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| 1 | Address the complete lifecycle of emergencies | 7 | Protect human rights |
| 2 | Define the triggering events | 8 | Integrate functioning health strategies |
| 3 | Balance strong and agile decision-making with meaningful oversight | 9 | Ensure flow of health data across all levels of governance |
| 4 | Fund adequately | 10 | Safeguard health care workers |
| 5 | Equip authorities with all relevant public health tools | 11 | Enforce the rules without imposing unjust penalties |
| 6 | Fulfill IHR obligations | 12 | Promote transparency |



2 Define the triggering events

Public health emergency laws contain exceptional powers required to prevent and respond to a range of public health emergencies including, but not limited to, outbreaks of infectious diseases. The nature and scope of these risks will vary across countries and health systems. Conducting a risk assessment will help determine a country's most pressing risks and inform its definition for what events trigger a public health emergency. While a broad definition could prompt excessive emergency measures when ordinary protocol would suffice, an overly restrictive scope could block access to valuable emergency provisions.

KEY ELEMENTS

Broadly defines public health events – Public health risks are numerous and diverse. While infectious diseases are a major concern for the health of populations, food-related; chemical; radiological; and nuclear events [can also have disastrous public health consequences](#). Effective public health emergency laws should therefore provide for their prevention and response. In accordance with disaster management laws, countries can also consider public health consequences of natural and man-made disasters. When enumerating these public health events, countries should ensure the lists and definitions align with other public health laws and existing surveillance technical guidelines.

Includes food- and animal-related diseases: [Over 60% of new diseases infecting humans in recent decades have come from animals](#). Public health emergency laws should consider public health events that are likely to harm human health, irrespective of their source or origin. The list of triggering events should be developed through multisectoral coordination and collaboration that includes officials responsible for agriculture, water, zoonosis and others who can contribute to a comprehensive understanding of the local public health risks.

Allows unexpected events through an open-ended list: The COVID-19 pandemic illustrates the public health risk posed by new or unknown diseases, sometimes called “Disease X”. Adopting an open-ended list of public health events will allow the emergency law to go into force when new and unanticipated public health events, conditions or diseases occur. Countries could also consider adding a catchall clause to their list for any public health events declared a public health emergency of international concern by the World Health Organization (WHO). [Alternatively, there should be a streamlined procedure for adding new public health events to the list](#).

Sets emergency-level thresholds for controllable events: Emergency powers should be reserved for true emergencies, and an outbreak of infectious disease does not necessarily constitute an emergency. [Most health systems can contain minor outbreaks or other limited public health events before they become emergencies without requiring exceptional actions](#). The law should establish clear thresholds for when these controllable events shift into emergency scenarios.

ASSESSMENT QUESTIONS

Does your legal framework:

- Define “public health event,” “infection” or “disease” in a way that applies to all relevant government agencies and health facilities?
- Cover a broad range of public health events irrespective of source or origin?
- Provide some flexibility to respond to new or unknown pathogens?
- Reserve emergency status for true public health emergencies?

ADDITIONAL RESOURCES

- World Health Organization, [Rapid Risk Assessment of Acute Public Health Events](#), 2012.
- World Health Organization, Regional Office for Africa, [Technical Guidelines for Integrated Disease Surveillance and Response in the African Region](#): Third Edition, March 2019.
- World Health Organization, [International Health Regulations Third Edition](#), Annex 2, 2005.