

Research Workshop

Revisiting the 2006 Health Values and Principles: Contribution to a real European Health Union?

29 May 2025 (10.00-16.00).

Santander, Spain

Venue: IDIVAL, C/ Cardenal Herrera Oria,

Background and Rationale

The 2006 document on health values and principles was introduced as a response to the evolving landscape of patient mobility and Member States' desire to reclaim regulatory control. As the 20-year anniversary approaches in 2026, it is crucial to assess the relevance of these values and principles in light of contemporary challenges, including digitalization, demographic shifts, pandemics, and growing health inequalities. The entry into force of the Lisbon Treaty in 2009 further elevated the importance of fundamental EU values, emphasizing human dignity, solidarity, etc. (Art. 2 TEU). Given the current discourse on the European Health Union, as underscored by Frank Vandembroucke at EHFG2024, a reassessment of the 2006 document is timely.

Research Questions

- Do we need new values and principles to reflect modern health challenges?
- Should the document incorporate new concepts such as 'One Health', 'Leave No One Behind', or sustainability?
- How should existing values and principles be clarified or recontextualized (e.g., emphasizing solidarity post-pandemic)?
- Should EU legal elements, such as the right to a high level of health, be explicitly integrated?
- Is there a need to revise terminologies (e.g., from 'good quality' to a more ambitious standard)?
- Should the focus extend beyond patients to include healthcare workforce considerations?
- Can the document advocate for minimum health standards in national systems despite legal competence constraints?
- How should the document address vulnerable populations in light of increasing inequalities?
- Should procedural aspects like social participation be emphasized?
- Who should endorse and uphold the document? (Academia, EU institutions, ethics bodies, fora like EHFG, etc.)
- What legal form should the document take? Should it remain soft law or pursue binding legal status?

- How should the document align with broader international frameworks (Council of Europe, WHO, Universal Declaration on Bioethics and Human Rights)?
- How can the document balance adaptation to contemporary challenges while maintaining a timeless character?
- Which key concepts should be prioritized beyond dignity (e.g., transparency, inclusion)?

Methodology

This research will conduct a comparative legal analysis of the 2006 document against contemporary EU and international health frameworks. Key informant interviews and expert consultations (e.g., policymakers, legal scholars, healthcare professionals) will be utilized to assess the practical implications of revising the document. Case law analysis from the Court of Justice of the EU will provide insights into the evolution of patient rights and healthcare governance. Furthermore, discourse analysis of recent EU policy debates will inform potential updates.

Expected Contribution

This study aims to provide a comprehensive assessment of whether and how the 2006 health values document should be revised. By contextualizing the document within the framework of a European Health Union and contemporary socio-political challenges, it will offer policy recommendations to ensure that EU health governance remains both resilient and responsive to future challenges. The findings will be relevant for policymakers, legal scholars, and public health professionals engaged in shaping the future of European health law and policy.

Participants (in alphabetic order)

Experts:

- Joaquín Cayón, IDIVAL-University of Cantabria, Spain
- André den Exter, Erasmus University, Rotterdam, Netherlands
- Guerino Fares, University Roma Tre, Italia
- Markus Frischhut, MCI Innsbruck, Austria
- Tamara Hervey, City St George's, University of London
- Anniek de Ruijter, University of Amsterdam, Rotterdam, Netherlands
- Tomislav Sokol, European Parliament, Croatia

Observers:

- Juan I. Ochagavías, IDIVAL-University of Cantabria, Spain
- Francisco Santos, IDIVAL, Spain