



NIALS Newsletter

A publication of the Nigerian Institute of Advanced Legal Studies

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CJN inspects NIALS Library

**Combined
Convocation
Ceremonies**



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**VISION STATEMENT**

To be 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 research and advanced studies in law in Nigeria.

MOTTO

Knowledge that Makes the Difference

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NAILS HOLDS 2ND CONVOCATION CEREMONY: GRADUATES 54

The Nigerian Institute of Advanced Legal Studies held her 2nd Convocation Ceremony for the conferment of Higher Degrees and Post-Graduate Diploma in Legislative Drafting at the Ayo Ajomo Auditorium, of its Lagos Office on December 7, 2011. Presiding at the ceremony was the Honourable Chief Justice of Nigeria and Chairman of NIALS Governing Council, Hon. Justice Dahiru Musdapher GCON, FNIALS. Presenting his address at the Convocation Ceremony, the Chief Justice of Nigeria, Hon. Justice Dahiru Musdapher, GCON, FNIALS, commended the Director-General of the Institute for his exemplary leadership in implementing various innovations which have enhanced the status of the Institute to an internationally recognized educational establishment of repute. He noted that the Institute by its mandate of providing postgraduate studies in Legislative Drafting occupied an enviable position as the only institution in Nigeria with such mandate and that he was proud to be associated with them for the excellent work they have been doing especially with the quality of its programmes. He further noted that the PhD programme in Legislative Drafting embarked upon by the Institute in 2009 places it as the only institution in Africa to offer such training.

The CJN appreciated the Institute not only as a 'think tank' to the Federal Government in the area of law, but the fact that it has continued to undertake research in various areas of law while at the same time providing fora for provoking academic work by its roundtables, seminars and workshops on topical issues like the Islamic Banking, The Cost of Democracy, Revisiting the Death Penalty amongst several others.

According to the CJN, the Institute with an ally of distinguished professors and Senior Research Fellows has been consulted on a number of projects including preparation of Bills at the National Assembly and the

Ongoing Judicial Reform exercise of his administration. He considered the Institute's contributions in all of these assignments to be of invaluable excellence.

To the grandaunts, Justice Musdapher, GCON, FNIALS enjoined them to reflect on their journey to the Institute and prepare themselves to fit into the society with their specialized kind of training. The skills acquired, he reminded them, required a critical, enquiring, imaginative and systematic mind as well as orderliness in the formulation of thoughts and detail.

Drafting as a skill, he noted, required analytical and original mind set and urged them to be proud ambassadors of the Institute wherever they find themselves. The CJN made case to the Honourable Attorney General and Minister of Justice to engage graduates of the Institute as Drafters so as to improve on the quality of laws formulated by the state.

Earlier, the Director-General welcomed guests and the grandaunts to the Institute's 2nd Convocation ceremony. The Institute, he said was graduating at this instance, fifty-four students (54) who have fulfilled the requirements of the Statutes and regulations of the Nigerian Institute of Advanced Legal Studies and having been found worthy both in learning and in character by the Academic Board of the Institute are eligible for the award of Masters Degree and the Postgraduate Diploma in Legislative Studies. A total of thirty-eight students graduated at the Master Degree level while sixteen (16) graduated with a Postgraduate Diploma.

The programme directed by the Institute Secretary, Mr. James Bathana saw the Head of the Postgraduate School, Professor Lanre Fagbohun presenting the grandaunts for award of certificates by the Chief Justice of Nigeria, Hon. Justice Dahiru Musdapher, GCON, FNIALS.



FNIALS ROUNDS OFF ACTIVITIES FOR 2011: *Appreciates Its Stakeholders*

The journey for 2011 in Nigerian Institute of Advanced Legal Studies calendar started with a Round Table on the Tax Payers Money on January 19th. The success of the Round Table was a great relief as it gave the indication that programmes for the year would enjoy similar success. Today, all the events and programmes slated for the year have been successfully held with the launching of the Alumni Association of the Institute as well as its 2nd consecutive convocation ceremony.

The Director-General, Professor Epiphany Azinge, SAN while speaking at the end of programmes for the year appreciated everybody for his or her support to the success story of the Institute for the year ended December 2011. Particularly, he noted the support from the Chairman of Council, Honourable Justice Dahiru Musdapher, GCON, FNIALS, Chief Justice of Nigeria, for his personal interest in the activities of the Institute and for accepting to present the Institute's 2011 Fellows Lecture, the first ever by any serving Chief Justice of Nigeria or Chairman of the Institute's Council.

The various resource persons and faculty of the Institute deserve commendation. If not

for them, the interest and zeal for the Institute's programmes would not have been possible. To them also is the appreciation for the incisive conclusions and communiqué of our various Round Tables.

We thank the various Agencies, Federal and State Ministries and other establishments including the Navy, Army, Police who at various times released their staff to attend and participate in our training programmes. The BAR and the Bench is also appreciated but most especially the support from the Nigerian Bar Association (NBA) for not only supporting our programmes but also for the partnership we had with them.

In realization that no one organization will stand alone, several collaborative activities were initiated. We acknowledge support and understanding in this regards from the Nigerian Industrial Court *NIC), Nigeria Communications Commission (NCC), The Nigerian Law School, The Nigerian Law Commission, Nasarawa State University amongst several others within and outside the country.

Sincere and deep appreciation goes to our parent Ministry, the Federal Ministry of Justice for their support in terms of funding and patronage at our various

courses and programmes. For the direction the Honourable Attorney-General and his team has rendered the Institute, our sincere appreciation and gratitude.

The business of reaching out could have been difficult if not for the confidence shared with the Nation Newspapers, The Guardian Newspapers, the Nigerian Television Authority (NTA), African Independent Television (AIT), Channels Television and the News Agency of Nigeria. To them our great debt and a commitment for better relations in the coming year.

To our Management and Staff, words can hardly say the deep appreciation. You, it was, that ensured the successful coordination and handling of these various courses and programmes. Without your dedication and commitment to the mandate of the Institute, little could have been achieved.

To all and sundry, who in one way or the other, had something to do with the Institute in the year under reference, our sincere gratitude. We could only ask like Oliver Twist that you do more in the year ahead.



PROFESSOR IKECHI MGBOEJI, JSD PRESENTS 2ND NIALS CONVOCATION LECTURE



Prof. Ikechi Mgbogji, JSD

The Honourable Justice Karibi-Whyte Convocation Lecture of the Nigerian Institute of Advanced Legal Studies held December 7th, 2011 at the Professor Ajomo Auditorium of the Institute's office in Lagos. The lecture was to precede the 2nd Convocation Ceremony of the Institute which held the next day.

The Lecture presented by an Osigboke Hall Law School, Toronto, Canada Scholar and an expert of Intellectual Property Rights Regime, Professor Ikechi Mgbogji, JSD, was titled "BIO-CULTURAL KNOWLEDGE AND THE CHALLENGES OF INTELLECTUAL PROPERTY RIGHTS REGIMES FOR AFRICAN DEVELOPMENT".

According to Director-General of the Institute, Professor Epiphany Aringa, SAN, the lecture though on an

Africa as is presently constituted has any role to play in the protection and development of bio-cultural knowledge in Africa. He alluded that the Lecturer in carrying his audience into the understanding of Bio-Cultural knowledge, makes every not only appreciate land as a vital factor in the development of bio-cultural knowledge but also the negative impact which colonial trademarks and patent regimes has over time placed on land. He noted that despite the misconceptions about bio-cultural knowledge, traditional societies throughout history had proven their intellectual capability in the creation of bio-cultural knowledge thereby escalating the belief of bio-piracy against western states.

In his presentation, Professor Mgbogji, JSD informed that the lecture was coming at the heels of a recent funded survey involving 36 African countries in

existing and seemingly complex area of law, the Lecturer was able to navigate his audience into the bus with which the developed world perceives Africa especially on the question of whether or not the Intellectual Property Rights Regimes in

which he participated. Based on discoveries from the survey, the lecture was approached from three angles.

In the first phase of the lecture, issues relating to bio-cultural knowledge in Africa and definitions. Most importantly, the question as to whether African societies have contributed to bio-cultural knowledge especially with plants and if they do whether contemporary Intellectual Property Regimes (IPRs) are attuned to the protection of such knowledge from abuse and exploitation by unauthorized entities.

The second phase of the lecture considered the relationship between bio-cultural knowledge and dominant IPRs such as patents, trademarks, copyrights and industrial designs. Consequently the issue of colonial subordination of African bio-cultural knowledge to western episteme and IPRs regimes is discussed. Thus the non recognition of the intellectual contributions of African societies in biological resources was attributed to the capture and detention of episteme regimes in Africa by the colonial episteme. The lecture argued that the reason for this situation lies from the fact that despite the withdrawal of the colonial administration, most of its structures, norms, habits, assumptions, institutions and laws originally designed to give advantage to the western episteme and sabotage bio-cultural knowledge still persist in contemporary forms. Consequently, presently, most of the trademarks and patent laws in practice in Nigeria and in several other African countries reflect what has been prepared by the western countries.



In the third phase of the lecture, the author tries to chart alternatives from the colonial capture of Africa's IPRs law and administration and posits the need for indigenous IPRs laws and regimes which of necessity require urgent reforms. He made case in respect of the subsidisation of provision in the Traditional Medicine Practice Act which provides supervisory oversight to all form of traditional medicine to "persons trained in science".

Similarly, the NAFDAC Act compels Traditional Medicine Practitioners to disclose the ingredients of herbal medicines. This, he said was a disservice as no such requirement was demanded of medicines produced through scientific processes. He argued further that Africa needed to be urgently responsibly engaged with recent developments in the international for a on Access and benefit Sharing (ABS) of our bio-cultural knowledge in line with such global instruments such as the Nagoya Protocol to the Convention on Biological Diversity (CBD).

For a way forward, Professor Mgbogji was of the opinion that Nigerian and indeed Africa should trace back and critically engage with the structure and process of global IPRs. Time gone should the IPRs administration in Nigeria be no more than merely filing and registering all manner of IPRs applications. He called for more commitment and dedication from our Lawyers and administrators in handling of IPRs more so as what presently exist could was far from best global practices on IPRs.

Our Laws as presently existing could best be classified as being devoid of any serious intellectual exertions and so do not protect our bio-cultural knowledge. Consequently, what poses for IPRs legal practice in Nigeria is an exercise in clerical drudgery as even the best of legal firms in Nigeria appear to be

performing clerical assignments for the major law firms of Europe and North America, he concluded. To buttress his point, Professor Mgbogji ISD argued that the Nigerian Patent office for instance, is merely engaged in the mechanical stamping and sealing of foreign applications without regards to the issue of whether the application for patent is meritorious, the substance of which they hardly understand or comprehend. He queried the situation where by once the WIPO office of the PCT in Geneva gives the approval, the Nigerian patent office obeys in a slavish fashion.

Professor Mgbogji, ISD called on the Nigerian universities to give better attention to the training of lawyers in the area of Intellectual Property Rights Regime wondering why a country which has thousands of science graduates not find ten or fifteen university graduates to examine the patentability of inventions in Nigeria. He called for a clear national industrial policy which should give pride of place to our wealth of bio-cultural knowledge. In achieving this, he advocated that the country should be represented at important international levels on emerging regimes on protection of bio-cultural knowledge to afford our administrators adequate knowledge on current trends in the area.

Considering Nigeria's wealth in biological diversity and bio-cultural knowledge, efforts, he said, should be geared towards adapting some of the amenable IPRs regimes including certification marks, geographical indications and indications of Origin to promote and protect such bio-cultural knowledge including various species of yams, Shea butter tree, palm oil trees, bitter kola, alligator pepper etc as these are known to have played key roles in biotechnology in regards drugs and industrial needs.

On a final note, Professor Mgbogji, ISD advocated the involvement of civil society groups in Nigeria in matters of IPRs governance considering their insights, pressures and activism, expertise and global connections and resources. Inputs from them will surely add to improve the on regime on protection of bio-cultural knowledge.

In his closing remarks after the well received lecture, the Director-General, Professor Epiphany noted that the artistic and literary expressions by the author in articulating his prepositions makes it effortless for the audience to visualize the points he conveyed. The lecturer he concluded was able to demonstrate his mastery of Intellectual Property Law in general and this topic leaves no one in doubt of his expertise.



Cross Section of Participants

FACES AT THE 2ND CONVOCAATION CEREMONY



FACES AT THE 2ND CONVOCATION CEREMONY



FACES AT THE MEETING WITH CANADIAN TEAM TO NIALS ON OPEN AIR COLLABORATION IN ABUJA



Nials Staff Birthdays

December

Full Names	Designation	Date of Birth
Prof. Awah Animi A. (Mrs.)	Associate Professor	December 16
Dr. Okon Emmanuel Edem	Research Fellow I	December 2
Dr. Ani Comfort Chinyere (Mrs.)	Research Fellow I	December 20
Ngwaba Uchochukwu	Assistant Research Fellow	December 31
Ojo Omoniyi Matthew	Chief Accountant	December 15
Imbor Edward Ghamwuan	Chief Executive Officer	December 29
Sobanjo Adebukola Fausat (Mrs.)	Senior Assistant Secretary	December 1
Uzoka Miriam Chinwe (Mrs.)	Assistant Secretary	December 14
Omosho Rukayat	Administrative Officer I	December 25
Eze Stella Ijeoma	Administrative Officer I	December 15
Iribor Matilda Afolake	Administrative Officer II	December 25
Anisha, Jude Chukwunodum	Administrative Officer I	December 8
Eruka Elizabeth Ucheanna (Mrs.)	Senior Estimator	December 26
Ekpo Uduak F.	Administrative Officer II	December 9
Agu Victoria Akus	Administrative Officer II	December 29
Chika Abubakar Gidado	Senior Executive Officer	December 31
Isedowo Joseph Oluwadare	Senior Library Officer	December 17
Temetan Ilernobayo, Ibironke (Mrs.)	Senior Higher Executive	December 3
Bokko Bitrus Ezra (Mr.)	Electrical Maintenance Off.	December 24
Tafa Fatimoh Ayoola	Higher Exec. Officer	December 9
Wahab Maroof Akintayo	Higher Exec. Officer	December 15
Okon Arit Effiong	Senior Data Proc. Asst. I	December 25
Isamila Mohammed Wali	Motor Driver	December 22
Okolie Kelechi Christy	Library Assistant	December 12
Eke Lilian Eyinnaya	Clerical Assistant I	December 15
Adeneye Ope-Oluwa (Mrs.)	Officer Assistant II	December 2
Effime Elizabeth Nkanu (Mrs.)	Officer Assistant III	December 11



NIALS ALUMNI ASSOCIATION DINNER



NIALS DEDICATES YEAR 2011 TO GOD: *Holds Christmas Carol*

The activities and programmes of the Nigerian Institute of Advanced Legal Studies came officially to a close December 18th, 2011 with a Christmas Carol organized and hosted by the Director-General for staff of the Institute in Abuja. The event held at the residence of the Director-General, Professor Epiphany Azinge, SAN.

Welcoming staff and other guests to the Christmas Carol, Professor Azinge, SAN thanked the Almighty Lord for His mercies to him and his family and the various members of staff and their families but especially for taking the Institute through the year successfully. He appreciated the cordial relationship he shared with staff of the Institute in the ending year and expressed satisfaction with the level of commitment, courage and will with which programmes of the Institute were carried out in the year. The success story of the Institute in the outgoing year, he said, was a shared credit and commitment and called on staff to redouble their efforts in the coming year as the Institute was desirous of taking advantage of its present achievements in the coming year. He extended appreciation to all stakeholders of the Institute for their support in the year under review.

Professor Azinge, SAN noted that the choice of a Christmas Carol to commemorate the end of the Institute's year was a way of returning back to God all our adoration and gratitude for taking us through the year successfully. He enjoined guests to enjoy the evening as they celebrate and give glory to the Almighty God for a successful year.

The Christmas Carol anchored by an organized group in Abuja gave good renditions to the



glory of the Almighty God and the admiration of all guests. High point of the carol was the presentation of special numbers during which Professor Azinge, SAN and his wife Dr Valarie Azinge dazzled guests with beautiful tunes. Professor Paul Idornigie and other guests added to the fun of the evening by presenting beautiful special numbers.

Staff appreciated the opportunity provided by the Director-General for them to give glory to the Almighty God for the achievements of the year and especially for the lavish entertainment and refreshment that accompanied the Christmas Carol.





NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES Lagos, Nigeria



ROUNDTABLE ON SHAREHOLDERS POWERS IN THE BANKING INDUSTRY

24th JANUARY 2012

INTRODUCTION

Banking institutions occupy a central position in the financial system of any economy. Banks act as intermediaries for efficient transfer of resources from surplus to deficit units. For banks to be able to perform efficiently and contribute meaningfully to the development of the economy, the industry must be safe and sound. One of the foundations of this is strong and vibrant ownership and shareholding structure of banks. Historically, shareholding in the Nigerian banking sector is relatively recent.

Although banking commenced in 1894 with the establishment of the first banking institution which was foreign (now known as First Bank of Nigeria) indigenous banking in Nigeria commenced in the 1960s. The culture of shareholding by Nigerians became popular after the Indigenisation Decrees of the 1970s (Indigenisation policy of the 1980s and 90s and the CBN banking reforms of 1991).

A shareholder is a person, (individual or corporation) that legally owns any part of a share of stock in a public or private corporation. Shareholders own the stock, but not the corporation itself.

Shareholders are granted special rights and privileges depending on the class of shares owned. These rights may include but are not limited to:

- The right to sell their shares.
- The right to vote on the directors nominated by the board.
- The right to nominate directors (although this is very difficult in practice because of minority protection) and propose shareholder resolutions.
- The right to dividends if they are declared.
- The right to purchase new shares issued by the company.
- The right to withdraw funds upon liquidation.
- The right to request and inspect copies of various statutory books and records.
- The right to inspect documents (contract) for the company or any of its subsidiaries.
- The right to receive notice of all general meetings.
- The right to attend general meetings and vote on any resolution and
- The right to apply for the winding up of the company if it is unable to pay its debts.

Shareholders are ordinarily expected to be in control of their banks. However the experience of failures of banks in Nigeria in the 1980s, 1990s and more recently 2012 reveal that the general powers of shareholders are not adequately protective of shareholders in the banking sector.

In furtherance of its role as the apex legal research institution and the importance of the topic the Nigerian Institute of Advanced Legal Studies held a one day roundtable on SHAREHOLDERS POWERS IN THE BANKING INDUSTRY on Tuesday 24th January 2012.

PERSPECTIVE (as the roundtable included)

- Rejuvenation, compensation and indemnification of shareholders
- Legal and regulatory framework of the powers of shareholders in the Banking industry
- The rights of shareholders in amalgamation efforts
- The role of shareholders in corporate governance
- The oversight functions of the Offshore shareholders powers

At the end of deliberations the following observations were made:

1. Under our law a person can become a shareholder through three

mechanisms: subscription to the memorandum and articles of association of a company at formation; purchase of shares directly from an issuer company; and purchase of shares from an existing shareholder.

2. A company is either private or public company. Private companies are closely held with limited membership usually amongst family and friends. Public companies on the other hand are large usually with diffuse membership. Banks in Nigeria are public companies.
3. Conceptually, investment in shares is driven by annual profit returns and short term price appreciation.
4. Corporate governance broadly embraces the rules, processes, or laws by which businesses are operated, regulated and controlled. It is a system by which companies are directed, administered and controlled by way of processes, customs, policies and laws.
5. Corporate governance encompasses the relationship among various participants (members) in general meeting, board of directors and managing director(s) to determine the direction and performance of the corporation.
6. The CAMA recognizes two principal organs of corporate administration; the members in a general meeting and the board of directors.
7. The most significant power of shareholders is their voting power in general meetings.
8. Shareholders hold themselves bound to monitor and voice the observance of all corporate rules affecting the enterprise including its memorandum, articles of association and statutory provisions in their behalf.
9. CAMA has expanded the power of shareholders however minute their interest, to challenge corporate governance issues and seek redress. Consequently, shareholder rights under company law are robust and adequate to protect investors.
10. The numbers of high-profile cases of corporate failure involving financial reporting irregularities and gross breaches of corporate governance standards have raised concerns globally and nationally about how companies are operated and controlled.
11. An adequate route for corporate exploitation by directors is in the quantum of penalties and adequate penalties of office.
12. Shareholders are in most cases ill equipped due to lack of relevant information to address cases of abuse of the remuneration process and self dealing transactions of directors.
13. Shareholders may never be able to exercise their rights effectively because majority shareholders are the directors or the controllers of the directors.
14. The lack of activism of the shareholder is most noticeable in their failure



to protect the company's capital.

25. The role of government in ensuring the observance of corporate governance through its regulatory bodies cannot be over emphasised.

26. Banks are unique and different from other companies in the economy. Whereas company law does not impose mode of capital subscription companies, banking law does through the BOGA and CBN Act. This is because banks play a key role in distributing financial resources to the rest of the economy, and in so doing they act as repositories for the public savings. Their stability is thus a matter of considerable political concern; yet banks are particularly susceptible to instability and collapse.

27. Unlike other companies, banks in addition to shareholders have depositors. The deposits provide a bank with its general funds. The continuing confidence of depositors is thus necessary for the viability of banks.

28. In the event of a disturbance of confidence, depositors will be shut to the need to withdraw their funds ahead of a "run" as deposits and shareholders may react to dumping their shares to avoid loss of investments.

29. CAMA [Companies and Allied Matters Act 2004 section 267] makes provision for the remuneration of a company's directors (with the exception of the Managing director) to be fixed by its shareholders in a general meeting. Alternatively directors' remuneration may also be fixed by the company's Articles of Association and enforceable only by special resolution. In practice, this conflict of interest to resolve the directors' remuneration.

30. Highlighting reports revealed that the financial statements of many corporate entities were more cosmetic and far from showing a true and fair view of the real state of things and this was more true in the banking sector despite other sectors of the economy.

31. Before the recapitalisation of banks pre CBN, all the banks, with one exception, had huge non-performing portfolios with significant amounts left unsecured. Most banks did not disclose their true financial condition neither in Audited Accounts nor in returns to the regulators. Indeed, certain aspects of the limitations of the 25 post-consolidation banks may have been reduced if the banks in regulatory skills and competence to engage in post-consolidation due diligence had been dealt with expeditiously.

32. The new leadership of the CBN administered a "Stress Tests" on the post-consolidation banks and declared 6 of them insolvent. In exercise of its statutory powers, the CBN dissolved the management teams of these banks and in their place appointed new managers with the mandate to re-capitalize the banks as at before September 2007.

33. Continued absence of capacity and inability to meet the deadline prompted the CBN in August 3, 2012, to create the licenses of three of these 6 banks namely Mikhevi Bank, PNB and Spring Bank and handed them to the Nigerian Deposit Insurance Corporation (NDIC), which, in exercise of its statutory powers, created three bridge banks called Nibanknew Bank, Enynew Bank and Enterprise Bank, respectively to assume their assets and liabilities. Thereafter the Asset Management Company of Nigeria (AMCON) acquired the new banks via a Subordination Agreement which enabled it to inject a N 475 billion Stimulus Package into them. This can allow the three banks to raise their capital adequacy ratio and also put them in a position to pay back the sum-injector into them.

34. Though this process was not duly observed in the creation of the "bridge" banks by CBN, it was necessary and a viable option given the fact of confidence and probable collapse which the banking system would have suffered with dire consequences to the entire economy.

35. Non-observance of corporate governance principles by management and contributory negligence of shareholders was responsible for the depletion of these banks capital.

36. There is an obvious absence of legal action and therefore lack of

judicial authority in the Court of Appeal and Supreme Court on the enforcement of the rights of minority shareholders against directors of banks.

RECOMMENDATIONS

The Board shall recommend as follows:

1. There are already codes of corporate governance in Nigeria. These are designed to ensure highest standards of transparency, accountability and good corporate governance. The provisions of the codes must be strictly observed.

2. It must be ensured that auditors are independent, since a lot depends on certification of financial statements by auditors. Therefore auditors must be obliged to inform the Nigerian Stock Exchange and regulatory authorities of transactions that negatively affect shareholders and investors.

3. Companies should adopt a policy to guide the board and individual directors in conflict of interest situations.

4. All directors should be required to disclose their shareholding whether proprietary or fiduciary basis in the public company in which they are prospective to be appointed as directors, prior to their appointment.

5. Shareholders must be further equipped with the requisite information which can empower them to act.

6. AGMs must be held at accessible locations to shareholders with full disclosure of BGM agenda accompanied by explanatory notes to guide them.

7. Shareholders holding a stated percentage of public company shares should be empowered to request external auditors to investigate suspicious business activities in addition to present statutory remedies.

8. Shareholders should utilize the means of extra-ordinary general meetings in order to be abreast of activities of its company.

9. The pedigree of holders of sensitive public offices that affect monetary and capital market should be properly screened prior to appointment.

10. Lawyers and experts in the field should be encouraged to be more proactive by instituting actions in court just to test the law and possibly set precedents. This would encourage judicial activism.

11. Non observance of corporate governance should be taken more seriously by stipulating stiff penalties.

12. Depositors should also be encouraged to take legal actions against banks when they have been aggrieved. This could be achieved through the existence of the Securities and Exchange Commission.

13. Legislative actions through prompt reactions to issues in the law and following up by review or amending legislations.

14. Rigorous enforcement of shareholder's rights must be pursued through Non-Governmental Organisations and Civil Society groups. Government agencies such as SEC and CBN should not be left out.

15. Active use should be made of social networks to create awareness and get stakeholders committed to rules of corporate governance.

Prof. Ejiyemi Adigun SAN

Director-General

34th January 2012



INSTITUTE'S PUBLICATIONS PRICE LIST

SEMINAR/OCCASIONAL PAPERS

S/NO	TITLE OF PUBLICATION	AUTHOR/EDITOR/YEAR	PRICE(₦)
1	Financing The States: The Constitutionality of Sales Tax Laws	O. Akanle (1983) Reprinted (1989)	1,000
2	Judicial Attitudes to Freedom of Speech and Press, With Particular Reference to Contempt of Court	I. Adi (1986)	1,000
3	Special Libraries: Their Role and Place in Legal, Political and Social Development in Nigeria	O. Jegede (1983) Reprinted 2007	1,000
4	Nigeria In Search of Social Justice through the Law	T.A. Aguda (1986)	1,000
5	A Bibliography on the Writings of the Honorable Justice T.O. Elias	Honorable T.O. Elias (1986)	1,000
6	Honorable T.A. Aguda: The Man, his Works and the Society	I.O. Agbede (1986)	
7	Constitutional Provision of Nolle Prosequi-A Blessing or a Curse?	Honorable Justice A.A.M. Okundayo (1988) Reprinted 2007	1,000
8	A Decade of Securities Regulations in Nigeria(1980-90)	O. Akanle (1991)	1,000
9	Regulation of Occupational Safety, Health, and Environment in Nigeria	O. Akanle (1991)	1,000
10	T.O. Elias: Citations, Honours and Awards	M. A. Ojomoh (1991)	1,000
11	The Death Penalty as an Effective Deterrent to Drug Abuse and Drug Trafficking: Myth or Reality	I.Okagbue (1991) Reprinted 2007	1,000
12	Pollution Control Regulation in the Nigerian Oil Industry	O.Akanle (1991) Reprinted (2007)	1,000
13	The Reform of Sexual Offences in Nigerian Criminal Law	I. Okagbue (1991) Reprinted (2007)	1,000
14	Private Prosecution in Nigeria: Recent Development and some Proposals.	I. Okagbue (1991) Reprinted (2007)	1,000
15	-----	O. Jegede (1992)	1,000
16	The African Charter on Human and Peoples' Rights	Professor U. O. Unuozurike (1992)	1,000
17	Nigeria: The Legal Dynamics of her Constitutional Development- An Appraisal	Amaze Guobadia (1994)	1,000
18	Bibliography of Nigerian Law Reports	O. Jegede (1995)	1,000
19	Women's Rights are Human Rights	I.Okagbue (1996)	1,000
20	Historical Analysis of Consumer Protection Laws in Nigeria	B.B. Kanyio (1997)	1,000
21	Legal Dimensions of Peace Keeping Operations	D. A. Guobadia (2001)	1,000
22	Miscellany at Law	(2009)	1,000
23	State of the Federation Lecture: "To have and have Not" Corruption, Social Justice and Transformation in Contemporary Nigerian.	Prof. Humphrey Asisi Asobie 2011	1,000
24	State of Legal Profession in Nigeria	Chief Akinola Olujimi SAN, 2011	1,000
25	Fundamentals of Legislative Drafting	Prof. Epiphany Akinge, Vivian Mafo	3000.00



RESEARCH SERIES

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FACES AT THE KARIBI-WHYTE CONVOCAATION LECTURE



FACES AT THE 2ND CONVOCAATION DINNER



NIALS GRADUATES 54 AT ITS 2ND CONVOCATION CEREMONY

The Nigerian Institute of Advanced Legal Studies made history again on December 6th, 2011 when it organized and convoked 54 graduates at its 2nd combined Convocation Ceremony held at its office at the University of Lagos Campus, Akoka - Lagos. The graduates were awarded Masters Degrees and Postgraduate Diploma in Legislative Drafting.

The Convocation Ceremony was preceded by the Justice Karibi-Whyte Convocation Lecture which was presented by Professor Ruchi Mphoeji, JSD of the Osgoode Hall Law School, York University, Canada. In the lecture titled Bio-cultural Knowledge and the Challenges of Intellectual Property Rights Regimes for African Development, a very strong case was made for the recognition of traditional intellectual rights in Africa since all bio-cultural knowledge was cultural based and indeed carried with it some form of intellect activity. The lecture was chaired by Hon Justice Rose Ukeje OFR, former Chief Judge of Lagos State.

Conferring the Diplomas and the Degrees on the graduates, the Chief Justice of Nigeria, Honourable Justice Dahiru Maishaghe, OCON, FNIALS, asserted that "By the Authority of the Governing Council, I admit you all and severally to the degree of Masters of Law in Legislative Drafting and Postgraduate Diploma in Legislative Drafting".

The following were consequently admitted into the Masters degree in Legislative Drafting. They include:

2002/2003

1. Oshinowo Ademuki Abolade

2004/2005

1. Tarwarhe Shamsudeen Kehinde

2005/2006

1. Patience C.N. Onakwue

2006/2007

1. Pansola Ehi-Osilo

2007/2008

1. Ewelike Nelly Okam
2. Ekparung Raymond Ade
3. Esheng Erya Eworo
4. Ganga Illya Ayuba
5. Olufo E. Joseph
6. Adesola Job Abiodun
7. Odey Edeh Alabi
8. Aghumoroja Adenokola Ademika
9. Oluangbwa Itoban

2008/2009

1. Ankele Kalu Kingsley
2. Achata Lawrence Eba
3. Basire Funke Iyabo
4. Abdulhaliq Mohammed Dan-lga
5. Mainasara Umar Mohammed
6. Ogaide Olivia Chidenna
7. Oluse Agogo Jones
8. Ibrahim Usifiah Solomon
9. John Olu Blessing
10. Bukayat Omotosho Sale
11. Fagbohun Jeseph Olu

2009/2010

1. Abubakar Mohammed Tahir
2. Edesa Jessica Ebewa
3. Johnnie Uchemma Ejiogu
4. Ezemoyajaka Chigozie Winifred
5. Emma Nkem Akalaso
6. Gengi Kikbol Dadoh
7. Ikareno Margaret Oruan
8. Longjohn Claribel Diche
9. Iyk-Ohaegburan Chinyere Aduma
10. Akpan Matthew Hilary
11. Ogasola Olubokola Abioye
12. Anyangbunwan Emmanuel Obasoro
13. Owerolawotomi Titilamuelowa Bodade
14. Okeke Felix

For Postgraduate Diploma in Legislative Drafting, those admitted included:

2007/2008

1. Okerike Emomenna Ekwetalla
2. Dadeke Jekot Vorenica
3. Gengi Kikbol Dadoh
4. James Abiola Ezekiel
5. Mohammed Mastapher

2008/2009

1. Ita Bassey Aho
2. Ighenewaribia Oghobho Violet
3. Oluangbwa Olanrin Joy
4. Salihu Peter Oghobhe
5. Emma Nkem Akalaso
6. Nasiru Binji Mohammed
7. Akpan Matthew Hilary
8. Taiye Edah

2009/2010

1. Okepe Juliet Alami
2. Ayoola Clement Hesamni
3. Chirena Moses Garufi



ISSUE OF NIALS WELLNESS



Nigerian Institute of Advanced Legal Studies

Healthy NIALS.

Cardiovascular diseases such as Coronary Heart Disease (CHD) and Stroke are a major cause of illness and death. There are many factors that increase the risk of coronary heart disease and stroke. These risk factors can be divided into modifiable and non-modifiable risks.

In this edition of NIALS Wellness, we will take a look at high blood pressure. We will learn ways of controlling the modifiable risk factors among other things. I hope you find the contents of this edition helpful in your efforts towards a healthy lifestyle.

Dr Okech Tachi

Inside this issue:

HEART DISEASES	1
GET ACTIVE	1
CALORIE COUNTER	1
HIGH BLOOD PRESSURE	3
SALT, BMI, QUIZ	2

Get active by all means

- Climb the stairs, ignore the lift.
- Sweep your compound or cut your lawns; give your gardener a break.
- Dance to Christian, Islamic or pop music in the morning before getting ready for work.
- Get up to change the TV channel.
- Do your laundry yourself.
- Close your windows.

All we need is to take a different view on the activities we do every day.

High blood pressure is often referred to as a silent killer. The reason for this very sinister name is because often times, high blood pressure does not give any symptom until later when complications have arisen. In this edition of NIALS Wellness News Letter, the following questions will be answered:

- What is High Blood Pressure?
- How do I know if I am hypertensive?
- What is my risk of developing High Blood Pressure?
- How do I prevent High Blood Pressure?
- My blood pressure is high already, what can be done?

CALORIE COUNTER (some common foods in Nigeria and their calorie content)

- BUTTER 1 SQUARE, 1/4 THICK = 50 CALORIE
- CASSAVA ROOTS COOKED (UNFERMENTED) = 124 CALORIE
- CHICKEN FRIED 1/2 BREAST = 232 CALORIE
- CHICKEN FRIED DRUMSTICK = 64 CALORIE
- COCONUT MATURE KERNEL 100GM = 388 CALORIE
- FISH ALL KINDS AVERAGE = 1000GM = 183 CALORIE
- GARRI FERMENTED AND FRIED 100GM = 373 CALORIE

October is world breast cancer awareness month. Ladies are encouraged to come to the clinic and have a chat with the Institute Doctor on issues surrounding breast cancer.

Remember you have a huge part to play in ensuring your enjoyment of optimum health.



HYPERTENSION (HIGH Blood Pressure)

The human heart moves blood around the body by contracting and relaxing. This action produces some pressure. It is this pressure produced during contraction and relaxation that is measured as blood pressure. The pressure during contraction is the top value while the pressure during relaxation is the bottom value.

For adults 18 years and above, normal blood pressure is less than or equal to 120/80mmHg. Sometimes, our blood pressure can go up temporarily for example when we are angry, excited or stressed. This temporary rise is usually short lived. It is when the blood pressure remains persistently high that one is said to be hypertensive. Usually, before a doctor makes a diagnosis of high blood pressure, two measurements at least a few days apart would have shown elevated blood pressure. However, there may be exceptions.

Most of the time, the cause of the elevated blood pressure is unknown. However, the following circumstances may result in an increased likelihood to develop high blood pressure.

- Family history of high blood pressure
- Inactive lifestyle
- Overweight or obesity
- High salt intake
- High alcohol consumption
- Smoking

The following measure will help prevent high blood pressure, or reduce it if it is already high:

- Increased physical activity. Skipping, swimming, brisk walking are all aerobic activities that are good and can help. However have a chat with your doctor to decide which exercise best suits you.
- Reduced salt intake. The target should be less than 5g of salt per day. Foods preserved with salt should be avoided also.
- Increased intake of fruits and vegetables.
- Alcohol consumption should be reduced.
- Smoking should be stopped.

These modifications are of benefit in the prevention and control of high blood pressure. However, the effects of implementing these modifications are dose and time dependent. Efforts should be made to make these lifelong lifestyle plans.

For people with raised blood pressure, the doctor may prescribe some medications. The medication the doctor will prescribe will depend on your individual circumstance. There are many blood pressure reducing medications that the doctor can prescribe. It is important that these medicines are taken as the doctor has prescribed them. It is also important that you go to your doctor if you feel unwell after taking the medicines. It is important that you do not stop the medications without consulting your doctor.



TIPS FOR REDUCING SALT INTAKE

1. Switch to low salt snacks
2. Check food labels to find out which foods are high in salt. Always choose those that have low salt.
3. Do not add salt automatically to your food. Always taste it first. Often times, it is not necessary to add that extra salt.
4. Avoid fast foods.
5. It takes getting used to. Persevere. It takes the taste buds a couple of weeks to adjust to eating low salt.

Body mass index

This is a measurement that looks at your body weight in relation to your height. It gives an estimate of your risk of developing weight related disease.

How to calculate BMI.

1. Measure your height in metres (without shoes)
2. Measure your weight in kilograms also without shoes.
3. Multiply your height by your height (i.e. square it)
4. Divide your weight by the square of your height. This gives you your BMI.

Limit salt consumption to less than 5 grams per day

BMI = $\frac{\text{weight (kg)}}{\text{height (m)}^2}$

This fun quiz is designed to test your knowledge about some wellness issues. Please take some time and go through the questions.

1. Which of these is known as "unhealthy" fat?
 - A) Polyunsaturated fat
 - B) Monounsaturated fat
 - C) Saturated fat
2. On average, how much salt should be consumed per day?
 - A) 1g
 - B) 3g
 - C) 11g
3. How is BMI calculated?

Reduce salt intake

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AUTHORS

1. NORMAN BUSH, MD, ON AROGAT'S DETECTION FOR ALL AGES, NATIONAL PRIMARY HEALTH CARE DEVELOPMENT AGENCY & MD, APRIL 2006
2. STEPHEN J. HENNER, MD, ON AROGAT'S DETECTION FOR ALL AGES, NATIONAL PRIMARY HEALTH CARE DEVELOPMENT AGENCY & MD, APRIL 2006
3. THE NUTRITION HILL, CALIFORNIA.
4. NUTRITION HILL, CALIFORNIA.
5. NUTRITION HILL, CALIFORNIA.
6. NUTRITION HILL, CALIFORNIA.



NIALS CHRISTMAS CAROL



NIALS Christmas Carol



Faces at Roundtable on Revisiting the Thrust of Nigeria's Foreign Policy





NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

Ph.D Programme in Legislative Drafting

The Nigerian Institute of Advanced Legal Studies hereby inform the General Public that with effect from January 2010, the

AKINOLA AGUDA SCHOOL OF POST GRADUATE STUDIES
of the Institute will admit candidates for **Ph.D Programme in Legislative Drafting.**

Prospective Candidates are advised to purchase their application form from the Post Graduate Office,
Nigerian Institute of Advanced Legal Studies,
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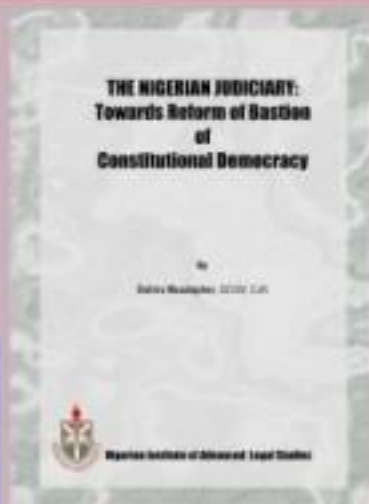
or

The Director General's Office,
Nigerian Institute of Advanced Legal Studies,
Supreme Court Complex,
Three Arms Zone,
Abuja.
Tel: 07031054211

For further enquiries, please contact:
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NIALS Recent Publications



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ROUNDTABLE ON REVISITING THE THRUST OF NIGERIA'S FOREIGN POLICY

10TH JANUARY 2012

INTRODUCTION

5.19 of the 1999 Constitution as amended provides for Nigeria's foreign Policy Thrust, the objectives include: the promotion of national interest, African integration and support for African Unity; international cooperation; respect for international law and treaty obligations; and promotion of a just world economic order. The Ministry of Foreign Affairs is the primary organ of government charged with the responsibility of promoting and protecting Nigeria's national interest abroad, this is done through its 97 diplomatic and consular missions the world over. Successive Administrations employed different approaches and methods in pursuit of Nigeria's foreign policy objectives. Regrettably, Nigeria's diplomatic and foreign policy strategies experienced more change than continuity as a result of changes in leadership.

In order to bridge the gap in knowledge and international law practice and having resolved to bring contemporary problems to the public discourse and arrive at practical recommendations, the Nigerian Institute of Advanced Legal Studies, held a one day Roundtable on Revisiting the Thrust of Nigeria's Foreign Policy. This roundtable was held on Tuesday 10th January, 2012, at the Supreme Court Complex, 12nd Court Room.

Perspectives of the Roundtable include:

- Redefining the Role and Place of Nigerian Embassies
- Towards Reviving and Reinforcing Economic and Consular Diplomacy in Nigeria's Foreign Policy
- Globalisation and Nigeria's Foreign Policy: Implications for Paradigm Shift
- The place of Human Rights in Nigeria's International Relations and Diplomacy
- Good Governance and Transparency as Vital Building Blocks of Nigeria's Foreign Policy
- Climate Change and World Politics: The Nigerian Experience

OBSERVATIONS

1. The Ministry of Foreign Affairs (MFA) since its establishment 59 years ago has undergone over 11 reforms (an average of one per every five years) in response to the demands of Nigeria's national interest as well as the changing domestic and international environment.
2. There are many mechanisms, processes and procedures within the Ministry of Foreign Affairs that constantly review and replace policies in tandem with the ever changing domestic and

international environment.

3. From 1986 to 2011 about fifteen missions were closed down as the financial system infrastructure opened.
4. The most comprehensive and widely acclaimed in-house reform of the MFA and its missions was done in April 2007; regrettably, the approved recommendations were never implemented.
5. The Nigerian vision 20:20:20 framework which aimed at transforming Nigeria into one of the top twenty economies in the world by the year 2020 seems to address the challenges posed in the implementation of Nigeria's foreign policy.
6. The Foreign Policy Component of the Vision recommended that our foreign policy and institutions should play a pivotal role in achieving, inter-alia the following:

- Articulate a better image for Nigeria and improve the country's relations with the outside world by cultivating goodwill for Nigeria;
 - Such closer and better relations with the major powers;
 - Promote acquisition and transfer of technology, the promotion of trade, investment and cultural relations to boost our engineering and manufacturing sector;
 - Facilitate rapid and sustained economic growth and development;
 - Assist Nigeria to have a systematic significance within the Nigerian polity and enable for peace and stability to reign and for sustained good governance;
 - Ensure that Nigeria's leading role in Africa and the ECOWAS sub-region is sustained and well-guarded;
 - Use success stories (where best and domestic film for the national interest)
7. Academics and lawyers have argued that one can neither redefine nor change the functions and roles of embassies in such functions and roles are enshrined in international instruments, e.g. the 1961 Vienna Convention on Diplomatic Immunities and Privileges that which Nigeria domesticated via the 1962 Diplomatic Immunity and Privileges Act.
 8. 65% of the Nigerian embassies are manned by non-career diplomats, such a situation compromises professionalism and subvert transparency and accountability in public expenditure particularly in the embassies.
 9. Many career officers retire after 15 years of service as Directors and Deputy Directors without achieving their life mission of being appointed as Ambassadors of the Federal



18. The universality, indivisibility and interdependence of all human rights has been confirmed by the 1993 Vienna Declaration and Programme of Action adopted in 1993
19. The doctrine of Human Rights as international practice, within international law, global and regional institutions, in the policies of states and in the activities of non-governmental organizations, has been a cornerstone of public policy around the world
20. The adoption of the universal Declaration of Human Rights (UDHR) over sixty years ago, has contributed greatly, not only to the development of human rights, but also to promotion and protection. Three rights and freedoms, based on core principles like dignity, equality and respect, suggest a range of international and regional human rights treaties many of which Nigeria has ratified
21. As a member of the United Nations, Nigeria established the National Human Rights Act, 1993 and has worked the resolution of the General Assembly of the United Nations, which requires all member states to establish Human Right institutions for the promotion and protection of human rights
22. Since the end of military rule in Nigeria in 1999 and anti-corruption civilian government, Nigeria's human rights situation has improved and the remarkable observance of human rights has greatly enhanced Nigeria's international relations since 1999
23. Nigeria played an active role in the recent session of the Human Rights Council and believes that the credibility of the council (that is the success of the universal past failure (LPR) Mechanism)
24. Nigeria's participation in the work of Human Rights Group on the strengthening of the Human Rights Council, as shared by France and Mexico underscores Nigeria's commitment to the promotion and protection of human rights
25. In the fulfillment of her pledge, Nigeria has in the last couple of years initiated a number of important human rights instruments in addition to several already ratified including the Convention on the Rights of Child (CRC) and the Convention on the Elimination of all forms of Discrimination Against women (CEDAW)
26. The African Charter on Human and People's Rights, which provides for social, political, economic, social, cultural, environmental, development and people's rights to self-determination, equality, control of their natural resources and to national and international peace and security has been incorporated into law in Nigeria. Hence, in the absence of an express guarantee or declaration by the Nigerian Constitution on the justifiability of the ICCPR/CRC rights, the African Charter as a domestic law fills the gap
27. Nigeria still faces a lot of challenges in the area of specific human rights situations, such as state judicial killings, arbitrary arrest, the death penalty and extrajudicial killings, etc. in the country
28. Empirical analysis shows that the Climate Change Policy of almost every country (developed and developing) is motivated first and foremost by economic considerations. This is also the position even within the African Group, notwithstanding, the common goal of the Group which is to ensure the future of the Kyoto Protocol and the survival of economic but differentiated responsibility
29. Nigeria's engagement with human rights at the international diplomatic level has been of somewhat contradictory impact we have both been a notable subject i.e. exporters - practitioners of international human rights diplomacy as well as a considerable object of foreign criticism
30. Since we achieved independence as a country we have almost always recognized the important place of human rights in international relations and diplomacy, and we have made considerable (though chequered) efforts to contribute to the upholding of human rights the world over
31. At the global level, we played key roles in the attempts to shape human rights discourse to reflect indigenous measures the third world's experiences of suffering and world views (for e.g. by characterizing apartheid as a crime against humanity), by recognizing the changing of slave trade as a human right violation, and by asserting the human rights of all people to permanent sovereignty over their natural resources
32. On the African level, we were key to the struggle against colonialism, justified and racial discrimination on the continent in Zimbabwe, Angola, Namibia, Mozambique, South Africa, and so on - (and were characterized as a frontline state during the struggle against apartheid)
33. we have played a leading role in the establishment and funding of the African Human Rights System; we are the key state in ECOWAS and have led on various issues including the non-violation of democracy in Egypt, Comoros, Liberia, Sierra Leone, and Niger; and we are one of the handful of key states that stand and support the UN Special Court for Sierra Leone
34. More recently, we have played an important role among states in supporting the work of the International Criminal Court and this role has just been rewarded by the remarkable election of Dr. C. J. Lino Oduh as a judge of the International Criminal Court, defeating even the French candidate
35. Nigeria has been on the receiving end of international criticism for its human rights records. Whether it is because of our generally poor though recently improved record of electoral credibility, or our racial but improving tendency in

hardly suggests dissent, or the fact that for so many of our citizens, welfare is poverty (which are all human rights violations), and international human rights infringement, is shallow-headedness or at best is positive as stated.

28. The Afro-centric nature of Nigerian foreign Policy through sending peace keeping missions does not promote our national interest.
29. There are no records of bilateral investment treaties in Nigeria.
30. Globalisation has seemingly created an ideotic world without borders in which there is a symbiotic and reciprocal relationship between public and private international actors.
31. Globalisation entails economic liberalisation is a preferred policy for the economic transformation of the group of very poor developing nations of third world induced by free trade, the unbridled flow of capital and resources across international boundaries.
32. Nigeria's level of competitiveness is rather low in so-called globalized world due to the following inherent weaknesses: the over-reliance dependence on a single source of income, that is, oil which is not diversified income for 95 per cent of total federally generated revenue; fiscal indiscipline and profligacy in the expenditure of oil revenues; lack of intellectual capital to government; lack of nexus between the oil sector and other sectors of the economy.
33. Nigeria's opportunities abroad in the African region, the West African region and indeed the world economy. It is undoubtedly the largest economy in the West Africa sub-region which constitutes an attraction single and that waiting to be taken by Nigeria. It is the sixth largest producer of oil in the world and a gas reserve.

The round table after an extensive discussion of its subject matter yields the following Recommendations:

1. Given the realities of the global economic recession, it is imperative to re-visit and re-think economic diplomacy in Nigeria's foreign policy. This is further consistent with Nigeria's vision 20:20:20 agenda which, in turn, underscores the mutually reinforcing relationship between a viable, sustainable domestic economic base and a robust foreign policy.
2. Given that the promotion and protection of the national interest is central to Nigeria's foreign policy thrust, Nigeria's economic diplomacy must be anchored on the premise that justly Nigeria's huge human and material contribution to peace and security in foreign states that are bordering her own.
3. Nigeria should, through the sustainability of its foreign

relations instruments, attract foreign investments and consistently propel development agenda.

4. Nigeria should build the capacity of its diplomats to enable them leverage the opportunities and benefits of economic diplomacy.
5. There is need to revive the culture of those who have adorned the rank of Foreign Officer Grade 1, to automatically be conferred with the title of Ambassador-in-Chief.
6. The Ministry of Foreign Affairs should develop robust and reliable mechanisms, with transparent monitoring and evaluation mechanisms, for assessing the performance of its foreign missions and staff.
7. In furtherance of its economic diplomacy, the Nigerian government should, as a deliberate policy, assure that the important private sector is one of the major pillars of its diplomatic and economic engagements.
8. Consistent with the contents of ethnic diplomacy, there is need for robust engagement with the international community with a view to protecting the rights and interests of Nigerians, especially those in Diaspora, who require diplomatic and consular protection. For instance, Nigeria should assure that the host countries strictly comply with the requirements of Article 14 of the Vienna Convention on Consular Relations of 1961 to address the plight of Nigerians in conflict with the law.
9. In order to leverage on the experience and expertise of career diplomats, the current skewed ratio, anchored on political appointees, which favour politicians-diplomats to the detriment of foreign service professionals should be reversed in a matter of three or four years.
10. The recruitment into Foreign Service, given its global competitiveness, shall be broken of First Class Degree or Second Class Upper degree or Second Class Lower degree with Masters Degree in relevant discipline in addition to rigorous competitive examination.
11. There is need to distance itself from dogma and the rigidity of foreign policy, without which it would be bereft of credibility and integrity.
12. To guarantee consistency in foreign policy, adequate and uninterrupted funding of the Ministry is imperative. Consequently, overhead and personnel costs of missions should be appropriated and received in advance once in a year. The process to control and retain resources in its various missions should be passed to the Ministry which should in turn, be held accountable for any lapses or failure in proper management of resources.
13. As a matter of priority, Government should aim at acquiring properties for its missions and staff quarters abroad. In the very least, Government should own all chanceries and



residents of Bands of Mission, and shall be placed under separate facility managers for prudent, transparent and cost effective management. Adequate funding should be provided to (re)build intergovernment properties in Missions.

16. Officers serving in non-English speaking countries, where school fees are exorbitant, face serious challenges with regard to payment of children school fees. For this reason, children's education expenditure, which was last reviewed about 30 years ago, should be reviewed again with a view to increasing the burden borne by officers.
15. As a matter of policy, officers serving abroad and their family members should be entitled to comprehensive health and life insurance coverage at Government expense taking into account the increasing complexities and danger inherent in diplomatic engagements abroad.
14. The international community should continue to pursue human rights in the spirit of meaningful and constructive dialogue, and cooperation, while strengthening the capacity of Member States and individuals without politicisation or selectivity.
17. In the face of global politics, what Nigeria must continue to embrace is a consistent foreign policy that will allow it make necessary tactical and operational adjustments in its implementation of foreign and adaptation strategies.
18. Active focus must also be given to related capacity development, particularly in the area of formulation of adaptation strategies. The emphasis must not be general in nature, but, must be linked to those critical factors that will ultimately define Nigeria's continued interest.
19. There is need for consistency and coordination of policies both at the domestic and foreign levels for the attainment of optimal results in pursuit of Nigeria's foreign policy objectives.
20. Foreign policy component should assist Nigeria to have a systematic equilibrium within the Nigerian polity and ensure for peace and stability to reign and for sustained good governance.
21. We should ensure that Nigeria's leading role in Africa and the ECOWAS sub-region is sustained and well guarded.
22. We should use Diplomacy to persuade Nigerians in the Diaspora to be part of Nation building efforts, currently personal and to repatriate some of their savings towards nation building and good vision. 20/20/20.
23. Ensure Nigeria's participation in global trade and economic, and compliance with international multilateral and bilateral obligations and treaties.
24. Sustain Nigeria's position as the largest Black nation in the world and Advance Nigeria's bilateral relations.
25. The 2007 reform received wide support consequent upon the extensive consultation and involvement of the staff of

the Ministry of Foreign Affairs, for adequate funding is needed for effective implementation of these reforms.

26. It is widely recognised that a country's foreign policy positions tend to be more credible when they reflect its domestic policies and practices. Consider the promotion of democracy abroad by either the US or Britain? Which country's position would be credible? Consider efforts to eliminate poverty abroad by either Singapore or Sierra Leone? Which country's position would be credible?
27. As such, a very important pre-requisite for our achievement of optimal success in our human rights related foreign policy is the institution of a significant more democratic rights-respecting and equitable society here in Nigeria. But is a key point that should not be lost in either our foreign or domestic policy makers and practitioners.
28. In the context of Nigeria's foreign policy, there is an urgency to undertake a rethink of how it stands in relation with varied international power centres, forums, institutions, regions and sub-regions pursuant to repositioning itself for higher global competitiveness, sustainable growth, sustainable development and sustainable human development.
29. There is a need for Nigeria to be more constructively involved in the treaty making process and should be able to make reservations at the point of ratification.
30. The opinions of lawmakers should be sought before the ratification of any treaty to ensure that such treaty conforms to their own conscience in Nigeria.
31. There is need for the treaties it ratifies being the voting body of the Ministry of Justice to be taken along in treaty ratification.
32. That the Ministry of Foreign Affairs should ensure that every Foreign Mission in Nigeria's exclusive overseas justifies its existence.
33. There is a need to expedite action on the completion and publication of letters from Nigeria to our last post 1999.
34. Good governance can be used to ensure that foreign policy is formulated through a well managed process by ensuring that there is adequate human resource competent enough to drive the process by way of employing qualified personnel to work in various sectors of the economy.
35. Good governance and transparency are important indicators of the fact that decisions of states are for the common good of its citizens. The common good is a reflection of the state's national interest.

Signal

Professor Ephraim Akingbo SAN
Director General
15th January 2012



NIALS INTRODUCES SERVICE MEDAL

In his effort to encourage staff dedication and commitment to the work of the Institute, the Director-General of the Institute, Professor Ephraim Azinge, SAN has announced an Excellence Service Medal for staff of the Institute. The Director-General disclosed this information at the Kere-Ofa party held in honour of the retired Institute Librarian, Mr Theophilus G. Dada at the University of Lagos-Church House recently.

Professor Azinge, SAN noted in his address that Chief Dada having served the Institute for thirty-one (31) years of arduous service deserves every kind of treatment the Institute has been able to render him as he retired from public service. He commended the dedication, commitment and efficient service of Chief Dada especially his humility which knew no limits. Chief Dada, he noted, will be missed by all since he was a rubbing point for most staff of the Institute. He wished him best of luck in all his future undertakings.

While addressing staff to emulate the good qualities of Chief Dada whose excellence in service motivated him to all, Professor Azinge, SAN charged staff to work always to distinguish themselves in every assignment handed but to as a matter of priority, show commitment, dedication and motivation in

carrying out their assigned responsibilities. He announced that henceforth, the Institute will initiate an excellence medal award for deserving staff that will not only distinguish themselves but also show exemplary qualities in the discharge of their responsibilities.

Other staff members, who spoke at the occasion, noted the hard work, discipline and transparency which Chief Dada carried on in the Institute. Of particular note was Chief Dada's desire and quest for excellence and industry which he brought to bear on his immediate assignments, the Library. They all agreed that Chief Dada will be missed greatly but quickly wished him good luck, good health and God's blessing in his retirement.

Responding after collecting a message from the Director-General, Chief Dada assured all present that he will forever cherish his days at the Institute and especially the wonderful working relation he had with the present Director-General and other staff of the Institute. He urged staff especially the Library staff to give his successors in office the same compassion and support he got from them while in office.

The occasion was witnessed by all Management and staff of the Lagos office as well as family members and friends of Chief Dada.

PROFESSOR AZINGE ASSURES ON STAFF WELFARE

The Director-General, Prof Azinge Ephraim Azinge SAN had a meeting with Abjia NIALS staff on 7th of January 2010 at the old Court Room.

The meeting commenced on a high note with the Director-General, Professor Ephraim Azinge, SAN welcoming all members of staff to the new academic year. He urged all members of staff to be diligent and dedicated to their duties regardless of the economic hardship and crisis in the country he promised that hard work will be rewarded. He mentioned some specific members of staff who stood out in their duties in the previous year and promised to further their education as soon as the Institute's financial situation improves.

In overcoming day to day challenges, the Director-General encouraged members of staff to go back to God. Accordingly, the importance of prayers was emphasized. Since a home or family built on prayers would always succeed, Prof Azinge encouraged all members of staff to trust and pray for themselves and the Institute. Christians were to meet on Mondays while Muslims meet on Fridays.

In deference to and ensuring the sustenance of staff wellbeing, the last Thursday of every month was declared a day for all members of staff to work out at the Old Parade Ground so as to ensure their physical fitness at all times. This belief stemmed from the understanding that a healthy group of people will naturally lead to better productivity.

The Director-General also informed staff that the activities for the academic year 2012 had been prepared in a booklet from which will be readily available in order to inform the public about our activities in the year. The Director-General notified staff of the successful take-off of the Madagag and Audio Zonal offices and urged for the cooperation of all staff to work together towards achieving the dreams of the Institute's founding fathers.

As means of improving staff productivity, Professor Azinge

emphasized management's desire to lower criteria for training in the year. Nonetheless, attention will be focused on secretaries, mathematicians and researchers for the few training opportunities that will come by. For academics, the Director-General announced that even those yet to be confirmed who wish to go for further studies will be allowed to do so even though the Institute will not pay their fees but their salaries will run during the period. He informed that some Research Fellows were billed for further training outside the country even though without Institute's sponsorship. All members of staff were encouraged to improve themselves academically. The study of a foreign language was encouraged especially the researchers. This will make the reality of the world being a global village real in NIALS because the staff will be able to deal with foreigners effectively.

To harmonize operations and further narrow the communication gap between Lagos and Abjia offices, the Director-General announced the installation of Video Conferencing equipment in the Old Court Room of the Supreme Court which will make it possible for the Institute to share through viewing of programmes taking place in either Abjia or Lagos offices.

The Director-General assured staff of Management's concern for staff welfare which he noted will be given priority attention this year. The issue of end of year bonuses, he said, will be looked into seriously in order to alleviate the hardship usually experienced at the end of the year.

Staff appreciated the meeting especially the insights into the activities and expectations of the New Year and promised to cooperate and do their utmost determination for the overall success of the Institute. They promised to support the Director-General and Management in their effort to run around the operations of the Institute and especially the business of staff.



NIALS ALUMNI FORMED: Hosts Alumni Dinner

The Nigerian Institute of Advanced Legal Studies December 5th, 2011 took another giant step as the Alumni Association of the Institute was formally formed. The occasion which brought together former students of the Institute turned out to be the official formation of the Alumni of the Institute and launching of an appeal fund for the erection of a befitting secretariat for the conduct of activities of the Alumni at the Institute's permanent site in Abuja.

Welcoming the alumni and guests to the epoch making occasion, the Director-General, Professor Epiphany Azinge, SAN traced the history of the Institute since its establishment as an apex legal research institute in Nigeria noting that as professionals in the legal industry, there was every need for graduates of the Institute to come together as an alumni. The Institute, he said, has grown from the certificate awarding institution to a postgraduate and master's degree awarding and most recently, the doctoral degree awarding institution in legislative drafting; the sole institution so allowed in the country. Of course, these transformations followed due processes in the Institute's enabling law, he concluded.

The Chairman of occasion, Honourable Justice George Adesola Oguntade in his remarks, paid growing tributes to the Institute particularly during the regime of Professor Azinge, SAN whose tenure has brought about serious innovations like the alumni association which was long

overdue. He urged the alumni to be positive stakeholders of the Institute by supporting its activities and programmes from time to time.

The Special Guests of Honour, the Executive Governor of Lagos State, Mr Babatunde Fashola who was represented by the Honourable Attorney-General and Commissioner for Justice, Mr Ade Ipaye, lent support to the formation of the Alumni Association and promised to support its good intentions financially and morally.

Also speaking at the event, the Speaker of the Lagos State House of Assembly, represented by Hon. Bolaji Ayinka Yusuf and his predecessor in office, Hon. Fumilayo Tejuosho both commended the achievements of the Institute and pledged personal support as well the support of the Lagos State House of Assembly to the activities of the Institute and the Alumni Association.

At the Dinner Lecture presented by Honourable A.A. Hakeem, a very strong case was made for good governance as the panacea for

peace, progress and social-economic development of the country. According to the guest lecturer, the spate of insecurity and other social ills in the country will only be solved if governments at various levels show commitment to good governance.

The Alumni members appreciated the opportunity of coming together and promised to coordinate themselves into a credible association in the very near future. The Association made case for the Institute to allocate it space at its permanent site in Abuja to build its secretariat. To kick start the process, a fund raiser was commenced which attracted reasonable collections on the day with many people pledging donations to the account of the Association.

The formation of the Alumni Association to many is the realisation by the Professor Azinge, SAN administration that no stone will be left unturned in transforming the Institute to realize its mandate of playing first class role as a research institution in Nigeria and the sub-Saharan Africa.

We at the Nials Newsletter congratulate the alumni association for its birth and wish it a speedy growth.

Guests at the dinner included Mr Gbenga Oyebode, SAN, Managing Partner of Aluko and Oyebode Law Firm, Principal Heads of the Institute, members of the Bar and Bench.

