



**CIL**

CENTRE FOR INTERNATIONAL LAW  
National University of Singapore

# **Systematic Literature Review of International Energy Law**

**Mohammad Hazrati &  
Nivedita S**

*on behalf of the CIL Energy Law  
& Policy Team*

# Overview

What is a  
systematic  
literature  
review  
(SLR)?

Overview  
of study &  
Initial  
review

Initial  
findings

Way  
forwards

# What is a systematic literature review?

- Structured process for reviewing research
- Comprehensive & transparent search criteria
- Reproducible methods, reducing bias
- Purposes:
  - Summarise state of knowledge
  - Trace topic evolution
  - Identify research gaps
  - Test hypotheses
  - Justify further investigation
- More comprehensive than traditional literature review

# Overview of study (1/2)

Aspect	Details
Databases searched	ScienceDirect, SCOPUS and Web of Science
(Primary) Search scope	Keyword-based search strategy targeting the 'Keywords,' 'Title,' and 'Abstract' fields
Timeframe	1 January 2000 to 19 August 2025
Key terms used	International energy law (IEL) or its equivalent terms: Energy law AND International law; International law of energy; International law on energy; Transnational energy law; Energy law AND Transnational law; Global energy law; Energy law AND global law; International regulation of energy; Energy regulation AND International regulation
Sample size	78 results including 41 journal articles (on published, peer-reviewed journal articles written in English) and 27 book chapters
Data collection tool	Structured questionnaire with 10 questions

# Questionnaire

1. What is the term used? If the paper uses more than one term, are the terms used interchangeably or have unique significance?
2. Where does IEL (or the equivalent term) appear?
3. How is IEL (or the equivalent term) defined or explained? Is it a standalone definition/explanation by the author (without references to other works)? If it references other works in a footnote or endnote, please provide those references.
4. Is energy defined, and if so, how?
5. What is the purpose/objective/goal/aim of IEL (or the equivalent term)?
6. What are the components of IEL (or the equivalent term), e.g. is it just norms such as laws, rules, standards or does it also include institutions/actors? What are the principles of (or relevant to) IEL (or the equivalent term)? Is there a hierarchy of norms?
7. What are the sources of IEL (or the equivalent term), e.g. multilateral agreements, bilateral investment treaties?
8. What is the scope of IEL (or the equivalent term), e.g. to what extent does it overlap with other branches of international law, and if so, which branches?
9. What is the international dimension of IEL (or the equivalent term), i.e., what distinguishes IEL (or the equivalent term) from energy law?
10. What are some of the adjectives that have been used to describe the nature of IEL (or the equivalent term)? (e.g. fragmented norms, a coherent regime)

# Overview of study (2/2)

- **Central hypothesis:** definition and/or conceptualisation of International Energy Law (IEL) remains unclear, with no consensus regarding its terminology, purpose, components, sources, scope etc.
- **Main research question:** Has IEL been defined and/or conceptualised, and if so, how?
  - What key elements are commonly identified by scholars when defining and/or conceptualising IEL?
  - To what extent is there consistency or divergence among existing academic definitions and/or conceptualisation of IEL?
- **Initial review:** To ensure that no prior systematic literature review had been conducted on the same topic, an initial search was performed before commencing the main review
  - The result of this initial review was zero, indicating that, at least within the three databases examined, no previous systematic literature review had been conducted on this topic.

# Initial review

Terms	AND “systematic literature review”	AND “systematic review”
“International energy law”	No result	No result
“Energy law” AND “International law”	No result	No result
“International law of energy”	No result	No result
“International law on energy”	No result	No result
“Transnational energy law”	No result	No result
“Energy law” AND “Transnational law”	No result	No result
“Global energy law”	No result	No result
“Energy law” AND “global law”	No result	No result
“International regulation of energy”	No result	No result
“Energy regulation AND International regulation”	No result	No result

# Initial findings

*Sample size: 78 results, including 41 journal articles (on published, peer-reviewed journal articles written in English) and 27 book chapters*

❖ *Phase 1: Journal Articles*

❖ *Phase 2: Book Chapters*

- Focus today: Phase 1 - 38 journal articles
  - Excludes 1 journal article, which wasn't accessible
  - Excludes 2 journal articles that were technical (non-legal)
- Approach: **literal, text-based interpretation** rather than a purposive one



# What is the term used?

- Most frequently used terms:

- **“IEL”** – 50%

- Reference in the main body (63%)
- Reference as a keyword (16%)
- Reference only in footnotes (16%)
- Reference in abstract only (5%)

- **“Energy Law” AND “International Law”** – 45%

- “Energy Law“ and “International Law” appear separately (in different contexts) most of the time
  - The term is actually associated with other terms such as “nuclear energy law” or “EU energy law”
- The term is used in a few cases to mean IEL even though the term is not used i.e., energy law in the international law context
  - *“Energy law has become increasingly important internationally. While the transboundary environmental effects of energy production have been recognised in international law since the Trail Smelter case, it was only, since the 1990s that issues such as the promotion of sustainable energy were seen as appropriate for inclusion in international conventions and soft law instruments.”*

- **“International Law of Energy”** – 8%

- **“International Law on Energy”** – 5%

# How is IEL (or the equivalent term) defined or explained?

- 7 address the definition/explanation, either by attempting to define it or by discussing the idea of the definition/explanation itself (18%)
  - 3 articles have defined clearly either by him/herself (standalone) or by reference to another scholar (43%)
    - ***one of the specialized and emerging branches of international law that regulates all issues of the energy cycle from exploration to consumption***
    - ***the rules of public international law that govern energy activities and their effects.***
      - Reference made to Catherine Redgwell, 'International Regulation of Energy Activities'
  - 4 articles defined indirectly (discussed/attempted without a clear definition) (57%)
    - ***“international energy law has been discussed as a distinct academic discipline for at least two decades” ... “Although it is not suggested that the definition of international energy law is obvious, this article proceeds on the basis that the development of international energy law is self-evident.”***

# What are the sources of IEL (or the equivalent term)?

- 5 articles have discussed the sources of IEL (13%)
- Examples of sources include:
  - *“The most common source of IEL is bilateral investment treaties that two states enter into to provide specific rights and obligations to each other”*
  - *“a significant place among the sources of IEL belongs to multilateral regional treaties.”*
  - *“Prior to the rise of multilateral treaties that either specifically deal with energy trade (eg ECT) or also apply to energy trade (eg GATT annexed to the WTO Agreement), energy trade had fallen within the scope of bilateral treaties on friendship, navigation and commerce.”*
  - *“human right to access necessary energy services”*
  - *“Treaties dominate international energy law”*
  - *“rules”*

# **To what extent does IEL (or the equivalent term) overlap with other branches of international law?**

- 5 articles have discussed this overlap (13%)
- Examples of other branches include:
  - Human rights
  - Environmental Law
  - Climate Change Law
  - Trade and Investment Law
  - Private international law
  - Resolution of International Disputes

# What are some of the adjectives that have been used to describe the nature of IEL (or the equivalent term)?

- 6 articles have used adjectives for IEL (16%)
- Examples include:
  - “Emerging”
  - “Specialized”
  - “Universally accepted”
  - “Credible”
  - “Overarching”
  - “Mainstream” (recognised)
  - “Evolving”
  - “Complex”
  - “Overlapping”
  - “Inconsistent”
  - “Fragmented”
  - “Uncertain”
  - “Incoherent”



# Way forward

- Continue analysis based on the questionnaire for book chapters for phase 2 of this study
- Answer the research questions:
  - Has IEL been defined and/or conceptualised, and if so, how?
    - What key elements are commonly identified by scholars when defining and/or conceptualising IEL?
    - To what extent is there consistency or divergence among existing academic definitions and/or conceptualisation of IEL?
- Beyond this study, consider expanding the scope of the sample size and databases utilised - this study is just the first step!

# Thank you!



[cil.energy@nus.edu.sg](mailto:cil.energy@nus.edu.sg)



<https://cil.nus.edu.sg/research/energy-law-&-policy/>



[EnergyMatters@CIL](https://cil.nus.edu.sg/cil-live/audio-recordings/), podcast series <https://cil.nus.edu.sg/cil-live/audio-recordings/>