ECT AS A BRIDGE BETWEEN UPSTREAM AND DOWNSTREAM ENERGY
UPSTREAM LAW AND POLICY AND DOWNSTREAM LAW AND POLICY

• Upstream law and policy is about resources law and policy where drivers are
  – Maximisation of resource rent
  – Security of demand
  – Sovereignty

• Downstream law and policy is about energy law and policy where drivers are
  – Efficiency
  – Security of supply
RESOURCE POLICY AND ENERGY POLICY

• Resource rich nations approach energy resources from a resource policy perspective where as energy importing nations approach energy from an energy policy perspective.

• This leads to conflict, but the common objective is the steady flow of energy products

• Given that international energy value chains are increasingly international in nature, an international approach is necessary.
ENERGY CHARTER TREATY AS INTERNATIONAL ENERGY REGULATION

• Two separate but related issues
  – International energy law
  – Internationalisation of energy law

• ECT investment provisions can lead to both
  – ECT as an international control mechanism
  – ECT as an international benchmark for national regulation
CONCLUSION : THE BIG PICTURE

From East West Gateway to...

...Producer / consumer dialogue and cooperation and a bridge between upstream and downstream energy
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