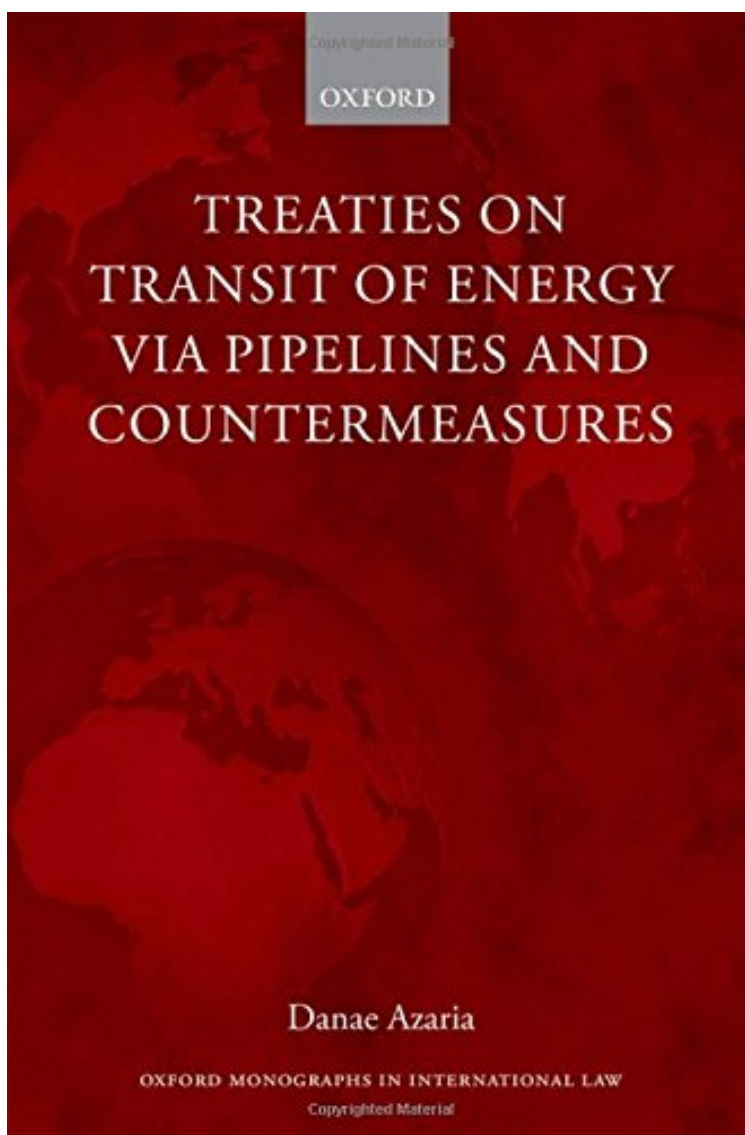


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Treaties on Transit of Energy via Pipelines and Countermeasures (Oxford Monographs in International Law)

Danae Azaria

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This monograph examines the relationship between treaties providing for uninterrupted energy transit and countermeasures under the law of international responsibility. It analyses the obligations governing energy transit through pipelines in multilateral and bilateral treaties, looking at the WTO Agreement, the Energy Charter Treaty, and sixteen bespoke pipeline treaties. It argues that some transit obligations reflect the community interest of states parties. The analysis is placed in the historical and normative landscape of freedom of transit in international law. After setting out the content and scope of obligations concerning transit of energy, it distinguishes countermeasures from treaty law responses, and examines the dispute settlement and compliance supervision provisions in these treaties. Building on these findings, the work discusses the availability and lawfulness of countermeasures as, on the one hand, a means of implementing the transit states responsibility for interruptions of energy transit via pipelines; and, on the other hand, circumstances that preclude the wrongfulness of the transit states interruptions of transit.

"What struck the Jury most is [the book's] broad and innovative perspective. The book embodies a "strategic vision" of the system and function of international law in its unity and diversity. Danae Azaria makes a genuine, real, impressive contribution for finding solutions to practical problems arising in the interconnected world of modern international law. It is a solid scholarly work analysing the law as it stands and demonstrating ways how it might be developed in a wider context surpassing the limits of the focus originally posed. It is an exceptional contribution to the science of international law.' - Extract from the Laudatio read on behalf of the Jury of the 2016 Paul Guggenheim Prize "The author makes full use of her substantial expertise in international law and treaties and her impressive capacity for treaty interpretation and legal analysis to deal with the practical problem of international energy transit. The merits of her book lie not only in her impressive analysis of very technical issues and problems, but also in her political and humanistic concerns respectively shown in her discussions on security exceptions and human rights issues." -Guihong Wei, Chinese Journal of International Law "This is a remarkable monograph, which deals with the generally little-explored subject of transfer of energy through pipelines. This subject is meticulously researched, and analysed against the background of general international law, which is the most notable characteristic of this study. It is an excellent and very important study, highly recommended not just for those with an interest in its particular subject matter, but, indeed, for anyone interested in international law." - Malgosia Fitzmaurice, International and Comparative Law Quarterly "[This book] makes a unique contribution to the international law literature by providing an in-depth and impressively researched analysis of energy transit under general international law. [It] must be welcomed as a much-needed analysis of the complex case of the interruption of energy supply and its consequences under international law." - Anatole Boute, The Cambridge Law Journal About the Author Danae Azaria, Lecturer in Law, University College London Danae Azaria is a Lecturer in Law at University College London.