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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

Induction of
HONOURABLE JUSTICE P.N. BHAGWATI
Former Chief Justice of the Supreme Court Of India

Into
NIALS
Hall of Fame

And Presentation of a Lecture Titled
“PUBLIC INTEREST LITIGATION”

Date: April 21st, 2010.

Venue: Transcorp Hilton, Abuja.

Time: 11:00am

2010 Hall of Fame

NATIONAL ANTHEM

Arise, O compatriots,
Nigeria's call obey,
To serve our fatherland
With love and strength and faith,
The labour of our heroes past
Shall never be in vain,
To serve with heart and might,
One nation bound in freedom,
Peace and unity.

Oh God of creation
Direct our noble cause
Guide our leaders right
Help our youths the truth to know
In love and honesty to grow
And living just and true
Great lofty heights attain
To build a nation where peace and
Justice shall reign.

NATIONAL PLEDGE

I pledge to Nigeria, my country
To be faithful, loyal and honest
To serve Nigeria with all my strength
To defend her unity
And uphold her honour and glory
So help me God.

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NIALS PRESS



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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES 2010 HALL OF FAME 21ST APRIL, 2010

PROGRAMME OF EVENTS

1. National Anthem
2. Introduction of Dignitaries
3. Introduction of Special Guests of Honour of the Occasion
4. Opening Speech by Professor Epiphany Azinge, SAN, Director General, NIALS.
6. Opening Remarks by Chief Justice of the Federation, Honourable Katsina Alu, CON, FNIALS
8. Remarks by the Honourable Attorney General of the Federation and Minister of Justice, Prince Adetokunbo Kayode, SAN
8. Citation of Honourable Justice P.N Bhagwati
9. Induction Ceremony
10. Presentation of Lecture
11. Comments/ Questions from the floor to Guest
12. Public Presentation of Institute's Research Work *"JUSTICIABILITY AND CONSTITUTIONALISM: ECONOMIC ANALYSIS OF LAW"*
13. Presentation of Gifts
14. Vote of Thanks
15. Light Refreshment



His Excellency,
Alhaji Umaru Musa Yar'Adua, GCFR
President, Federal Republic of Nigeria.

gratuities of any kind, prohibition of all forms of conflicts of interest and reasonable disclosure of financial interests among others.

Such an independent regulator is lacking in the Nigerian regime.

8. The present law is retrogressive and hence does not drive development because instead of creating an enabling environment for investment, the law vests enormous power on the Minister. Contrary to the general role of a Minister which is confined to formulation of policy the Nigerian Minerals and Mining Act at present involves the Minister in the day to day running of the sector which goes beyond policy formulation to policy execution. The role of the regulator is subject to the overriding powers of the minister thereby depriving the regulator of the features of an independent regulator.
9. There is no clarity in the law as to what the royalty rate is. This has grave implication for investment, as no investor would like to invest when he/ she does not know what his / her obligation under the contract would be.
10. The conflicts in the law are a major discouragement to foreign investors as evidenced by the limited number of mining licenses granted in comparison with other African Countries like Ghana and Botswana.
11. The draft Bill presented to the National Assembly took cognizance of best practices internationally however the Act that was eventually passed is fundamentally different from the Bill as presented.
12. Fiscal incentives in themselves do not rank high as major factors determining foreign direct investments; it is rather, the drive to increase market share, favourable government attitudes towards private sector investment in the economy, currency convertibility, political stability and state of private property in the best state and the rate of return on investment.

To move the economy forward and derive optimum value from the solid minerals sector, the Roundtable made the following recommendations:

1. The Nigerian State and people must muster the political will to transform the infinite potentials of the solid minerals sub-sector to catalyze economic growth and sustainable development.
2. As a corollary, there is a need for adequate funding of the solid minerals sub sector by public sector finance, creation of political and macro economic stability to attract foreign direct investment and domestic private investment.
3. Incentives should be provided for small scale mineral prospectors having regard to the low

patronage of large scale mining activities in Nigeria.

4. Pursuant to redressing the low indigenous participation in Nigeria's extractive industry generally, there must be a purposive, progressive and continuous development of indigenous technical and scientific capacities in the different domains which encapsulate cutting edge technologies and international best practices in the extractive industry.
5. Legal regimes must encapsulate provisions which make it mandatory for maximum value added to oil extractive product.
6. Equally, the ideal legal framework must encapsulate mandatory ecological rehabilitation of mined areas. Every mining concession must mandatorily provide for an environmental impact analysis which must be a condition precedent to granting of mining lease.
7. The present law, that is, the Nigerian Minerals and Mining Act 2007 should be amended to curtail the enormous powers vested on the Minister which are beyond those usually assigned.
8. The Mining Cadastre Office as the Independent Regulator should be invested with powers and authority consistent with its status.
9. Mineral endowments are neither a blessing nor a curse. It is the extent to which its husbandry is efficient and optimal and how carefully calibrated and planned is the expenditure of external receipts accruing from the export of extractive products that determines whether natural resource endowments is a curse and or a blessing. Consequently, not less than 65 per cent of the receipts from export of extractive products must be dedicated to the development of non extractive trade able stock of national capital which will guarantee continuous stream of external receipts when the stock of minerals would have reached full depletion.
10. Within the context of intergenerational justice, while the present generation of Nigerians are free to exploit the stock of finite, and non-renewable natural resource endowments; albeit responsibly and in a pattern which is sustainable, they must also reciprocally increase the renewable assets and resources by embarking on strategic investment of the revenue accruing from the export of extractive product.

Signed
Professor Epiphany Azinge, SAN
Director-General



**NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES
LAGOS, NIGERIA**

**ROUNDTABLE ON THE LEGAL DYNAMICS OF
INVESTMENT IN SOLID MINERALS IN NIGERIA**

9th March, 2010

COMMUNIQUE

INTRODUCTION:

The greatest challenge to development which Nigeria faces since the ascendancy of oil as the single most significant contributor to its Gross Domestic Product (GDP) has been the dire need to diversify away from its overwhelming reliance on oil as its major source of revenue. With oil accounting for about 85 per cent of the total revenue accruing to the Federation account, intermittent cyclical fluctuation in oil earnings as a result of perturbations occasioned by oil price shocks in the international oil market, has led to budget deficits hence the need to explore other sources of revenue.

The solid minerals sector is a veritable treasure chest which if optimally managed would cover gaps in public finance and catalyze economic growth and development, generate employment and create an industrial base which has linkages with other sectors of the economy, an attribute which the oil sector does not have because of its enclave nature. Despite the huge resource of solid minerals in Nigeria, the country is regarded as a non mining nation and the contribution of this sector to the economy remains just a potential.

The Roundtable on THE LEGAL DYNAMICS OF INVESTMENT IN SOLID MINERALS IN NIGERIA, which is the sixth and last of roundtables for the first quarter, hosted by the Katsina Alu 's Centre for Energy and Solid Minerals, is the Institute's response to bridge the gap in knowledge and International best practices regarding the framework for the optimal husbandry of solid minerals in Nigeria; bearing in mind the need to evolve Legal instruments which will not constitute a disincentive to foreign direct investment and domestic private sector investment in the sector, while ensuring that the nation's benefits from the exploitation of solid minerals is maximized.

Perspective for the Roundtable included: Solid Minerals and Classification; The Institutional and Legal Framework of Minerals and Mining Law; The Dynamics of Natural Resource Development and Exploration of Mineral Resources; Resource Control and Sharing; Government Protection; The Role of the Nigerian Investment Promotion Commission; The Role of the National Assembly and Compensation for exploration of Land and Natural Resources.

Participants were drawn from a cross section of the polity. In attendance were representatives from the Corporate Affairs Commission, Nigerian Institute of International Affairs, Legal Practitioners, the Academia and the mass media.

At the end of deliberations, the following observations were made:

1. The sector is widely regarded as a viable alternative to oil minerals; has the potential to contribute significantly to the revenue and foreign exchange earnings of the country, perhaps beyond oil; has the potential of a great employer of labour and source of empowerment for the women and teaming youth population and acts as a catalyst for industrial development.
2. The Sector is characterized by policy inconsistency (whether it should be public or private sector driven, small scale or large scale mining,) long period of stagnation/ neglect, absence of necessary linkages between minerals and ancillary industries and until recently, governed by an outdated mining code and policy.
3. Nigeria operates State mineral rights as opposed to private minerals rights system and the unilateral Concession regime as opposed to contractual arrangements as operates in other jurisdictions such as Indonesia.
4. There are a lot of factors militating against the development of the sector these include: inadequate funding, manpower development, inadequate geological information/ data.
5. The Country's mining policy and regulatory regime has significantly improved and is competitive against other mining destinations.
6. The legal regime for solid mineral mining in Nigeria necessarily draws from the 1999 Constitution Section 44(3), the Minerals Act, the Land Use Act, Nigeria Investment Promotion Commission Act (NIPC) ; while the Bodies overseeing this sector are the Solid Minerals Commission and Mining Cadastre Office whose function include considering applications for Mineral Titles and permits, issue, suspend and revoke any mineral title upon the written approval of the Minister.
7. An investor investing in a liberalized economy would like to see in place an independent regulator. Such a regulator would be independent in terms of finance, organization and management to ensure there is no government or political interference. It must be accountable, transparent, predictable, have clear roles and requisite powers to perform their functions and have integrity there should be strict rules governing the behavior of decision makers e.g., prohibition against bribes and



His Excellency,
Dr. Goodluck Jonathan, GCON
Ag. President, Federal Republic of Nigeria.



Honourable Justice A. I. Katsina-Alu, JSC, CON, FNIALS
Chief Justice of Nigeria,
Federal Republic of Nigeria.

- 2009,
- e.) Electronic Commerce (Provision of Legal Recognition) Bill, 2008,
 - f.) Security Communications Interception and Monitoring Bill, 2009, among others.
 - 4. That alternatively, all of the above Bills could be harmonized by the National Assembly so they could come out with one comprehensive law that holistically addresses all aspects of telecommunication and cyber crimes.
 - 5. That in this regard, there should be a platform and better strategy for agenda setting spearheaded by the Nigerian Bar Association to lobby the National Assembly into passing the necessary laws.
 - 6. That the Nigerian Procedural and substantive laws of evidence, especially the tremendously outdated Evidence Act, enacted by the colonial masters in 1945 be repealed and replaced with a modern one which adequately provides for safeguarding the admissibility of technologically based evidence that will enhance the effective prosecution of fraudsters.
 - 7. That in determining the *actus reus* and *mens rea* of terrorism under the Rome Statute, cyber terrorism should be included. It is noteworthy that it is one of the offences under the currently before the National Assembly. Alternatively, a separate tribunal should be established for telecommunication and cyber crimes.
 - 8. That the United Nations through WIPO and UNESCO should further develop intellectual property law to criminalize telecommunication and cyber crimes to ensure that the elements of the offence of cyber crime are the same in all jurisdictions such that what is illegal in one jurisdiction is also illegal in others. This will ensure that no criminal escapes from punishment.
 - 9. That the Bill for an Act to Amend the Nigerian Communications Act, (HB. 352) empowering the Nigerian Communications Commission to issue and serve notice on any telecommunications service provider registered and operating in Nigeria directing that a register of all subscribers be opened and maintained should urgently be passed into law.
 - 10. That Intellectual Property Laws should be strengthened in order to promote, as a deliberate act of Government policy, creativity and the dissemination and application of its results and to encourage fair

trading which would contribute to economic and social development.

- 11. That new technology can raise jurisdictional issues without precedent, but there is often a solution to be found. In the realm of cyberspace, entities that want to limit their international exposure could clearly indicate on their websites that the information therein is targeted solely to users in a particular jurisdiction.
- 12. That websites could also block access to users from jurisdictions that do not recognize certain activities (cyber crimes) as offences that are actionable.
- 13. That there is no need to set up a separate agency to tackle telecommunication offences. As is done in order jurisdictions, what is needed is a specialized arm of the police for instance to deal with such issues.
- 14. That Regulatory Agencies such as the CBN, NCC other stakeholders in the telecommunication Industry should collaborate for more effectiveness.
- 15. That there is need for telecommunication companies to be more patriotic in their attitude towards Nigerian citizens as against over emphasis on the protection of foreigners.
- 16. That there is need for government to step up efforts towards the provision of employment opportunities for the teeming youths, who constitute the bulk of telecommunication and cyber fraudsters in the country.
- 17. That the success of the internet depends on its security. Industries and businesses must be assured that information transmitted over computer networks is safe from attacks.
- 18. That there should be stiff penalty for offences of threat through the use of telephone in order to successfully tackle the vice.
- 19. That the use of telephone in facilitating payment of ransom for kidnap victims should be criminalized and serious offences should be defined to include kidnapping. There should be absolute liability and imposition of imprisonment without an option of fine as is done in Australia.
- 20. The commission of offences through the use of face book by which means children could be negatively influenced or corrupted should be criminalized in Nigeria.

Signed
Professor Epiphany Azinge, SAN
Director-General

evidence relevant for the effective prosecution of modern day telecommunication and cyber crimes.

8. 11 Several Bills on telecommunication and cyber crime that have been presented for passage at the National Assembly are still pending.
9. All sectors of the economy including banks, administrators, manufacturers, universities, governments, ICT practitioners, law firms and individuals, among others, have come to depend to a high degree on the efficiency and security of the ICT infrastructure. However, because of the negative activities of cyber criminals, this infrastructure has become vulnerable to attack thus requiring protection.
10. Telecommunication is a vital element in the growth and development of nations and the economy. Telecommunication infrastructure is, therefore, critical to Nigeria's economic, social and political well-being.
11. Though Nigerian statutes like the Penal Code, Criminal Code, EFCC Act and Money Laundering Act contain a wide spectrum of telecommunication offences, some telecommunication offences or the genre of crimes now classified as cyber crimes are not adequately covered by the criminal codes and general common law.
12. So far there has been no effective prosecution of telecommunication and cyber offences because most of the acts constituting such offences have not been criminalized in Nigeria as required by the provisions of section 36(8) of the 1999 Constitution.
13. One of the challenges facing law enforcement agencies is the refusal of witnesses to come forward to give evidence because of threats and harassment from suspects.
14. Roaming of telephone numbers, cloning of websites and non registration of SIM cards pose challenges to the detection and tracking down of fraudsters.
15. The nature of telecommunication crimes, which are usually committed from the comfort of the bedroom, makes it difficult to detect the location of such crimes and the culprit, except with the full cooperation of service providers.
16. The reluctance of service providers to supply information on subscribers as well as the ease with which SIM cards are obtained without relevant data of subscribers pose serious challenges to enforcement agencies.
17. Nigeria does not have a central cyber data

collection, despite the fact that technologically it is quite easy to detect telecommunication crimes. The lack of such a system makes it difficult to track fraudsters.

18. Unemployment is one of the main reasons why people commit crimes particularly telecommunication and cyber crimes.
19. There are insufficient facilities and provisions for proper training of our law enforcement agents.
20. The commission of offences through the use of face book on the Internet by which means children could be negatively influenced or corrupted has not been criminalized in Nigeria.

RECOMMENDATIONS

The Roundtable after an extensive discussion of its subject matter, made the following recommendations:

1. That because of the importance of information technology and globalization, Nigeria should develop telecommunication and cyber law as a core academic subject to be taught in tertiary institutions in Nigeria either alone or as part of Criminal Law. Studying cyber space legal issues will force us to re-think established doctrines that have hitherto been taken for granted and assist in the development of the elements of the offence of cyber crime.
2. That the development of Nigerian law in relation to telecommunication and cyber offences should be pursued along the following lines
 - a.) harmonization of existing laws, where they are substantially conflicting,
 - b.) evolution and enactment of new laws, where necessary,
 - c.) transplant of telecommunication offences law from other jurisdictions with necessary local modifications
 - d.) Cooperation and collaboration with international and regional organizations to formulate or adopt uniform laws, where appropriate.
3. That the National Assembly should expedite action on the various Bills on varying aspects of telecommunication offences pending before it. These include:
 - a.) Draft Cyber Security and Data Protection Agency (Establishment etc.) Bill, 2008
 - b.) Electronic transaction Protection Bill,
 - c.) Mobile Telephone Lines Registration Bill, 2009
 - d.) Computer Security and Protection Bill,



Prince Adetokunbo Kayode, SAN
Hon. Attorney-General of the Federation
and Minister of Justice.

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Professor Epiphany Azinge, SAN
Director-General,
Nigerian Institute of Advanced Legal Studies.

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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES
LAGOS, NIGERIA
ROUNDTABLE ON TELECOMMUNICATION OFFENCES:
UNVEILING OF BORDERLESS CRIMINALITY
4th March, 2010



COMMUNIQUE

INTRODUCTION

Considering the different aspects of crime being committed through electronic communication or improper use of public electronic communication network, the Chike Idigbe Centre for Media Communications and Information Technology of the Nigerian Institute of Advanced Legal Studies, held a One Day Roundtable on the topic: Telecommunication Offences: Unveiling of Borderless Criminality. The Roundtable, which took place on the 4th of March 2010, was organized in fulfillment of part of the Institute's mandate as the apex legal Institution for legal research in Nigeria.

The Roundtable focused on the following issues - The Developments in the Nigerian Telecommunication Sector; the Current wave of Illegal Mobile Phone cloning and Reprogramming; Unlawful content in Electronic Communication; the Improper Use of Public Electronic Communication Network; Interception of Communications An Investigative Tool for Law Enforcement Agencies; the Role of the Nigerian Communication Commission as Regulators in the Operation of the Telecommunications Industry; the Role of Service Providers; the Role of Economic and Financial Crimes Commission; and the Need for Governments Renewed Efforts towards the Development of the Nigerian Telecommunication Industry.

Present at the Roundtable were notable figures such as the representatives of the late Honourable Justice Chike Idigbe, representatives of relevant organizations such as the EFCC, the CBN and the NCC as well as notable members of the legal profession and the NGO community. Renowned professionals in the telecommunication industry, regulatory and enforcement agencies led discussions at the Roundtable. It is however, necessary to note that though all the telecommunication service providers were duly invited, none of them was present at the Roundtable.

OBSERVATIONS

The Roundtable observed that

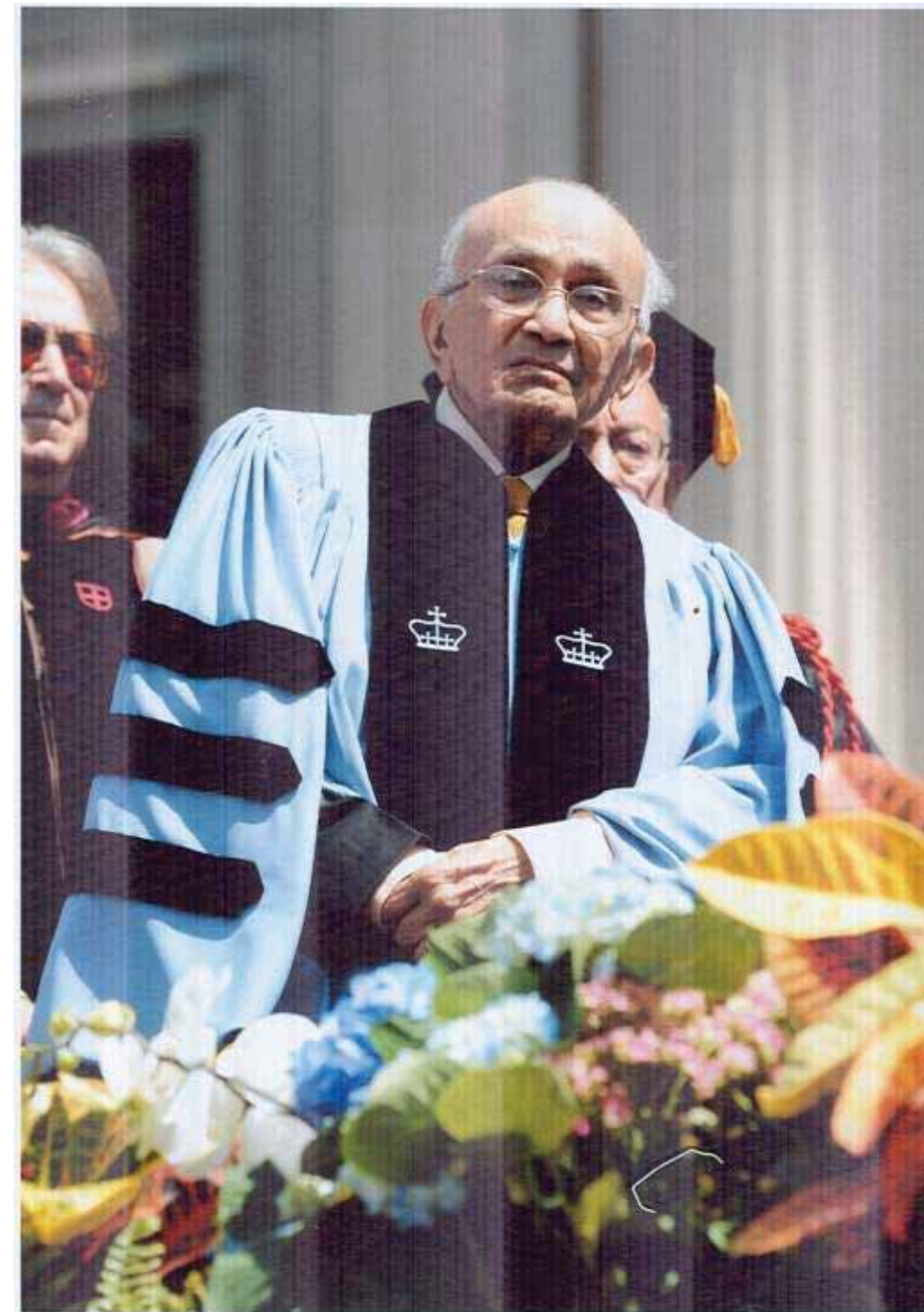
1. The development in the telecommunication sector of the Nigerian economy in the past ten years has been monumental.
2. There is an increasing wave of telecommunication crimes globally and Nigeria is not isolated from this grey technologically based and evolving crimes, which also manifests in the form of cyber crimes.
3. The existing laws on telecommunication crime in Nigeria are grossly inadequate and do not address the myriad of offences committed by subscribers. They primarily address service providers while leaving out the subscribers.
4. Likewise, existing international laws and instruments to which Nigeria is a signatory have not sufficiently addressed the issue of telecommunication offences or cyber crimes as there is no tribunal like the ICC to prosecute telecommunication crimes from an international perspective.
5. There is a need for a specific legislation that holistically addresses the problem of telecommunication offences and cyber crimes.
6. The establishment of International criminal tribunals and, in particular, the ICC has given impetus to the evolution of a body of International criminal law proper and we can now look forward towards the formation of a fully-fledged body of law in this area. This is not yet the case with telecommunication offences. Consequently, there is a lack of uniformity in the laws of various countries, which results in the criminalization of certain acts in some countries and not in others. This creates the problem of jurisdiction in the prosecution of telecommunication cyber offences.
7. The present Nigerian law of evidence is archaic and does not adequately address the admission of electronically generated

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- of human capital is the first step to dealing with the phenomenon of kidnapping in our society.
2. A conscious effort should be made to engage the large number of Nigerian youth in productive activities by creation of employment opportunities and creating a conducive environment for financially empowering Nigerians.
 3. There should be social safety net by way of social welfare package in Nigeria. This will entail a welfarist approach to governance. In this regard, the implementation of the post-amnesty programme should be reviewed to ensure that it is sustainable, affordable and equitable. This will also bolster and sustain the amnesty programme and further entrench the post-amnesty agenda in Nigeria's national development and strategic plan of action. This is the path to enduring and sustainable peace, security, justice and democratic consolidation in Nigeria.
 4. The National Assembly should pass the amendment to the Nigerian Communications Commission Act seeking to compel GSM telecoms operators to keep a register of owners and users. This will facilitate combating the menace of kidnapping and abduction. Similarly, the National Identity card project should be pursued vigorously so that there will be a comprehensive data base. Such data base will assist the GSM operators in keeping records of applicants, owners and users of GSM phones and also in national development..
 5. Bearing in mind that Nigeria is a federation and the legislative competence to pass legislation on kidnapping and abduction rests with the States, a uniform law is needed in the country on kidnapping and abduction. The Nigerian Law Reform Commission should draft such a model law that can be adopted by all states.
 6. As was the case with money laundering, economic and finances crimes and advance fee fraud, a special unit is needed in the Police to deal with kidnap issues.
 7. The security system in the country should be reappraised to incorporate instantaneous receipt of information on crime commission such as the amber alert system in the US. Such information should be shared by law enforcement agencies.
 8. The vigilante system has been effective in some communities. There is, therefore a need for community policing to detect and report on movement of people, especially suspicious movements and characters in each locality.
 9. The Government should make it difficult for moneys realized through kidnappings to be channeled into the normal stream of the financial system so that perpetrators cannot reap from their evil actions. The financial thresholds provided in the Money Laundering Act should be reviewed and strictly enforced by the banks and law enforcement agencies.
 10. As has been done for drug trafficking; we must partner and collaborate with other countries to ensure that moneys obtained from this means is not laundered abroad or used to purchase arms and ammunitions.
 11. There is the need to evolve a response strategy in the form of a national policy articulating what to do, where to go and specified persons and institutions to deal with when the phenomenon occurs. We must develop the competencies of personnel to man such institutions and invest in appropriate technologies and facilities to further the cause
 12. While the amnesty granted to Niger Delta and other militants is a welcome development to move the country forward, there is need to review the whole exercise especially with regards to financial payments being made to the militants.
 13. In view of the ubiquitous nature of corruption, stringent steps should be taken to tackle corruption effectively, especially forfeiture of assets acquired through corrupt means and blacklisting corrupt persons from holding public offices and chairing social events; closely akin to this is the need for a total re-orientation of Nigerians in terms of attitudes and aspirations. The Ministries of Justice should examine the legislation on corruption with a view to initiating appropriate legislation in this regard while the National Orientation Agency should embark on massive education and enlightenment of Nigerians in this regard.
 14. In view of the pervasive mass impoverishment in the nation, there is a need to diversify the economy, with a view to promoting the generation of wealth for all citizens and eradicating poverty.
 15. Management of information during the investigation and monitoring of kidnap incidents is critical. It is imperative, therefore that partnerships with relevant stakeholders including the media is established. In this regard, information and intelligence sharing mechanisms should be established to bridge the gaps that could weaken the country's capacity to contain the trend.
 16. The law enforcement agencies should be adequately equipped with modern technology to enable the agencies to stay ahead of the kidnappers. Training and re-training of such agencies is imperative.
 17. The preamble to the 1999 Constitution expresses the firm and solemn resolve of Nigerians to engender, inter alia, good government and welfare of all persons on the principles of freedom, equality and justice. The Constitution further proclaims that the Nigerian state is based on the principles of democracy and social and that security and welfare shall be the primary purpose of government. For these objectives to be attained, the Nigerian state must come to terms with the fact that democracy is more than sparkling array of political institutions. Rather it is a system that is nurtured and sustained by democratic ethos, security of life and property and strengthened by good governance. Absent all these, there will be manifestations of a failed or failing state.
 18. Nigerian leaders must not take the loyalty of Nigerians for granted. Instead of decreeing loyalty, every effort should be made to earn it. This, in turn, underscores the imperative of good governance in the Nigerian polity. Good governance demands a leadership that is committed to building sustainable institutions with a credible framework of checks and balances. Nigeria and her leaders are capable of building such institutions.

Signed
Professor Epiphany Azinge, SAN
Director-General

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Honourable Justice P. N. Bhagwati
 Former Chief Justice of
 the Supreme Court of India



NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

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“To be a world class institution that is the primary source of information, training and advice at the highest level of policy formulation on legal matters, effectively impacting on local and international institutions in the development of law.”

MISSION STATEMENT

“To be the nucleus and hub of legal research and advanced studies in law in Nigeria.”

MOTTO:

Knowledge That Makes the Difference.

9. The advent of GSM phones has facilitated the commission of these crimes. However, the same phones can be used for the monitoring and detection of the criminals if the mobile phone operators have registers of owners and users as envisaged in the draft amendment to the Nigerian Communications Commission Act, now before the National Assembly. While it is important to register SIM cards the critical issue is the creation of a credible database in Nigeria so that we can decipher that correct information is given at the point of registration.
10. Any nation like Nigeria with a large population of youth, especially unemployed with no social safety net is underdeveloped and sitting on a time bomb and is a fertile ground for criminal activity including kidnapping. In such nations where security is low and there is the presence of affluent members in the midst of hunger, deprivation and poverty, crime is rife.
11. The growing trend of kidnapping and abduction in Nigeria which portrayed the country as insecure has led to the migration of expatriate workers from the country, thereby denying the nation, the much needed foreign investment. The implication of this is that the nation's developmental plans could be hampered, as no country can survive in isolation.
12. Security is one of the components of the Seven-Point Agenda. The target of this initiative is to provide the enabling environment as well as resources for the development of the country. The menace of kidnapping is a criminal act that requires strategic initiative to contain the threat otherwise this component of the Seven-Point Agenda will be threatened. This is so because there can be no development without security. Similarly the attainment of the objectives of Vision 20:20:20 is threatened by this phenomenon
13. National security involves freedom from fear and the presence of development. Section 14(2)(b) of the 1999 Constitution provides that the security and welfare of the people shall be the primary purpose of government. In other jurisdictions like Latin American countries, failure to fulfill such obligations, statecraft and leadership; decaying and lack of infrastructure and absence of good governance have led to the status of a failed or failing state. Nigeria is too critical to the African region and to the world at large to manifest symptoms of a failed or failing state.
14. Most kidnappers have peculiar operational style that distinguishes one group from the other. While some are contented with the immediate monetary returns from the families/relatives of the victims, others are capable of prolonged negotiations for a bigger ransom. However, most cases of kidnapping particularly those undertaken by criminal groups, reveal the following stages: spotting (planning a kidnap operation and drawing up a list of potential targets), surveillance, disguising, risk analysis, collaboration, seizing of victim, negotiation and collection of ransom. There is the need to break this chain.
15. Incidence of kidnapping represents a source of economic sabotage and terrorism given the impact of the phenomenon on oil exploration by transnational corporations whose expatriate and local staff have been tagged as targets of attack by kidnappers. As an instrument of terrorism, it pressurizes government towards acceding to the demands of such groups. The consequence is the proliferation of insurgent groups that could weaken central government and its security forces, reminiscent of the situation in Somalia where anarchy has set in due to activities of such militia groups. In Nigeria, the incidence has manifested in various forms and the current trend shows that you do not have to be wealthy or famous to be a victim. The phenomenon therefore poses a threat to all
16. Kidnappings thrive because victims are paying or playing along. The incidence will reduce if there is resistance and refusal to pay the ransom.
17. Corruption is ubiquitous and has its tentacles directly and indirectly on kidnapping and most criminal activities.
18. Without discounting the gravity of the offences committed by the militants in the Niger Delta region, the complexity of the Niger Delta question transcends the realm of law and criminality and hence most previous government measures which border simply on law and order question have been catastrophic.
19. The general amnesty granted to the militants from the Niger Delta region in the peculiar and extraordinary circumstances of the Niger Delta question, is an act of statesmanship which should be commended, reciprocated and implemented by all the parties in good faith as it is a strategic imperative. However, the post-implementation programme including the monthly payment to the militants should be re-visited because of its long term and financial implications. For instance, how long will the payment be made, will it be indexed against inflation, is a national social safety net of a lesser sum for all unemployed Nigerians not a better alternative?
20. The law enforcement and security agents are faced with numerous challenges in their attempt to curb the phenomenon. Such challenges include absence of state of the art equipment, lack of specialized skills for combating the menace, inadequate funding of the security sector arising from the global economic meltdown, inadequate legislation for the prosecution and punishment of accused and reluctance of the GSM operators to partner with security agencies in combating the menace in view of absence of legislation to compel their cooperation.
21. Sovereignty, as section 14(2)(a) of the Constitution acknowledges, belongs to the people of Nigeria from whom government through the Constitution derives all its powers and authority. Although the first stanza of the National Anthem speaks of 'one nation', the second stanza acknowledges that Nigeria remains a project and charges us to strive to build a nation where peace and justice shall reign.

RECOMMENDATION

Arising from the above observations, the following recommendations are made:

1. Pursuing socio-economic development to reduce the incidence of unemployment, poverty, and massive deprivation that exist in our society. In other words the overall development of society especially the development



NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA

ROUNDTABLE ON KIDNAPPING AND ABDUCTION:
CHALLENGES FOR NATIONAL SECURITY

2nd March, 2010

COMMUNIQUE



INTRODUCTION

In Nigeria, between 1991 and 2009 there were about 34 reported cases of kidnapping and abduction. Thus Nigeria ranked ninth behind other nations including Columbia, that had reported cases of 5,181. Kidnapping and abduction was effectively introduced into Nigeria as a form of organized protest in the Niger Delta region by the various groups agitating for infrastructural development of the region. It was considered a viable option for drawing the attention of government and other international organizations in the long drawn struggle for resource control and better living conditions in the region.

As the agitations continued, politicians saw some of these groups as instruments for intimidation of opponents and manipulation of electoral processes. Similarly criminally minded elements in the region saw these organizations as the best cover organizations required to perpetuate criminal activities. The phenomenon spread to other parts of the country where those hitherto involved in robbery activities saw kidnapping and abduction as less risky but yet more profitable. Thus kidnapping and abduction became weapons for pursuing pecuniary gains as huge sums of money in form of ransoms were collected from victim's family members or from their employers. This phenomenon poses a threat to national security.

It is in realization of the effect of this phenomenon on the economic, political and social life of Nigerians that the Nigerian Institute of Advanced Legal Studies (NIALS) hosted a One-day Roundtable titled 'Kidnapping and Abduction: Challenges for National Security' on the 2nd of March 2010, under the auspices of the Sarki Mukhtar Centre for Law and National Security one of the Centres recently established by NIALS.

The Perspectives for the Roundtable included the phenomenon of kidnapping; the ubiquitous nature and commercialization of kidnapping; the dangerous dimensions economic loss and impact on foreign direct investment; the effect on a country's image and development trajectory; current statistics; the role of the police, law enforcement agencies and security agents; and the way forward. Various speakers made presentations at the Roundtable.

The participants included representatives from the Office of the National Security Adviser, Russian Attaché, the Nigerian Army and Navy, Ministries of Justice from across the Federation, Ministry of Defence, Judiciary, Media Houses and Legal Practitioners, the judiciary. The Roundtable was moderated by Professor C. O. Okonkwo, SAN, former Dean of Law University of Nigeria, a distinguished academic, and currently a Commissioner at the Nigerian Law Reform Commission.

OBSERVATIONS

At the end of the deliberations the following observations were made:

1. The Roundtable is the fourth in the series of Roundtables hosted by NIALS so far starting from FEBRUARY 2010.
2. Apart from using the Roundtables as one of the vehicles for fulfilling the mandate of NIALS, they are meant to raise awareness of issues on national development, spearhead discourse of such issues, and assist policy makers in the development of frameworks for addressing the issues.
3. The phenomenon of kidnapping and abduction raises grave implications for the economy as most transnational corporations have fled the shores of Nigeria and re-located to countries within the sub-region.
4. Kidnapping and abduction started in the Niger Delta region, and the targets were foreigners working in international oil companies. However, the phenomenon was used as a means to protest the political imbalance in the country and also hijacked by criminals as a money-making venture, since it is less risky and more profitable.
5. The phenomenon took most Nigerians unaware in terms of the frequency, severity, sophistication and impact on the social-economic life of Nigeria. Thus various forms of kidnapping including criminal kidnapping, political kidnapping, and emotional or pathological kidnapping are now perpetuated. The consequence is that in states where kidnapping is rife, people from the states are discouraged from going home with grave implications for social and economic activities even though the perpetrators of this phenomenon are usually members of the immediate community.
6. There is a paradigm shift the criminality that informed the drafting of the provisions of the Criminal Code and Penal Code is not enough response to the current criminality. Thus provisions in the Criminal Code and Penal Code dealing with kidnapping and abduction are inadequate for the phenomenon. However, the provisions can be used to prosecute offenders until a new legal regime is created to adequately deal with the phenomenon. The challenge posed to law enforcement agencies is that of detection and investigation of such criminal activities.
7. Some states have passed laws on kidnapping and abduction and the punishment includes death penalty. However, there is no evidence of any successful prosecution and conviction so as to serve as deterrent to others. Besides, there is no evidence that any Governor in Nigeria, has signed death penalty warrant lately.
8. There is no comprehensive database for Nigerians in form of reliable national identity card and home addresses.

NIALS Hall of Fame

In fulfillment of our mandate, the Institute has in recent times established the "NIALS Hall of Fame" to honour individuals that have made monumental contributions in the field of law and related disciplines, particularly those areas that impact on humanity. The Institute will be celebrating periodically the success of lawyers, jurists and statesmen who have made extraordinary contributions to law and humanity, into the NIALS Hall of Fame.

This year, the Institute has chosen Honourable Justice P.N Bhagwati, a retired Chief Justice of India, as the first inductee of its Hall of Fame, for his role in recognizing the Justiciability of Economic and Social Rights in India; his extraordinary period of service as a Supreme Court Justice and Chief Justice of India, which saw series of landmark rulings supporting human rights and expanding access to justice for all Indians, by balancing activism and judicial restraint. He is currently serving as Vice Chairman on the UN Human Rights Committee and is also member of the International Advisory Council of the World Bank.

This act is remarkable in that it has led to the discourse on the justiciability of Economic and Social Rights in so many other jurisdictions including Nigeria and has particularly given impetus to the Institute's research in this area. By this, the Institute will also be presenting its latest research work: ***Justiciability and Constitutionalism: Economic Analysis of Law*** to the Nigerian public. This is to serve as a catalyst for the Nigerian Judiciary to draw inspiration from the bold, courageous and visionary pronouncements of Honourable Justice Bhagwati and hopefully revisit its thinking on the non-justiciability of Chapter 2 of the 1999 Constitution.



2010 Hall of Fame

- management.; with the deployment of adequate information technology (I.T.) infrastructure this should vastly improve efficiency and accountability in the administration of justice
6. Although there is substantial similarity between the state rules there are no uniform rules on frontloading and Pre-trial Conference and therefore there is need for caution in the general application of appellate decisions in the respective jurisdictions.
 7. On timelines in the rules, the absence of the discretion of judges to consider motions, applications and written addresses prior to the expiration of the period provided by the rules even when the parties are ready does not make for speedy dispensation of justice.
 8. In relation to the Federal High Court it was observed that the rules do not make provision for further affidavit and reply on point of law
 9. Although Pre Trial Conferencing is crucial to the objectives of speedy dispensation of justice, its effectiveness depends largely on the mastery of the Pre-Trial Conference Judge to effectively manage a case with a view to resulting into the settlement of the case rather than slowing down the process
 10. While frontloading requires strict case management by the Pre-trial Conference Judge he is in Lagos state a case manager who can descend into the arena without bias with a view to identifying the core issues in dispute and getting the parties to settle
 11. The Frontloading rules under the Federal High Court Rules have not sufficiently provided judges with discretion to permit further witness depositions
 12. It does not appear that legal practitioners are willing to test the correctness of decisions or rulings based on the rules. There is need for guidance on the rules at the appellate level.
 13. Frontloading brings transparency and efficiency to the proceedings and enables the court and the parties to weigh the respective strengths and weaknesses of the case
 14. Frontloading gives the parties the opportunity to explore alternative dispute resolution mechanisms. However although referral of parties to ADR mechanisms in the course of case management may be seen as resulting in a lack of fair hearing, the court has a primary obligation under the rules to ensure speedy dispensation of justice

RECOMMENDATIONS

At the end of the Roundtable the following recommendations were made –

1. Written addresses are not necessary for motions and it is recommended that summaries be filed instead
2. There is need to further review the Evidence Act in order to bring aspects of Front loading such as the nature and effect of written depositions and Pre-Trial Conference into conformity with the provisions of the Evidence Act;
3. Considering the role played by NIALS in the evolution of the Lagos State Rules and the widespread adoption of Rules modelled on the Lagos State Rules NIALS should take up the challenge of making proposals for the reform of the rules;
4. There is need for continuing legal education for members of the bar and bench on various aspects of the new rules and alternative dispute resolution mechanisms;
5. The commitment of legal practitioners can no longer be taken for granted as the new rules encourage professionalism. There is need for counsel to undertake pre-action counselling and the introduction of lawyers professional liability clauses;
6. In view of the observations on consistency with the Evidence Act, NIALS should avail the National Assembly with the recommendations and issues raised at the Roundtable in the ongoing process of reviewing the Act;
7. Practice directions and rules must be in conformity with the provisions of substantive legislation. Notably depositions by witnesses must disclose identity;
8. In view of the absence of the discretion of judges to consider motions, applications and written addresses prior to the expiration of the period provided by the rules, it is recommended that Judges be given discretion to consider motions in such circumstances;
9. Frontloading modifies procedural jurisprudence from the traditional adversarial approach thereby making the judge a managerial judge drawing on the inquisitorial system. In order to ensure fair hearing therefore it is crucial that the case manager should not handle the Pre-trial conference as well as the plenary proceedings.

Professor Epiphany Azinge, SAN
Director General
19 February, 2010



NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA

ROUNDTABLE ON FRONT LOADING: CHALLENGES AND IMPLICATIONS FOR SPEEDY DISPENSATION OF JUSTICE

16TH FEBRUARY 2010

COMMUNIQUE

INTRODUCTION

Frontloading is the simultaneous filing of pleadings and evidence relied on together with originating processes. It was introduced by the Lagos State Judiciary with the introduction of the Civil Procedure Rules 2004 (CPR). The CPR provided for Pre-Trial Conference and stricter time lines with a view to facilitating speedy and cost efficient dispensation of justice. Front loading is designed to ensure full research and knowledge of the facts of, and the law relating to a dispute before the filing of a suit. These innovations which were largely influenced by Lord Woolf's Access to Justice Report 1996 and the consequent reform of the rules of civil procedure in the United Kingdom have been widely replicated in several jurisdictions in Nigeria. Indeed features of the reform proposals are found in the rules of appellate courts. However several years after its introduction the concept of front loading and the extent to which it has achieved the objectives of reform deserves close scrutiny and evaluation.

Consequently the Nigerian Institute of Advanced Legal Studies (NIALS) consistent with its mandate as Nigeria's foremost legal think tank and resource organised on 16th February 2010 a one day Roundtable on "Front loading –Challenges and Implications for Speedy Dispensation of Justice." The Roundtable was organised under the auspices of the Abdullahi Ibrahim Centre for Litigation and Case Law - one of the Centres of the Institute. Participation in the Roundtable was drawn from members of the State and Federal Judiciary, the National Industrial Court, Ministries of Justice and members of the Bar and other experts. The sub-themes discussed covered appraisal of the concept of frontloading, monitoring and evaluation mechanisms, challenges and the respective roles of the Bench and the Bar, adaptation to election proceedings as well as mechanisms for ensuring the protection of witnesses.

The panel of discussants featured Justices of the Court of Appeal and distinguished Senior

Advocates of Nigeria. The Chief Justice of Nigeria Hon Justice Katsina – Alu was represented by Hon Justice Walter Onoghen JSC while the President of the Court of Appeal was represented by Hon Justice R.C. Agbo, the Presiding Justice of the Lagos Division of the Court of Appeal. The session was moderated by a former member of Council of the Institute Alhaji A. Salman, SAN

OBSERVATIONS

The Roundtable made the following observations -

1. While noting that the theme of the roundtable was of current relevance, apart from procedural lapses the issue of delay in the dispensation of justice is also attributable to administrative lapses such as ill-timed transfers of judicial officers, delays in preparation of records of appeal by the registry and industrial agitation over conditions of service by administrative staff
2. Lagos State no doubt blazed the trail in the application of the new rules and there is no doubt that progress has been made in terms of speedy dispensation of justice and the weeding out of frivolous matters. After five years of the rules there is need for a review of the efficacy and it was noted that Lagos has commenced the process for the evaluation and review of the Rules
3. The Rules on frontloading and other reforms must be understood strictly in the context of an overarching concern to forge greater efficiency and speedier dispensation of justice
4. In order to enhance Frontloading there is need to improve human resources component and training as well as infrastructure which will aid the speedy dispensation of justice
5. Frontloading and Pre-trial Conference mechanisms together with timelines introduced in the rules are designed to facilitate efficient case tracking and case

PROFILE OF THE NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES, NIALS

The Nigerian Institute of Advanced Legal Studies is Nigeria's apex institution for research and advanced studies in law. It was a brainchild of the legal academic community established in March 1979. One of the main ideas in founding the Institute was to establish it as a centre for advanced legal research for all the Nigerian universities with Faculties of Law, so that all postgraduate work could be undertaken there under the joint auspices of the most experienced and learned academic lawyers available in the country, whether indigenous or foreign. The Library would be the best equipped collection of law books and publications. This would, no doubt, assist in resolving the difficulties hampering the organization of postgraduate studies needed to fill in the gaps in the training of Nigerian lawyers at the time.

At inception, the Institute was funded with generous financial and academic support from external agencies such as the Ford Foundation and the Commonwealth Secretariat. Such assistance, however, declined over time. The National Universities Commission also funded the Institute through the University of Lagos until 1984 when by virtue of Decree No. 18 of June 27, the Institute became autonomous under the supervision of the Federal Ministry of Justice. This development greatly enhanced the mandate and institutional capacity of the Institute to discharge its functions.

Additionally, in 1995 the enabling law of the Institute, now fully incorporated into the Laws of the Federation 2004 as section 4(c), Cap. N112, was amended to

mandate the Institute to run post-graduate courses in legislative drafting. Consequently, the Institute's Post-graduate School (PGS) was established in 1997 as the Post-graduate Studies Unit with the sole aim of running a Post-graduate Diploma in Legislative Drafting (PGDLD) and Masters Degree in Legislative Drafting (M. LD.). This was the first of its kind, not only in Nigeria but in Africa. The Institute has also recently commenced a PhD Programme in Legislative Drafting.

MANDATE/FUNCTIONS OF THE INSTITUTE

The mandate and functions of the Institute as set out in its enabling law include:

- (a) providing information, supervision, guidance and advice to post-graduate students and other researchers who are working for post-graduate degree of any University in the field of law and related subjects;
- (b) conducting research into any branch of the law or related subjects with a view to the application of the results thereof in the interest of Nigeria;
- (c) conducting courses of instruction in legislative drafting leading to the award of post-graduate diploma or a post-graduate degree;
- (d) regularly organizing, hosting, arranging and conducting national and international seminars, symposia, conferences, workshops and lectures on any branch of the law or related subjects;

- (e) preparing and publishing books, records, reports, journals as may seem desirable, for the dissemination of research findings, seminars, symposia, conferences, findings of workshops and lectures;
- (f) co-operating with Nigerian universities, the Nigerian Law School, the Nigerian Law Reform Commission and such other bodies, within and outside Nigeria, engaged in any major field relating to law reform, development or research in the mobilization of Nigeria's research potentials for the task of national development and dissemination of research findings for the use of policy makers at all levels;
- (g) carrying out other activities as are necessary and expedient for the full discharge of any of its functions as provided in the enabling law.

As can be seen from the foregoing, the statutory functions of the Institute emphasise the need to conduct research into legal and related matters to enhance national development and the application of the results of such research to the country's needs. Of particular importance is the task of disseminating "research findings for the use of policy makers at all levels." The Institute, therefore, has the mandate to plan legal research and relate it to both the long and short term socio-developmental aspirations of the country.

The Institute thus occupies a strategic place within the scheme of things to re-orient legal research and in particular, reflect the changing tendencies, perspectives and philosophies that define Nigeria's and Africa's role in the international economic and political order.

Consequently, the Institute's research ultimately not only contributes to policy making but also helps to build a body of knowledge of the legal order tailored towards meeting Nigeria's needs.

All through the years, the Institute has lived up to its name, taking giant strides in the fulfillment of its mandate. Its anniversary, the highlight of which is usually an anniversary lecture delivered by a renowned national or foreign legal luminary is marked every year. In May 2009, the Institute celebrated its 30th Anniversary in a grand style. Highlights of the event included, among others:

- (i) an anniversary lecture delivered by one of Africa's foremost constitutional law experts, Professor Ben Nwabueze, on the topic "Judicialism and Good Governance in Africa";
- (ii) a week long arts exhibition focused on Nigeria's constitutional history, at the end of which cash awards were given to the best three artists;
- (iii) the fourth Institute Fellows Dialogue;
- (iv) Public presentation of the two volumes of the first part of the Laws of Nigeria's Project on the Criminal Justice Administration Sector; and
- (v) anniversary dinner

Since the inception of the new management headed by Professor Epiphany Azinge, SAN in May 2009, a host of innovations have come into place. A few of which are outlined below:

The Institute in recent times has engaged other institutions outside the country in collaborative undertakings,

- monitored. In doing this, the process of recruiting judicial personnel, the temperament, composure, antecedent, passion, social standing, background, experience and intellectual bent of such judicial personnel should be carefully analysed. Similarly the recruiting institutions and personnel should take these criteria into account.
- 6) Administration of justice in a globalised world poses challenges for the judiciary especially in the area of complex commercial transactions and implementation of treaty obligations. The changes introduced by the reform of the rules of civil procedure are no less daunting. Consequently, judicial officers should be trained regularly for them to keep pace with developments in these areas and the administration of justice in general. Similarly, computer appreciation courses should be organised for judges so that they will all become IT-compliant.
- 7) Nigerian Institute of Advanced Legal Studies should champion the course of highlighting inconsistencies in judicial pronouncements of courts of coordinate jurisdictions and call for harmonization of opinion especially when the facts are clearly on all fours in both cases.
- 8) The provision of critical infrastructure in the justice sector including the lower bench should be given priority. In this regard, welfare package and improved conditions of service for judicial and ancillary staff in the courts of records should be extended to the magistrate/area courts. The developments in Lagos State in this regard should be emulated by other states.
- 9) To take full advantage of the reform of civil procedure rules, lawyers should avoid frivolous interlocutory applications and if such applications amount to abuse of process, the lawyers should be personally sanctioned. Similarly the judges should be conversant with the rules for ease of application.
- 10) For Nigeria's Jurisprudence to grow, Judges must be innovative, courageous and creative in interpretation of constitution and statutes.
- 11) Salaries and allowances of Judges should be reviewed periodically to forestall the temptation of being corrupt.
- 12) The practice of writing dissenting opinions should be encouraged in order not to stifle independent opinions on the bench.
- 13) Systems and structures should be put in place and operated by persons with capacity to operate them. Similarly, there is the need to demystify the court process and procedure and it is hoped that the civil procedure rules will lead to such demystification.

- 14) In our adversarial system, lawyers should prepare adequately for their cases and ensure that the facts and law are presented to the judges. In so doing, if a judgement has been reached per incuriam, it should be brought to the attention of the judges.
- 15) The Nigerian Bar Association (NBA) should be more proactive in defending judges and be more discerning in criticising judgements and not the judges. This will contribute to the reform of the justice sector and such reform will promote excellence in the judiciary.
- 16) The workload of justices in the higher bench should be reduced through the appointment of more justices and creation of conducive environment. Similarly, Judges should be made comfortable. This should be extended to Magistrates and other ancillary staff.
- 17) Judges are products of our society. Members of the society should change. If this happens, this will affect the judiciary.
- 18) The bar should be more proactive in defending the judiciary. News conferences should be avoided since there is an appellate system.
- 19) Funding of Judiciary at State level must not be tied to the whims and caprices of the executive. This is bad for independence of the judiciary and for the principles of separation of powers.
- 20) Judges should be constantly exposed to International Conferences to enable them fraternise with their colleagues from other jurisdictions and exchange ideas.
- 21) Discipline at the High Courts especially between Judges and Chief Judges must be strengthened to avoid constant bickering and vindictiveness.
- 22) As a condition precedent for appointment to the bench, candidates must be subjected to rigorous medical scrutiny. Once appointed, Judges should be entitled to best medical treatment obtainable anywhere in the world.
- 23) Roundtable commends successive Chief justices of Nigeria, Presidents Court of Appeal, Chief Judges of Superior Courts, Presidents of Customary Courts of Appeal, Grand Khadi's for their excellent leadership roles sine 1999 and urge them to take the judiciary to another level in the new decade.

Lagos, Nigeria
February 10th, 2010

important role to play in ensuring that Judges and Judicial Officers perform optimally, efficiently and effectively and to present cases where Judicial Officers fall short of these requirements to the appropriate authorities.

- 11) The challenges posed by the continuous use of ex parte applications despite the directives of the NJC that such orders should be given sparingly. However, it was observed that granting of ex parte orders is not unconstitutional.
- 12) Although progress has been made in the area of delivery of substantial justice and not technical justice, the absence of critical infrastructure like electricity, recording facilities, Internet facilities, proper furniture, air conditioning and general conducive environment has impeded the growth and development of the judicial sector. Where such infrastructure is provided, it must be updated regularly because law is becoming very scientific forensic experts are being brought and unless the judges are fully equipped, they may not be in a position to appreciate the evidence presented. Lagos State has done very well in this regard and should be commended.
- 13) The National Judicial Institute (NJI) should be commended for its efforts to build and develop capacity in the judicial sector. However, such capacity building should be geared towards developing specialization in various areas of legal practice. Similarly, various judicial divisions should be created and manned by judicial officers with relevant experience and training. A situation where complex cases in specialised areas are assigned to judges without any background in the area should be discouraged.
- 14) With the introduction of the new civil procedure rules, it is almost impossible to delay judicial proceedings, as there are timeliness with sanctions attached to them. But Judges and Lawyers must see to it that the rules are strictly adhered to.
- 15) Judges in the appellate courts are expected to write their own opinions including dissenting opinions. However, the writing of dissenting opinions is now minimised because of the conference method adopted.
- 16) A key component of judicial development is the discipline of the bench especially in relation to one another. This should be jealously guided and maintained.
- 17) No aspect of government legislature, executive and judiciary can escape from the environment in which it operates. In Nigeria, poor utilization of resources, corruption and lack of basic infrastructure affect the operation of any arm. Also, nationals of other countries are not better than Nigerians but the environment is not the same. As soon as we put in place the principles of accountability and acceptance

of standard norms, our Judges will behave like their counterparts in other jurisdictions. This is because there are systemic failures and they affect how our laws are applied.

- 18) Noted that there are perception issues at various levels with the general public and the lawyers on the issue of administration of justice especially in the courts of records. However, the bulk of the judicial matters are handled at the lower bench magistrate/area courts. Thus Magistrates and Area Court judges influence what happens in the judiciary considerably.
- 19) The adversarial system depends on the issues presented by the parties and/or their Lawyers. Therefore the quality of the judgement is a function of the presentation by the counsel to the parties or parties themselves.
- 20) Nigeria has enough constitutional and statutory frameworks for the independence of the judiciary. However, the institutions must be strengthened and clear criteria set by the institutions for the appointment of Judicial Officers.

RECOMMENDATIONS

At the end of the Roundtable, the following recommendations were made:

- 1) The Judges in writing judgments should be guided by the need to ascertain the ratio decidendi of a case. By so doing, a mechanism for ascertaining judicial reasoning will be developed and judgements can be systematically analysed. This is so because judgments are the product of a process and the process should be understood and appreciated.
- 2) The judiciary has a self-checking mechanism through the appellate system. To this extent, the incident of corruption should be minimized and reduced at the higher bench. However, where it is established by the NJC that a judge is corrupt, the punishment should not be limited to removal from office. Such a judge should be handed over to the law enforcement agency for prosecution. In the same vein, Lawyers who bribe or attempt to bribe Judges on behalf of litigants should be reported for appropriate disciplinary action by the NBA.
- 3) Judicial Inspectorate Unit to be established to monitor corrupt practices, check compliance with rules of practice, determine temperament and predisposition of Judges and generally evaluate judicial performance.
- 4) Regular surveys should be scientifically conducted where the opinions of consumers of the judicial service lawyers, litigants and the general public on the integrity of the courts are evaluated.
- 5) Judicial service delivery is an aspect of good governance. Efforts should be made therefore to ensure that judicial service delivery is properly

such as the Institute of Advanced Legal Studies London, the British Institute for International and Comparative Law, the School of Oriental and African Studies and the University of Southampton. Within the country, the Institute is partnering with a number of institutions such as the National Industrial Court, the Nigerian Communications Commission and the Infrastructure Concession Regulatory Commission.

S. M. A. BELGORE'S PROFESSORIAL CHAIR

The first Professorial Chair at the Institute took off in October 2009. The Chair, known as *S. M. A. Belgore Professorial Chair in Law and Development* is occupied by Professor Nnamdi Aduba of the University of Jos. Justice Belgore endowed the Chair as a result of his keen interest in the rule of law, fairness and transparency in the administration of justice

CONVOCATION

On the 12th of December 2009, the Institute held its first ever convocation ceremonies for the award of post-graduate degree and diploma to all the students that had graduated from the PGS from 1997 to 2007. The award ceremonies were preceded by the Hon. Justice Adolphus G. Karibi-Whyte Convocation Lecture titled **Dissenting Judgments and Judicial Law Making**. The lecture was delivered by Hon. Justice George A. Oguntade, *JSC, CON, FNIALS* on the 11th of December, 2009, at the Ayo Ajomo Auditorium of the Institute, under the distinguished chairmanship of the then Hon. Attorney-General of the Federation and Minister of Justice, Chief Michael Kaase Aondoakaa, SAN, who also delivered the keynote address at the award ceremonies.

As part of the ceremonies, the Institute Fellowship was conferred on two distinguished and deserving members of the legal profession, Chief Mrs. Folake Solanke, the first female Senior Advocate of Nigeria and the late Hon. Justice Olakunle Orojo. The occasion was also used to unveil and present to the public, Institute's latest book project, **Rule of Law and Good Governance**. This work is Institute's contribution to the ongoing discuss on "the Rule of Law", one of the key aspects of the present government's Seven-Points agenda. The work examines the concept of the rule of law and good governance from different perspectives - constitutional, economic and developmental as well as the role of the judiciary and access to justice.

The beauty of this contribution is that it examines the concept of the rule of law more from its practical application, than mere expositions of conceptual and academic issues.

The Institute, under the new leadership has initiated a number of roundtables in different areas of the Law as part of its contribution to the development and shaping of government policies and plans. Examples of the Roundtables include: Terrorism in the Aviation Industry; Evaluation of Judicial Integrity Assessment Index Since 1999 in Nigeria; Frontloading: Challenges and Implications for the Speedy Dispensation of Justice; Kidnapping and Abduction: Challenges for National Security; Telecommunications Offenses: Unveiling of Borderless Criminality; and The Legal Dynamics of Investment in Solid Minerals in Nigeria.

The Institute has instituted a number of Lecture Series to complement the existing public lectures and also meet with the challenges of our times. The new

2010 Hall of Fame

Lectures Series include: the New Frontiers Lecture, the Diaspora's Scholars Lecture.

ESTABLISHMENT OF ZONAL OFFICES

The creation of zonal offices in the Institute is a useful tool for balancing the geopolitical considerations and interests of the country. It is imperative to state that the Institute has come of age and its services and clientele have become much more enlarged than envisaged at its establishment in 1979. In order to remain relevant and retain its place as the foremost legal research and training centre in Nigeria, the institute has created zonal offices and engaged with clientele on a closer level.

The Institute has established designated centers of research in specialized fields; such as the designated centre for Oil and Gas Law in Asaba, due to its proximate research and resources in Oil and Gas Law. The centre for Energy and Solid Minerals Law will be to focus its research activities around Makurdi and its environs where solid minerals abound. In the same vain, Enugu, Maiduguri and Kano are vital to other designated centres and activities of the Institute.

If the institute must meet the challenges of its times and discharge its mandate, then it must of necessity embrace the idea of zonalisation by creating zonal offices in the 6 geo-political zones of the country.

LLM AND PHD PROGRAMME

In 1997, the institute carefully structured Post-graduate Diploma in Legislative Drafting. As a result of the success of this

pilot scheme, the institute introduced a 12-month LLM Degree, Programme in Legislative Drafting in 1999 to run alongside the Diploma Course. Institutions therefore have the option of Sponsoring students for either of the courses, depending on logistics and other relevant considerations. The LLM is, as should be expected, substantially more enhanced and deeper in coverage than the diploma. In the 2009 the Governing Council of the institute, in accordance with the Institute enabling law, approved the commencement of a PhD programme in Legislative Drafting. This is the first of its type in Africa.

POSTGRADUATE SUPERVISION

As a response to the identifiable problems of organizing postgraduate studies in Nigerian Universities arising from a dearth of library facilities and adequate supervision of postgraduate studies, the institute as one of its functions is providing information, supervision, guidance and advice to postgraduate students and other researchers working for a postgraduate degree of any University in the field of Law and related subjects

EXCELLENT RESEARCH CENTRES

The Nigerian Institute of Advanced Legal Studies has created Centers of Excellence in the Institute to drive the Institutes

2010 Hall of Fame



NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA ROUNDTABLE ON EVALUATION OF JUDICIAL PERFORMANCE AND INTEGRITY INDEX SINCE 1999

10th February, 2010

COMMUNIQUE



INTRODUCTION

As part of the restructuring going on at the Nigerian Institute of Advanced Legal Studies, the MOHAMMADU LAWAL UWAIS CENTRE FOR JUDICIAL INTEGRITY ASSESSMENT was established in July 2009 by the governing Council under the leadership of Hon. Justice Katsina-Alu JSC, CON, Former Chairman of Council of the Institute.

The major mandate of the centre is to conduct research, survey and roundtables for purposes of evaluating judicial performance and integrity index. The thinking of the institute is that the process of activating the National Judicial Council is mainly through petitions and this is prone to abuse and reckless application. Consequently, the institute resolved to design an acceptable flawless and empirical process of evaluating the Integrity index of the judiciary.

It was in fulfillment of the above that the institute on 10th February, 2010 organized a One-Day Roundtable on "Evaluation of Judicial Performance and Integrity Index since 1999" under the auspices of the Mohammed Uwais Centre for Judicial Integrity Assessment.

The Perspectives of the One-Day Roundtable include Judicial Reasoning, Administration of Justice, Public Confidence/Perceptions, Independence of the Judiciary, Integrity Index, Discipline on the Bench, Calibre and Quality of Appointment, Election Tribunals: Challenges and Reservations, Growth of the Law and Development of Critical Infrastructure. Various speakers made presentations at the event. In attendance were the Representatives of the former Chief Justice of Nigeria and President of the Court of Appeal, Distinguished Senior Advocates of Nigeria, Constitutional Law Experts, Sociologists, and other stakeholders in the justice sector. The Roundtable was chaired by Chief Akin Olujinmi, SAN, former Attorney General of the Federation and Minister of Justice.

OBSERVATIONS:

The Roundtable made the following observations:

1) The need to evaluate judicial performance periodically to ensure that the judiciary is made accountable for its actions and pronouncement on the bench without necessarily breaching the principles of judicial immunity or incessantly inundating the National Judicial Council with petitions.

- 2) The judiciary remains the last hope of not only the common man but everyone including the heads of the executive arms of government and other well meaning Nigerians. There is the need, therefore, to preserve the Institution and promote its sanctity and respectability.
- 3) That the welfare and conditions of service of judicial officers have improved considerably in Nigeria. But there are still States yet to appreciate the role of staff of the judiciary.
- 4) Most topical issue today when analyzing judicial performance and integrity is that of corruption. Corruption is all pervasive as it has affected all arms of government and other facets of society. The National Judicial Council (NJC) should be commended in this regard for its efforts in sanitizing the judiciary and in being pro-active.
- 5) The need to define and/or identify the indicators for measurement of judicial performance and integrity and mainstreaming such indicators noting that integrity can be seen from two perspectives, namely, corruption and bias - the former bordering on financial inducement and the latter on perceptions and preconceptions. These two perspectives influence decisions made by judges.
- 6) The National Judicial Council (NJC) has developed a framework for measuring performance and NIALS should liaise with NJC in developing and fine-tuning the framework using instruments like accountability, accessibility, affordability, availability, convenience, intelligibility, and responsiveness of the judicial process.
- 7) There is a Code of Conduct for Judicial Officers. It is however not clear to what extent the Code is being complied with.
- 8) The individual capacity of Nigerians to analyse national issues including the performance of the judiciary is growing and should be sustained instead of reliance on opinion of the others whose opinions may be biased.
- 9) In many landmark cases especially election petition cases, the judiciary has helped in supporting and sustaining democratic institutions.
- 10) That judicial officers and lawyers are partners in the justice sector though one may appear more dominant than the other. The temperament, disposition, composure and attitude of one is likely to affect the relationship. Consequently, Lawyers have very

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Assembly should be passed quickly subject to amendments to bring it in conformity with the Constitution.

7. While the use of body scanners is inevitable in a globalised world, proper mechanism should be put in place to ensure that the information gathered is not used for improper purposes. Its use should take into account religious and cultural sensibilities
8. The National Assembly should endeavour to enact a law to back-up the use of Body Scanners since it basically violates the privacy of the individual and a derogation from this fundamental human right requires a legislation that is reasonably justifiable in a democratic society.
9. Nigeria's researchers and scientists should be proactive in identifying with global research on terrorists methodologies and help to advance the course of combating terrorism.
10. Aviation terrorism is not limited to acts or conduct on board an airline. Security around the airports must be enhanced to forestall terrorism inside the airport itself.
11. Realising and recognising the fact that the acts of terrorism is either imported or exported through the land, sea and air borders, it is imperative that Government put in place measures to forestall, pre-empt and/or prevent other occurrences.
12. Government should consider approval for use of "Sky Marshals" in domestic flights in Nigeria.
13. All Institutions, agencies and organizations relevant to combating terrorism must be continuously strengthened through capacity building, modern equipment procurement and engagement of world class experts.
14. Realising and recognizing the fact that the acts of terrorism is either imported or exported through the land, sea and air borders, it is imperative that Government put in place measures to forestall, pre-empt

and/or prevent other occurrences.
Thus it should-

- a. Prevent the country from being used as a safe haven for the planning, organising and/or execution of terrorist acts;
- b. Develop measures and methods for the monitoring and detection of plans or activities aimed at the illegal cross-border transportation, importation, export, stockpiling and the use of arms and ammunition and explosives and other materials and means of committing terrorist acts
- c. Develop and strengthen methods of controlling and monitoring land, sea and air borders and customs and immigration check-points in order to pre-empt any infiltration by individuals or groups involved in planning, organisation and execution of terrorist acts.
- d. Strengthen and protect the security of persons, diplomatic and consular missions, premises of regional and international organisations in accordance with relevant conventions and rules of international law
- e. Promote exchange of information and intelligence gathering and expertise on terrorist act and establish data bases for the collection and analysis of information and data on terrorist elements, groups, movements and organisations amongst the various security agencies at our sea, land and air borders
- f. Take necessary measures to prevent the establishment of terrorist support networks in any form
- g. Ascertain and prosecute the perpetrators of terrorist acts and where necessary hand over such perpetrators to any country that requests for the extradition of such perpetrators in accordance with the existing Extradition Treaties with that country
- h. Establish effective co-operation among relevant security officials and services and the citizens and respect the confidentiality of the information and intelligence shared amongst the security officials

Lagos, Nigeria
19 January, 2010.

Signed:
Professor Epiphany Azinge, SAN
Director General,

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research and training mandate. With the establishment of the Centres, the Institute is poised to continue to lead research in Nigeria and take it to greater heights, by exploring new areas of law.

Since proper research requires substantial strategic investments to provide the needed environment and facilities, money and commitment are needed.

The centers are thus named after high net worth individuals who have distinguished themselves in their career and demonstrated manifest interest and commitment in the subject area.

THE LIBRARY

The Institute Library occupies a unique place in the Institute as it is pivotal to the effective discharge of the Institute functions. The Library supports the advanced studies and research activities of the institute staff, institute training seminars/ workshops and, generally provides basic research tools for the entire country with its collection of materials, which have developed overtime. The Library has over the years, grown and cover an array of not only priceless collection of African and European legal materials but also materials from America, Asia and other parts of the globe. The Director General has recently accepted to fund the purchase of new books and is working towards the initiative of a virtual library.

WEBSITE

The Institute has uninterrupted Internet connectivity; readers can also access a range of online resources, including Hein online, which the institute subscribes to. In addition, the resuscitation of the institute's website will enhance the effectiveness and accessibility of the Library's rich resources to its users.

All of these make ease and speed in research. It can therefore be said that the Institute Library still maintains its pride of place as one of the best in Africa.

NIALS PUBLICATIONS

The Institute publishes a number of Journals and Periodicals to disseminate research findings. Among such publications are:

- The Nigerian Current Law Review.
- Nigerian Contemporary Legal Problems
- The NIALS Law Series
- NIALS Books/ Conference Series
- NIALS Research Series
- NIALS Commemorative Series
- NIALS Occasional Paper Series
- NIALS Founders' Day Lecture Series

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2010 LECTURES

New Frontiers Lecture -	Dr. R. Nwabueze Southampton Univeristy, U.K. Title: Africa on the Cusp of Biotechnology: The Legal And Ethical Aspects of Genetics.	18 th May 2010
Taslim Elias Memorial Lecture -	Prof McCorquodale Director, British Institute of International and Comparative Law	15 th June 2010
Diaspora's Scholars Lecture -	Prof Baderin Dean of Law School of Oriental & African Studies University of London, UK	6 th July 2010
Inaugural Lecture -	Prof B. Owasanoye Director of Research Nigerian Institute of Advanced Legal Studies, NIALS	30 th Sept 2010
Fellows Lecture -	Hon Justice, Kayode Eso, JSC RTD	9 th Nov 2010
S.M.A Belgore Chair Annual Lecture -	Prof. Nnamdi Aduba SMA Belgore Chair on Law and Development, NIALS	18th Nov 2010
Distinguished Alumni Lecture		3rd Dec 2010

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Identity Card to determine who are true Nigerians.

to publicise it.

- 6) A State should be labelled a terrorist state if the state overtly or covertly supports terrorism. All those arrested in the UK for acts of terrorism bearing British passports have not led to the UK as a nation being labelled a terrorist state.
- 7) Nigeria's airports meet ICAO standards in terms of security but countering terrorism is like chasing a moving target because current screening procedures target metals and not powdery substances. Just as the taking on board of liquid has been banned so also should powdery substances be banned.
- 8) Nigerian Airports have Stop List and Watch List which are updated regularly. Security personnel need to be trained and re-trained regularly to perform this function.
- 9) The ECOWAS smart electronic passport is powered by biometric technology in tandem with the International Civil Aviation Organisation's specification for international travels.
- 10) Noted that the Nigerian e-passport has the inherent potential to eliminate forgery, passport falsification and multiple acquisitions of passports and make identify theft by unscrupulous elements in the society impossible.
- 11) Since human trafficking victims could easily be recruited into terrorist groups due to a combination of factors including desperation, poverty, extreme religious views and contempt for organised society whom they may blame for their unfavourable social status, the efforts at eradication of human traffic should be sustained.
- 12) The Bill for an Act to Provide for Measure to Combat Terrorism and Other Related Matters before the National Assembly is unknown to many Nigerians. Though comprehensive the bill should be popularised and subjected to robust national debate by posting on the website of the National Assembly in addition to other measures

- 13) Upholding human rights is not at odds with battling terrorism because the moral vision of human rights viz. the deep respect for the dignity of each person is among our most powerful weapons against terrorism. Therefore derogation from human rights to permit use of body scanners is permissible to fight terrorism.

RECOMMENDATIONS

1. Government should ratify and domesticate the remaining international and regional instruments designed to combat terrorism.
2. In domesticating the international instruments Nigeria should take account of local peculiarities in order to ensure that the legislation is effective.
3. Government should periodically appraise national efforts at implementing international obligations and best practices in the area of combating and financing of terrorism. In this regard Governments should demand financial transparency in the operation of non-governmental organisations (NGOs) as it has been found that some terrorists use NGOs and other not-for-profits for their operations.
4. Government should challenge the parameters used by the US Government to categorise Nigeria as a 'Country of Interest' because it is the only country so named that is not a member of the Organisation of Islamic Council (OIC) or an Islamic state.
5. Where diplomacy fails Government should reciprocate all forms of indignities and degrading and inhuman treatment meted out to Nigeria by any country. By so doing a strong message will be sent to the international community that Nigeria protects her own.
6. The Bill on Terrorism before the National

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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA ROUNDTABLE ON AVIATION TERRORISM: IMPERATIVES FOR BEST PRACTICES JAN. 19, 2010 COMMUNIQUE



On 25 December, 2009, Umar Farouk Abdulmutallab, a Nigerian, boarded a plane from Lagos, Nigeria en route Detroit in the United States of America and had a change over at Amsterdam to Delta Airlines. While on board the flight from Amsterdam to Detroit, he was alleged to have attempted to blow up the plane with a view to killing all the passengers and crew on board. His arrest, detention and trial in the US have had a negative impact on Nigeria and Nigerians to the effect that Nigeria is now included by the US Government in the list of 'Countries of Interest' and security at airports worldwide tightened. Such tightening includes the introduction of body scanners. It is in realisation of the negative effect that such acts portend for Nigeria that the Nigerian Institute of Advanced Legal Studies organised a One-Day Roundtable on 'Terrorism in the Aviation Industry: Imperatives for Best Practices in Nigeria.'

The One-Day Roundtable which was held under the auspices of the Bayo Ojo Centre for Aviation and Transportation Law of the Institute was held on Tuesday, 19 January, 2010. The Perspectives for the Roundtable included Airport Security, Anti-Terrorism Bill, Human Rights Implications of Body Scanners, International Relations and Issues Arising from Abdulmutallab's Arrest and Trial in the United States. Various Speakers made presentations at the event. In attendance were representatives of the Ministries of Aviation, Defence and Justice. The Honourable Minister of State for Interior, Hon Demola Seriki was personally present as well as the Lagos State Commissioner of Police, Marvel Akpoyibo. Other agencies present include, Federal Airport Authority of Nigeria, Immigration, NDLEA, Nigeria, Security and Civil Defence, representatives of foreign embassies, airlines, academics and other stakeholders in the aviation industry.

OBSERVATIONS

The Roundtable made the following observations

- 1) That terrorism in whatever form is a threat to world order and a violation of human rights in particular, the rights to physical integrity, life, freedom and security. It, and impedes socio-economic developments through destabilization of the state. It is therefore imperative to prevent and/or combat this menace through effective, enforceable anti-terrorism legislations.
- 2) Of the sixteen international legal and regional instruments and conventions against terrorism the Federal Government of Nigeria has signed and ratified nine. This is an indication of the commitment of Government to fight terrorism. But the remaining seven instruments should be promptly ratified and domesticated.
- 3) Frequent cases of religious and ethnic uprising in Nigeria could be described as internal terrorism which Government has continued to combat with decisiveness. To the extent that Government addressed the Boko Haram crisis promptly, the perpetrators of the crisis in Jos should be brought to book immediately.
- 4) Airport and border personnel should shun corruption and favouritism in the screening of passengers. Corruption in this regard is manifested by exemption of some government functionaries or so called very important personalities from routine screening at the ports. As a matter of policy all functionaries should be screened at the borders.
- 5) There is yet no valid and reliable National

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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES 2010 PROGRAMMES OF ACTIVITIES



TRAINING COURSES AND WORKSHOPS							
S/N	COURSE TITLE	DATE	VENUE	NEW FEE	COORDINATOR	CONTACT	TARGET PARTICIPANTS
1	Nuclear Law	March 10 th - 12 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N75,000	Prof. Peter Akper, Kehinde Ikimikur & Chibuzo Arinze	08056931749	Federal and State Ministries of Science and Technology, Federal and State Ministries of Environment, National Radiological Service, NNRA, NAEC, Manufacturing Companies and Waste Disposal Companies, Ministry of Mines, and Solid Minerals, Ministry of Power & Steel, NERC and Companies involved in Power Plant and Generation & all Lawyers.
2	25 th Course in Drafting Commercial Agreements and Banking Documentation	March 22 nd - 26 th 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Bolaji Owasanoye, Mrs. Helen C. Okoro and Gertem Ebo	08035024679	Lawyers in Banks, Insurance Companies, Mortgage Institutions, Regulatory Agencies, Private Legal Practitioners, Legal Advisers, Bank Credit Officers, NCC and all Lawyers.
3	Training Course for Public Prosecutors	April 13 th -15 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Ademola & Mr. P. Anyebe	08023129007	Law Officers of the Federal and State Ministries of Justice, Prosecuting Counsel in the NDLEA, Customs, Immigration Services; the Nigerian Army, Navy, Airforce; the Financial Crimes Commission (EFCC); NAFTIP; the Investments & Securities Tribunal & all Lawyers.
4	National Workshop on Technical Services in Law Libraries	April 27 th -29 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N75,000	Mr. T.O. Dada & Mrs. Lamikana	08035060902 08059831722	Law Librarians and all Lawyers.
5	Digital Forensic Advocacy	April 19 th -23 rd 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Michael Barale & Mr. Shamsul	08056931749	Staff of Military, Para-Military, Financial Intelligence Unit, EFCC, ICPC, SSS, SID, Federal and State Ministry of Justice, Prosecutors and all Lawyers.
6	Legal Writing Skills MODULE I Legal Writing Skills for Legal Practitioner MODULE II Legal Writing Skills for Law Academics	May 10 th -11 th 2010 12 th -14 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N50,000	Prof. Azim Awah Dr. (Mrs.) F. Nterun	08055112617	Practising Lawyers, Legal Officers in the public service (Ministries of Justice and Government Agencies); Lawyers in Banks and other Corporations & all Lawyers. Law Teachers and Researchers
7	Government Legal Advisers' Law Officers Course	May 24 th -26 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N100,000	Mrs. Ngere Udombiam & Miss Lillian Ezenyagu	08032367571	Government Legal Advisers/Law Officers of Ministries, Extra-Ministerial Departments/Parastatals, Federal/State owned Companies, Nigerian Immigration Service & all Lawyers.
8	Training Course on Law and Security	May 17 th -21 st 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Nnamdi Aduba, Kehinde Ikimikur & Musakwe Osoememen	08056931749	Army, Navy, Airforce, the Nigerian Police Force, EFCC, ICPC, SSS, Nigerian Civil Defence, CID, Financial Intelligence Unit, Security Outfit & all Lawyers.
9	Intensive Course in Legislative Drafting	June 1 st -4 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Deji Adekunle & David Oluwagbami	08033947747	National and State Legislative Houses, Ministries of Justice, EFCC, ICPC, INEC, NBI, Judges, Court Officers, Academics, Private Legal Practitioners & all Lawyers.
10	WORKSHOP on Labour and Industrial Relations	June 14 th -17 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N75,000	Mr. Kola Omidire & Fatima Bello	08030808593; 08035928091	Academics, Industrial Relations Practitioners, Labour Union Officers/ Human Resources Personnel in Ministries, Government Departments, Agencies, Parastatals, Companies and Banks, Judges and Staff of National Industrial Court and all Lawyers.
11	Intensive Course in Alternative Dispute Resolution	June 22 nd -25 th 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N75,000	Prof. Paul Morigie, Dr. (Mrs.) Chinyere Ani & Mr. Chima Azim	08033114797; 0803412508	Magistrates, Judges, Nigerian Police Force, Federal and State Ministries, Parastatals, Department and Agencies of Government & all Lawyers.
12	30 th Advanced Course in Practice and Procedure	July 5 th -9 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Mrs. Ngere Udombiam & Mr. Chima Azim	0803412508	Judges of Superior Courts, Private Legal Practitioners; State Counsel; Government Legal Advisers/Law Officers, Prosecuting and other Counsel in the Federal and State Ministries of Justice, Nigerian Prison Service, Nigerian Customs Service, Nigerian Immigration Service, Extra Ministerial Departments and Parastatals & all Lawyers.
13	Intensive Course in Commercial Drafting and Banking Documentation	July 12 th -16 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Bolaji Owasanoye & Prof. Azim Awah	08035024679	Lawyers in Banks, Insurance Companies, Mortgage Institutions, Regulatory Agencies, Private Legal Practitioners (particularly those in Commercial Law Practices); Legal Advisers; Bank Credit Officers etc & all Lawyers.
14	Environmental Law & Climate Change	July 26 th -30 th 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Laure Fagbohun, Mrs. Igburne & Mr. Adebisi Arewa	08035505149; 08036614868	Staff of Federal and State Ministries of Environment, Oil Companies, Nigerian Liquefied Natural Gas Company, NNPC, Nigerian Gas Company, PPSC, PPMC, Ministries of Agric. and Water Resources, Ministry of Mines, Steel and Power & all Lawyers.
15	5 th Training Course in International Criminal Justice & its Administration	Sept 20 th -24 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Peter Akper & Mrs. Kehinde Ikimikur	08056931749	Judges of Superior Courts, Legal Practitioners, Law Teachers, Legal Officers in the private and public sectors, Members of the Armed Forces, Ministry of Defence, Ministry of Foreign Affairs; the Nigerian Red Cross Society; the Nigerian Police Force; Federal and State Ministries of Justice; the National Institute for Policy and Strategic Studies (NIPSS); the Command and Staff College Jaji; the National War College, Nigerian Prison Service, Nigerian Customs Service, Nigerian Immigration Service & all Lawyers.
16	Course on Drafting and Negotiating Contracts for Government Officials	Sept 27 th -30 th 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Paul Idonigie & Fatima Bello	08033114797; 08035928091	Legal Advisers/Officers, Project Managers/Administrators, Transaction Advisors, ICRC, Procurement Officers and Contract Manager in Ministries, Departments and Agencies (MDAs), Federal and State Ministries of Justice and Government Agencies and Departments & all Lawyers.
17	The Comparative Company Law Course	Oct 18 th -22 nd 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Deji Adekunle & Mr. David Oluwagbami	08033947747	Lawyers in Banks, Insurance Companies, Mortgage Institutions, Regulatory Agencies, Private Legal Practitioners (particularly those in Commercial Law Practices); Legal Advisers; Bank Credit Officers etc & all Lawyers.
18	Advanced Course in Practice and Procedure II	Oct 25 th -29 th 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Dr. (Mrs.) Chinyere Ani & Chima Okoro	08023078355 08035024679	Lawyers in Banks, Insurance Companies, Mortgage Institutions, Regulatory Agencies; Private Legal Practitioners (particularly those in Commercial Law Practices); Legal Advisers; Bank Credit Officers etc & all Lawyers.

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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES CALL FOR PAPERS

NIALS Journal of Law and Development - Prof. Nnamdi Aduba

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on broad spectrum of law and its intersection with development. Submissions are welcome on topical issues in development as well as a comparative study of the treatment of developmental issues in other jurisdictions.

International Journal of Law and Security - Prof. Bolaji Owasanoye

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on issues of law and security such as cyber security, terrorism, cyber crime, ethnic/religious crisis. It also welcomes submissions on the interface between law and security and the global trends in addressing these issues.

Constitutional Law Forum - Prof. Mike Ikhariale

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on current issues and discourse of the Constitution. It also welcomes submissions that explore the treatment of these issues in other jurisdictions.

NIALS Supreme Court Review - Prof. Paul Idornigie

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on landmark cases by the Supreme Court in varied areas of the law.

International Journal of Legislative Drafting - Prof. Deji Adekunle

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on legislative drafting, law making and judicial interpretation of legislations in Nigeria and other jurisdictions.

Nigerian Journal of Criminal Justice Reform - Prof. Ayo Atsenuwa

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on criminal justice reform in Nigeria, such as access to justice, treatment of victims and victims' rights, criminal adjudication in Nigeria.

International Journal of Telecommunication Law - Prof. Animi Awah

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on telecommunication law and practice in Nigeria.

NIALS Journal of African and Comparative Law - Mrs. Ngozi Udobana

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on any area of African law, Customary law and practice and Sharia law and the interface between these different aspects of African law and International law.

Nigerian Journal of Business Law - Prof. Paul Idornigie

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on current issues on business practice and regulation in Nigeria, such as finance and taxation as well as comparative study of business practice and regulation in other jurisdictions.

NIALS Journal of Environmental Law - Prof. Olanrewaju Fagbohun

The Journal welcomes submissions of articles, case law review, short notes on recent developments and commentaries on broad spectrum of environmental regulation and protection, climate change as well as comparative study of the practice of environmental regulation and protection in other jurisdictions.

NIALS Current Law Review Journal - Prof. Bolaji Owasanoye

The Nigerian Institute of Advanced Legal Studies is making a call for submission of unpublished, innovative and original articles from the academia, Bar, Bench, legal practitioners in both private and public sector, including intergovernmental and non governmental organisations to the above listed Journals. The Institute also welcomes notes on recent developments, case law review and commentaries. Articles are accepted twice a year. Manuscripts should be submitted in British English, with both text and footnote typed and double spaced. Authors should also submit an abstract of not more than 200 words, enclosing a cover letter and resume. Submissions should include: email addresses and phone numbers. Articles submitted to the Editor in Chief must not have been published, submitted or accepted elsewhere. Request style guidelines by email from nialsabj@hotmail.com

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P. M. B. 12820,
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ABUJA OFFICE:

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NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES 2010 ROUNDTABLES (SECOND QUARTER)

Gani Fawehimi Centre for Human Rights. Presents a One-Day Roundtable on Nigeria's Human Right Challenges: An Omnipresent battle.	Professor Ayo Ajomo Auditorium, NIALS, Unilag Campus, Lagos	Date: April 6 th 2010 Time: 10:00am Attendance: Free Contact: Professor (Mrs) Animi Awah (08055112617)
George Etomi Centre for Strategic Investment and Corporate Governance Presents a One- Day Roundtable on Enhancing Corporate Value Through The Implementation of A Transparent Governance Structure.	Professor Ayo Ajomo Auditorium, NIALS, Unilag Campus, Lagos	Date: June 30 th 2010 Time: 10:00am Attendance: Free Contact: Professor Bolaji Owasonoye (08033043340)
Jadesola Akande Centre For Women, Children And Disabled Persons Presents a One-Day Roundtable on The Unserved Handicapped: Raising Respect And Awareness For The Rights of The Disabled Nigerian.	Chief Michael Agbamuche Seminar Room, NIALS, Unilag Campus, Lagos	Date: June 10 th 2010 Time: 10:00am Attendance: Free Contact: Professor Deji Adekunle (08033947747)
Chukwudifu Oputa Centre For Forensic Studies Presents a One-Day Roundtable on The Role of Forensic and Investigative Accounting: Challenges For The Banking Industry.	Chief Michael Agbamuche Seminar Room, NIALS, Unilag Campus, Lagos	Date: August 3 rd 2010 Time: 10:00am Attendance: Free Contact: Professor Paul Idornigie (08033114797)
Olisa Agbakoba Centre For Maritime Law Presents a One- Day Seminar on Strengthening Nigeria's Maritime Rights: Imperatives For Achieving Global Standards	Chief Michael Agbamuche Seminar Room, NIALS, Unilag Campus, Lagos	Date: August 31 st 2010 Time: 10:00am Attendance: Free Contact: Dr (Mrs) Nlerum (08052552408)