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gLAWcal #208 COMMENT

PLURATERALISM OR MULTILATERALISM: QUO VADIS, ENERGY AGREEMENT?

Based on

Jenya Grigorova “The international trading regime and the regulation of trade in energy resources. Is reform necessary and is a new energy agreement within the WTO framework the way to go?”



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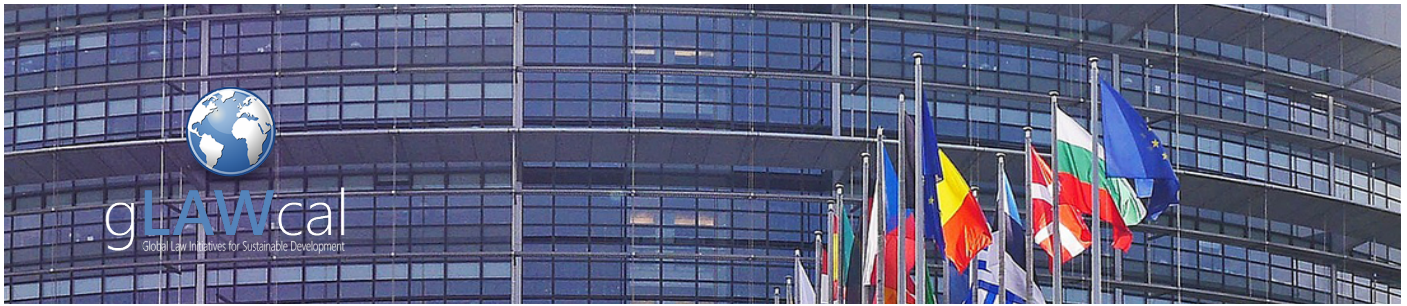


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A gLAWcal comment on Jenya Grigorova “The international trading regime and the regulation of trade in energy resources. Is reform necessary and is a new energy agreement within the WTO framework the way to go?” in Antonio Segura Serrano (Ed.) “The Reform of International Economic Governance”.

In the field of international trade law, it is possible to find a nice collection of sectoral agreements, for instance the Agreement on Agriculture or the Information Technology Agreement, to name a few. However, the field of energy appears to have escaped this development so far. Jenya Grigorova in her chapter “The International Trading Regime and the Regulation of Trade in Energy Resources: Is Reform Necessary and is a New Energy Agreement within the WTO Framework the Way to Go?” in the book “The Reform of International Economic Governance” edited by Antonio Segura Serrano subjects this issue to a closer scrutiny. She comes to the conclusion that the way to the adoption of a sectoral agreement is paved by many obstacles. One of the most crucial issues and problems is getting the parties to the table and persuade them about the importance of having a sectoral agreement in certain area in place. She identifies having a mul-

tilateral agreement in place as a possible solution, which has one obvious flaw: it would require the acceptance of all Member States, which is in such a controversial with various competing interests an utopia. A more acceptable approach argues for having a plurilateral agreement in place, which provides for the possibility of a closer integration between Member States having interest in it and leaving the other Member States aside. Still, even if this scenario should be realised, it would require a sharp diplomatic acumen and the willingness of the major exporting and importing nations to participate in such an initiative. It seems that when major international agreements should be concluded, often very bumpy roads need to be travelled. But as many examples of agreements already in place demonstrate, this effort is worth it. Then the road is open for the next big challenge: remediation of all the deficiencies and problems with implementation.



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