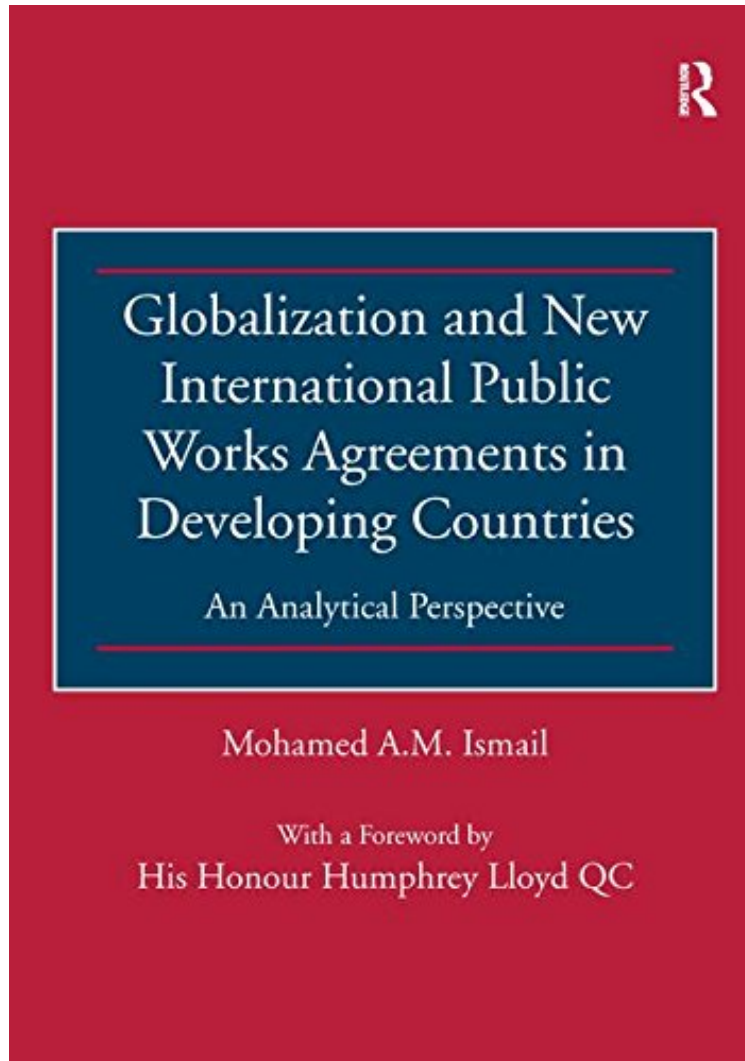


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Globalization and New International Public Works Agreements in Developing Countries: An Analytical Perspective

Mohamed A.M. Ismail

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This book scrutinizes the new legal nature and stipulations of International Public Works Agreements and provides an in-depth analysis of new forms of infrastructure agreements which have been created in developing countries, such as PPPs. The volume also examines the direct impact of the new legal environment upon infrastructure transactions such as dispute resolutions and ADR mechanisms, in particular, arbitration. It provides an analytical perspective on international public works agreements in developing states in the light of ICC rules of arbitration and FIDIC forms of contracts. As globalization significantly influences le contrat administratif in civil law legal culture, this book examines the legal cultures of civil and common law from a comparative perspective. The author argues that harmonization and integration of the two cultures, in infrastructure agreements, are the way forward. The book will be a fundamental guide for researchers and academics working in this area as well as judges, lawyers and international arbitrators in both common law jurisdictions and civil law legal systems.

'The book represents a valuable contribution to legal academic and practitioner literature. The author subjects globalisation principles and the doctrine of competition upon structures and delivery mechanisms of international public works agreements in developing countries. The author captures with authoritative structure, accuracy and precision the pulse of the substantive legal framework of international public contracts embracing works and construction infrastructure with its current dynamics and past developments.' Christopher H. Bovis, University of Hull, UK 'This volume presents a broad view of its subject and provides useful insights into a number of complex topics, such as: legal globalization, the definition and legal nature of international public works agreements, the use of PPPs in developing countries, and the role of arbitration. In tackling some challenging legal issues, the author has produced a book that will be of value to those interested in the effects of globalization in developing countries.' Mahmoud Samir El-Sharkawi, Cairo University, Egypt 'This book presents a valuable contribution to international public works agreements theory in developing countries. It signifies the influence of globalization and the flow of Anglo-American legal culture to civil law countries. The author provides an in-depth analysis of the substance of international infrastructure agreements mechanisms and arbitration in these agreements, where developing nations are involved. The volume presents a useful resource for academics worldwide.' Yehya El Gamal, Cairo University, Egypt 'The author has immense experience in the law, and public policy associated with the subject and this publication will provide a very useful insight for those unfamiliar with civil law concepts with an interest in providing construction services in the Middle East which in many jurisdictions relies upon law and jurisprudence emanating from Egypt.' International Construction Law About the Author Mohamed A.M. Ismail is a Vice-President of the Egyptian State Council (Conseil d'Etat), Judge at the Court of Appeal (Contracts Circuit), Fellow of the Chartered Institute of Arbitrators (UK), Visiting Professor and PhD examiner in the Egyptian Universities in International State Contracts and Arbitration, particularly on infrastructure projects, Lecturer at the Cairo Regional Centre of the International Commercial Arbitration (CRCICA) and Arbitrator in the International Construction Contracts disputes particularly International Public Works Agreements. Dr Ismail was formerly a Senior Legal Advisor of HE the Egyptian Minister of Petroleum and represented the Egyptian Government in the state international business transactions in the Oil and Gas industry, especially in the UK with distinguished law firms such as Shearman Sterling the international counsel to the Egyptian government. He was a Senior Legal Advisor of HE the Egyptian Minister of Trade and Industry and formerly a Senior Legal Advisor of the Investment Sector in Egypt and represented the Egyptian government at the United Nations Conference on Trade and Development (UNCTAD), Geneva, for the Bilateral Investment Treaties (BITs) negotiations when developing states were involved. Dr Ismail is the recipient of the prestigious State Prize for Academic Legal Research - from the government of the Arab Republic of Egypt - 2011/2012.