В Інституті міжнародних відносин Київського національного університету імені Тараса Шевченка було організовано конкурс студентських есе на тему «Вплив коронавірусу (COVID-19) на міжнародні відносини та міжнародне право», який проходив з 20 березня по 26 квітня 2020 року.

Участь у конкурсі взяли здобувачі освітньої програми «Міжнародне право (мова навчання англійська) / International Law».

Студенти 1-го та 2-го років навчання надсилали свої роботи, які оцінювались кваліфікованими суддями.

За умовами конкурсу есе переможця публікується в Українському часописі міжнародного права. Переможницею конкурсу стала студентка 2 курсу Меріджейн Чігбо. Нижче публікується її есе «The Impact of Coronavirus (COVID-19) on International Relations and International Law».

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The Impact of Coronavirus (COVID-19) on International Relations and International Law

The deadly viral infection called Coronavirus (COVID-19) is a map breaching disease targeting both human health and global activities as well. COVID-19 is also to be regarded as the first global pandemic of the new decade beginning from 2020. Its effect on the entire international community takes us back into reviewing similar occurrences in the past such as the 2003 Severe Acute Respiratory Syndrome (SARS), which is said belongs to the coronavirus family, as well as the phenomenal 1918 Spanish Flu that killed an estimated 17-50 million people worldwide. The first reported case of COVID-19 appeared on 17 November 2019 in the Hubei Province Wuhan, China. The news was carried by *South China Morning Post*. With the enormous toll of affected victims and death cases, the World Health Organization (WHO) eventually announced “COVID-19” as the name of this new disease on 11 February 2020 aligned with the International Committee on Taxonomy of Viruses (ICTV). Exactly a month later, on 11 March 2020, the WHO officially declared COVID-19 a pandemic having reached the 5,000 deaths benchmark. At this point, it was clear to the rest of the world that the virus ought to be taken seriously henceforth.

COVID-19, which is a particular strand of coronavirus is an infectious disease that includes symptoms such as common flu, pneumonia, fever, cough and difficulty in breathing. It spreads from person to person. Initially, the most standard age of group affected by the coronavirus according to WHO is revealed to be 60 years old and above. However, there are equally concerns over its effects on adults less than 40 years and below as evident in the number of cases at the moment. Hence, everyone is encouraged to take necessary precautions. Given the nature of its spread, a lot of steps on how to prevent the risk of either contracting or spreading the virus has been taken into consideration, and constantly communicated to the public. Such measures would include being out of sight in public places, hence the necessary self-isolation mechanism or quarantine as the case would be. Others are the maintenance of social distancing of not less than 6 feet (2 meter) from other person, education about the virus, avoiding shaking of hands, washing of hands frequently and properly with soap, using hand sanitizers containing not less than 60% alcohol, disinfecting shared surfaces, covering one's mouth with the elbow when sneezing or coughing, wearing a face mask. To demonstrate how dangerous the virus is, various Heads of States, politicians of different countries, diplomats, scientists, reporters, media practitioners, medical personnel, and celebrities all over the world, through various news platforms, including the social media networks, have continued to sensitize and educate people on the nature and dangers of the COVID-19 and on the need to respect the precautions put in place by governments including the lockdown of cities and countries. Governments in trying to save their citizens from an impending disaster have continued to respond to concerns over possible trade restrictions, closure of

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airports, schools, universities, shops and workplaces, particularly those that are not considered as 'essential' in the present circumstance. With the foreseen delay in the development, production and dissemination of vaccines, territorial borders have been shut in a bit to curtail the spread of the virus.

But how was it possible for the virus to spread worldwide? One fundamental answer is found in the praxis of globalization. Globalization which describes a form of global interdependence emerges from the interaction among various governments, citizens, corporations, and institutions at the international and trans-continental levels. It is exemplified in concepts like international trade, international investment, international mission, *inter alia*. The relations between states can be traced back to ancient and medieval period, between tribes, kings' emperors down to contemporary time. Such relations have implications as seen in the spread of infectious diseases comes, intensified by the challenge humans with dissimilar immune capacities (2005 Andres Nieto) in other words have a weak or strong body system in withholding infectious diseases gotten from a different source. Escalations of viral infections as evident in the 1889 Russian Flu, 1918 Spanish Flu, 1981 HIV / AIDS, and 2003 SARS, depict examples of pandemics that are transmitted to other regions of the world through international travel and trade. Despite the favorable economic and political importance of states' interdependence, most reactions to the grievous threat of the pandemic have shown contrary dispositions to international relations. To illustrate with few examples. First, we have the 26 free Schengen zones shutting their borders against each other and outsiders for a given period, thereby restricting free movement of EU's 400 million citizens. Second, there is the case of European Single Market, which strives to maintain the free movement of goods, capital, services, and labor – the 'four freedoms' – including movement of peoples (tourists), appears stuck at the moment. Third, the 15 member-countries of the Economic Community of West African States (ECOWAS), whose primary purpose is promoting economic trade, national cooperation, free movement and monetary union, for growth and development throughout West Africa, face the challenge of controlling and protecting its community from diseases that emerge from other countries outside its confines. Fourth, the President of the United States of America, Donald J. Trump measure of imposing a 30-day travel ban aimed at Schengen's 26 countries, initially excluding UK and Ireland, from the onset left the EU to brand such action as a one-sided decision that was carried out without seeking their opinion. For the EU, COVID-19 is a global problem, the consequences of which should not be targeted at any specific continent. Infectious diseases of a global nature create a lot of negative effects in international relations and economy in every aspect, crippling the efforts of governments, public and private corporations, foreign investments, individuals and many more. It also exposes the negligence on public health infrastructure as nations struggle to save lives. Meanwhile, the idea of putting up a temporal quarantine measure will have to contend with the likelihood of a certain level of abuse of human right abuse. (David P. Fidler, 2001).

The state remains the dominant focus of international law, as it relates to the legal rights, duties and interests. The cooperation and consent given by the state determines how far international law can function within it. International law contributes to the activities of the WHO, which is designed to promote public health amongst international community. The 2005 International Health Regulation (IHR) has the objectives of preventing emerging infectious diseases through international surveillance and response from states, and adopting a legal strategy with member states to take certain actions. However, the limitation or rather inadequacies of the International Health Regulations in controlling infectious diseases highlights that the effort of WHO member states in committing themselves to the eradication of infectious diseases remains ineffective. Although these infectious diseases emerge not from all states, the obligation to tackle them heavily depends on all member states, in accordance with the regulations of international law. Meanwhile, article 25 of the Universal Declaration of Human Rights (UDHR) states that everyone has the right to health and medical care taking into account that a state, both at national and international level, has the duty to improve the health care system and possibly develop a system of early prevention and control of human infectious diseases which may spread within or outside its territories. WHO's article 63, which is a fundamental principle in the relationship within international community, refers to the right and obligation to give official reports and statistics concerning health. This is to help evaluate and manage possible outcomes of diseases. Although all the nations/continents are clearly not on the same level of health care the importance of improving and communicating is of high relevance.

Another area of impact of the COVID-19 is covered by the regulations of the International Covenant on Economic, Social and Cultural Rights, whose purpose includes right to food and right to work. These rights are challenged by the current lockdown, loss of jobs, inaccessible employment, rise of poverty and hunger, especially in poor and developing countries. Should state apply force to those refusing to obey this rule of staying at home until the viral infection recedes? Ignorance or rather the lack of education on coronavirus forms part of the causes of the restlessness among some citizens. It also creates discrimination, stereotypical behavior, and prejudice amongst people based on race. Interestingly, the international human rights

legal framework contains international instruments to combat such forms of discrimination. International cooperation amongst states is essential in reducing infectious diseases. This is shown by the compliance between global health law and environmental law or human rights law. The willingness of the international community to perfect its duties and responsibilities under international law introduces a path to the curbing of communicable diseases in the future.

Meanwhile, the principle of state sovereignty and non-intervention is to be considered a concept that seriously undermines the effective enforcement of international law. Instances can be found in different aspects. A clear instance is the International Environmental Law (IEL) which consists of agreements made by states about the environment, but which unfortunately lacks practical implementation, with states having reservations, exceptions, lack of codification and so on. If the insistence by wild life conservatives on the prevention of the consumption of wild animals is taken seriously by the IEL regulations, then perhaps the illegal wildlife trade and the wet market of Wuhan China, would have been closely monitored and effectively regulated. The Convention on International Trade in Endangered Species (CITES) consisting of 183 member-nations was made to ensure the survival and regulation of endangered animals. CITES needs to be revisited to remind the international community of its importance in the first place. While acknowledging the loss of lives due the pandemic, the lockdown by nations has brought about a considerable reduction of greenhouse gas emission, pollution, etc. From an environmental perspective, this evidently is a positive sign to international environmental law, with the assumption that it would have a long-term positive effect in the future. Strict regulations of the International Environmental Law should be given the deserved attention. States are obliged to increase their level of compliance with the IEL.

The pandemic COVID-19 demonstrates a paradoxical evidence of crimes around the world. While, the prevalence of crimes appears to have reduced in some nations, the poorer nations are witnessing a spike in common crimes such as looting of food due to hunger. At the transnational level, crimes such as the illegal trade in opioids such as cocaine and fentanyl are negatively affected, other crimes involving the sale of counterfeit surgical masks, N95 masks, fake and overpriced sanitizers, and illegal drugs for treatment of the virus have emerged. The United Nations Convention against Transnational Organized Crime is an international instrument used in the fight against transnational organized crime. This legal instrument could be evoked to tackle such emerging transnational crimes. It could also be used to address the prevalence of cybercrime in the period of this pandemic. The WHO has already created awareness on cyber security, cautioning the general public about fabricated emails from fraudulent people who claim to be representing the WHO.

CONCLUSION

The COVID-19 pandemic raises the awareness of the central objectives of international health regulation with international law as an instrument. These would include, the assessment and intense need for cooperation amongst international community, the need of state to intensify its obligations in controlling infectious diseases, the improvement and accessibility of public healthcare and infrastructure in every continent, and the ability to display global common values and interests. The follow up of international health regulation by international communities requires understanding the need to report possible public health emergencies as early as possible. Globalization is a boat everyone is riding on, and there is no exemption when it comes to health. The interests of individual member-states must not overshadow the global interests and survival of humanity. Given the sovereignty of nations, it is quite difficult to rally the international community into global solidarity to curb infectious diseases. However, such a global solidarity is worth the time and investment mostly on healthcare technology and on strengthening international environmental law towards infectious diseases.

Conclusively, in this essay I have critically examined the impact of Coronavirus (COVID-19) on international relations and international law, thus facilitating the linkage between them. The importance of international law in global governance and states responsibilities cannot be over emphasized. The import is equally felt as it horizontally shifts from international organizational regimes to international trade regimes. The vertical regimes of soft law which creates future for a normal law down to environmental regime which focuses on environmental protection, climate change and human right regime has implications for everyone's right to health.

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