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Public-Private Partnerships and Responsibility under International Law: A Global Health Perspective (Routledge Research in International Law)

Lisa Clarke

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Partnerships between the public and private sectors are an increasingly accepted method to deal with pressing global issues, such as those relating to health. Partnerships, comprised of states and international organizations (public sector) and companies, non-governmental organizations, research institutes and philanthropic foundations (private sector), are forming to respond to pressing global health issues. These partnerships are managing activities that are normally regarded to be within the domain of states and international organizations, such as providing access to preventative and treatment measures for certain diseases, or improving health infrastructure within certain states to better manage the growing risk of disease. In the shadow of the success of these partnerships lies, however, the possibility of something going wrong and it is to this shadow that this book sheds light.

This book explores the issue of responsibility under international law in the context of global health public-private partnerships. The legal status of partnerships under international law is explored in order to determine whether or not partnerships have legal personality under international law, resulting in them being subject to rules of responsibility under international law. The possibility of holding partnerships responsible in domestic legal systems and the immunity partnerships have from the jurisdiction of domestic courts in certain states is also considered. The obstacles to holding partnerships themselves responsible leads finally to an investigation into the possibility of holding states and/or international organizations, as partners and/or hosts of partnerships, responsible under international law in relation to the acts of partnerships.

This book will be of interest to those researching and working in areas of global governance, especially hybrid public-private bodies; the responsibility under international law of states and international organizations; and also global health. It provides doctrinal clarification and practical guidance in a developing field of international law.

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