Responsibility of hybrid public-private bodies under international law: A case study of global health public-private partnerships

Clarke, L.C.

Citation for published version (APA):

General rights
It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations
If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: https://uba.uva.nl/en/contact, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.


Benvenisti E, ‘“Coalitions of the Willing” and the Evolution of Informal International Law’ (2006) Tel Aviv University Law Faculty Papers, Paper 31, 1


Blokker NM, ‘International Organisations as Independent Actors: Sweet Memory or Functionally Necessary?’ in Jan Wouters, Eva Brems, Stefaan Smis and Pierre Schmitt (eds),
Accountability for Human Rights Violations by International Organisations (Intersentia 2010) 37

‘Preparing articles on responsibility of international organizations: Does the International Law Commission take international organizations seriously? A mid-term review’ in Jan Klabbers and Åsa Wallendahl (eds), Research Handbook on the Law of International Organizations (Edward Elgar 2011) 313


Brander S, ‘Making a credible case for a legal personality for the OSCE’ (March-April 2009) OSCE Magazine 18


Brownlie I,


--Principles of Public International Law (7th edn, OUP 2008)


Burci GL,
--‘Public/Private Partnerships in the Public Health Sector’ (2009) 6 International Organizations Law Review 359
Buse K and Walt G,
Cassese A,
--International Law in a Divided World (Clarendon Press 1986)
--International Law (OUP 2001)
Cerone J,
Chinkin C, ‘Sources’ in Daniel Moeckli, Sangeeta Shah and David Harris (eds), International Human Rights Law (OUP 2010) 103
Clapham A,
--Human Rights Obligations of Non-State Actors (OUP 2006)
--‘The role of the individual in international law’ (2010) 21(1) European Journal of International Law 25
Clarke L,
Crawford J, The International Law Commission’s Articles on State Responsibility – Introduction, Text and Commentaries (CUP 2002) 110
Dannenbaum T,
Donders YM, Towards a Right to Cultural Identity? (Intersentia 2002)
Eagleton C,
--The Responsibility of States in International Law (The New York University Press 1928)
Fidler DP, “‘Geographical Morality” Revisited: International Relations, International Law and the Controversy over Placebo-Controlled HIV Clinical Trials in Developing Countries’ (2001) 42(2) Harvard International Law Journal 299
Fitzmaurice GG, ‘The Law and Procedure of the International Court of Justice: International Organizations and Tribunals’ (1952) 29 British Yearbook of International Law 1


Gazzini T, ‘The relationship between international legal personality and the autonomy of international organizations’ in Richard Collins and Nigel D. White (eds) International Organizations and the Idea of Autonomy (Routledge 2011) 196


Higgins R,
--‘Conceptual Thinking about the Individual in International Law’ (1978) 4(1) British Journal of International Studies 1
--Problems and Process: International Law and How We Use It (Clarendon Press 1994)
Hofmann R and Geissler N (eds), Non-State Actors as New Subjects of International Law (Duncker & Humblot 1999)
Klabbers J,
--‘The General, the Lords, and the Possible Ends of State Immunity’ (1999) 68 Nordic Journal of International Law 85
--An Introduction to International Institutional Law (CUP 2009)
Kuijper PJ,
--‘Introduction to the Symposium on Responsibility of International Organizations and of (Member) States: Attributed or Direct Responsibility or Both?’ (2010) 7 International Organizations Law Review 9

Kunz JL, ‘Privileges and Immunities of International Organizations’ (1947) 41(4) American Journal of International Law 828


Lindblom AK
--Non-Governmental Organisations in International Law (CUP 2005)
--‘The Responsibility of Other Entities: Non-Governmental Organizations’ in James Crawford, Alain Pellet and Simon Olleson (eds), *The Law of International Responsibility* (OUP 2010) 343


Morgenthau HJ, ‘Positivism, Functionalism, and International Law’ (1940) 34 American Journal of International Law 260
Mosler H, ‘Subjects of International Law’, Encyclopedia of Public International Law
Published under the Auspices of the Max Planck Institute for Comparative Public
Law and International Law under the Direction of Rudolf Bernhardt (2000) 710
Mowbray AR, The Development of Positive Obligations under the European
Convention on Human Rights by the European Court of Human Rights (Hart 2004)
Nantulya VM and Lidén J, ‘Response to accusations of medical malpractice by WHO
and the Global Fund’ (31 January 2004) 363 The Lancet 397
Nollkaemper A,
-- ‘Dual Attribution: Liability of the Netherlands for Conduct of Dutchbat in
Srebrenica’ (2011) 9 Journal of International Criminal Justice 1143, 1154
-- ‘Issues of Shared Responsibility Before the International Court of Justice’ in Eva
Rieter and Henri de Waele (eds) Evolving Principles of International Law. Studies
in Honour of Karel C. Wellens (Martinus Nijhoff 2012) 199
Nollkaemper A and Jacobs D, ‘Shared Responsibility in International Law: A
finalized 2 August 2011 (www.sharesproject.nl) 1
Noortmann M and Ryngaert C (eds), Non State Actors Dynamics in International
Law. From Law-Takers to Law-Makers (Aldershot, Ashgate 2010)
Note, ‘Jurisdictional Immunities of Intergovernmental Organizations’ (1982) 91(6)
The Yale Law Journal 1167
Nowak M, U.N. Covenant on Civil and Political Rights: CCPR Commentary (2nd edn,
N.P. Engel 2005)
Nowrot K, ‘Legal Consequences of Globalization: The Status of Non-Governmental
Legal Studies 579
Noyes JE and Smith BD, ‘State Responsibility and the Principle of Joint and Several
Liability’ (1988) 13(2) The Yale Journal of International Law 225
Oparil RJ, ‘Immunity of International Organizations in United States Courts:
Absolute or Restrictive?’ (1991) 24 Vanderbilt Journal of Transnational Law 689
Oppenheim L,
-- International Law A Treatise (Longmans, Green, and Co. 1905)
-- ‘The Science of International Law: Its Task and Method’ (1908) 2(2) American
Journal of International Law 313
-- International Law A Treatise (Arnold D. McNair ed, 4th edn, Longmans, Green and
Co. 1928)
-- Oppenheim’s International Law (Robert Jennings and Arthur Watts eds, 9th edn,
Orakhelashvili A, ‘Division of Reparation between Responsible Entities’ in James
Crawford, Alain Pellet and Simon Olleson (eds), The Law of International
Responsibility (OUP 2010) 647
O’Toole TJ, ‘Sovereign Immunity Redivivus: Suits Against International
Organizations’ (1980) 4 Suffolk Transnational Law Journal 1
Paasivirta E and Kuijper PJ, ‘Does One Size Fit All?: The European Community and
the Responsibility of International Organizations’ (2005) XXXVI Netherlands
Yearbook of International Law 169

Pavoni R, ‘Human Rights and the Immunities of Foreign States and International Organizations’ in Erika de Wet and Jure Vidmar (eds), Hierarchy in International Law, The Place of Human Rights (OUP 2012) 71


Portmann R, Legal Personality in International Law (CUP 2010)


Reinisch A,
--International Organizations Before National Courts (CUP 2000)
--‘Governance Without Accountability?’ (2001) 44 German Yearbook of International Law 270
--‘Securing the Accountability of International Organizations’ (2001) 7 Global Governance 131
--‘Accountability of International Organizations According to National Law’ (2005) XXXVI Netherlands Yearbook Of International Law 119
--‘The International Relations of National Courts: A Discourse on International Law Norms on Jurisdictional and Enforcement Immunity’ in August Reinisch and Ursula Kriebbaum (eds), The Law of International Relations: Liber Amicorum Hanspeter Neuhold (Eleven International Publishing 2007) 289
--‘Privileges and Immunities’ in Jan Klabbers and Åsa Wallendahl (eds), Research Handbook on the Law of International Organizations (Edward Elgar 2011) 132


Rodley NS, ‘Integrity of the Person’ in Daniel Moeckli, Sangeeta Shah and David Harris (eds) International Human Rights Law (OUP 2010) 209


Sands P and Klein P, Bowett’s Law of International Institutions (Sweet and Maxwell 2009)
Sari A,
--‘Autonomy, attribution and accountability’ in Richard Collins and Nigel D. White (eds) International Organizations and the Idea of Autonomy (Routledge 2011) 257
Seyersted F
--Objective International Personality of Intergovernmental Organizations, Do Their Capacities Really Depend upon the Conventions Establishing Them? (Copenhagen 1963)
--Common Law of International Organizations (Martinus Nijhoff 2008)
Shaw MN, International Law (6th edn, CUP 2008)
Shelton D,
--Remedies in International Human Rights Law (OUP 2005)
Singh N, Termination of Membership of International Organisations (Stevens & Sons Limited 1958)
Smith RKM, International Human Rights (OUP 2007)
Thürer D and MacLaren M, ‘Military Outsourcing as a Case Study in the Accountability and Responsibility of Power’ in August Reinisch and Ursula Kriebaum (eds), The Law of International Relations - Liber Amicorum Hanspeter Neuhold (Eleven International Publishing 2007) 391
Tzevelekos VP, ‘In Search of Alternative Solutions: Can the State or Origin be Held Internationally Responsible for Investors’ Human Rights Abuses that at not Attributable to it?’ (2010) 35 Brooklyn Journal of International Law 155
Wedgwood, R (discussant), Daniel Thürer, ‘The Emergence of Non-Governmental Organizations and Transnational Enterprises in International Law and the Changing Role of the State’ in Rainer Hofmann and Nils Geissler (eds), *Non-State Actors as New Subjects of International Law* (Duncker & Humblot 1999) 93
de Wet E,
--‘The Emergence of International and Regional Value Systems as a Manifestation of the Emerging International Constitutional Order’ (2006) 19 Leiden Journal of International Law 611
Eva Brems, Stefaan Smis and Pierre Schmitt (eds), *Accountability for Human Rights Violations by International Organisations* (Intersentia 2010) 1