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Studying the Concept of Underground Resources' Ownership in Iranian International Oil and Gas Contracts

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Maybe the concept of ownership, along with the financial and economic issues of oil and gas contracts, is the most important factor in the contractual transformations and changes in the patterns of these contracts. Contemplating oil and gas contracts indicates that oil-rich countries have always tried to design and use those kind of patterns that limit the ownership of international oil companies. This effort represents the implementation of the principle of national sovereignty over natural resources and that is the main factor for transition from Concession Contracts to Sharing Contracts. Accordingly, this paper studies the status of international oil companies' ownership of Iran's oil and gas underground resources in order to clarify its nature and place in various contractual patterns. Since all the laws and regulations in Iranian legal regime are influenced by Islamic law, it is also necessary to study the concept of ownership of oil and gas resources in the Islamic law. It seems that international law, as well as domestic law, prefers the sovereignty and ownership of states over their natural resources to the rights of international oil companies. On the other hand, it seems that international companies are entitled to seek appropriate compensation in return.

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