

COURSE INFORMATION

Faculty: Professor Vera Lúcia Raposo

Academic Year: 2020/2021 | 2nd Semester | Elective Course

Teaching Hours: 10 | 3 ECTS

Teaching Method: Theoretical-Practical Classes

LEARNING OBJECTIVES

The course aims to introduce students to the concept of digital governance. Throughout the seminars, students will analyse how the digital world is changing the law and its distinct ramifications in various domains of our life (law enforcement, exercise of public powers, healthcare delivery, scientific research, citizen-State relations) and in turn explore how is the legal world (and the referred domains) reacting to the digital revolution.

This year the course aims to involve students in the discussion about digital governance in the pandemic and post pandemic period, contemplating the challenges raised by the health crisis. In this discussion three case studies will be considered: digital contact tracing, wearable health devices and digital health.

Several different dimensions involved in the concept of digital governance will be discussed, namely public trust, accountability, protection of individual rights and liberties and compliance with existing regulations.

Even though the course is based on a global assessment of existing realities and regulations, its main focus will be the European territory and European regulations.

PROGRAM CONTENTS

1. Digital governance, the concept
2. The COVID-19 pandemic and the demands of digital governance
3. Case studies
 - 3.1. Digital contact tracing

- 3.2. Wearable health devices
- 3.3. Digital health

STATEMENT OF CONSISTENCY BETWEEN THE PROGRAM CONTENTS AND THE COURSE OBJECTIVES

The described content aims to fulfil the three objectives set for this year seminars:

- (a) To explore the concept of digital governance as an operative critical tool for current legal, political, social, business and ethical thinking;
- (b) To review how digital governance and correlated concepts are being used during the pandemic;
- (c) To anticipate how digital governance and correlated concepts should be used in the post pandemic period.

TEACHING METHOD AND ASSESSMENT

The teaching method will be based in the theoretical exposition of ideas, the analysis of particular case studies and the active debate with students.

The assessment will consist in a small report (between 4000 and 6000 words, excluding references), to be presented after the end of the seminars.

STATEMENT OF CONSISTENCY BETWEEN THE TEACHING METHODS AND THE COURSE OBJECTIVES

The objectives of the course encompass two dimensions:

- (a) To discuss the concept of digital governance theoretically,
- (b) To use it as a critical analytical tool for real life situations.

The designed teaching method aims to provide students with the necessary skills to achieve these two objectives.

LESSONS' PLAN

Seminar 1- The challenges of the digital world

Seminar 2- The concept of digital governance

Seminar 3- Digital governance during the pandemic

Seminar 4- Discussion of several digital tools used to control the pandemic

Seminar 5- Case study 1: Digital contact tracing apps and the tracking of close contacts

Seminar 6- Digital contact tracing apps: Public health, privacy and individual liberties

Seminar 7- Case study 2: Wearable health devices and the identification of infected individuals

Seminar 8- Wearable health devices, public health surveillance and individual rights and liberties

Seminar 9- Case study 3: Healthcare delivery during the pandemic

Seminar 10- Digital health, rights and accountability

LEGISLATION

- i) The General Data Protection Regulation
- ii) Specific EU norms, according with the topic
- iii) Specific national norms (from EU members States), according with the topic

SELECTED BIBLIOGRAPHY

Cohen, I.G., L.O. Gostin and D.J. Weitzner (2020). 'Digital Smartphone Tracking for COVID-19: Public Health and Civil Liberties in Tension'. *JAMA*, 323(23):2371-2372. doi: 10.1001/jama.2020.8570.

Du, Li, Vera Lúcia Raposo and Meng Wang (2020). 'COVID-19 Contact Tracing Apps: A Technologic Tower of Babel and the Gap for International Pandemic Control, *JMIR Mhealth Uhealth*, 8(11):e23194. doi:10.2196/23194.

Liu, Hin-Yan (2019). 'The Digital Disruption of Human Rights Foundations'. In: *Human Rights, Digital Society and the Law* (Mart Susi ed.), pp. 75-86. Routledge: London.

Raposo, Vera Lúcia (2017). 'Is it Possible to Achieve a Common Standard of Care for Cybermedicine Within the EU', *Medicine and Law*, 36(2): 29-42.

Raposo, Vera Lúcia (2020). 'Can China's 'Standard of Care' for COVID-19 be Replicated in Europe?'. *Journal of Medical Ethics*, 46(7):451-454. Doi: 10.1136/medethics-2020-106210.

Voigt, Paul and Axel von dem Bussche (2017). *The EU General Data Protection Regulation (GDPR) A Practical Guide*. Springer: Cham.

Other references might be recommended during the seminars.