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FROM UHC POLICY TO ITS TRANSLATION INTO THE LEGAL AND INSTITUTIONAL FRAMEWORK – WITH EXAMPLES FROM SENEGAL

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Law and Public Health

What is law ?

Defining the notion of *legal obligation*

Making a distinction between *hard law* and *soft law*

Making a distinction between *domestic law* and *international law*

Defining the notion of *fundamental right* (a.o. right to health)

Impact of internationally-recognized and/or constitutional *right to health* on the implementation of health policies in LMICs



Law and Public Health

The *legal* path towards UHC

“Law” as a powerful tool for advancing UHC (*positive approach*)

“Law” as an obstacle to the establishment and implementation of UHC policies (*negative approach*)



The *legal* path towards UHC in Senegal : illustrations

Legislation vs. regulation: when do political choices and trade-offs really occur during the law decision-making process?

Securing sustainable financial resources for UHC in Senegal:

Compulsory levies ? Categorization of levies ?

How can one guarantee a long-term financing of the UHC policy?

Centralization vs. decentralization (*fiscal federalism*)?

Earmarked funds?

Leveraging PPPs as an instrument to reduce the prices of medicines or, more generally, to provide health services?



Conclusion

Hindering approach to law



Facilitating approach to law

Tools : reinforcing legal capacities and dialogue between public health experts and lawyers; to make law a permanent concern for the establishment of the UHC policy in coordination with other policies

