of imparting quality education by providing the required academic infrastructure, developing strong industry interface and providing placement opportunities to its students.



SCHOOL OF LAW

School of Law is making fast strides in the horizon of legal education. It offers BALLB (Hons.), BBALLB (Hons.), LL.M. & Ph.D programs. Ever since its inception, School of Law has set up a sublime tradition of organizing meaningful & constructive academic programs in the pursuit of imparting quality legal education. Pragyaa: Journal of Law, a double-blind peer reviewed journal published bi-annually by the School of Law is one more feather to its cap which bears testimony to the fact of its commitment for the cause of legal research. The academia which comprises a blend of highly qualified professionals & academicians is making every effort to perch this School of Law on a higher pedestal of academic learning & research.

CONCEPT NOTE

As human beings, our health and the health of those we care about is a matter of daily concern. Regardless of our age, gender, socio-economic or ethnic background, we consider health to be our most basic and essential asset. The right to health is a fundamental part of our human right and of our understanding of a life with dignity. The right to the enjoyment of the highest attainable standard of physical and mental health, to give it its full name, is not new. Internationally, it was first articulated in Constitution of the World Health Organization (WHO).

At its birth in United Nations' first specialized agency, the World Health Organization (WHO) enshrined the right to health as its foremost aspiration. Its Constitution proclaims:

“The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition. The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States”.

India has an international obligation to ensure that all its citizens are guaranteed the right to health set out under Article 12 of the **INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL & CULTURAL RIGHTS (ICESCR)**, reinforced by General Comment 14, which defines its scope and content. “*State parties must respect, protect and fulfill the right to health by making health facilities, good and services available, accessible, acceptable and of quality*”. Courts in India have also held that access to essential medicines is a part of the right to health under Article 21, by reading in context of Article 12 of ICESCR.

India is home to nearly 1.2 billion people living in poverty. Significant out-of-pocket health expenditure places a sizeable number of people in extreme poverty every year. What is less well understood is that progressively realizing the right to health is a legal obligation enshrined in the International Covenant on Economic, Social and Cultural Rights and other international treaties, as well as in constitutions and statutes of many countries around the world. Both at international and domestic level, law is a powerful tool for safeguarding and promoting the public health and safety. All sovereign states have the power and are under duty to advance the right to health.

The Constitution of India does not expressly guarantee a fundamental right to health. However, there are multiple references in the Constitution to public health and the role, the State has in ensuring the healthcare of citizens. The pandemic COVID-19 has exposed deep vulnerabilities of India's healthcare system. A critical reason for weak public health in India is the absence of a statutory framework that guarantees a fundamental right to health. There is a need to make the right to health a fundamental right – and implement it within the framework of legal devices and human rights principles of solidarity, proportionality, and transparency which will help India address the challenges posed by COVID-19. Implementing the right to health within India's framework of co-operative federalism will build capacities where they are most needed at the grassroot level.

The rule of law also requires “good governance” that ensures fair and efficient operation of public institutions and social structures. Good governance includes setting priorities, monitoring outcomes, transparency, civil society

participation, elimination of corruption and accountability. It requires a legal infrastructure with impartial courts and tribunals to ensure effective implementation of legal rules. In short, good governance encompasses all the norms, processes, and institutions of a just society that passes and enforces laws for the common good and with an equal hand.

The focus of this Seminar is to throw light on major issues of health and medical laws encompassing India. With that intent and to further recommend to a bridge the gaps in law we invite research papers from scholars, academicians, lawyers, medical practitioners, jurists and students on the abovementioned theme.

CALL FOR PAPERS

The focus of this Seminar is to throw light on the major issues of right to health and medical care encompassing India. Health of citizens is a priority among the governments across the world. To improve the health, the governments of different countries have enacted and implemented various acts and policies which have made great impact on the health status of their citizens. With that intent, IMS Unison University invites legal practitioners, Professors, and scholars to contribute their viewpoint on issues and Laws concerning Health and medical, to promote awareness among the communities. The following sub-themes are only illustrative in nature and may include any other theme under the theme of the seminar.

Sub Themes:

- The right to health in international human rights law
- Right to health and medical care: Constitutional perspective.
- Role of international institutions in respect of human health
- Medical negligence and malpractices
- The fundamental right to health care
- Artificial intelligence and discrimination in health care
- Health justice strategies to combat the pandemic: Eliminating discrimination, poverty, and health disparities during and after COVID-19
- Reproductive health rights: Surrogacy, abortion, medical termination of pregnancy, artificial insemination, etc.'
- Challenges and opportunities for mitigating vulnerabilities associated with health of living beings
- Various public health policies and programs and their implementation
- Role of government and other stakeholders in implementation of Public Health Programs
- Lessons from the pandemic: Is IP a barrier to public health?"
- Draft COTPA Amendment Bill, 2020
- Accountability and monitoring of the status of right of health & role of stakeholders

The above sub themes are not exhaustive, and the author(s) may select any other relevant issue, giving a comprehensive and indispensable review of developments after independence which effect health laws and practice.

SUBMISSION GUIDELINES

ABSTRACT:

The abstract must be developed on A4-sheet in Word Document Format typed in Times New Roman in 12 font size with 1.5 line spacing in not more than 500 words, it should not contain more than FIVE keywords. The abstract should contain personal details of the author(s) in the order:

Title of the paper, Name, Designation, Institute/ University/

College/Organization, Contact number, E-mail and address (es), of the author(s). Kindly indicate the name of the main author for correspondence in case of more than one author.

All abstracts will be peer reviewed and evaluated on the basis of originality, research rigor, relevance to the seminar, and contribution to the theory and practice.

SUBMISSIONS:

Submissions are to be made only in electronic form. The same may be e-mailed to

nationalseminar.iuu2021@gmail.com in MS Word format along with a covering letter addressed to Organizing Secretary.

Title	Must be written in bold, size 14 and centered margin.
Margin	Manuscripts must be in single spacing, font size 12 in Times New Roman and all margins: 1.5 inches (left) and 1 inch (top, right and bottom).
Tables	Tables must be placed as part of the text. DO NOT attach tables at the end of the manuscript.
Software	Manuscript must be submitted in Microsoft Word 2007 in the above format ONLY.
Sub-Title	Written in bold, size 12 and left margin.
Tables/Figures	Title of the tables/figure should be written on the top of the tables/figure. Times New Roman, font 12, Bold and centered margin.
Footnoting	Footnoting should be done strictly according to Bluebook 20th Edition , Times New Roman, Size 10, Line-Spacing 1.5
Word Limit	Articles should be generally of 4000-4500 words (excluding references and footnotes).

RULES FOR PARTICIPATION

- ☐ No abstract or full paper shall be accepted after the last date of submission.
- ☐ Registration is mandatory on confirmation of acceptance of abstract, with the proof of payment of required fees in the bank account. Only registered participants will be allowed to take part in National Seminar.
- ☐ No refund will be allowed once a participant/paper presenter is registered.
- ☐ All the registered participants will be provided participation/paper presentation certificate.
- ☐ The Best Paper of each session will be acknowledged and awarded.
- ☐ In the event of the seminar being conducted in the offline mode the participants will be responsible for the arrangement of their personal accommodation. However, we will extend assistance in this regard.
- ☐ Breakfast and lunch to the participants will be provided by the university.
- ☐ Only one co-author is allowed.
- ☐ In-absentia presentations will not be allowed, at least one author must be present for presentation.

Important Dates

Last date for Abstract Submission	January 25, 2022
Date for confirmation of acceptance of Abstract	January 31, 2022
Last Date for Registration	February 12, 2022
Submission of Full Paper	February 15, 2022

The participants are requested to send their abstracts & papers to nationalseminar.801@gmail.com

The Best papers shall be published in our journal, Pragmaan: Journal of Law, a peer reviewed journal published bi- annually by School of Law, IMS Unison University, Dehradun.

REGISTRATION FEE

Due to the current uncertainty of the COVID-19 situation, the mode of the National Seminar has not yet been finalized. If the circumstances permit the seminar will be conducted in offline mode, in the university campus. If unfavorable situations persist then the seminar will be conducted in online mode.

The following are the registration fee for online and offline mode. Considering the COVID-19 situation at the time, the University will duly inform the participants regarding the preferred mode of the Seminar well in time.

Online Mode

Academicians / Organization Representatives (Including Co-Author), Research Scholars/ Students (Including Co-Author)	Rs. 500
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Offline Mode

Academicians / Organization Representatives (Author)	Rs. 1200
Academicians / Organization Representatives (Co-author)	Rs. 700
Research Scholars/ Students (Author)	Rs. 700
Research Scholars/ Students (Co- Author)	Rs. 500

GST Included in registration fees

MODE OF PAYMENT:

Payment can be made by NEFT/IMPS/Demand Draft or Bank transfer in favour of:

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