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Leveraging public-private partnerships to empower displaced populations: A comprehensive legal and policy perspective

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Abstract

Displaced populations face complex challenges, including access to education, healthcare, housing, and employment, which often require innovative and collaborative solutions. Public-private partnerships (PPPs) have emerged as a transformative framework to address these issues by leveraging the efficiency and innovation of the private sector and the public sector's regulatory capacity. This paper explores PPPs' legal and policy foundations, emphasizing their role in empowering displaced populations through sustainable and inclusive initiatives. It highlights PPPs' opportunities in addressing critical needs while navigating political, financial, and social barriers. The paper also examines strategies to overcome these challenges, such as strengthening legal frameworks, fostering community engagement, and promoting international cooperation. Concluding with actionable recommendations for policymakers, private sector stakeholders, and international organizations, this paper underscores the potential of PPPs to create lasting solutions for some of the world's most vulnerable populations.

Keywords: Displaced Populations; Public-Private Partnerships (PPPs); Legal Frameworks; Policy Development; Humanitarian Innovation; Sustainable Development

1. Introduction

Displaced populations, encompassing refugees, internally displaced persons (IDPs), and stateless individuals, represent one of the most vulnerable groups in the world (Abebe, 2022). According to the United Nations High Commissioner for Refugees (UNHCR), over 100 million people were forcibly displaced globally by the end of 2023 due to conflict, persecution, climate change, and natural disasters (Garnier, 2023). These populations face myriad challenges, including lack of access to basic necessities like food, water, and shelter; limited educational and employment opportunities; and heightened risks of exploitation, violence, and marginalization. Furthermore, their displacement often disrupts host communities' social, economic, and political stability, compounding the strain on already limited resources (Amri & Sihotang, 2023).

Legal and policy frameworks, while crucial, often fail to comprehensively address these challenges. Many displaced individuals encounter barriers to legal recognition, which restricts their access to services and employment (Schimmel, 2022). The protracted nature of displacement for many refugees further exacerbates their plight, necessitating innovative solutions that go beyond traditional humanitarian aid. In this context, public-private partnerships (PPPs) emerge as a promising approach to complement existing efforts and create sustainable pathways for empowerment and integration (Berrone et al., 2019).

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Public-private partnerships represent a collaborative model where government entities and private sector organizations combine resources, expertise, and influence to achieve shared objectives. Historically employed in infrastructure development and service delivery, PPPs have increasingly been recognized as transformative tools in addressing social challenges, including those faced by displaced populations (Castelblanco & Guevara, 2022).

The potential of PPPs lies in their ability to leverage the innovation, efficiency, and financial resources of the private sector while maintaining the public sector's role in oversight and regulation. For displaced populations, PPPs can provide solutions that extend beyond immediate relief to focus on long-term empowerment (Ahmad, Bhattacharya, Vinella, & Xiao, 2018). For instance, private companies can invest in vocational training programs, enabling displaced individuals to acquire skills relevant to local economies. Similarly, collaborations between public authorities and technology firms can improve access to digital tools, enhancing education and connectivity in refugee camps. Moreover, PPPs can be pivotal in filling gaps left by traditional aid mechanisms (Lewis, Kanji, & Themudo, 2020). Many governments and humanitarian organizations struggle with funding constraints, whereas private sector involvement can bring in much-needed capital and innovation. Examples include constructing sustainable housing solutions, developing healthcare systems tailored to displaced populations, and establishing social enterprises that create employment opportunities. By aligning private sector incentives with public good, PPPs offer a win-win framework for addressing the multifaceted needs of displaced communities (Beigbeder, 2023).

This paper aims to explore the legal and policy dimensions of leveraging PPPs to empower displaced populations. While numerous studies highlight the operational successes of PPPs in various sectors, there is a pressing need to examine the regulatory and institutional frameworks that enable or hinder their effectiveness, particularly in contexts involving displaced individuals. This paper seeks to fill that gap by providing a comprehensive legal and policy perspective on PPPs in this domain.

The scope of the paper is twofold. First, it will analyze the foundational legal principles and policies underpinning successful PPPs, including the roles of international treaties, national legislation, and corporate social responsibility (CSR) initiatives. These frameworks are essential for ensuring that PPPs operate ethically and inclusively while addressing the unique vulnerabilities of displaced populations. Second, the paper will propose strategies for maximizing the impact of PPPs through targeted policy adjustments and collaborative governance structures. The objective is to provide policymakers, private sector stakeholders, and international organizations with actionable insights into designing and implementing PPPs that prioritize empowerment, sustainability, and inclusivity for displaced populations.

2. Legal and Policy Foundations of Public-Private Partnerships

2.1. Definition and Key Components of PPPs

Public-private partnerships are collaborative arrangements between government entities and private sector organizations aimed at delivering services, infrastructure, or solutions to address societal challenges (Cui, Liu, Hope, & Wang, 2018). Unlike traditional public procurement or privatization models, PPPs leverage the complementary strengths of both sectors: the public sector's regulatory authority and commitment to public welfare, and the private sector's efficiency, innovation, and access to financial resources (Marx, 2019).

Key components of PPPs include

- Shared Risk and Responsibility: Both parties agree to share risks, responsibilities, and rewards based on the partnership's goals and structure. For instance, the private sector may assume construction risks in infrastructure PPPs while the public sector guarantees usage or payment.
- Long-Term Commitment: PPPs typically span extended periods, ensuring sustained collaboration. This is particularly critical for addressing complex challenges such as those faced by displaced populations, where short-term solutions are inadequate.
- Performance-Based Outcomes: Contracts often tie payments to measurable outcomes, ensuring accountability and focusing on results. For displaced populations, this could translate to metrics like the number of individuals employed or housed through a PPP initiative.
- Legal Agreements: PPPs are governed by detailed contracts that outline the roles, responsibilities, and expectations of both parties, minimizing potential conflicts.

In the context of displaced populations, PPPs hold unique promise. They allow for innovative approaches to service delivery, such as utilizing private sector expertise to build modular housing or leveraging technology firms to provide digital education platforms. However, their success hinges on robust legal and policy frameworks that ensure fairness, inclusivity, and alignment with broader public welfare goals.

2.2. Legal Frameworks Enabling PPPs at National and International Levels

Legal frameworks are the backbone of successful PPP implementation, providing clarity, predictability, and enforceability for all parties involved. These frameworks play a critical role in regulating PPPs at both national and international levels, ensuring they align with the public interest and adhere to established standards (Chiswa, 2024).

2.2.1. National Legal Frameworks

Many countries have enacted specific PPP legislation or guidelines to facilitate partnerships. These laws typically:

- Define the scope of PPPs, including the sectors and projects eligible for such arrangements.
- Outline procurement processes, ensuring transparency and competitiveness in selecting private sector partners.
- Establish mechanisms for dispute resolution, which is vital for addressing potential conflicts between parties.

For example, countries like South Africa and India have well-developed PPP laws enabling large-scale infrastructure projects. In the context of displaced populations, such legal frameworks could be adapted to prioritize housing, healthcare, and education initiatives for refugees and internally displaced persons (IDPs) (Aizawa, 2018).

2.2.2. International Legal Frameworks

At the international level, treaties and conventions also influence PPPs. For instance, the 1951 Refugee Convention and its 1967 Protocol set out the rights of refugees and the obligations of host states, creating a legal basis for integrating displaced populations into national systems. While these instruments do not directly address PPPs, they provide a foundation for partnerships that uphold refugees' rights (Mutsvara, 2024).

Additionally, organizations like the United Nations Commission on International Trade Law (UNCITRAL) have developed model laws and guidelines for PPPs, promoting best practices globally. These frameworks emphasize transparency, accountability, and stakeholder participation, which are crucial for partnerships involving displaced populations (De Cazalet, 2020).

2.3. Policy Incentives and Barriers to PPP Implementation for Displaced Populations

To maximize the potential of PPPs, governments and international organizations often implement policy incentives to attract private sector participation. However, barriers also exist, posing significant challenges to effective implementation.

Policy incentives play a crucial role in fostering private sector involvement in public-private partnerships (PPPs) for displaced populations. Governments can provide financial support, such as subsidies, tax breaks, or grants, to reduce the financial burden on private entities. For example, tax exemptions for companies investing in refugee employment programs can serve as a powerful motivator (Babacan, 2020). Regulatory flexibility also helps by streamlining approval processes and reducing bureaucratic delays, making it easier for private firms to participate. Integrating corporate social responsibility (CSR) into national policies also encourages businesses to align their profit-driven activities with social impact goals, such as education or healthcare initiatives for displaced populations. Public recognition through awards or certifications further incentivizes private sector involvement by enhancing their brand reputation and public image (Wirba, 2024).

Despite these incentives, significant barriers to implementing PPPs for displaced populations persist. Legal complexities pose one of the most pressing challenges, as many displaced individuals lack formal refugee status, leaving their rights and protections unclear. This uncertainty deters private investment in projects targeting these vulnerable groups. Financial risks also hinder progress, particularly in politically unstable regions where returns on investment are uncertain, and the absence of guarantees from governments or international bodies adds to corporate hesitation. Furthermore, coordination challenges among various stakeholders—governments, NGOs, private entities, and international organizations—can lead to misaligned priorities and communication breakdowns, undermining the effectiveness of partnerships (Komolafe, Agu, Ejike, Ewim, & Okeke, 2024).

Public perception further complicates the implementation of PPPs. Host communities may perceive these initiatives as diverting resources from their own needs, fostering resentment and resistance. This social tension can discourage private sector engagement and threaten the sustainability of projects. Addressing these barriers requires robust legal frameworks to clarify displaced populations' rights, financial risk-sharing mechanisms to ensure private sector confidence, and effective inclusive communication strategies to engage host communities. By tackling these obstacles, stakeholders can create a conducive environment for impactful PPPs that benefit displaced populations and their host communities alike (Adewumi, Ewim, Sam-Bulya, & Ajani, 2024; Aziza, 2020; Nwosu & Ilori, 2024; Osundare & Ige, 2024).

3. Leveraging PPPs for Empowering Displaced Populations

3.1. Opportunities PPPs Present in Education, Healthcare, Housing, and Employment

Public-private partnerships (PPPs) offer immense opportunities to address the multifaceted needs of displaced populations, transcending traditional aid approaches. These partnerships enable governments and private entities to pool resources and expertise, providing innovative solutions in key areas critical to the empowerment of displaced individuals. Access to quality education is a cornerstone for empowering displaced populations, particularly children and youth. PPPs can bridge gaps in funding and infrastructure by leveraging the private sector's ability to deliver educational services efficiently (Aderamo, Olisakwe, Adebayo, & Esiri, 2024; Bakare, Aziza, Uzougbo, & Oduro, 2024). For example, technology companies can provide digital learning platforms, enabling displaced children in remote or resource-constrained settings to continue their education. Partnerships with private schools or educational organizations can also enhance teacher training, curriculum development, and the provision of learning materials. By fostering skills development and literacy, such initiatives benefit displaced populations and contribute to host communities' socio-economic development (Ebeh, Okwandu, Abdulwaheed, & Iwuanyanwu, 2024a; Latilo, Uzougbo, Ugwu, Oduro, & Aziza, 2024).

Displaced populations often face limited access to healthcare, compounded by the challenges of overcrowded camps, inadequate facilities, and a lack of medical professionals. PPPs can address these issues by constructing healthcare facilities, introducing mobile clinics, and providing telemedicine services. Pharmaceutical companies, for instance, can partner with governments to ensure the availability of essential medicines at reduced costs. PPPs can also play a pivotal role in disease prevention through vaccination drives, health education campaigns, and the implementation of sanitation projects. These efforts ensure that displaced populations receive emergency care and long-term health services critical to their well-being.

Access to safe and dignified housing remains a pressing challenge for displaced populations. PPPs can facilitate the design and construction of cost-effective, sustainable housing solutions tailored to the specific needs of refugees and internally displaced persons (IDPs). For instance, private sector firms specializing in modular construction or green technologies can collaborate with governments to build environmentally friendly, durable, and scalable shelters. Additionally, partnerships with financial institutions can provide microfinance opportunities, enabling displaced individuals to access affordable housing and transition out of temporary shelters (Ebeh, Okwandu, Abdulwaheed, & Iwuanyanwu, 2024b; Ochuba, Adewunmi, & Olutimehin, 2024).

Employment is a critical component of self-reliance and integration for displaced populations. PPPs can support job creation by developing skills training programs and fostering entrepreneurship. For example, private companies can establish vocational training centers in partnership with public institutions, equipping displaced individuals with skills aligned with market demands. Furthermore, initiatives like social enterprises and public works programs can provide displaced populations with immediate employment opportunities while contributing to community development. By integrating displaced individuals into the labor force, PPPs help reduce dependency on aid and promote long-term economic stability (Aminu, Akinsanya, Oyedokun, & Tosin, 2024).

3.2. Case-Specific Legal Considerations for Displaced Populations

Legal considerations are critical when designing public-private partnerships (PPPs) for displaced populations, as legal status directly influences access to services and opportunities. Displaced individuals encompass diverse categories, including refugees, asylum seekers, internally displaced persons (IDPs), and stateless persons, each subject to unique legal frameworks. These distinctions significantly affect how PPP initiatives are structured and implemented, emphasizing the need for careful alignment with both international and national legal standards.

At the international level, the 1951 Refugee Convention and its 1967 Protocol establish fundamental rights for refugees, such as access to education, healthcare, and employment. However, these obligations are often unmet due to resource

limitations or political resistance in host countries. PPPs can play a vital role in addressing these gaps by developing programs that complement state responsibilities (Hathaway, 2021). For example, an education-focused PPP could integrate refugee children into mainstream schooling systems, thereby aligning with international treaties like the Convention on the Rights of the Child (CRC). Such initiatives demonstrate how PPPs can bridge the divide between legal commitments and practical implementation, ensuring displaced populations receive the support they are entitled to under international law (Lawrence, Dodds, Kaplan, & Tucci, 2019).

Domestic laws within host countries also shape the scope and success of PPPs. Refugees and displaced individuals often encounter legal barriers, such as restrictions on employment, land ownership, or access to public services, which can hinder their participation in PPP programs. For instance, housing-focused PPPs may face challenges if zoning laws or property regulations exclude displaced populations from affordable housing options. To navigate these complexities, PPPs must operate within existing legal frameworks and advocate for reforms that foster inclusivity and equity. Collaborative lobbying for changes in restrictive laws can create opportunities for displaced populations to engage fully in PPP initiatives, enhancing their social and economic integration (Kiss et al., 2022).

Stateless persons and IDPs face unique legal challenges due to their ambiguous status, which often leaves them without international protections. Unlike refugees, these groups depend almost entirely on the policies of their home or host countries, which can vary widely in terms of inclusivity and support (Krakow, 2020). PPPs targeting these vulnerable groups must take a nuanced approach, ensuring that programs are designed to address their specific needs and circumstances. For instance, initiatives should include provisions for legal recognition and access to essential services, avoiding the risk of inadvertently excluding stateless persons or IDPs. By addressing these legal complexities, PPPs can create inclusive frameworks that empower displaced populations while upholding their rights and dignity (Luquerna, 2020).

3.3. The Role of Private Sector Innovation and Public Sector Oversight in Sustainable Solutions

The success of public-private partnerships (PPPs) in empowering displaced populations relies on the effective synergy between private sector innovation and public sector oversight. While the private sector brings efficiency, technological advancements, and scalability to the table, the public sector ensures that initiatives remain aligned with societal goals and ethical standards, creating a balance that benefits displaced individuals and host communities alike.

Private sector innovation plays a pivotal role in addressing the complex challenges faced by displaced populations. Private entities have the flexibility to bring creative solutions to problems that governments may struggle to address due to resource limitations or bureaucratic constraints. For example, tech companies can leverage blockchain technology to create secure and decentralized identity systems, which would enable displaced individuals to access critical services such as healthcare, education, and employment without fear of exploitation. Similarly, renewable energy companies can introduce solar-powered infrastructure in refugee camps, reducing reliance on non-sustainable and costly energy sources. These innovative solutions address immediate needs, such as improving living conditions and service access, and contribute to long-term sustainability by promoting self-sufficiency and reducing the environmental impact of humanitarian efforts.

While the private sector provides the technological and operational drive, the public sector's oversight ensures that these initiatives are inclusive, equitable, and ethically sound. Governments and international organizations are responsible for regulating PPPs to ensure that they meet the needs of displaced populations and are in line with national development priorities and international human rights standards (van Ooijen, Ubaldi, & Welby, 2019). Effective public sector oversight involves establishing clear performance evaluations, stakeholder consultations, and monitoring mechanisms to ensure that private sector activities align with vulnerable communities' needs. For example, governments can implement frameworks that prioritize marginalized groups, such as women and children, in employment programs, ensuring that displaced populations are assisted and empowered through job opportunities. Public oversight also mitigates potential risks, such as exploitation or unequal resource distribution, by enforcing strict ethical standards and transparency requirements that hold all parties accountable (Chambers & Vastardis, 2020).

Collaboration between the public and private sectors is crucial for delivering sustainable and inclusive solutions for displaced populations. The integration of private sector innovation with the regulatory oversight of the public sector results in initiatives that not only meet immediate humanitarian needs but also foster long-term social and economic integration (Kalkanci, Rahmani, & Toktay, 2019). For instance, a collaboration between a private construction company and a government agency could focus on building eco-friendly housing in refugee camps while incorporating community input to ensure that these structures are culturally appropriate and aligned with the needs of displaced individuals. Such projects would provide long-term housing solutions while promoting environmental sustainability and

community cohesion. The collaborative process ensures that the solutions developed are effective in the short-term and durable, fostering trust between stakeholders and improving the likelihood of successful integration of displaced populations into host communities (Fell & Mattsson, 2021).

4. Challenges and Opportunities in Implementation

4.1. Key Challenges

The implementation of public-private partnerships (PPPs) aimed at empowering displaced populations faces significant challenges across political, financial, and social dimensions. These obstacles often hinder the effectiveness of such initiatives and require nuanced strategies to address them.

4.1.1. Political Barriers

Political instability and conflicting priorities among host governments can undermine PPP efforts. Host nations may often perceive displaced populations as a burden, leading to limited political will to support large-scale PPP initiatives. Additionally, policies aimed at restricting refugees' rights, such as limits on work permits or access to education, create structural barriers that PPPs must navigate. In some regions, political sensitivities around national security and border control further complicate collaboration, making it difficult for private entities to operate freely.

Intergovernmental coordination poses another political hurdle. Many displaced populations exist in transnational contexts, such as cross-border refugee flows. The lack of alignment in policies and legal frameworks between countries can disrupt regional PPP efforts, particularly when displaced individuals move across borders (Nor & Moge, 2024).

4.1.2. Financial Barriers

The financial constraints associated with PPPs for displaced populations are substantial. Displacement crises often occur in developing countries with limited resources, making it challenging for governments to meet their financial obligations in partnership agreements. On the other hand, the private sector may hesitate to invest in projects perceived as high-risk, especially in regions plagued by instability or weak economic prospects.

Another financial issue is the lack of long-term funding models. PPPs often require sustained financial commitments to address the prolonged nature of displacement, but many partnerships are structured around short-term objectives. This misalignment between the duration of displacement crises and the availability of funding hampers the sustainability of PPP projects (Soederberg, 2019).

4.1.3. Social Barriers

Social resistance within host communities can impede PPPs. Displaced populations are frequently stigmatized and perceived as competitors for scarce resources, such as jobs, housing, and healthcare. Such sentiments can lead to opposition against projects targeting displaced individuals, creating challenges for PPPs in gaining community acceptance and support.

Cultural and linguistic differences also present barriers, particularly in designing services that cater to displaced populations' diverse needs. For instance, educational programs may face difficulties if they do not account for language barriers or cultural preferences. Similarly, healthcare initiatives may struggle to address unique health conditions prevalent among displaced groups.

4.2. Strategies to Overcome Challenges Through Legal and Policy Adjustments

Addressing these challenges requires a concerted effort to align legal and policy frameworks with the goals of PPPs for displaced populations. Governments, international organizations, and private sector partners must adopt innovative approaches to create enabling environments for effective partnerships. To overcome political barriers, governments must demonstrate stronger commitment to supporting displaced populations. This can be achieved by incorporating displacement issues into national development plans, signaling to both domestic and international stakeholders that they are a priority.

Intergovernmental cooperation is also essential. Regional frameworks, such as the Comprehensive Refugee Response Framework (CRRF) under the Global Compact on Refugees, provide a blueprint for coordinating efforts across borders. These frameworks can facilitate transnational PPPs, ensuring continuity of services for displaced populations

regardless of their location. Advocacy and capacity-building efforts by international organizations can further encourage governments to adopt policies that promote PPPs. For example, workshops and training programs can help policymakers understand the potential of PPPs to address displacement challenges, fostering political buy-in (Garlick & Inder, 2021).

Financial incentives and risk-sharing mechanisms are critical for encouraging private sector participation. Governments and international financial institutions can offer guarantees, subsidies, or low-interest loans to reduce the financial risks associated with PPPs. For instance, creating insurance schemes to protect private investors against political or economic instability can make projects more attractive. Long-term funding models are equally important. Blended finance approaches combine public funds with private investments and can provide sustainable funding for PPPs. Additionally, development banks and philanthropic organizations can be key in mobilizing resources, ensuring that projects have the financial stability required to succeed (Packard et al., 2019).

Addressing social resistance requires inclusive policies emphasizing the shared benefits of PPPs for displaced populations and host communities. Public awareness campaigns can help dispel misconceptions about displaced populations, highlighting their contributions to local economies and societies. Engaging host communities in the planning and implementing PPP projects is another effective strategy. When local stakeholders have a voice in decision-making, they are more likely to support initiatives that benefit displaced populations. For example, housing projects could allocate units to both displaced individuals and low-income host community members, fostering social cohesion.

Tailoring services to meet the specific needs of displaced populations is also essential. Policies that promote cultural sensitivity and inclusivity can enhance the effectiveness of PPP initiatives. For instance, hiring multilingual staff or involving displaced individuals in program design can help ensure that services are accessible and relevant (Fioravanti et al., 2019).

Robust legal frameworks are the foundation of successful PPPs. Governments should enact legislation that provides clear guidelines for PPPs, including provisions specifically addressing displaced populations. Such laws can establish minimum standards for service delivery, safeguard displaced individuals' rights, and define all stakeholders' roles and responsibilities. At the international level, aligning PPPs with legal instruments like the 1951 Refugee Convention and the Guiding Principles on Internal Displacement can ensure that initiatives uphold human rights and international standards. Advocacy for ratifying and implementing these instruments in host countries is crucial for creating a supportive legal environment (Casady, Eriksson, Levitt, & Scott, 2020).

5. Conclusion

Public-private partnerships (PPPs) offer a transformative framework for addressing the multifaceted challenges displaced populations face. By combining the public sector's regulatory capabilities with the private sector's efficiency and innovation, PPPs create targeted solutions in critical areas such as education, healthcare, housing, and employment. Central to their success is establishing robust legal and policy frameworks that align initiatives with human rights and development objectives. Despite their potential, PPPs encounter significant obstacles, including political resistance, financial limitations, and social opposition. Addressing these barriers through strategic adjustments is crucial to fostering the integration and self-reliance of displaced populations.

To optimize the impact of PPPs, policymakers must prioritize inclusive and comprehensive strategies. This involves integrating displaced populations into national development plans and ensuring legal access to essential services such as education and healthcare. Governments should also strengthen legal frameworks by adopting clear guidelines and aligning with international standards like the 1951 Refugee Convention. Financial incentives, including tax breaks and subsidies, can attract private sector investment, particularly in resource-constrained settings. Additionally, fostering community engagement is essential to promoting social cohesion and ensuring that both displaced populations and host communities benefit from these initiatives.

The private sector plays a vital role in the success of PPPs, particularly through its ability to drive innovation and efficiency. Companies involved in these partnerships should align their projects with broader social impact goals, such as fostering economic self-reliance among displaced populations. Leveraging technology and innovation, such as digital education tools and renewable energy systems, can enhance service delivery while reducing costs. Collaboration with local stakeholders ensures that initiatives are culturally relevant and address specific community needs. Furthermore, adherence to ethical standards is imperative, ensuring that projects respect human rights and promote inclusivity.

International organizations provide indispensable support by coordinating efforts, offering technical expertise, and mobilizing resources. Advocacy for global standards, financial and technical assistance, and the establishment of knowledge-sharing platforms are crucial to advancing PPP initiatives. These organizations can also foster regional collaboration to address cross-border displacement challenges. By combining these efforts with local and national initiatives, PPPs can overcome barriers, delivering sustainable and impactful solutions for displaced populations. The collective commitment of policymakers, private entities, and international organizations is essential to leveraging PPPs as a tool for global stability and development.

Compliance with ethical standards

Disclosure of conflict of interest

No conflict of interest exists among the Authors.

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