

## BOOK NOTE

*The Legal Dimensions of Oil and Gas in Iraq: Current Reality and Future Prospects.* By Rex J. Zedalis. New York: Cambridge University Press, 2009. Pp. 335, \$90.00 (hardcover).

*The Legal Dimensions of Oil and Gas in Iraq* offers an examination of the legal framework governing Iraqi oil and gas since the emergence of Iraqi self-governance under the constitution adopted in 2005. Rex J. Zedalis begins Part One by providing a contextual background of Iraq's oil and gas law through a brief, yet detailed, historical chronicle. His account spans the genesis of Iraq's oil and gas production in concession agreements with foreign entities prior to World War I, the nationalization of the oil and gas industry in 1961, the period following the first Gulf War, and the lead up to Saddam Hussein's removal from power in 2003. Zedalis also sets forth in Chapter 1 of this part an account of Iraqi oil and gas reserves, oil and gas production, pipeline infrastructure, and refinery capacity.

Zedalis then describes in Chapter 2 the structure of the 2005 Iraqi Constitution and the provisions that govern oil and gas activities, the handling of oil and gas revenues, and the legal distinction between "present" versus "future" fields. In this chapter, Zedalis continues his introduction of the relevant Iraqi constitutional provisions by evaluating the respective powers of the central government vis-a-vis oil and gas and the powers of the subcentral units, regions, and governorates not organized into regions to enter into oil and gas development agreements. Zedalis focuses his discussion concerning the constitutional authority of subcentral governmental units to enter into oil and gas development agreements on the current disagreements between the Kurdistan Regional Government (KRG) and the central government in Baghdad.

Zedalis goes on in Part Two to address and elaborate on four specific legislative measures passed by the central government in Baghdad that deal with development agreements. Chapter 3 is comprised of an examination of the federal oil and gas framework law, a discussion of the KRG's oil and gas law, and the legal issues surrounding the wording of the respective laws. In Chapter 4, Zedalis examines models of contractual instruments for entering into oil and gas exploration agreements and production sharing

contracts. In Chapter 5, Zedalis provides an overview of the federal oil and gas revenue-sharing law and expounds upon the difficulties associated with the collection and distribution of oil and gas revenues. Noting the absence of relevant provisions in the Iraqi Constitution, Zedalis discusses the various approaches to the reconstitution of the Iraqi National Oil Company (INOC) and the Ministry of Oil in Chapter 6.

In Chapter 7, Zedalis takes up the issue of outstanding creditor claims against Iraq and discusses relevant United Nations Security Council Resolutions that currently insulate Iraq's oil and gas assets from attachment by the nation's creditors. Chapter 8 discusses the Central Government's authority to enter into oil and gas development agreements, under the 2005 Iraqi Constitution, if the proposed federal oil and gas framework law were not adopted. In a similar vein, Chapter 9 examines the constitutional and non-constitutional principles governing the distribution of oil and gas revenues absent the adoption of a federal revenue-sharing law.

Zedalis concludes with Part Three, a forward-looking discussion of the possibilities of change in the current oil and gas legal framework. This discussion focuses on the evolving legislative and political developments that may affect the status quo. The complications and uncertainties surrounding Iraq's oil and gas law are addressed in the final chapter, Chapter 10, in which Zedalis attempts to anticipate the regimes that might arise if the Iraqi federalist system were to fail, and makes modest predictions of the repercussions of such changes.

The author, Rex J. Zedalis, is the Phyllis Hurley Frey Professor of Law and the Director of the Comparative and International Law Center (CILC) at the University of Tulsa, College of Law. He is the former Assistant Director of the College of Law's National Energy Law & Policy Institute, of which he has also served as a Fellow. During his thirty-five year career, Professor Zedalis has acted as consultant to international organizations, foreign governments, and law firms, both domestically and internationally.