

Co-editors Foreword

The global energy environment is experiencing substantial alteration, fueled by the imperatives of climate change mitigation, sustainable growth, and energy security.¹ Governments, academics, and industry operators are all wrestling with the complicated interaction between the need for dependable energy, the pressing need to decarbonize, and the socioeconomic ramifications of moving away from fossil fuels in a just transition, and the relevance of energy security, as we have seen with the recent events at the Strait of Hormuz and the regional conflict surrounding this matter.² Domestic and international legal frameworks have emerged as critical tools in influencing this change, as they control resource allocation, emissions regulation, investment conditions, and cross-jurisdictional rights and duties.³ The contributions to this special issue illustrate these processes from several perspectives, addressing urgent issues in oil, gas, energy law, commerce, environmental governance, and climate justice. Collectively, they contribute to a more multidisciplinary and comparative knowledge of how legal and policy tools might help to ensure an equitable and sustainable energy transition.

Oil, gas, and energy law studies have long been concerned with the conflict between resource sovereignty and worldwide economic integration. That tension is increasingly intersecting with wider issues of equality, resilience, and environmental responsibility. The 2015 Paris Agreement emphasized the importance of energy systems in meeting global temperature targets, while the United Nations Sustainable Development Goals (SDGs) — particularly SDG 7 on affordable and clean energy, SDG 13 on climate action, and SDG 16 on strong institutions — provide normative benchmarks for energy governance.⁴ At the same time, international economic frameworks such as World Trade Organization (WTO) laws, bilateral investment treaties, and transnational regulatory regimes limit nations' capacity to implement protectionist energy policies. Local communities, emerging economies, and vulnerable populations are frequently marginalized in this contentious terrain. This special issue investigates these fault lines, asking if legal institutions may be adjusted to balance economic efficiency, sustainability, and justice in the energy transition.

The first contribution in English addresses an important problem: the use of decommissioned petroleum infrastructure for carbon capture, use, and storage (CCUS). Eduardo G. Pereira, Cristina Rodrigues, Margarita Teresa Nieves Zarate, and Thomas Muinzer look at the legal consequences of repurposing disused oil and gas facilities for CCUS projects. This work exemplifies the larger trend of circularity and resource efficiency in energy governance. The authors highlight the complicated legal issues of ownership, accountability, environmental concerns, and cross-border coordination. Their study shows that, while CCUS has the potential to reduce greenhouse gas emissions, it raises concerns about long-term stewardship, financial accountability, and compliance with international law. By combining decommissioning and decarbonization, the essay demonstrates how classic extractive infrastructure may be reimagined as part of the climate solution rather than a stranded asset.

The second contribution focuses on energy justice, a paradigm that has gained traction in recent years as a lens for examining fairness in energy production and use. Wan Mohammad Zulhafiz bin Wan Zahari, Hubert H. Humphrey, and colleagues investigate the intersection between energy justice and *maqasid al-shariah*, the higher goals of Islamic law, focusing on Malaysia as their case study. This novel approach places energy governance inside a normative paradigm that prioritizes the preservation of life, intellect, offspring, and property, therefore broadening the discourse on

- 1 Bernard Njindan Iyke, 'Climate Change, Energy Security Risk, and Clean Energy Investment' (2024) 129 *Energy Economics* 107225 <https://doi.org/10.1016/j.eneco.2023.107225> accessed 5 September 2025.
- 2 Papadis, Elisa & Tsatsaronis, George. (2020). Challenges in the decarbonization of the energy sector. *Energy*. 205. 118025. [10.1016/j.energy.2020.118025](https://doi.org/10.1016/j.energy.2020.118025).
- 3 Asian Development Bank, *International Climate Change Legal Frameworks* (2020) <https://www.adb.org/sites/default/files/publication/660321/international-climate-change-legal-frameworks.pdf> accessed 5 September 2025.
- 4 Paris Agreement, UN Doc FCCC/CP/2015/L.9/Rev.1 (adopted 12 December 2015, entered into force 4 November 2016).

justice beyond Western liberal frameworks. By combining energy justice with *maqasid al-shariah*, the authors contribute to a more comprehensive, pluralistic understanding of how values and ethics might drive fair energy policy. Their findings show that incorporating energy governance within culturally relevant frameworks can improve legitimacy, create inclusion, and enable compliance in Muslim-majority countries.

The third contribution focuses on energy efficiency and conservation, which are critical to both climate mitigation and energy security.⁵ Mayasa Bakhit Al-Meqareh investigates comparative perspectives on energy efficiency measures within the Gulf Cooperation Council (GCC). Despite their resource abundance, GCC countries confront expanding domestic energy demand, high per capita consumption, and increased susceptibility to climate change. The paper emphasizes the complex role that hydrocarbon-dependent economies must simultaneously preserve energy, diversify supplies, and satisfy sustainability targets. The paper uses comparative legal analysis to identify gaps in regulatory frameworks and recommends stricter conservation regulations, as well as incentives for renewable energy deployment. This work situates GCC energy efficiency within the larger global debate on demand-side management, demonstrating how law may be used to modify consumption patterns while maintaining economic competitiveness.

The environmental aspect of energy projects is discussed in Allan Ingelson and Flavia Vieira de Castro's article on environmental impact assessment (EIA) in Brazil. As extractive projects increase in vulnerable habitats, the efficacy of EIAs in balancing development and environmental preservation is widely questioned. Their doctrinal and comparative study focuses on how EIA procedures might be improved to guarantee better accountability, openness, and public engagement. The authors contextualize EIAs within international legal concepts such as the precautionary principle and the obligation to prevent transboundary harm, arguing that comprehensive evaluations are required to avert ecological deterioration. This contribution is important, given the current discussion about the sufficiency of environmental protections in new fossil fuel developments and carbon-intensive infrastructure projects.

Energy security is also a major theme in Opeyemi Yetunde Omotuyi's work, which examines the link between energy security and sustainable development in Nigeria. Despite being rich in hydrocarbons, Nigeria continues to struggle with energy poverty, unpredictable supply, and institutional flaws. The essay investigates how legal reforms, diversification methods, and renewable energy investment may help to achieve both energy security and sustainable growth. By examining Nigeria's experience, Omotuyi sheds light on a larger problem confronting resource-rich developing countries: how to use energy wealth to support equitable growth while satisfying sustainability obligations. The essay, therefore, contributes to both national and comparative discussions on energy governance in the Global South.

Climate change serves as the backdrop for another key work by Shiva Balliram, Eduardo Pereira, and Mostapha al-Mansouri, who examine the Loss and Damage Fund and its link to other financial instruments under the UN climate regime. While mitigation and adaptation financing have long dominated international climate discussions, loss and damage compensation for permanent effects like sea-level rise and climate-induced migration has emerged as a crucial, albeit contentious, subject. Their study places the Loss and Damage Fund within the larger context of climate financing, discussing legislative design, operationalization problems, and possible synergies with current systems. By examining the fund's ability to provide equitable relief to developing nations, the authors add to existing discussions about justice, accountability, and solidarity in global climate policy.

This special edition also contains two pieces written in Arabic, broadening the collection's subject reach and linguistic inclusion. Mohamed Chehaded Ismail examines the legal issues of climate financing and reparations, emphasizing the difficulty of implementing international obligations in a country's legal system. His research emphasizes the necessity of equitable burden-sharing, transparency, and institutional capacity in ensuring that climate funding meets its intended goals. Meanwhile, Mona Kamel Turki investigates the role of the energy sector in sustainable development and climate change mitigation, focusing on the structural challenges that Arab governments face in transitioning to low-carbon economies. These contributions enrich the special issue by placing energy law arguments in regional contexts that are frequently underrepresented in mainstream studies.

When read together, the pieces in this special issue show various cross-cutting ideas. First, the legal frameworks controlling energy are intricately linked to international commerce, investment, and environmental law. WTO conflicts over local content criteria, as described in the broader literature, highlight the dichotomy between national industrial policy and global trade obligations. Similarly, investment treaties are increasingly incorporating sustainability terms, altering the legal environment in which energy projects operate. Second, the contributions highlight the ongoing disparities in global energy governance. Whether it's about energy justice, climate financing, or the distributional implications of decommissioning, fairness is important to the energy transition conversation. Third, the problem highlights the growing need for innovative governance systems in addressing new challenges, ranging from hydrogen regulation to funding for loss and damage.

The academic importance of this special issue stems not only from the breadth of its subject matter but also from its comparative and interdisciplinary approach. The contributions explain how global standards interact with national circumstances through case studies from Africa, South America, the Middle East, and Asia. This comparative view exposes both similarities and differences in how states approach the energy transition. Interdisciplinarity is also visible, as the writers deal with doctrinal legal analysis, policy studies, environmental science, and normative frameworks like *maqasid al-shariah*. Such analytical diversity is critical for understanding the complex challenges of energy law and policy.

Looking ahead, the findings from this special issue highlight the critical need for legal studies to keep up with the rapid speed of the energy transformation, but at the same time, how to deal with different pressing issues like energy security. As nations carry out their nationally decided obligations under the Paris Agreement, legal structures controlling energy production, commerce, and consumption will be challenged and modified. Emerging technologies like CCUS and hydrogen necessitate new types of regulation, and long-standing instruments like EIAs require reinforcement to be successful. Simultaneously, distributive concerns—who gets, who pays, and who suffers the risks of transition—will determine both domestic legitimacy and international collaboration. By emphasizing justice, sustainability, and governance, this special issue adds to a research approach that aspires not just to understand but also to shape the future of oil, gas, and energy regulation.

To summarize, the works collected here make a substantial contribution to the expanding fields of oil and gas energy law and policy. They provide vital information about the legal aspects of sustainable oil and gas practices, energy justice, efficiency, environmental protection, climate financing, infrastructure reuse, hydrogen governance, and energy security.⁶ The special issue promotes a comprehensive knowledge of the legal problems and opportunities of the energy transition by setting these issues in both national and international contexts. The findings offered are intended to enlighten policymakers, assist practitioners, and inspire more academic research into how legislation may promote an egalitarian, sustainable, and secure energy future.

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6 Ibid.

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