

OPEN PEER REVIEW

Evaluation of Mediation as a Dispute Resolution Mechanism in Upstream Oil Contracts

Mohammad. Sardoeinasab¹, Afshin. Mehdikashi^{2*}, Mehdi. Piri³, Elham. Aminzadeh⁴

¹ Professor, Department of Public Law, Faculty of Law and Political Science, University of Tehran, Tehran, Iran

² PhD student, Department of Oil and Gas Law, Kish International Campus, University of Tehran, Kish Island, Iran

³ Assistant Professor, Department of Public Law, Faculty of Law and Political Science, University of Tehran, Tehran, Iran

⁴ Professor, Department of International Law, Faculty of Law and Political Science, University of Tehran, Tehran, Iran

* Corresponding author email address: Mehdikashi.lawfirm@gmail.com


Received: 2025-05-01

Revised: 2025-08-02

Accepted: 2025-08-10

Published: 2026-03-01

EDITOR:

Tahereh Ebrahimifar


Head of Sociology Department, Faculty of Arts, Helwan University, Cairo, Egypt. Email: Tah.Ebrahimifar@iauctb.ac.ir

REVIEWER 1:

Pınar Reisoğlu

Faculty of Social Sciences, Recep Tayyip Erdogan University, Rize, Turkey. Email: pinarreisoglu@erdogan.edu.tr

REVIEWER 2:

Mehmet Çevik

Department of Social Sciences, Ankara University, Türkiye. Email: mehmetcevik@asbu.edu.tr

1. Round 1

1.1. Reviewer 1

Reviewer:

This paragraph is rich in context but overly citation-heavy. Consider balancing between citations and authorial argumentation to avoid an impression of a literature survey instead of an introduction.

The sentence could be clearer: “possesses legitimacy and a legal foundation, it is fraught with challenges.” Consider rephrasing for smoother readability and more concise argumentation.

Strong argument, but the drawback (“no legal precedent is created”) deserves deeper critical reflection—how might this affect regulatory consistency in petroleum disputes?

This section effectively highlights confidentiality, but could be improved by addressing limits (e.g., when states require transparency in extractive contracts).

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The objective is clear but would benefit from a sharper research question. For instance, “To what extent can mediation outperform arbitration and litigation in upstream oil disputes?” This would strengthen the analytical focus.

Excellent contextualization, but the paragraph is largely descriptive. Consider linking the high dispute rate directly to the necessity of mediation to strengthen argumentative flow.

The discussion is informative but lacks examples from oil-related cases. Adding one or two petroleum case precedents would improve sector-specific relevance.

While well-structured, the four-stage mediation process is presented without critical evaluation. Suggest adding strengths/limitations of each stage, especially for upstream oil disputes.

The cited statistic “mediation requires less than 5% of the cost” appears without clear source explanation. Ensure empirical data are traceable and contextually accurate.

The section is well-articulated but could better distinguish mediation from arbitration. Explicit comparative tables or sub-points would enhance clarity.

The agricultural leasing example (Blackacre) is useful, but somewhat hypothetical for a petroleum law paper. Replacing it with an actual oil contract case would strengthen applied relevance.

Good point on renegotiation, but the text lacks real-world evidence. Suggest integrating case law or contractual amendments from petroleum projects (e.g., Iraqi service contracts).

Authors revised the manuscript and uploaded the document.

2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.