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Cross Border Pipeline Arrangement.: What Would A Single Regulatory Framework Look Like? (Energy and Environmental Law and Policy Series) (Energy and ... Supranatioanl and Comparative Aspects)

By Chowdhury Ishrak Ahmed Siddiky



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This book deals with the problems which occur when one or more parties in a pipeline do not abide by some obligations agreed among them at the beginning of the project. Such problems are most serious when geo-political, legal, or economic developments lead governments to intervene, resulting in the breach of a legitimate expectation of the stakeholders involved. Using regime theory as an analytical tool, the author explores participant behaviour in seven specific case studies that manifest different levels of enforcement to constrain intervention. In the course of the analysis he covers such aspects as the following:

- the basic principles of freedom of transit, non-interference, non-discrimination, and equal treatment;
- the government's role as provider of security and stability;
- crucial importance of government credibility;
- pipelines as national strategic assets;
- energy security;
- land acquisition and appropriate compensation;
- third party access;
- transit tariffs and fees;
- environmental and safety standards;
- liability;
- each country's role in safeguarding the pipeline;
- and the effect of new national oil and gas legislation in any country partner.

In the final analysis the author proposes the creation of an autonomous unifying mechanism in the form of an agency with strong regime credentials. He shows how such a body would reduce the level of intervention by government or other parties in the pipeline regime, without interfering in the sovereignty of any particular country. He clearly outlines the process through which the agency would use its enforcement capabilities. As more and more pipelines are being built all over the world, and as the nature of relations among energy exporting,

importing, and transit countries becomes ever more critical, this book comes as a fresh and cogent approach to this very important subject. It will be welcomed by all interested parties in oil and gas industry and regulation, as well as by academics and officials in international relations.

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