

## GLOBAL ENER-JUSTICE / SIVAN SHLOMO AGON

The global energy sector is currently heading on a troubling trajectory, presenting the world with a multifaceted and intergenerational challenge. Depleting fossil fuels reserves, volatile energy prices, irreparable environmental damages, and the heavy investment required for the transition to renewable energy production account for only some of the problems in the field. In conjunction with such technological, economic and environmental concerns, current schemes of production, usage and access to energy work to sustain and aggravate injustices within and across states and societies, thereby also invoking critical moral issues. Thus, the scarcity and exhaustibility of ‘conventional’ energy sources raise serious questions of fairness towards future generations. The constantly growing thirst for such ‘low-cost’ sources, particularly amidst emerging economies, intensifies North-South tensions over who should bear the burden in responding to the harmful side-effects of present energy production patterns. At the same time, in other parts of the world the state of ‘energy poverty’ endures.

Despite the cross-border and complex aspects of the energy sector, no international regime is currently in place to address the urgent global challenge this sector invokes. While several international structures—such as the World Trade Organization or the Energy Charter Treaty—cover some energy-related issues, the current international legal and institutional landscape in the field is rather fragmented and underdeveloped. Against this backdrop, voices in recent years have been increasingly calling for the creation of a comprehensive international governance regime to provide cooperative solutions to the mounting global energy challenge.

Due to the salient and sensitive issues of ethics and equity associated with the energy sector, and considering the potentially cardinal distributive role an international regime in the field could play, it is argued, any future framework for global energy governance—in order to be sustainable and legitimate in the long run—would not only have to be effective, but also *just*. In this light, the following questions arise: How should a just global energy regime look like and in which manner the notion of ‘global energy justice’ is to be conceptualized? What grounds and principles of (global) justice should guide the formation, goals, and institutional arrangements of a future global energy structure? And what allocation of rights and duties between States themselves and amidst other relevant entities would promote and defend such goals and arrangements? These queries—the investigation of which ought to precede any future endeavor to form a sustainable and legitimate global governance regime for energy—stand at the center of this research.

Building on the burgeoning global justice literature, this project seeks to address these and related questions, while providing a critique of existing approaches to international law and cooperation in the energy sector, and probing the normative leeway in current international law for the translation of relevant global justice principles into legal norms and prescriptions for the energy sector, which is currently still strictly adheres to the principle of state sovereignty.