Overview-The U.S.-Russia Bilateral Presidential Commission Energy Working Group’s Round Table on Energy Law in the 21st Century: Views from the U.S. and Russia

Through this special online publication, the American Bar Association’s Section of Environment, Energy, and Resources (ABA-SEER) is pleased to present twenty papers produced by energy law experts from the United States and the Russian Federation. These papers were written under the auspices of the U.S.-Russia Energy Working Group’s University “Rule of Law” Partnership. This Working Group is a part of the U.S.-Russia Bilateral Presidential Commission, established by Presidents Obama and Medvedev in 2009.

Professor Petr Lakhno of Moscow State University initiated this “Round Table on Energy Law in the 21st Century” through his 2011 proposal to the Russian Federation’s Energy Ministry to develop within the U.S.-Russia Working Group (EWG) framework cooperative exchanges of ideas about energy policy and energy legal education between U.S. and Russian energy experts and law schools. Consistent with Professor Lakhno’s proposal, in June 2011, during the second plenary session of the U.S.-Russia Energy Working Group, United States Secretary of Energy Steven Chu and Minister of Energy of the Russian Federation Sergei Shmatko launched a partnership to engage legal experts in each country to focus on comparative legal studies of the U.S. and Russian energy sector. The partnership envisions several projects, including an initial publication in the Russian Federation and the United States of energy law articles produced by members of the Russian and U.S. teams; the formation of a Joint Advisory Committee to prepare articles and studies providing the governments of each nation timely advice on significant energy issues; the preparation of joint comparative analysis of Energy Law in Russia and the United States; academic exchanges (faculty, students, graduate fellows); and integration of degree programs between Russian and U.S. law schools.
Thereafter, in November 2011, Paul Tumminia, Senior Advisor with the U.S. Department of Energy’s Office of Russian and Eurasian Affairs, and Janet K. Levit, Dean of The University of Tulsa College of Law, former colleagues at the U.S. Export-Import Bank, discussed the possibility of working together on this initiative. Mr. Tumminia informed Dean Levit that he was seeking to put together a team of U.S. energy law experts to join a team of Russian energy law experts pursuant to the partnership launched by Secretary Chu and Energy Minister Shmatko. He further explained that the two teams were being enlisted to present papers during Moscow Energy Week in October, 2012, jointly publish papers in Russia and the United States, and maintain a continuing dialogue about energy policy and teaching energy law.

After noting that The University of Tulsa College of Law had operated an extensive energy law program for nearly 40 years, Dean Levit offered to see if she could enlist a member of her energy law faculty to put the U.S. team together. Dean Levit’s offer was soon accepted, and she enlisted Professor Gary Allison, Director of The University of Tulsa College of Law Sustainable Energy & Resources Law Program, to recruit members of the U.S. Team. Meanwhile, Professor Lakhno was recruiting a Russian Team. Team members were recruited with a focus on their expertise about their nations’ most important energy issues. As a consequence, even though there was some overlap, the teams covered different topics.

In 2012, Professor Lakhno secured Moscow State University’s Energy Law Journal to publish the papers in Russia. Professor Allison and Seth Davis, Publications Officer for ABA-SEER, worked out an agreement for ABA-SEER to create a special online publication of the teams’ papers in the United States. Members of both teams completed their papers in August of 2013 (Note, in the interim, members of the U.S. team traveled to Moscow in October, 2012, to participate in an energy law dialogue during Moscow Energy Week with members of the Russian Team, and in October, 2013, members of the Russian team came to the United States to engage in energy law dialogues in Houston and Tulsa).