



# NIALS Newsletter

A publication of the Nigerian Institute of Advanced Legal Studies

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**CJN AND AGF AT NIALS 2011 FELLOWS LECTURE**



**Prof. Idornigie  
delivers NIALS  
3rd Inaugural  
Lecture**

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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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## THE FEDERAL GOVERNMENT TO REMAIN A GOOD ALY OF THE BAR AND BENCH



Mr. Adoke, SAN

The Attorney General of the Federation and Minister of Justice, Mr. Mohammed Bello Adoke, SAN has reiterated the determination of the present administration of President Goodluck Jonathan to remain a good ally of the Bar and Bench in its determination to run a government founded on the Rule of Law.

Mr. Adoke, SAN was speaking at the 2011 Fellows Lecture organized by the Nigerian Institute of Advanced Legal Studies held November 10<sup>th</sup>, 2011 at the NICON Luxury Hotel, Abuja. According to the Honourable Attorney General, the government is propelled by a conviction that scrupulous and regular adherence to due process in all aspects of our national life will enhance the dignity of all residents of Nigeria and persons who do business

with Nigeria. It will equally have the salutary effect of reducing the workload of the judiciary through the screening out of matters that can ordinarily be routinely addressed through the institutionalization of equitable, efficient and fair administrative mechanisms.

The 2011 Fellows Lecture titled THE NIGERIAN JUDICIARY: Towards Reform of the Bastion of Constitutional Democracy was presented by the Chief Justice of Nigeria, Honourable Justice Dahiru Musdapher, GCON, FNIALS. Referring to the lecture, the Attorney General of the Federation hoped that the lecture will offer Nigerian the opportunity to further reflect on the critical legal issues which affect the judiciary and by extension, the country and provide useful insights for the advancement of our democracy.

In commending the Nigerian Institute of Advanced Legal Studies for staying true and faithful to its mandate, Mr. Adoke, SAN congratulated the Governing Council of the Institute, its Director-General, Management and Staff for the excellent pursuit with which they had carried the Institute in the recent past. The topic of the lecture, he said, was both timely and relevant given current questions which surround the administration of justice in Nigeria today.

*Continued on Page 21*



## HONOURABLE JUSTICE DAHIRU MUSDAPHER, GCON, FNIALS, CJN, PRESENTS NIALS 2011 FELLOWS LECTURE



November 10<sup>th</sup>, 2011 entered the history books as a day a serving Chief Justice of Nigeria presented a public lecture.

Welcoming guests to the 2011 NIALS Fellows Lecture and Conferment of Fellows of the Institute on some distinguished nominees, the Director-General of the Institute, Professor Epiphany Azinge, SAN noted that the lecture was significant in many ways. For the first time, a serving Chief Justice of Nigeria was invited to deliver the Lecture. Secondly, the topic was one that commanded public attention. Thirdly, the Guest Lecturer has had the opportunity of serving as a State Attorney-General, State Chief of Nigeria Judge and lastly as the sitting Chairman of the Institute's Governing Council. The Institute for these reasons was proud to have provided the platform for His Lordship, the Chief Justice of Nigeria, Hon. Justice Dahiru Musdapher GCON, FNIALS to address the world on a subject that would clearly define his career on the bench.

In paying tribute to the Fellows of the Institute, the Director-General acknowledged the great support and encouragement at all times, received from the Institute's Fellows. The Fellowship of the Institute according to the Director-General was not an honorary award but a call to service to the Institute and the legal community hence nominees were carefully selected from amongst the best legal minds

for the conferment of the rank of Fellow of the Institute. The Fellows Lecture cast in the mould of "Chorley's Lecture of the London School of Economic and Political Science" provides a platform for incisive and penetrating interrogation of issues of contemporary relevance and further invites the lecturer to make far reaching recommendations for the growth and development of law. He appreciated the Honourable Attorney-General and Minister of Justice who as supervisor of the Institute has shown immense interest in the affairs of the Institute beyond the normal call of duty. The NBA, he said, also deserved thanks and appreciation for its support of the Institute.

According to the Director-General, the State of the Institute in terms of fulfilling its statutory mandate and the dreams of its founding fathers was very strong. The Institute under his leadership has been challenged more than ever before in meeting up with the fulfillment of the Institute's statutory mandate. Professor Azinge, SAN noted that the success story of the Institute lies in the friendship it has build over the years and prayed for the sustenance of these levels of friendship as the ship of legal scholarship in this country continues to be steered.

The guest lecturer, Hon. Justice Dahiru Musdapher, GCON, FNIALS in his opening remarks, noted that the opportunity to present the lecture was timely as it would afford him the opportunity of speaking his mind on a most critical challenge facing the judiciary and the legal profession in Nigeria today. The issue he further noted was of utmost priority to his administration as Chief Justice of Nigeria and demanded every sense of urgency in tackling. As Chairman of the Institute, he noted and appreciated that the Institute has over the years justified its existence, consistent with its motto of "Knowledge that makes the Difference" by expanded its frontiers of knowledge in a very profound manner and concomitantly made substantial contributions to the development of Nigeria.



The lecture itself centered on the mandate of the Nigerian Judiciary which covers all powers and sanctions of a court of law to all matters between persons or between government or authority and to any person in Nigeria and to all actions and proceedings relating thereto, for the determination of any question as to the civil rights and obligations of our person. For the protection of the judiciary, section 4(8) bars the legislature from enacting laws that "oust or purports to oust the jurisdiction of a court of law or of a judicial tribunal established by law. Consequently, the judiciary, according to the lecture, is expected to be dispense justice to all manner of people without fear or favour, affliction or ill-will. On the Judiciary being the bastion of democracy, the lecture acknowledges that the success or failure of our young democracy largely depends on our judicial system and we shall do our utmost to improve our capacity to perform our constitutional responsibilities, enhance protection of democratic values and entrench the rule of law. Consequently, the National Judicial Commission will continue to supervise and discipline judicial offices including judges involved in corrupt practices. Consequently, the lecture canvassed a judicial system that would be simple, fast and efficient. One that would be responsive to the needs and yearnings of the citizenry by adhering to the Fundamental Objectives and Directive Principles of State Policy as provided by sections 23 of the constitution which provides that "The National Ethics shall be Discipline, Integrity, Dignity of labour, Social Justice, Religious Tolerance, Self reliance and Patriotism.

Discussing on the aspect of Things Fall Apart, Justice Musdaph GCON took stock of impediments before the judiciary especially lack of independence especially at the State level. Inadequate funding, political manipulations of the processes of appointment and removal of judges by some State Governments and their respective Houses of Assembly, delays in the administration of justice and incapacities and corruption. In all of these, the lecture captures a corrupt judge as being more harmful to the society than a man who runs amok with

a dagger in a crowded street. The latter can be restrained physically but a corrupt judge deliberately destroys the moral foundation of society and causes incalculable distress to individuals through abusing his office while still being referred to as "honourable". Arising from this situation, Justice Musdapher announced that under his administration there shall be zero tolerance to judicial corruption or misconduct. He advocated understanding from the media and necessary stakeholders to support the efforts of the judiciary as they try to extricate themselves of prevailing iniquities without dragging them into political controversies.

In his way forward, Hon. Justice Musdapher, GCON admitted that public perception of the judiciary was not satisfactory. Unfortunately, the lack of public confidence in the judiciary is the beginning of the end of society. For this reason, the lecture proposes to among others enforce the Code of Conduct for judicial officers as well as the Code of Conduct for Public Officers and other relevant laws and regulations by ensuring that these laws and regulations are strengthened. He announced the setting up of a Judicial Reform Committee, convened a Stakeholders Forum and engaged a renowned international judicial reform consultancy firm to painstakingly x-ray the judiciary and propose innovative ways through which to strengthen its capacity to optimally respond to the yearnings of the public. The Nigerian Institute of Advanced Legal studies and the Nigerian Law Reform Commission have similarly been mandated to also undertake a searchlight on these issues.



Notwithstanding this initiative, the Chief Judge of Nigeria announced interim measures to include full computerization of judicial processes. This amongst others will ensure efficient and speedy processing of court documents, make it possible for court processes to be filed electronically thereby saving valuable time, simplicity and fast track case management, fast track compilation and transmission of records or proceedings and other vital documents, make it possible for a judge with the click of a mouse, to find out if new processes have been filed and give appropriate directives, enable court registrars to post documents of the courts and other relevant information online. Other measures include enabling judges, litigants, lawyers, researchers and the general public to have easy access to online legal databases, enable court registrars to devise electronic mailing lists through which the larger society is kept abreast through alerts of current judicial developments. Provide a veritable platform for networking and engendering informal system of peer review of judicial decisions given that judges of comparable standing in other jurisdictions can access our judgments.

To achieve these developments, some Rules of Court may be reviewed; there will be a need to build capacity in the area of ICT for both Judges and support staff. This, the Chief Justice of Nigeria noted will be addressed expeditiously. On the appointment of

judges to courts of higher jurisdiction, Hon. Justice Dahiru Musdapher alluded that a case will be made to diversify the pool from which selections should be made. To ensure the fight on corruption is total, Justice Mustadapher directed Judges to conclude all corruption cases within six (6) months of their filing. He directed that where the Prosecution was not ready with the case, it should be struck out so as to restore the confidence of the public.

It was the considered opinion of the Honourable Chief Justice Dahiru Musdapher that since our democracy was gaining traction and the legislature, the youngest of the three arms of government was witnessing accelerated maturity in the conduct of legislative business, the judiciary should not fail the nation. He urged judges to note that as they sit at trail, they also stood on trial.

The lecture coming at the time it did, proved to be breath taking, incisive and penetrating in its analysis, surgical in its diagnosis, sagacious in its prognosis and seminal in its distinctive contribution to chatting an agenda for repositioning the Nigerian judiciary as the bastion of constitutional democracy.

Guest list at the lecture included who is who in the legal community, bar and bench as well as members of the National Assembly who were led by the Majority Leader of the Senate, Mr. Victor Ndoma Egba, SAN.



**PROFESSOR PAUL OBO IDORNIGIE PRESENTS NIALS 3<sup>RD</sup> INAUGURAL LECTURE:  
PROFESS "INVESTMENT TREATY ARBITRATION AND EMERGING MARKETS:  
Issues, Prospects and Challenges"**

In furtherance of its mandate and in justification of its enviable role as an apex legal institute for research and related matters in law, the Nigerian Institute of Advanced Legal Studies presented its 3<sup>rd</sup> Inaugural Lecture at the Shehu Musa Yar'Adua Centre, Abuja on October 20, 2011. The lecture was presented by Professor Paul Obo Idornigie. Introducing the lecture and welcoming guests, the Chairman of Occasion and Director-General of the Institute, Professor Epiphany Azinge, SAN acknowledged that the lecture provided great enthrallment to a fast and emerging area of law that only a skilled professional could handle. He further acknowledged that the Lecturer, Professor Idornigie by presenting the lecture had launched himself into the domain of international scholarship. He enjoined guests to sit back, relax as they were likely to be thrilled by the skill and expertise of Professor Idornigie in such a complex area of law. Professor Idornigie in his opening remarks appreciated the Almighty God for seeing him go through his academic pursuits in law starting from the very low when he started as a Grade III Typist at the Auchi High Court in 1970. Today, he can only accept that the Lord God "Is ever faithful" because he has been a testimony of His faithfulness. In introducing the topic, Professor Idornigie acknowledged an incidence that pushed his thinking and finally his choice of topic. He recalled a dispute involving the Federal Government of Nigeria and an International Oil Company (IOC). The organ of the Federal Government had gone into a Bilateral Investment Treaty (BIT) with the government of the national of the IOC. The BIT provided for arbitration under the International Centre for Settlement of Investment Disputes (ICSID) based in Washington and established under the 1965 Convention on the Settlement of Investment Disputes between States and nationals of other States. It was in the cause of his investigating this disputes that he came across a triangular warning sign - "building site: please enter with care". The question then was whether in negotiating treaties and entering into contracts with nationals of other countries, the capital importing countries avert their minds to the provisions of these treaties and contracts, the International Law Commission's Articles on State Responsibility (2001) and the Impact of the 1999 Vienna Convention on the Law of Treaties? It is in answer to this question that Professor Idornigie outlined his lecture to cover what Commercial Arbitration is and its distinguishing features, how investment treaties evolve and what were the fundamental issues relating to the scope and application of the treaties. The lectures also extensively define emerging markets, and to what extent investment treaties protect the host countries. It also examined outcomes especially distinctions between treaty and contract claims in the relationships with the belief that disputes (contract and treaty-based) must abound. The lecture addresses the issues

of jurisdiction under ICSID in the event that disputes arising from such treaties are to be arbitrated upon. Who is a 'national' of the Contracting States to the Convention and what are 'Protected investments' as well as the prospects of investment treaties and challenges faced by emerging markets and developing economies are critically examined in the lecture. In the discus and analysis of the complex subject of investment treaty, Professor Idornigie acknowledged that the subject was *Sui generis* and an emerging jurisprudence such that even in developed economies, its ramifications were still unsettled. It was the considered opinion of Professor Idornigie that all emerging markets should as a matter of necessity ensure that in negotiating the terms of the treaty, proper legal advice is sought by subjecting the draft treaties to vigorous and robust debates to ensure that the best terms are negotiated. He called for the sensitization of the terms of the International Centre for the Settlement of Investment Disputes (ICSID) to create the required awareness of its provisions and enactments. He acknowledged the likelihood of having parallel proceedings and advised that in the event this happens, the principles of *res judicata* and *lis pendens* should be respected. He further suggested that for pure investment disputes arising from treaties/laws, arbitration under the municipal law was preferable. In all cases, he advised that the principle of the triangular warning sign should be remembered that is Building Site: please enter with care. The lecture though very technical and complex, was well delivered and appreciated. In the words of the Chairman of the lecture and Director-General of the Institute, Professor Epiphany Azinge, SAN "His careful use of data and statistics has produced explicitly the geographical distribution of all ICSID cases as well as all Bilateral Investment Treaties Nigeria has ratified". He concluded with the remark that "Professor Idornigie's lecture is exceptional and well researched; the author is not only vastly experienced in this field of law, but has brought his expertise to bear on this highly competitive area of law".



# HEALTH MATTERS WITH DR. TOCHI

Healthy NIALS.

It is my pleasure to present to you, the maiden edition of the NIALS wellness newsletter. It is planned to be a monthly news letter disseminated via e mail. Some regular features will be; the exercise of the month and the calorie counter. I hope you find the news letter a reading pleasure.

Dr Okwor Tochi

**Inside this issue:**

- NIALS WELLNESS 1
- EXERCISE OF THE MONTH 1
- PHYSICAL ACTIVITY 1
- CALORIE COUNTER 2
- APPROPRIATE USE OF LAPTOPS AND 2

**EXERCISE OF THE MONTH**

Hula Hooping is a fun way to have fun with your children while exercising at the same time. It is a great way of exercising the waist. Remember you have to keep at it for at least 30minutes. Cost is between 800 and 1,500 Naira. Currently available at the Game shop at The Palms Victoria Island.

**NIALS WELLNESS SURVEY RESULT.\***  
A few months ago we all participated in an institute wide wellness survey. Questionnaires were sent out and responses got from staff. A highlight of the result is found below:

- 49% of NIALS staff are aged between 36 and 45 years
- Majority (39%) of staff take fruits less than once a week
- Majority (36%) of staff rarely engage in exercise
- Of the few that exercise, majority take walks
- Majority of those that exercise do so for less than 30minutes per day
- Majority (89%) of staff like the idea of wellness program at work and will participate in one

The result of the survey will inform all wellness initiatives at the institute.

\*Details of the report is available at the Institute clinic for interested staff.

There are 1,440 Minutes in Each Day....  
Save 30 of Them for Physical Activity!



Adults need at least 30 minutes of moderate physical activity at least 5 times a week. Physical activity helps protect against heart disease and stroke, high blood pressure, diabetes, obesity, back pain, and osteoporosis. It boosts one's self esteem and aids in stress management, and helps to postpone the development of disability in old age.



### Appropriate use of laptops and notebooks (aka portable display screen equipments)

The nature of work of research fellows and other academic and non academic staff of the institute has necessitated the need for laptops and notebook (Portable Display Screen Equipments; DSE) use by almost all members of staff. The design of these portable DSE can include features (such as smaller keyboards or a lack of keyboard/screen separation), which may make it more difficult to achieve a comfortable working posture. These devices are also used in a wider range of environments, some of which may be poorly suited to DSE work.

To reduce risk to users, the following recommendations should be followed:

- Avoid prolonged use and take more frequent breaks.
- Look for as low a weight as possible (for example 3 kg or less) for the portable computer, and keep accessories as few and as light as possible.
- Choose as large and clear a screen as possible that can be used comfortably for the task to be done.
- Where available, opt for a detachable or height adjustable screen.
- Use lightweight carrying case with handles and shoulder straps. Consider using a backpack to cut down strain on arms and distribute loads evenly across the body (or wheeled luggage might be worth considering)
- Look for tilt adjustable keyboards on laptops.
- Choose a portable capable of being used with a docking station and/or with a facility for attaching an external mouse, keyboard and/or numeric keypads, where these are likely to help you work comfortably.
- Check the portable has friction pads underneath to prevent it sliding across work surfaces when in use.
- Minimise the use of portable computers in non-ideal locations such as motor vehicles.
- Take sensible precautions such as not carrying portables in luggage with a computer manufacturer's branding; not leaving or using a portable in a parked car; and taking extra care in public places, or in other situations (or at times) where the risk of theft may be greater.



Picture above shows proper posture while using portable DSE

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

- 1/2 MEDIUM SIZED AVACADO = 275 CALORIE
- 1 MEDIUM SIZED BANANA = 130 CALORIE
- 1 SLICE 1/2 THICK WHITE BREAD = 60-65 CALORIE
- 100GM RAW BITTER LEAVES = 52 CALORIE
- 1/2 CUP COOKED CARROT = 30 CALORIE
- 1 SMALL RAW CARROT = 30 CALORIE
- COLA NUT MANY LOBED = 140 CALORIE
- 1 MEDIUM CORN ON COB = 90 CALORIE



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## CHIEF BAYO OJO, SAN, FIVE OTHERS CONFERRED WITH NIALS FELLOWSHIP

The size of the Institute's Fellows swelled November 10<sup>th</sup>, 2011 with the admittance of six new members into the exalted rank of Fellows of the Institute. The occasion was the 2011 Fellows Lecture and Conferment of Fellowship of the Nigerian Institute of Advanced Legal Studies held at the NICON Luxury Hotel, Abuja. The Conferment was unique as amongst the recipients was an American citizen.

Speaking at the event, the Director-General, Professor Epiphany Azinge, SAN informed guests that the Fellowship of the Institute was a highly prestigious award conferred only on members of the bar and bench adjudged by the Governing Council and Management of the Institute as having contributed substantially not only to shifting the frontiers of law but also with their level of identification with the activities and mission of the Institute.

He paid growing tribute to all Fellows of the Institute for their continued support and encouragement to the Institute in its effort to meeting its statutory mandate and consequently justifying the dreams of its founding fathers. As a result of their rich reservoir of knowledge, scholarship and experience placed at the disposal of the Institute at all times, the Fellowship of the Institute by and large is not an honorary award but a call to service to the Institute and the legal profession at large.

Professor Azinge, SAN noted that this year's award was unique in several respects. For one, it's the first to be presented by a serving Chief Justice of Nigeria and a sitting Chairman of its Governing Council. In another way, the topic of the lecture provided the Chief Justice of Nigeria, Hon. Justice Dahiru Mustapha a platform, early in his regime as the Chief Justice of Nigeria, to chart a pave for his

administration. Yet on another, the Institute was going global for the first time in the conferment of its Fellowship with the award of Fellowship of the Institute on an American citizen, Professor Francis S.L. Wang of the University of Pacific, Mc George School of Law.

The conferment ceremony which was performed by the Chief Justice of Nigeria, Hon. Chief Dahiru Musdapher saw the conferment of the Fellowship award on the Former Attorney-General of the Federation and Minister of Justice, Chief Bayo Ojo, SAN, Honourable Justice Walter Onnoghen, CON, FCI Arb, JSC, Chief Chimezie Ikeazor, SAN, CON, Professor Karisu Chukkol, Professor Isabella Okagbue and Professor Francis S.L. Wang.

In their various citations, it was clear that the nominees having being adjudged credible in their various disciplines, and having contributed in one way or the other to the development of the Institute and the legal community, were deserving of the award of the Fellowship of the Nigerian Institute of Advanced Legal Studies.

In conferring the award on each of them, the Chief Justice of Nigeria commended them to be good ambassadors of the Nigerian Institute of Advanced Legal Studies and justify at all times, the confidence reposed in them of deserving the exalted rank of Fellow of the Institute.

Speaking on behalf of the awardees, Chief Bayo Ojo, SAN appreciated the credibility of the Nigerian Institute of Advanced Legal Studies in the area of advanced legal research. He acknowledged the fact that the Institute by every indication was hub of legal research in the country and pledged the support of his co-awardees in supporting it to continue to achieve its mandate and vision.



Hon. Justice Walter Onnoghen, CON, FCI Arb, JSC,



Chief Chimezie Ikeazor, SAN, CON



Chief Bayo Ojo, SAN



Professor Isabella Okagbue



Professor Karisu Chukkol



# *Nials Staff Birthdays*

## **October**

<b>FULL NAMES</b>	<b>DESIGNATION</b>	<b>DATE OF BIRTH</b>
Prof. Fagbohun Adigun Olanrewaju	Research Professor	October, 19
Eteng Uwem (Mrs.)	Principal Librarian	October 31
Anyebe Peter Ademu	Research Fellow 1	October 26
Ali Hussaini	Senior Liberian	October 22
Okpara Nnena Joy	Assistant Research Fellow	October 25
Akingbondere Ilemobayo Alfred	Chief Accountant/HOD	October 30
Falana Oluwabukola Azeezat	Assistant Secretary	October 5
Garba Hadiza Ladi	Administrative Officer I	October 17
Udeh Lovet Uwabunkeonye	Administrative Officer I	October 25
Idoko Isa James	Principal Superintendent of Press	October 10
Musa Mani Bilikisu (Mrs.)	Principal Executive Officer	October 23
Mal. Abubakar Yakubu Atayi	Senior Executive Officer	October 1
Raufu Oba Toyin	Senior Executive Officer	October 9
Samson Ebiere Ogege (Mrs.)	Accountant II	October 22
Ogundayomi Sumbo Labake (Mrs.)	Chief Data Processing Asst.	October 16
Oyediji Abiola Adewunmi (Mrs.)	Chief Data Processing Asst	October 21
Gundu Anum Amos	Chief Driver	October 2
Odutayo Felicia Ngozi (Mrs.)	Data Processing Assistant I	October 1
Ayoo Elizabeth Iveren	Executive Officer	October 17
Jimotok Ruth Habila	Data Processing Assistant I	October 15
Obande Anyebe Edward	Printing Assistant Grade I	October 5
Amos Alaofin Olatunbosun	Operator (Binder)	October 19



# *Nials Staff Birthdays*

## **November**

<b>Full Names</b>	<b>Designation</b>	<b>Date of Birth</b>
Prof. Azinge Epiphany Chigbogu J.	Director-General	November 13
Prof. Adekunle Adedeji Olusegun	Director of Studies	November 1
Lamikanra Ufouma (Mrs.)	Ag. Librarian	November 21
Salman Toyin Ayo	Principal Assistant Secretary	November 26
Okwor Tochi Joy	Institute Medical Officer	November 23
Ogunsanmi Bamidele Alexander	Principal Internal Auditor	November 24
Mmakwe Andy Ozoemenem	Assistant Research Fellow	November 10
Uma Comfort (Mrs.)	Asst. Chief Personal Sec.	November 15
Abdulkarim Bela'u (Mrs.)	Assistant Secretary	November 4
Anyanwu Calista Ogechi (Mrs.)	Assistant Secretary	November 10
Onyebashi Justina Ifeyinwa	Administrative Officer I	November 3
Ezekwere Ogechi Amanda	Administrative Officer I	November 21
Okafor Henry Ndubuisi	Administrative Officer II	November 28
Bello Rahmatu Duwap (Mrs.)	Senior Accountant	November 3
Auwal Mohammed Inuwa	Accountant I	November 11
Abbey-Taiwo Grace Iyabo (Mrs.)	Personal Secretary II	November 9
Edunjobi Adebola (Mrs.)	Chief Data Processing Asst.	November 7
Idowu Oyediji Ayodele	Executive Officer	November 23
Omozokpia Sunday	Chief Driver	November 11
Gede Terlumun Christopher	Office Assistant I	November 4
Idefu Danjuma	Clerical Assistant III	November 11
Sanyaolu Oladipupo	Library Assistant	November 14



## NCC DONATES COMPUTERS TO NIALS

Fruits of the massive collaborative efforts embarked upon by the Director-General of the Institute, Professor Epiphany Azinge, SAN following his appointment as Director-General of the Institute, has begun to emerge. The Nigerian Communications Commission ((NCC) recently) donated 100 complete pieces of computers including tables, UPS, and a Video Conference Screen along with its ditch and accessories to the Nigerian Institute of Advanced Legal Studies.

Taking delivery of the items on behalf of the Management and staff of the Institute in its Abuja and Lagos offices., the Director-General, Professor Epiphany Azinge, SAN,

commended the Commission for its generosity, stressing that the items would go a long way in enhancing productivity of Institute and further bridge the gap of distance through the video conference screen-viewing.

Commending the kind gesture of the NCC, the Director-General noted that no one organization can do it alone without such assistance as this, adding that NIALS will reciprocate the kind gesture by sustaining the cordial relationship between the two organizations. He promised putting the computers and equipment to proper use and for the purpose there are meant for. Professor Azinge, SAN, called on other well meaning organizations to emulate the good deed by the NCC.

The brief ceremony was witnessed by Management and staff of the Institute who deeply appreciated the kind gesture from the Nigerian Communications Commission.



*Readers and NIALS Staff making effective use of Computers recently donated by NCC to the Institute*

## NIALS CONDUCTS COURSE IN PRACTICE AND PROCEDURE

In continuation of its training programmes, the Nigerian Institute of Advanced Legal Studies October 24<sup>th</sup> – 28<sup>th</sup>, 2011 organized a five day Advanced Course in Practice and Procedure at its Lagos office.

The Director-General, Professor Epiphany Azinge, SAN in an opening address welcomed participants to the training workshop stating that the Institute has put up the programme to build capacity for lawyers in practice towards improving their practice skills especially in Court processes. To achieve this expectation, the Director-General assured that the resource persons were carefully chosen both in the academia and the bench to add value to the training.

Areas covered in the one week programme included Constitutional Litigation between the States and the Federal Government, the Cabotage Act and Shipping Law and Practice in Nigeria, Fundamental Issues in Aviation Law, Pleading Principles and Techniques. Other areas were Alternative Dispute Resolution Practice and Procedures in Nigeria, Proceedings in Environmental Matters, Proceedings under the Fundamental Rights (Enforcement Procedure Rules 2009) amongst several others.

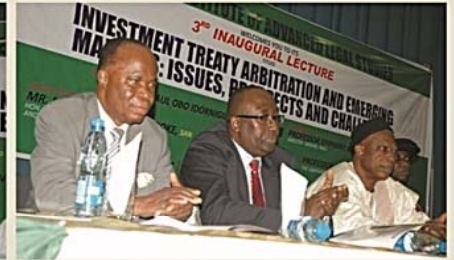
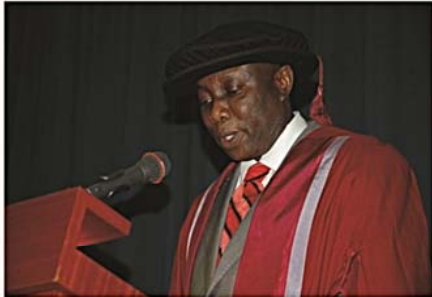
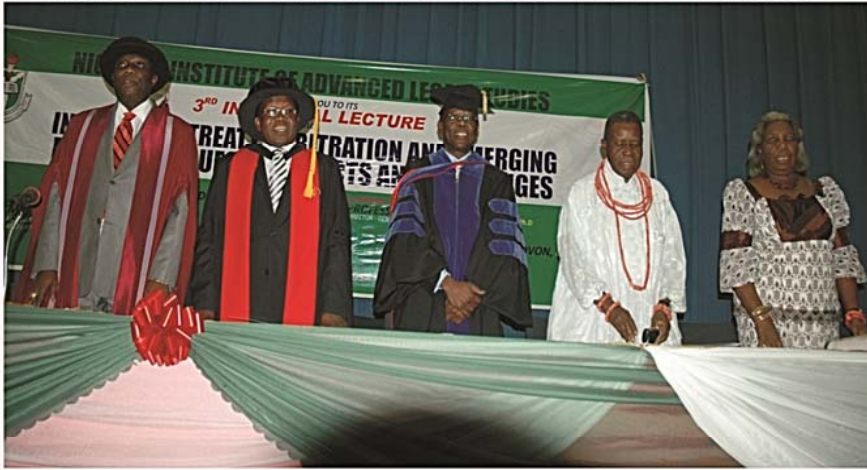
The programme attracted participants from several government and private sector organizations including the EFCC, MTN, Delta State Ministry of Justice, Sahara

Group Ltd, Nigerian Navy, Akwa Ibom State Ministry of Justice, Security and Exchange Commission, AGM Bello & Co, Gombe State Ministry of Justice, ICPC, First Bank Plc, Public Complaint Commission Abuja and NAICOM. A total number of 42 participants attended the training programme.

At the end of the well attended course, participants expressed appreciation to the Institute for adding value to their skills as the one week course did actually sharpened their skills and knowledge in the area of Court Practice and Procedure. High point of the workshop was the award of Certificates of Participation to the various participants who were pleased to be part of the programme.



# FACES AT 3RD INAUGURAL LECTURE







**NIALS 2011 PUBLIC LECTURES**

S/N	Title	Date	Venue	Time
1.	FOUNDERS' DAY LECTURE	March 17th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
2.	NEW FRONTIERS LECTURE	April 14th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
3.	VALEDICTORY LECTURE	April 27th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
4.	TASLIM ELIAS MEMORIAL LECTURE	May 10th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
5.	DIASPORA SCHOLARS LECTURE	June 7th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
6.	S.M.A BELGORE CHAIR LECTURE	July 5th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
7.	STATE OF THE NATION	August 1st 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
8.	FELIX OKOYE MEMORIAL LECTURE	August 17th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
9.	CHIKE CHIGBUE MEMORIAL LECTURE	Sept. 7th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
10.	INAUGURAL LECTURE	October 20th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	4:00pm
11.	FELLOWS' LECTURE	Nov. 9th 2011	Abuja	11:00am
12.	CONVOCATION LECTURE	Dec. 6th 2011	Ayo Ajomo Auditorium, Unilag Campus, Lagos	11:00am

For more information visit: [www.nials-nigeria.org](http://www.nials-nigeria.org)



**NIALS HOLDS TRAINING WORKSHOP ON UNITED NATIONS SYSTEMS AND PROGRAMMES**

On December 9<sup>th</sup>, 2011, The Institute concluded a four day Training workshop on United Nations Systems and Programmes. The Director-General, Professor Epiphany Azinge, SAN while declaring the programme opened, warmly welcomed all the resource persons, guests and participants to the opening ceremony.

He remarked that the programme as the last in the series of activities of the year for the Institute, drew inspiration largely from his experiences while on the delegation to the United Nations during his tenure as Special Adviser to the then Honourable Attorney-General

and Minister of Justice. It was experiences gained from these assignments that have informed the Institute's choice of the topic. He noted the dire need to build capacity in the area hence the training programme. He further remarked that capacity building was needed in this area so as to have people who could lead opinion and so ensures adequate preparation for the challenges at the United Nations.

The training covered areas such as the Charter of the United Nations and Challenges for the Future, The United Nations Human Rights System, The United Nations ICPD: Policy Guidelines for Reproductive Health and Rights, Criminal

Accountability of United Nations Officials and Experts, and UN and the International Investment Law. Other areas were the International Strategy for Disaster Reduction, Protection of Diplomatic and Consular Mission's Representatives, Trafficking in Women and Girls, Strengthening the UN Crime Prevention and Criminal Justice Programme amongst several other topics.

Participants appreciated the insights provided in the training and urged its sustenance on a yearly basis. Certificates of Attendance were awarded at the end of the programme.





**NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES**



*Cordially Invites You to its*  
**HONOURABLE JUSTICE (DR) AKINOLA AGUDA** CFR, NNOM  
**MEMORIAL SEMINAR/LECTURE**  
**15th - 16th February, 2012**

*on*

**TRANSNATIONAL LEGAL PRACTICE AND  
 CROSS-BORDER CRIMINALITY**

**FEBRUARY 15, 2012**

**REGISTRATION:**

**Keynote Address:** Emeritus Professor A. Adeyemi, *FNIALS*  
**Introductory Statement:** Professor Epiphany Azinge, *SAN, Ph.D, LLD*  
**Chairman Remarks:** Honourable Justice E. Ayoola, *CON, JSC (Rtd)*  
**Remarks by the Special Guests of Honour:** Honourable Justice Kayode Eso, *CON, JSC (Rtd)*  
 Chief Wole Olanipekun, *SAN*  
 Professor Ayo Ajomo, *FCIB, FCIArB, FNIALS, FNSIL, OFR*

**Remarks on the Life and Service of Hon. Justice (Dr) Akinola Aguda**  
*Professor Isabella Okagbue, FNIALS*

**Jurisdictional Challenges in Transnational Legal Practice**  
*Professor Demola Popoola*

**The Maiden Akinola Aguda Memorial Lecture -  
 Legal Scholarship, Judicial Reasoning and Transnational Legal Cooperation**  
*Honourable Justice Samson Uwaifo, CON, JSC (Rtd)*

**Detection and Prosecution of Transnational Crimes**  
*Mr. Emmanuel Akomaye, EFCC*

**Current Issues in Transnational Legal Practice**  
*Olisa Agbakoba, SAN*

**FEBRUARY 16, 2012**

**Cross Border Criminality, Regional Integration and Sovereignty Questions**  
*Professor Dakas C. J. Dakas*

**International Human Rights Principles and Transnational Practice**  
*Professor Obiora Okafor*

**ICC and Transnational Crimes**  
*Professor Bolaji Owasanoye*

**Enforcement of Sanction of Transnational Crime**  
*Dr. Chinyere Ani*

**TIME:**  
**9:00am**

**VENUE:**  
 Ayo Ajomo Auditorium,  
 Nigerian Institute of Advanced Legal Studies  
 University of Lagos Campus, Akoka-Lagos

**ATTENDANCE IS FREE**

**R.S.V.P**  
**James Bathnna, ESC**  
*Institute Secretary*  
 08068061185

**FACES AT THE NIALS 20**



## 11 FELLOWS LECTURE



## NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES ORGANISES INTERNATIONAL HUMAN RIGHTS TRAINING PROGRAMME

The Nigerian Institute of Advanced Legal Studies November 25<sup>th</sup>, 2011 concluded a two week training programme on Human Rights at its Ayo Ajomo Auditorium, University of Lagos Campus, Akoka, Lagos. The course designed to develop national and regional expertise in human rights régime in Nigeria, attracted participants from the military and civil societies.

The Director-General, Professor Epiphany Azinge, SAN, welcoming guests to the

l a s t e d .

The course content was tailored to ensure that participants gain the theoretical knowledge of the law and practice of human rights and acquire practical skills necessary for work as human rights practitioners.

The course covered topics in Historical Development of Human Rights; Jurisprudence of Human Rights; Overview of Global Practice and Promotion of Human Rights; Civil, Political, Economic Social



programme, commended the Keynote speaker and other resource persons for honouring the invitation, stressing that the resource persons and the keynote speaker were experts, and would be invaluable assets to the participants. He invited participants to make use of the rich Library facilities of the Institute urging all to make the best use of the Library while the course

and Cultural Rights; United Nations and Promotion of Human Rights; African Court of Human and Peoples Rights; The Role of NGO's in Monitoring and Investigating Human Right Violations; Human Rights Treated and Charters; Human Rights and Development; Toxic Waste Dumping and Human Rights; Peacekeeping and Human Rights;



Human Rights and Constitutionalism; Human Rights in the Nigerian Supreme Court; Enforcement of Fundamental Right; African Commission on Human and Peoples Rights; Human Rights Reporting in Africa; International Humanitarian Law; The Judiciary and Promotion of Human Rights and The Federal High Court and Human Rights.

In his keynote address titled The Significance of International Human Rights Training, Ambassador (Dr) Martin I. Uhomobhi, Permanent Secretary, Federal Ministry of Foreign Affairs, emphasized the relevance of human rights training to emerging democracies like Nigeria, adding that the Nigerian Constitutions since independence had made provisions for the protection of human rights and fundamental freedoms such as the Chapter IV of the 1999 Nigerian Constitution which specifically enumerate the fundamental human rights which everyone under the jurisdiction of Nigeria can enjoy.”

“That is why the “Nigeria's Constitution could rightly be described as a progressive document, as it conforms to the Chapter of the United Nations, as well as the provisions of the 1948 Universal Declaration of Human Rights (UDHR), upon which other international human rights instruments evolved.”

Ambassador Uhomobhi further added that learning about human rights is the first step toward respecting, promoting and defending those rights, emphasizing that the 1993 Vienna Declaration and Programme of Action (VDPA), which set aside the years 1995 – 2004 as the United

Nations Decade of Human Rights Education.

The Ambassador left the participants with words of Henry Peter Brougham, which aptly surmises the importance of education by postulating that “Education makes a people easy to lead, but difficult to drive; easy to govern but impossible to enslave.”

Participants who attended the course were from the Nigerian Army, Navy, State House Abuja, and NIALS. They were delighted as they beam with smiles receiving their certificates of participation.

**Continued from Page 01**

Amongst others, the lecture, he said, captures eminently, the dominant role the judiciary has played over the years in protecting and advancing Nigeria's democratic experience through strict adherence to the rule of law and equally highlights the fact that the judicial institution is itself in need of necessary reforms to enable it continue to discharge its constitutional mandate in an efficient, impartial and proactive manner.

The Honourable Attorney-General in conclusion, congratulated all nominees who have been carefully adjudged and found credible of the Fellowship of the Institute and urged them to identify with the principle of good governance and the Rule of Law in their respective jurisdictions. He congratulated the Institute's Management for sustaining the annual event and particularly for the credible nominees for the year which included an American. This, he noted, demonstrated the Institute's determination to commit itself to the pursuit of a global mandate which includes the recognition of international scholars and administrators based in other jurisdictions who have made significant contributions to the development of the law within and outside their countries of origin.

The Lecture, he concluded, will significantly enrich the pool of goodwill and expertise available to the Institute and greatly assist it in achieving its set objectives.

## 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 Law	O. Akanle (1983)	500.00
2	Judicial Attitudes to Freedom of Speech and Press, With Particular Reference to Contempt of Court	I. Adi (1983)	500.00
3	Special Libraries: Their Role and Place in Legal , Political and Social Development in Nigeria	O. Jegede (1983) Reprinted 2007	500.00
4	Nigeria In Search of Social Justice through the Law	T.A Aguda (1986)	500.00
5	A Bibliography on the Writings of the Honorable Justice T.O. Elias	Honorable T.O Elias (1986)	500.00
6	Honorable T.A. Aguda: The Man , his Works and the Society	I.O Agbede (1986)	
7	Constitutional Provision of <i>Nolle Prosequi</i> -A Blessing or a Curse?	Honorable Justice A. A. M Ekundayo (1988 Reprinted 2007	300.00
8	A Decade of Securities Regulations in Nigeria	O. Akanle (1980-90) (1991)	500.00
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10	Regulation of Occupational Safety, Health, and Environment in Nigeria	O. Akanle (1991)	500.00
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17	Law Libraries without Legal Book – A Way Out	O. Jegede (1992)	500:00
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19	Nigeria: The Legal Dynamic of her Constitutional Development- An Appraisal	Ameze Guobadia (1993)	500:00
20	Bibliography of Nigerian Law Reports	O. Jegede (1995)	500:00
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22	Historical Analysis of Consumer Protection Law in Nigeria	B.B Kanyip (1997)	500:00
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## RESEARCH SERIES

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3	Strengthening Judicial Integrity and Capacity in Nigeria	Dr. Petter Langseth (2002)	O /S
4	Nials Law Annotated Vol. 1&11 2008	General Editor Prof. D.A.Guobadia (2008)	75,000:00
5	Rule of Law and Good Governance	Edited by Prof. Epiphany Azinge (2009)	10,000:00
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1	Public Interest Litigation	Hon. Justice P. N. Bhagwati (2010)	
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## NIALS FELLOW'S LECTURES

1	The Evolution of Constitutionalism in Nigeria: The Role of Supreme Court Under The 1979 & 1999	Hon. Justice M.L Uwais, CJN. FNIALS (2006)	1000:00
2	Legal Framework and Institutional Mechanisms for Free and Fair Elections: The Challenge of Nigeria.	Prof. Jadesola Akande (2007).	1000;00
3	Corruption in the Civil Service of Nigeria: A Nation's Albatross.	Prof. D. A. Ijalaye (2008)	1000;00

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2	New Dimensions In Nigerian Law	M. A. Ajomo (1989)	2500:00(limp) 3000;00(Cased)
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11	Proceedings of the Roundtable On "Problems and Prospects of a Commodity Exchange"	I.A. Ayua and Owasanoye	O/ S
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## FACES AT THE 3RD INAUGURAL LECTURE



## PRESENTED BY PROF P.O. IDONIGIE



## NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA

### DEVELOPING APPROPRIATE WORK ETHICS FOR THE NIGERIAN PUBLIC SERVANT

29<sup>th</sup> September, 2011

## COMMUNIQUE

### INTRODUCTION

The Nigerian Civil Service is the machinery through which the government of Nigeria, at all levels, implements its policies, designed to meet political aims and provide social services. The performance of the Nigerian Civil Service is critical to the socio-economic and political development of Nigeria given the dominance of Government in Nigeria. Civil Servants regardless of seniority, translate visions, policies, etc established by the political leadership into concrete actions that impact on all of us.

The Fundamental Objectives and Directive Principles of State Policy of the 1999 Nigerian Constitution as amended, though not justifiable, were intended to play significant role in the ethical direction of the Nigerian State. Specifically, section 23 provides: "The national ethics shall be Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance, Self-reliance and Patriotism". This is complemented and reinforced by other provisions of the Constitution as well as other national institutions whose mandates have profound implications for the national ethical drive. In order to instill discipline and integrity as fundamental ethics for public service the Constitution has also provided in the Fifth Schedule, the Code of Conduct for Public Officers. The Code of Conduct Tribunal is set up to adjudicate on matters bordering on the breach of the Code of Conduct for Public Officers as well as the both the Independent Corrupt Practices and other Related Offences Commission (ICPC) and the Economic and

Financial Crimes Commission, (EFCC) are also Strangely, it was the military that institutionalized the national ethical drive with the establishment of Mass Mobilization for Social and Economic Recovery (MAMSER). Before then it was War against Indiscipline (WAI) with its WAI Brigade, which was short lived. Since May 29, 1999 after decades of military rule the Civil Service has been undergoing gradual and systematic reforms and restructuring. However, the Civil Service is still considered stagnant and inefficient, and the attempts made in the past have had little effect.

It is therefore not difficult to have a consensus that the current work ethics of the public servant is less than satisfactory and has led to underperformance of the government sector in practically all phase of engagement. Corruption and sharp practices have become common occurrence and responses from appropriate authority and agencies have been weak, delayed or even absent.

In realization of the need for a persistent and consistent ethical drive to reposition Nigeria as a most populous Black nation in the world, the *Nigerian Institute of Advanced Legal Studies*, in performing its leadership role in charting the right course for good governance and policy formulation in the country, held a one day Roundtable on **Developing Appropriate Work Ethics For The Nigerian Public Servant** to discuss these issues with a view to finding solutions that will strengthen our democracy.

*Perspectives for the Roundtable include:*



- Leadership, Social Contract and Work Ethics;
- The Challenge of Enthroning Proper Work Ethics in Public Service;
- Fixing the Disconnect Between the People and Public Service;
- Reward System and Work Ethics;
- Revising the Philosophy of “Na My Papa Job”;
- The Concept of Wage Earning and Work Ethics;
- Punctuality and Discipline in Public Service;
- Work Ethics: The Private Sector Experience;
- Work Ethics in Public Service: a Comparative Analysis;
- Work Ethics, the New Generation and Prospects of Change.

#### OBSERVATIONS

*The Roundtable made the following observations:*

1. The Nigerian Civil Service consists of employees in Nigerian government agencies other than the military”. Hence, it is composed of:
  - Federal Civil Service- Ministries, Departments,
  - The 36 autonomous States’ Civil Services,
  - The unified Local Government Service,
  - The several Federal and State government Agencies, including parastatals and corporations;
  - Government Universities, Schools, Hospitals *et cetera*.
  - Includes the Police Force, Customs, Immigrations and other uniformed services.
2. Ethics refer to principles by which behavior is evaluated as right or wrong, good or bad. It is a well based standards of

right and wrong, and prescribe what humans ought to do. Ethics are continuous efforts of striving to ensure that people, and the institutions they shape, live up to the standards that are reasonable and solidly based. Work ethics include not only how one feels about his or her job but also how he or she handles the allocated responsibilities. It involves attitude, behavior, respect, communication, and interaction; how one gets along with others. Work ethics demonstrate many things about whom and how a person is.

3. A good work ethics also involves the following characteristics: Honesty, accountability, Doing a Good Job, Being Part of the Greater Vision, Humility, Valuing What One Does, Hard Work, Fairness, Punctuality, Following Process, Dependability, Efficiency, Positive Work Habits, Initiative, Positive Attitude and Teamwork.
4. At independence, the British Colonial Government did hand over to Nigeria a competent, capable and highly motivated civil service. It is out of these corps that the much admired super permanent secretaries and civil service leaders emerged.
5. Following the unfortunate incursion of the military into governance in 1966, Nigeria commenced the path towards the degradation of Public Service. The government of Gen. Yakubu Gowon substantially maintained the civil service infrastructures inherited from the British colonial government at both Federal and State levels up until 1975 when it was overthrown by the Gen. Murtala Mohammed/Obasanjo administration.

9. The unprecedented and massive purge in the civil service particularly at the top carried out in 1975 had a negative effect on the Nigerian Public Service and introduced significant elements of insecurity, poor work ethics, indiscipline, and diminished loyalty. A generation of Permanent Secretaries often referred to as Super Permanent Secretaries and their very well trained subordinates were summarily thrown into retirement most of them less than 45 years old then.

10. The Nigerian Public Service has not recovered from the trauma generated by this action 36 years later. Subsequent military administrations did not help matters as it would appear that a competent and motivated Public Service was perceived as threatening to the agenda of the political leadership.

11. Until the 1988 reforms, following the British tradition, the Civil Service was characterized by permanence, anonymity and neutrality;

**Permanence-** As career officers civil servants are ordinarily expected to remain in the service for their entire working lives while governments come and go. This permanence ensures continuity.

**Anonymity-** Civil servants are expected to work behind the scenes; they place their skills and energies at the disposal of their political masters, who make the final decisions and who receive applause for good work and jeers for bad work

**Neutrality-** Civil servants are prohibited from having political affiliations; they are expected to faithfully and impartially serve any government in power.

12. Highlights of the 1988 reforms include:

- a) Merging of ministerial responsibilities and administrative controls and their investment in the Minister as **Chief Executive and Accounting Officers**;
  - b) Replacement of the designation of Permanent Secretary with “Director-General”, whose tenure will terminate with the Government that appointed him/her and who will serve as Deputy Minister;
  - c) Greater ministerial responsibility in the appointment, promotion, training and discipline of staff;
  - d) Vertical and horizontal restructuring of ministries to “ensure overall management efficiency and effectiveness ...”
  - e) Permanency of appointment, as every officer, is to make his/her career entirely in one Ministry;
  - f) Abolition of the Office of the Head of Civil Service; and
  - g) Abolition of the pool system.
10. In reality, however, the 1988 Civil Service Reforms led to the:
- (a) Conscious and deliberate politicization of the civil service;
  - (b) Misuse and abuse of power by Ministers and Directors-Generals who saw their Ministries as a separate entity and ran them as personal properties;
  - (c) Increase in the cost of running the civil service due to:
    - (i) the imposition of uniform structures on ministries;
    - (ii) the proliferation of parastatals;
    - (iii) increase in human personnel without a corresponding increase in productivity;
  - (d) Absence of a coherent and systematic training policy throughout the Civil Service;
  - (e) Glaring shortage of skilled manpower, especially in the technical and professional cadres in virtually all the ministries;





11. It is of great concern that after 12 years of democratic governance, the very important job of rebuilding the competence of the public sector is yet to commence in earnest.
12. Some other problems of the Civil Service are:
- Corruption,
  - Uncooperative behaviour among civil servants,
  - Ineptitude,
  - Tardiness,
  - Lack of motivation,
  - Lack of Passion for the job,
  - Nepotism,
  - Low productivity and delays,
  - Moon Lighting and Divided Attention
  - Inefficiency Bordering on Laziness, etc.
13. Other factors that led to the current poor work ethics include:
- a. Lack of will by the political leadership to maintain and sustain a competent and motivated public service
  - b. Job security
  - c. General decline in the Nigerian Economy
  - d. Lack of objectivity in recruitment, rewards and terminations
  - e. Poor compensation that did not keep pace with performance in other sectors of the economy, etc.
14. Matters of ethical drive are not limited to the Constitution and other laws only, but there are also strong complementary role played by religious organizations, civil society organizations and the various communities. Both the Church and Mosque drive their ethical disposition with a lot of passion, believing that conformity is sine qua non for eternity. Civil Society organizations are equally passionate about decent and disciplined society that offers hope for progress and development.
15. For the corporate and harmonious existence of the society, communities have developed appropriate norms and values. These norms and values comprise some core ethical values, below which no member of the community is expected to descend. Such anti-social behaviour will be met with reprobation of varying measure and proportion.
16. Poor work ethics is not a monopoly of the public sector, as the private sector also encounters the same issues. The aim of the private corporation or business is, in general, to make money, whereas the public sector is meant to perform functions for the society as a whole. The major difference is that in the private sector issues relating to poor work ethics and employee performance are usually dealt with summarily. Similarly, issues relating to good performance are rewarded appropriately.
17. Another difference between private and public sector is that the private sector is usually constrained by often mis-applied policies/considerations relating to party affiliations, zoning, quota systems, etc.
18. Furthermore, unlike the public sector that is funded from national resources (oil & gas revenues, taxations, etc), the private sector only survives on the basis of delivering competent services and goods in the market place. This pressure to perform or perish compels the private sector to be more objective in dealing with the issues listed above.

**19. Reform attempts in the public service include:**

- a. The Adebo Commission (1970) and the Udoji Commission (1972) -reviewed the structure and orientations of the civil service to make it more efficient. Although these commissions recommended ways of rationalizing the civil service, the greatest problems of the service remained inefficiency and red tape.
  - b. In 1976, the then Head of State undertook a purge of the civil service, retiring several top ranking and other civil servants – the effect of which further decimated the civil service and the 'esprit de corps'.
  - c. In 1985, a study group headed by Dotun Phillips looked into the problems. It was believed that the reforms of 1988 were based on this report and resulted in the 1988 Civil Service Reorganization Decree promulgated by General Ibrahim Babangida.
  - d. The later report of the Ayida Panel made recommendations to reverse some of the past innovations and to return to the more efficient Civil Service of earlier years.
20. Since the advent of democratic rule from May 29, 1999 the Government has adopted some measures, including the following, to restore the dignity and glory of the Civil Service:
- a. de-militarization of the Civil Service by:
    - (i) ensuring that the system is guided by the relevant provisions of the **Constitution, the Public Service Rules, the Financial Regulations and Circulars;**
    - (ii) Revising the Rules, Regulations and Procedures in the Civil Service to

underscore the concern of Government for discipline as well as proper conduct and practices by public officers.

- b. Correction of the various distortions introduced by the 1988 Reforms and implementation of most of the recommendations of the AYIDA Review Panel on the Civil Service Reforms with qualitative improvements.
- c. Setting up the Service Compact (SERVICOM) initiative. Former President Obasanjo's administration conceived that the SERVICOM Desk Office was to be set up in every Government Ministries, Departments and Agencies with a Desk Officer to receive complaints and ensure good service delivery.
- d. The restoration of the Office of the Head of Civil Service of the Federation; which has the positive impact of:
  - maintaining the Civil Service political neutrality and cohesiveness;
  - promoting high morale and esprit-de-corps amongst civil servants;
  - coordinating training policies and programmes;
  - improving staff welfare and development;
  - managing common establishment matters;
  - fostering professionalism; and
  - promoting cordial and mutual relationship between the political officers and civil servants.

**RECOMMENDATIONS:**

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



1. **An Executive perspective of the ethical standards of the public service must be such that exudes extant commitment. A dedicated and committed public service will certainly enhance desirable work ethics that will assist the Executive in the performance of its functions.**
  2. The Executive is entrusted with the responsibility of ensuring that the public Service works efficiently and in accordance of the law. Hence, the Executive must ensure compliance with the Code of Conduct for Public Officers.
  3. **The Executive also has the responsibility to carefully position the service for effective performance. In this regard, confidence building mechanism must be put in place.**
  4. Public Officers are expected to be diligent, transparent and fair in the conduct of their service. It is in this regard that public officers must not put themselves in any situation that is likely to engender conflict of interest.
  5. **The Nigerian Civil Service work ethics must be aligned with the Organization for Economic Co-operation and Development OECD Council's recommendations on improving ethics in the public service adopted in 1989, are that:**
    - a. Ethical standards for public service should be clear
    - b. Ethical standards should be reflected in the legal framework
    - c. Ethical guidance should be available to public servants
    - d. Public servants should know their rights and obligations when exposing wrongdoing
    - e. Political commitment to ethics should reinforce the ethical conduct of public servants
  - f. The decision-making process should be transparent and open to scrutiny
  - g. There should be clear guidelines for interaction between the public and private sectors
  - h. Managers should demonstrate and promote ethical conduct
  - i. Public service conditions and management of human resources should promote ethical conduct
  - j. Adequate accountability mechanisms should be in place within the public service
  - k. Appropriate procedures and sanctions should exist to deal with misconduct.
6. Government should institute a reward system to encourage and sustain a good work ethic among civil servants and academics. Such reward systems helps shape, bolster and foster an ethical work culture
  7. Promotions should not be handed down periodically or as long service awards: you apply whenever you think you have met the set criteria; and this could be after two years for some, four or ten for others, or never for some. This brings a sense in which you choose how fast you want to rise; within broad expectations re the normal time frames. For instance, not every lecturer, research fellow, or professor hired the same day with the same degrees/qualifications should make the same amount of money as salary/compensation after a number of years.
  8. Every Ministry Department and Agency must ensure that a SERVICOM desk is set up to receive complaints and act as a link between the public being served and the management.
  9. The Public Complaints Commission

- needs to be strengthened to address the disconnect in the work ethics in the public service.
10. There should be a public service disciplinary Committee in order to reduce the level of impunity and restore integrity in the Civil Service.
  11. Workers who fail to exhibit a good work ethic should be regarded as failing to provide fair value for the wage the employer is paying them and should not be promoted or placed in positions of greater responsibility.
  12. Civil servants should also:
    - Realize that “Na my papa job and na we pikin hope”
    - Re-orient self with personal vision and mission
    - Lift society and societal obligations above self (What is for the common good and best interest of civil society?)
    - Align their vision and mission with that of the office
    - Be committed to productivity and adding value
    - Be loyal to Nation and Creed
    - Deliver on the civil service contract with society
    - Grade self in communication, integrity, attitude, behavior, efficiency/performance on job and interaction.
    - Focus on achievement and success
    - Workers exhibiting a good work ethic in theory should be selected for better positions, more responsibility and ultimately promotion.
  13. For the Government, discipline should include:
    - Putting the welfare of the Civil Servants as a top priority;
    - Helping the CS to develop new skills that will improve their competitive value
- Effectively Evaluating performance, and doing the best to motivate staff for optimal performance
- For the Civil Servant, discipline should include:**
- Following Orders
  - Efficiency
  - Punctuality and Promptness
  - Self Respect & Respect for Others
  - Hard Work, Team Work, Organising work
  - Giving a Good Impression to the Public
  - Good Manners
  - Professionalism
  - **Working to improve your understanding of the job**
  - **Always Giving Your Best (100%)**
- Lagos, Nigeria  
29<sup>th</sup> September, 2011.*





## NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES 2012 TRAINING COURSES AND WORKSHOPS

S/N	Course Title	Date	Venue	Fee	Coordinator	Contact	Target Participants
1.	Nuclear Law	13th-17th Feb. 2012	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N75,000	Laura Ani & Kelechi Amadi	0805252408 08065303766 07035974779 08038812000	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 Involves in Power Plant and Generation & all Lawyers.
2.	26th Course in Drafting Commercial Agreement and Banking Documentation	26th-30th Mar. 2012	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Bolaji & Mrs. Helen C. Okoro	0805252408 08065303766 08035043340 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	16th-18th April 2012	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Peter Anyebe & Goziem Ebo	0805252408 08065303766 07062174115 07031197686	Law Officers of the Federal & State Ministries of Justice, Prosecuting Counsel in the NDLA, Customs, Immigration Services, the Nigerian Army, Navy, Airforce, the Financial Crimes Commission (FCC), NAFIP, the Investment & Securities Tribunal and all Lawyers
4.	NIALS Training Workshop for Judicial Officers and Case Load Management	23rd-27th April 2012	Jadesola Akande Lecture Theatre, NIALS, Unilag Campus	N75,000	Shankyula T.S. & Adegoke	0805252408 08065303766	Magistrates, Judges of Superior Courts, Private Legal Practitioners, State Counsels, Prosecuting Counsels and all Lawyers.
5.	International Conference on Oil and Gas Contract and Dispute Resolution	1st-4th May 2012	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Fatima Bello & Dr. Chinyere Ani	0805252408 08065303766 08035928091 08033412508	Lawyers in the Maritime Industry, Government Legal Advisers/Law Officers of Ministries, Extra-Ministerial Departments/Parastatal, Federal/State Owned Company, and all Lawyers.
6.	Digital Forensic Advocacy	7th-11th May 2012	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Laura Ani & Uche Ngwaba	0805252408 08065303766 07035974779	Staff of Military, Para-Military, Financial Intelligence Unit, EFCC, ICPC, SSS, SID, Federal and State Ministry of Justice, Prosecutors and all lawyers.



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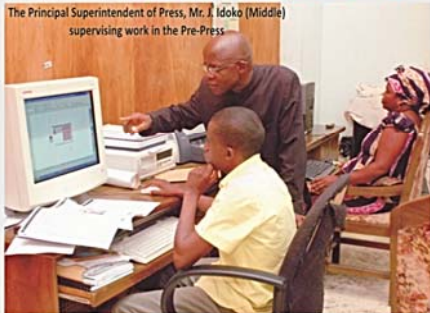
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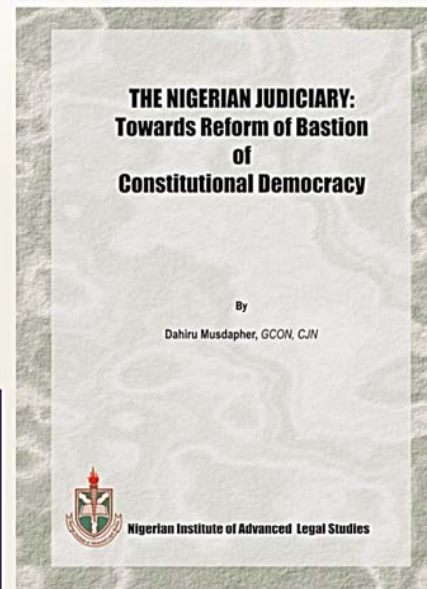
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