



# NIALS Newsletter

A publication of the Nigerian Institute of Advanced Legal Studies.

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May/June 2010



*Honourable Justice  
Dahiru Musdapher, CON*

F.G. Appoints  
New Council  
Chairman  
For NIALS

D.G. NIALS Marks  
One Year in Office

*"We Shall Sustain the Tempo Through the Years to Come"  
- Professor E. Azinge, SAN*



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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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## FEDERAL GOVERNMENT APPOINTS NEW CHAIRMAN GOVERNING COUNCIL FOR NIALS



**Honourable Justice  
Dahiru Musdapher, CON**

The Federal Government has appointed a new Chairman Governing Council for the Nigerian Institute of Advanced Legal Studies. He is Honourable Justice Dahiru Musdapher, *JSC, CON*, who took over from the Chief Justice of Nigeria, Honourable Justice Aloysius Katsina-Alu, *JSC, CON, FNIALS*, who was until his appointment as CJN, the immediate past Council Chairman, NIALS.

Honourable Justice Dahiru Musdapher, *JSC, CON*, was born on the 14<sup>th</sup> July, 1942 in Babura, Babura Local Government of Jigawa State. The erudite jurist began his educational career at Babura Elementary School in 1950. In 1954 he proceeded to Birnin Kudu Middle School. From

1957-1962, he attended Rumfa College, Kano. In 1963-1964 he was at the Ahmadu Bello University, Zaria for his Bar Part 1 Examination. He got admitted at the University of London School of Oriental and African Studies in 1964-1967, Inns of Court School of Law 1964-1967. He came back to Nigeria in 1967 where he enrolled into the Nigerian Law School in 1967-1968.

Hon. Justice Musdapher started his legal practice with a private Legal firm in 1968. In 1976, he became the Attorney General and Commissioner for Justice, Kaduna State, a position he held until 1978. In 1979 he was appointed High Court Judge in Kano State and rose through the rank to become the Chief Judge of Kano State. Honourable Justice Dahiru Musdapher, *JSC, CON*, was appointed Justice of the Court of Appeal in 1985 where he served meritoriously until 2003, when he was elevated as a Justice of the Supreme Court of Nigeria, where he is to date.

Honorable Justice Dahiru Musdapher is widely traveled. He has performed many Hajj and attended several Law Conferences and Seminars both nationally and internationally. He was Member, Board of NEPA, 1974-1976; Member, Joint Editors, Editor Law Report of Northern Nigeria, 1976-1979; Member, Kano Emirate Council, 1969-1975; Member, Kano Metropolitan Council, 1969-1975. He is a Life Member, Body of Benchers.

In 2003, Honourable Justice Dahiru Musdapher, *JSC, CON*, was conferred with the award of the Commander of the Niger (*CON*), by the then President and Commander in Chief of the Federal Republic of Nigeria, Olusegun Obasanjo.

The indefatigable jurist is married with children.



# “We Shall Sustain The Tempo Through The Years To Come...”

*-Professor Epiphany Azinge, SAN*

## INTRODUCTION

Professor Epiphany C.J. Azinge, SAN was on the 26<sup>th</sup> May, 2009 appointed as the Director General of the Nigerian Institute of Advanced Legal Studies with a mandate to make the Institute “**a world class Institution that is the primary source of information, training and advice at the highest level of policy formulation on legal matters, effectively impacting on local and international institutions in development of law**”. He came up with a *motto*: “**knowledge that makes the difference**” as his guide.

The Good Book says that **where there is no vision the people perish**. No wonder the Institute was able to thrive in the last 360 days under the leadership of Professor Epiphany Azinge, SAN. The Mission Statement of the Institute is “to be the nucleus and hub of legal research and advanced studies in law in Nigeria” suffice it to say then that the mission is being pursued vigorously by the present administration.

## CREATION OF SPECIALISED RESEARCH CENTERS AND HOSTING OF ROUNDTABLES

At a Press Conference granted in Abuja on the 21<sup>st</sup> of June, 2010, the D.G stated that among other activities and achievements, he has been able to attract notable and accomplished international jurists and Nigerians in the field of law to the Institute. Since assuming office, he has created twenty specialized Legal Research Centers named after some notable Nigerians as a way of immortalizing our heroes and heroines. Some of the **Centers** are:-Katsina-Alu Center for Energy and Solid Minerals Law; Mohammed Uwais Center for Judicial Integrity

Assessment; Salihu Modibbo Alfa Belgore Center for Nuclear Law; Odein Ajumogobia Center for Oil and Gas; Chike Idigbe Center for Media, Communication and Information Technology Law; Chief Michael Kaase Aondoakaa Center for Criminal Justice Administration; Chukwudifu Oputa Center for Forensic Studies; Babatunde Adejumo Center for Industrial and Labour Law; Abdullahi Ibrahim Center for Litigation/Case Law; Bayo Ojo Center for Aviation and Transportation Law.

Other Centers are the Wole Olanipekun Center for Alternative Dispute Resolution (ADR); Gani Fawehinmi Center for Human Rights; Jadesola Akande Center for Women, Children and Disabled Persons Rights; Olisa Agbakoba Center for Maritime Law; Afe Babalola Center for Intellectual Property Law; Wale Babalakin Center for Infrastructure Law; George

Etomi Center for Strategic Investment and Corporate Governance; Emmanuel Ukala Center for Democratic and Electoral Process; O.C.J. Okocha Center for Environmental Law; Gabriel Suswan Center for Sports and Entertainment Law.

The DG informed that almost all the Research Centers have hosted **ROUNDTABLES** on their areas of specialization. He added that some personalities after whom the Centers are named, have organized fund raising activities in honour of the Centers to generate independent funding to ensure that the Centers are self-sustaining.



**Prof. Azinge SAN  
DG, NIALS**



**NEW RESEARCH PUBLICATIONS**

Within the year under review, the Institute has undertaken research works relevant to the policies of federal and state governments in the overall interest of the public. Among the recent publications are: *Rule of Law and Good Governance*; *Justiciability and Constitutionalism: An Economic Analysis of Law*. He noted that work is ongoing on the following books - Law and Security; Restatement of Customary Laws; Harmonization of Adversarial and Inquisitorial Systems of Law.

As regards the **Laws of Nigeria Project**, the DG said the Institute is set to publish the following Volumes: (i) Banking and Financial Laws (ii) Matrimonial Causes Act. A manuscript for a book to mark the nation's 50<sup>th</sup> Independence Anniversary celebration titled "Law and Development" is being edited by the present occupant of the Justice S.M.A. Belgore Professorial Chair on Law and Development, Professor Nnamdi Aduba.

**CONSULTANCY SERVICES**

On consultancy services, the DG disclosed that the Institute has reached out to both local and international agencies and said the Institute is working on a Memorandum of Understanding (MoU) with institutions in America, Europe and Asia for exchange programmes and collaborative undertakings. At the local level, the Institute has been engaged as a Consultant to the Federal Ministry of Justice and other agencies.

Professor Azinge further stated that since his assumption of office, he has introduced "legislative advocacy," a process whereby the Institute is involved in the legislative drafting process at the National Assembly. He reminded the Press that NIALS is the only institution with the mandate to teach Legislative Drafting and award postgraduate diplomas and degrees up to PhD level; by implication, "we should be involved in the drafting of bills at the National Assembly" he said.

**INTRODUCTION OF NEW SCHEDULED COURSES**

The DG remarked that after a careful study of the Nigerian Judicial System, with a view to determining areas that have not been properly addressed, the Institute came up with new courses in the 2010

academic calendar, namely – Digital Forensic Advocacy; Training on Law and Security; Workshop on Labour and Industrial Relations; Intensive Course in Alternative Dispute Resolution, as well as a course in Environmental Law and Climate Change.

**POSTGRADUATE PROGRAMMES – PGDLD/LL.M./Ph.D.**

Professor Azinge noted that prior to 2009 when he assumed office, Nigerians with LL.M in Legislative Drafting usually went to the United Kingdom to pursue their Ph.D. in Legislative Drafting. On assumption of office, he ensured that the Governing Council approve the recruitment of very senior academic staff in order to improve on and strengthen the Faculty in the Institute's Akinola Aguda School of Postgraduate Studies. Hence six senior Law Research Professors were appointed; two Associate Professors, Senior Research Fellows, all with a view to effectively run a PhD Programme. The Faculty now has about 15 candidates.

**2009 CONVOCATION CEREMONIES**

The energetic DG revealed that for more than 10 years, the Institute was unable to hold a Convocation Ceremony for its PGDLD and LL.M. graduands. However on 12<sup>th</sup> December, 2009, a total of 124 Lawyers from the PGDLD and LL.M. classes of 1997-2007 were presented at the Inaugural Convocation Ceremony, having successfully completed their studies. The award ceremony was preceded by the newly introduced Hon. Justice Adolphus Karibi-Whyte Convocation Lecture titled: "Dissenting Judgment and Judicial Law Making" which was delivered by Hon. Justice George Adesola Oguntade, *JSC, CON, FNIALS*. The idea for the graduation ceremony was informed by the popular demand by the graduated students.

**EMPLOYMENT OF NEW STAFF AND CREATION OF ZONAL OFFICES**

The DG stated that over 40 new officers have been employed. Also that the Governing Council approved the creation of five Zonal Offices in Kano, Maiduguri, Makurdi, Enugu and Asaba. Furthermore, he said many State Governors have now indicated interest in helping the Institute establish Zonal offices in their respective States.



### **JUSTICE BHAGWATI'S INDUCTION INTO NIALS HALL OF FAME**

In the year under review, Professor Azinge revealed that the Council and Management of the Institute gave ascent to induct the former Chief Justice of India; Honourable Justice P.N Bhagwati into the Institute's newly created *HALL OF FAME*, for his outstanding achievements in his role to making justice accessible to the common man in his home country, India. Hon. Justice Bhagwati also presented a Public Lecture titled: **"Public Interest Litigation"**. The DG disclosed that other prospective contenders for next year's *Hall of Fame* are the 91 year Xhosa-speaking freedom fighter, anti-apartheid fighter, *Nobel Laurel Nelson Mandela* of South Africa and **Hucon Li**, former Prime Minister of Singapore, for their immense contributions to humanity.

### **PURCHASE OF NEW OFFICIAL VEHICLES**

The Director General added that when he resumed office in May 2009, there was virtually no serviceable official vehicle on ground in the Institute. However he was fortunate to obtain a Presidential Waiver for the purchase of a few vehicles. He said even though money was approved with specific directives, internally generated funds were used for the purchases.

### **IMPROVED BUDGETARY ALLOCATIONS FOR YEAR 2010**

In his interview, the Director General said that

N276million has been approved as budgetary allocation for the year under review as against the N21million budgetary allocation for capital projects in 2009. He used the occasion to thank all arms of government that were involved in ensuring improved finances for the Institute.

### **LAND FOR PERMANENT SITE ALONG AIRPORT ROAD, ABUJA**

A visibly elated Professor Azinge, SAN, revealed that a parcel of land has now been allocated to the Institute for its permanent site and said that a budgetary allocation of N4billion would be required for the project. He appealed that the National Assembly approve the said sum in next year's budget to enable work commence immediately at the permanent site, along Airport road in Abuja. The D.G also acknowledged the magnanimity of the Management and officers of the Supreme Court of Nigeria which has continued to host the Institute's Abuja office.

### **CONCLUSION**

Professor Epiphany Azinge, SAN promised to **sustain the tempo and momentum** of last year, and to also improve on the achievements made so far. In conclusion he said **"By the grace of God, we hope to make the difference by the service we are called upon to render at the Institute"**.

## **EXIT OF A VIRTUOUS WOMAN**

**S**hock and utter disbelief was the mood of almost every staff when news got to the Institute on the 21st June, 2010 that Mr. Friday Idugboe, one of Institute's most versatile staff lost his wife to the cold hands of death after a successful childbirth that Monday morning. Late Mrs. Deborah Idugboe was delivered of a bouncing baby boy. The Director General, Professor Epiphany Azinge, SAN who was present at the funeral service expressed sympathy on behalf of Management and staff to the family for the irreparable loss

and was quoted as saying: "we are all here to commensurate with one of our own, Mr. Friday whose wife has gone to be with our Creator, where we all shall be one day." He also added that the Institute is an entity, thereby whatever happens to a staff affects all staff.

Activities at the Institute were almost brought to a standstill at the Abuja office, as staff conveyed the corpse of the deceased from the mortuary to her final resting place at the Gudu District Cemetery where she was laid to rest.



*Late Mrs. Deborah Friday Idugboe*



## THE NATIONAL WORKSHOP ON LEGAL WRITING SKILLS -MAY 10-14, 2010

The Institute held its scheduled National Workshop on Legal Writing Skills at the Ignatius Ayua Lecture Theater from May 10-14, 2010.

Legal Writing Skills is one of the Institute's Continuing Legal Education Programmes. The workshop teaches participants key issues in legal writing. This year's topic covered issues such as the use of language in drafting, writing legal opinion, brief writing, pre-action notices and demand letters, ethical issues in academic writing, writing research proposal and report, research methods, dissertation, thesis writing and indexing of publication.

The Director of Research,

Professor Bolaji Owasanoye

formally welcomed the thirty-eight participants at the Opening Ceremony. On behalf of the Director-General, Prof. Epiphany Azinge, SAN, the participants were encouraged to consult the Institute's Library and register as Readers. They were advised to visit the Institute's Postgraduate School for information on academic programmes, like the Post Graduate Diploma in Legislative Drafting which runs for six months and the Master of Laws in Legislative Drafting (LL.M) which runs for twelve calendar months. Prof. Owasanoye informed them that there is the newly approved and advertised Ph.D in Legislative Drafting. The participants were also informed that the Institute hosts Roundtables and Policy Dialogues on topical issues as part of its public education

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that the Institute hosts Roundtables and Policy Dialogues on topical issues as part of its public education programmes.

On behalf of the DG, Professor Epiphany Azinge, SAN, the Closing Ceremony formalities were performed by the Director of Research, Professor Bolaji Owasanoye. The thirty eight [38] participants at the workshop were excited when they received their Certificate of Participation from the Director of Research, Professor Bolaji Owasanoye and the Director of Studies, Professor Deji Adegunle. The Ceremony was graced by Principal Officers, Heads of Departments and other senior members of staff.



*Participants and facilitators At The Nationals Workshop On Legal Writing Skills*



## GRADUATING CLASS OF 2009/2010 POSTGRADUATE STUDENTS (PGDLD) - HOLDS GET-TOGETHER

The 2009/2010 graduating class of the Postgraduate Diploma in Legislative Drafting hosted a luncheon/get-together party on April 29, 2010 at the Institute's Dining Hall. The academic session which started in September 2009 had 15 students graduating with PGD, while 22 LL.M students will proceed to their third semester.

In his Opening Speech, the Class Governor, Barrister Ajinomoh Ipemida, acknowledged that the success of the Postgraduate students was attributable to the peaceful academic environment enjoyed by them. On behalf of the highly elated graduands, he thanked the Governing Council and Management of the Institute as well as the amiable Director General, Professor Epiphany Azinge, SAN.

Addressing the graduating students, the Institute Librarian, Mr T.O.Dada advised them to be good ambassadors of the Institute. The Director of Studies, Professor Deji Adekunle reminded the graduands that they must continue to work hard to improve on their newly acquired skills.

Also speaking at the occasion, Associate Professor [Mrs.] Animi Awah challenged the graduands to use their newly acquired skills to justify their stay in the Institute when they return to their various organizations. She emphasized that they no longer need to waste precious time consulting books. Having successfully completed their programmes, they should now be repositories of requisite knowledge in legislative drafting.

### FULL TEXT OF CLASS GOVERNOR'S SPEECH AT THE GET TOGETHER PARTY

*We are most grateful to God for his mercies upon us for He has been so faithful. It was in November 2009 when we all gathered here in the Institute to begin yet another chapter in the history of our lives. Those of us who were aware of the date of commencement of*

*Lectures for the session were puzzled when we arrived and saw only a handful of us, and were asking ourselves where the rest of the students were. What about the lecturers? Gradually, the horizon became clearer and we found our bearings.*

*Our gratitude goes to the Council and Management of the Institute for their wisdom in making the Institute an academic- friendly place. We have been greatly enriched from the several Roundtables and Staff Seminars we are privileged to attend. However, as partners in progress, we humbly advise that the program be given wider publicity to increase the requisite human capital in Legislative Drafting for our dear nation and beyond.*

*Information as we all know is power. We therefore humbly suggest that all tiers of government and their parastatals be furnished with a comprehensive brochure of the programs as early as March of each year. The Institute's letterhead and every medium should have functional GSM phone numbers and E-mails.*

*Furthermore, we advise that the sixth paragraph of the provisional admission letter which states that "the Institute reserves the right to alter the calendar or otherwise cancel the programmes without notice," should be expunged as it can discourage prospective sponsors to the PG courses.*



*We are grateful to the amiable Director-General of the Institute, Professor Epiphany Azinge, SAN. He is indeed a leader par excellence. Our appreciation goes out to the Institute Secretary, Mr. James Bathnna and the Institute Librarian, Mr. T.O.Dada. We thank all our lecturers including the Director of Studies, Professor Deji Adekunle, the Director of Research, Professor Bolaji Owasanoye. Our thanks also goes to the anchor men of the Post Graduate School, Mr. David Oluwagbami and Pastor Olatunji Faronbi. We cannot forget the support staff, especially the cleaners who are so meticulous in keeping the entire premises of the Institute clean. As the saying goes cleanliness is next to godliness. Their diligence is indeed worthy of our appreciation.*

*Finally, we congratulate our colleagues who have successfully concluded their Post Graduate Diploma programme. We heartily encourage the LLM students who are proceeding to their third semester to keep the fire burning and challenge them to excel in their written examinations. Jointly we must all continue to strive at accessing the requisite information to develop the law of this nation to the glory of God and benefit of humanity.*

*God Bless You All."*

**Ajinomoh Ipemida**  
**Class Governor (2009/2010)**



## INTENSIVE COURSE IN ALTERNATIVE DISPUTE RESOLUTION HOSTED BY NIALS – JUNE 22-25, 2010

The Intensive Course in Alternative Dispute Resolution (ADR) which took place at the famous Ignatius Ayua Lecture Theatre from June 22-25, 2010, was declared open by the Director of Research, Professor Bolaji Owasanoye, on behalf of the Director General, Professor Epiphany Azinge, SAN. The Keynote Address was given by Chief Bayo Ojo, SAN, former Honourable Attorney General of the Federation and Minister of Justice, and past NBA President.

While welcoming the sixty-two participants at the Opening Ceremony, Prof. Owasanoye noted that ADR has gained widespread recognition and approval among Judges and other members of the Judiciary at all levels, Lawyers and the general public. He reminded participants that Rules 15 (3) (d) of the new 2007 Rules of Professional Conduct for Legal Practitioners mandates lawyers to inform their clients of the option of ADR mechanisms before resorting to litigation on behalf of their clients. According to him, the rising preference for ADR can be explained by the increase in case load of conventional

courts that result in inordinate delays. He noted that while ADR is cheaper than litigation, it promotes a preference for confidentiality. Most times the parties have greater control over the selection of the individuals who decide their disputes. ADR is more compelling because of success recorded in ADR options with regard to speedy and amicable resolution of various kinds of disputes. Topics covered included: ADR Spectrum Conflicts Analysis, Negotiation, Communication Skills, Proposal Development and Presentation, Mediation Skills, Co-mediation Approaches, Drafting Settlement Agreement, Law and Practice of Arbitration, ADR and the Criminal Justice System. Participants also engaged in practical role plays simulated from live disputes.



The sixty-two participants were drawn from Government and Private Establishments. At the closing ceremony, the participants rated the programme successful, rewarding and refreshing, though intensive. They also promised to advertise the Course to their colleagues. Principal Officers, management staff of the Institute, as well as Dr. (Mrs. Chinyere Ani, the Coordinator of the course, were all present at the Closing Ceremony which took place on Friday, 25th June, 2010.

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Participants at the Intensive Course in Alternative Dispute Resolution, June 22-25, 2010



## GOVERNMENT LEGAL ADVISERS/LAW OFFICERS COURSE HELD AT NIALS – MAY 24-28, 2010

The Institute held the Government Legal Advisers/Law Officers Course at the Ayo Ajomo Auditorium from May 24 - 28 2010. The course introduced 14 years ago was in response to the need for Continuing Legal Education of Law Officers in government establishments. It has been further designed to satisfy the expanding role of lawyers in government, issues of globalization and the challenge of development. These challenges demand that lawyers involved in governance and public service generally be properly equipped to discharge their functions effectively, efficiently and creditably.

The course curriculum highlighted major issues in governance, namely:- An Overview of the Office of the Attorney General; Writing Legal Opinion/Advice; Gender Mainstreaming in Governance issues; Influence of legal advice in Environmental issues; the

Government Lawyer in a Global World; Legal and Contemporary Issues in Government Budgeting ; Human Rights and Law Enforcement Agencies; Negotiating and Vetting Legal Agreements; Access to Justice and Legal Aid; ICT for Government Legal Advices; Regulatory and Enforcement Powers of Administrative Bodies and Public/Private Sector Partnership Models and the Role of the Legal Adviser. The Faculty included experienced resource persons drawn from the public sector and academia.

The Director General, Professor Epiphany Azinge. SAN was represented by the Director of Research, Prof. Bolaji Owasanoye, at the Opening Ceremony. He informed the participants that contemporary issues will be covered to create more public awareness. In order to advance their knowledge, he urged the participants to take advantage of other programmes organized by the

Institute, e.g. the Postgraduate Diploma, Master of Laws and Ph.D. programmes in Legislative Drafting.

The course attracted 25 participants from several organizations, including the National Assembly, Nigerian Communication Commission, Nigeria Nuclear Regulatory Authority, National Orthopaedic Hospital, National Agency for Prohibition of Persons in Trafficking, among others.

At the closing ceremony, the Director of Research, Professor Bolaji Owasanoye congratulated the participants for their dedication and commitment throughout the course. He promised them that the Institute will consider their request for a Workshop on Oil and Gas Law. The participants were presented with Certificates of Attendance and treated to a luncheon. The closing ceremony was also witnessed by Principal Officers and Management Staff of the Institute.



*Professor D. Adekunle 4th from right; Mr. T. O. Dada, 3rd from left; Mrs. N. Udomnaba, 3rd from right with Course participants*



**PUBLIC LECTURE**  
**HUMAN RIGHTS WRITERS' ASSOCIATION OF NIGERIA (HURIWA)**

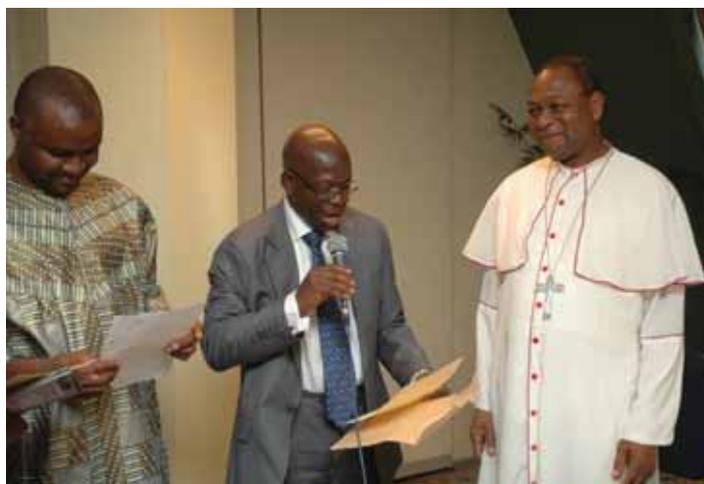
**ON THE 25TH MARCH, 2010 PROFESSOR EPIPHANY AZINGE, SAN, WAS INDUCTED INTO THE NATIONAL HUMAN RIGHTS HALL OF FAME OF THE HUMAN RIGHTS WRITERS' ASSOCIATION OF NIGERIA (HURIWA).**



*Professor E. Azinge, SAN being presented with the certificate of Induction*



*Professor E. Azinge, SAN (3rd Right) with other distinguished guests at the occasion*



*Catholic Archbishop of Abuja, Most Rev. Dr. John Onaiyekan at the occasion*



# NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

## 2010 PROGRAMMES OF ACTIVITIES



### TRAINING COURSES AND WORKSHOPS

S/N	COURSE TITLE	DATE	VENUE	NEW FEE	COORDINATOR	CONTACT	TARGET PARTICIPANTS
12	30 <sup>th</sup> Advanced Course in Practice and Procedure	July 5 <sup>th</sup> -9 <sup>th</sup> 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Mrs. Ngozi Udombana & Mr. Chinua Asuzu	08033412508	Judges of Superior Courts; Private Legal Practitioners; State Counsel; Government Legal Advisers/Law Officers; Prosecuting and other Counsel in the Federal and State Ministries of Justice; Nigerian Prisons Service, Nigerian Customs Service, Nigerian Immigration Service, Extra Ministerial Departments and Parastatals & all Lawyers.
13	Intensive Course in Commercial Drafting and Banking Documentation	July 12 <sup>th</sup> -16 <sup>th</sup> 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Bolaji Owasanoye & Prof. Animi Awah	08035024679	Lawyers in Banks, Insurance Companies; Mortgage Institutions; Regulatory Agencies; Private Legal Practitioners (particularly those in Commercial Law Practice); Legal Advisers; Bank Credit Officers etc & all Lawyers.
14	Environmental Law & Climate Change	July 26 <sup>th</sup> -30 <sup>th</sup> 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Lanre Fagbohun, Mrs. Ilegbune & Mr. Adebisi Arewa	08035505149; 08036614868	Staff of Federal and State Ministries of Environment; Oil Companies; Nigerian Liquefied Natural Gas Company; NNPC; Nigerian Gas Company, PPMC; PPRC, Ministries of Agric. and Water Resources, Ministry of Mines, Steel and Power & all Lawyers.
15	5 <sup>th</sup> Training Course in International Criminal Justice & its Administration	Sept 20 <sup>th</sup> -24 <sup>th</sup> 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Peter Akper & Mrs. Kehinde Ikimiukor	08056931749	Judges of Superior Courts; Legal Practitioners; Law Teachers; Legal Officers in the private and public sectors; Members of the Armed Forces; Ministry of Defence; Ministry of Foreign Affairs; the Nigerian Red Cross Society; the Nigerian Police Force; Federal and State Ministries of Justice; the National Institute for Policy and Strategic Studies (NIPSS); the Command and Staff College Jaji; the National War College; Nigerian Prisons Service, Nigerian Customs Service, Nigerian Immigration Service & all Lawyers.
16	Course on Drafting and Negotiating Contracts for Government Officials	Sept 27 <sup>th</sup> -30 <sup>th</sup> 2010	Augustine Nnamani Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Paul Idornijie & Fatima Bello	08033114797; 08035928091	Legal Advisers/Officers; Project Managers/Administrators; Transaction Advisers; ICRC; Procurement Officers and Contract Manager in Ministries; Departments and Agencies (MDAs), Federal and State Ministries of Justice and Government Agencies and Departments & all Lawyers.
17	The Comparative Company Law Course	Oct 18 <sup>th</sup> -22 <sup>nd</sup> 2010	Ignatius Ayua Lecture Theatre NIALS, University of Lagos Campus	N100,000	Prof. Deji Adekunle & Mr. David Oluwagbami	08033947747	Lawyers in Banks, Insurance Companies; Mortgage Institutions; Regulatory Agencies; Private Legal Practitioners (particularly those in Commercial Law Practice); Legal Advisers; Bank Credit Officers etc & all Lawyers.
18	Advanced Course in Practice and Procedure II	Oct 25 <sup>th</sup> -29 <sup>th</sup> 2010	Jadesola Akande Lecture Theatre NIALS, University of Lagos Campus	N100,000	Dr. (Mrs.) Chinyere Ani & Chuma Okoro	08023078355 08035024679	Lawyers in Banks; Insurance Companies; Mortgage Institutions; Regulatory Agencies; Private Legal Practitioners (particularly those in Commercial Law Practice); Legal Advisers; Bank Credit Officers etc & all Lawyers.

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

George Etomi Centre for Strategic Investment and Corporate Governance Presents a One- Day Roundtable on Enhancing Corporate Value Through The Implementation of A Transparent Governance Structure.	Ignatius Ayua Lecture Theatre , NIALS, Unilag Campus, Lagos	<b>Date:</b> 6 <sup>th</sup> July, 2010 <b>Time:</b> 10:00am. <b>Attendance:</b> Free <b>Contact:</b> Professor Bolaji Owasonoye (08033043340)
Olisa Agbakoba Centre For Maritime Law Presents a One- Day Seminar on Strengthening Nigeria's Maritime Rights: Imperatives For Achieving Global Standards	Jadesola Akande Lecture Theatre, NIALS, Unilag Campus, Lagos	<b>Date:</b> 13 <sup>th</sup> July, 2010 <b>Time:</b> 10:00am. <b>Attendance:</b> Free <b>Contact:</b> Dr (Mrs) Nlerum (08052552408)
Chukwudifu Oputa Centre For Forensic Studies Presents a One-Day Roundtable on The Role of Forensic and Investigative Accounting: Challenges For The Banking Industry.	Chief Michael Agbamuche Seminar Room, NIALS, Unilag Campus, Lagos	<b>Date:</b> 19 <sup>th</sup> July, 2010 <b>Time:</b> 10:00am. <b>Attendance:</b> Free <b>Contact:</b> Professor Paul Idornijie (08033114797)
Emmanuel Ukala Centre for Democracy and Electoral Process Presents a One-Day Roundtable on 2011 Election: Imperatives and Challenges for Credible Election.	Professor Ayo Ajomo Auditorium, NIALS, Unilag Campus, Lagos	<b>Date:</b> 27 <sup>th</sup> July, 2010 <b>Time:</b> 10:00am. <b>Attendance:</b> Free <b>Contact:</b> Mrs. Ngozi Udombana (08050551668)
Babatunde Adejumo Centre for Industrial and Labour Law Presents a One-Day Roundtable on The Right to Strike and Collective Bargaining.	Augustine Nnamani Lecture Theatre, NIALS, Unilag Campus, Lagos	<b>Date:</b> 29 <sup>th</sup> July, 2010 <b>Time:</b> 10:00am <b>Attendance:</b> Free <b>Contact:</b> Kehinde Ikimiukor (08056931749)
Odein Ajumogobia Centre for Oil and Gas Presents a One-Day Roundtable on Towards International Best Practices in the Oil and Gas Sector.	Ignatius Ayua Lecture Theatre , NIALS, Unilag Campus, Lagos	<b>Date:</b> 3 <sup>rd</sup> August, 2010 <b>Time:</b> 10:00am <b>Attendance:</b> Free <b>Contact:</b> Ms. Laura Ani (07035974779)
Revisiting the Death Penalty in Nigeria	Professor Ayo Ajomo Auditorium, NIALS, Unilag Campus, Lagos	<b>Date:</b> 10th August, 2010 <b>Time:</b> 10:00am <b>Attendance:</b> Free <b>Contact:</b> Kehinde Ikimiukor (08056931749)



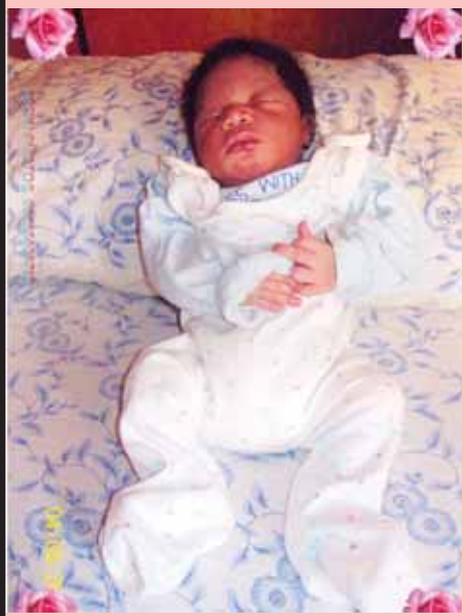
## Staff Birthdays - JUNE

S/N	Full Names	Designation	Date of Birth
1.	Mosope Doris Fagbongbe	Research Fellow I	June 13
2.	Eze David Okorie	Chief Internal Auditor	June 27
3.	Kehinde I. Ikhimiukor	Research Fellow II	June 7
4.	Ukpi Itiza	Chief Personal Secretary	June 26
5.	William T. Magen	Senior Assistant Secretary	June 16
6.	Elvis Osaruyi Obaseki	Assistant Secretary	June 12
7.	Akiode Temitope Abosede	Personal Secretary I	June 25
8.	Aikpokpo Roseline Usile	Accountant I	June 26
9.	Agbeola Micheal Sunday	Senior Executive Officer	June 6
10.	Allename Florence Oluwakemi	Personal Secretary II	June 23
11.	Ali Otokiti Omolara Stella	Senior Telephone Operator	June 21
12.	Ogbe Yahaya	Motor Driver	June 20
13.	Olanubi Oladapo Babatunde	Clerical Assistant I	June 16

## NEW BABIES IN THE INSTITUTE

### A NEW BABY IS BORN

The family of Mr. and Mrs. Michael Ugo were on 1<sup>st</sup> June, 2010 blessed with a bouncing baby girl, named Mimidoo Angbianev Ugo. NEWSLETTER wishes both mother and baby long life.



### CHILDBIRTH NEWSLETTER

The entire staff of the Institute heartily rejoice with the family of Mr/Mrs John Ojo on the birth of their bouncing baby girl on Saturday 4th July, 2010.

### BIRTHDAY

NEWSLETTER wishes Alfa Habeebullahi Adeshina Akanbi son of Mrs. Rukaiyat Omotosho happy birthday and long life as he clocked one year on June 12<sup>th</sup>, 2010.



## STAFF CAPACITY BUILDING

S/N	(NAMES)	COURSE TITLES AND DATES
<b>FEBRUARY</b>		
1	Mrs. Regina Paul Itodo	Having a better understanding of life assurance policy, record, documentation and funds reconciliation under pension reform Act 2004
<b>MAY</b>		
1	Dr. Austin Nweze	5 <sup>th</sup> Northern District Accountants Conference, Lokoja 3 <sup>rd</sup> - 6 <sup>th</sup> May 2010
2	Mr. John Yawe	5 <sup>th</sup> Northern District Accountants Conference, Lokoja 3 <sup>rd</sup> - 6 <sup>th</sup> May 2010
3	Mr. David O. Eze	5 <sup>th</sup> Northern District Accountants Conference, Lokoja 3 <sup>rd</sup> - 6 <sup>th</sup> May 2010
4	Garba Hadiza Ladi	Management Workshop for Administrative Personnel Officers, 17 <sup>th</sup> – 21 <sup>st</sup> May 2010
5	Tafa Fatima Ayoola	Strategies for Effective Revenue Planning and Generation ICAN 24 <sup>th</sup> – 28 <sup>th</sup> May 2010
<b>MAY</b>		
1	Professor Animi Awah	Nigerian Law Teachers' Conference, Ayangba, Kogi State
2	Benedict Agu	
3	Adebosi Arewa	
4	Dr. F. Nlerum	
5	Fatima Bello	
6	Tersoo Shankyula	
<b>MAY 31<sup>ST</sup> – JUNE 11<sup>TH</sup></b>		
1	Professor Deji Adekunle	International Criminal Court, Uganda
2	Kehinde Ikimiukor	
<b>JUNE</b>		
1.	Nweze A. Uchechukwu	Workshop on Fund Defection, Prevention and Control, ASCON
2	Gonori B. Hajara	Modern Trends in Official Communication, ASCON
3	Anyanwu C. Ogbechi	Administrative Communication Skills, ASCON
4	Abdulkarim Bela'u	Effective Conduct of Government Business, ASCON
5	Ibhagbosora Fidelis	Management Workshop for Administrative Personnel Officers
6	Ogunsakin O. Olugbenga	Enhancing Accounting Skill for Higher Productivity in Government Establishment, ICAN
7	Uta Daniel Aja	Administrative Communication Skills, ASCON
8	Agbaragba T. Abraham	Administrative Communication Skills, ASCON
9	Keseruani A. Pamela	Effective Conduct of Government Business, ASCON
10	Ya'u T. Moses	Enhancing Accounting Skill for Higher Productivity in Government Establishment, ICAN
11	Ayoo Elizabeth	Middle Level Management Development Workshop, CMD





## NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA



### ROUNDTABLE ON MITIGATION, ADAPTATION AND CLIMATE CHANGE: CAPTURING ESSENTIAL SYNERGIES FOR NIGERIA (POST-COPENHAGEN)

8th June, 2010

## COMMUNIQUE

### Introduction

Climate change is today widely recognized as one of mankind's greatest challenges in the 21<sup>st</sup> Century. Left unchecked, its effects will seriously harm economies, societies and ecosystems all around the world, especially in developing countries. In 2007, the Intergovernmental Panel on climate change (IPCC), the leading body to review climate change science, published its 4<sup>th</sup> Assessment Report. The report gave a clear signal that climate change is happening and accelerating, that much of it is caused by the continued emission of greenhouse gases from human activities and that it can have severe impacts. International conferences like the Bali Climate Change Conference and the 2009 Copenhagen Climate Change Conference, addressed these issues.

In furtherance of its determination to bring contemporary issues to public discussion and arrive at practical recommendations that will move the nation forward, the Nigerian Institute of Advanced Legal Studies, through its O.C.J. Okocha Centre for Environmental Law, held a one day Roundtable on Adaptation and Climate Change: Capturing Essential Synergies for Nigeria (Post-Copenhagen).

### Observations

The Roundtable made the following observations:

1. According to the Intergovernmental Panel on Climate Change (IPCC), Africa is the most vulnerable continent to climate change and climate variability and observed the following:

a) It is estimated that 72% of the dwellers in African cities live in slums (poor drainage/prone to flooding/ill health);

b) Over 25% of Africa's population lives along a 100km long coastal strip (East African coastline, the Red Sea and the West African coast);

c) A Sea-level rise of 0.5m as projected by the IPCC by mid-century could result in losses equivalent to more than 10% of the current GDP of affected countries;

d) Wide spread poverty is a dominant structural vulnerability;

e) The spread of malaria and other infectious diseases will put women, infants, and children at greater risk.

2. Nigeria does not have a climate change policy and legislation. What exists in Nigeria is climate change measures pursued within the context of National Policy on Environment. Other measures (National Communications) are in compliance with obligations under the UNFCCC and the Kyoto Protocol.

3. National Communications are requirement under the UNFCCC (Art.4 and 12). Nigerian First National Communications was in 2003 and it set out actions to be undertaken. Most of the plans have not been fully implemented, principally for governance reasons.

4. Gaps in current mitigation and adaptation strategies, include:

a) Absence of a unified strategic vision and approach;

b) Lack of understanding of the challenges at all levels of government;

c) Lack of comprehensive and localized risk and vulnerability assessments;

d) Absence of coherent research programs to identify and describe impacts associated with near-term, long-term, and abrupt global climate change;

e) Absence of organized and coordinated efforts across Local, State and Federal agencies;



- f) Absence of relevant climate change and impact information that is accessible and usable by decision makers and practitioners;
  - g) Absence of strong links between, and support and participation of indigenous communities, State, and other local partners;
  - h) Lack of focused strategy to link resources, both financial and intellectual, to critical needs;
  - i) Absence of a strategy for evaluating and applying lessons learned.
5. Current National Situation/efforts include:
- a) National Adaptation Strategy and Plan of Action (NASPA) collaborative action initiated by NEST (still in process).
  - b) A PPP initiative comprising the NEST, Henrich Boell Foundation, UNDP, Federal Ministry of Environment.
  - c) NESPA will be Nigeria's plan for responding to CC impacts and reducing negatives impacts on the lives of vulnerable people.
  - d) Presidential Re-forestation and Afforestation Programme.
  - e) Green Wall Sahara Project
  - f) House of Representatives Committee on Climate Change initiative for a National Climate Change Policy and Legislation.
  - g) Federal Ministry of Environment's call for Memorandum for National CC Policy and National Response Strategy.
- National Assembly Bill for the establishment of a National Climate Change Commission.

6. Some critical issues concerning climate change that require governance include:
- a. Energy, Forestry, Agriculture/food, Health, Peace and Security, Economy/Finance, Carbon market, Population, Urbanization and Water Stress

7. The Federal Ministry of Environment is the Focal Point to the Convention and the Protocol. A Special Climate Change Unit of the Ministry is the implementing body and is charged among other responsibilities, with: Implementing all commitments under the agreements, representing the country in international negotiations,

formulating policies and strategies for combating Climate Change, undertaking studies and researches, through consultancies in the science of climate change, education and public awareness programs.

8. Other Government Agencies Dealing with Climate Change include: National Assembly (relevant Committees); Nigerian Meteorological Agency (NIMET); Presidential Implementation Committee on Clean Development Mechanism (PIC-CDM); National Emergency Management Agency (NEMA); Office of the Special Assistant to the President on International Affairs; Inter-Ministerial Committee on Climate Change (IMCC); National Coordinating Committee on Climate Change (NCCC), Climate Change Centre's of Excellencies; Nigerian National Petroleum Corporation (NNPC); Ministries of Foreign Affairs, Science & Tech etc.

9. Changes in the climate can place different burdens on men and women because of existing gender influences i.e. socially and culturally constructed roles, interest and division of labour. The vulnerability of women and men are different due to differences in how they are affected by climate change and differences in their adaptive capacities.

### Recommendations:

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

1. The strategy to pursue a low carbon economy is imperative, and they include:
  - a. A reform of our infrastructure development to "climate proof" our infrastructure.
  - b. A review of our public procurement regulations to ensure clean technologies procurement
  - c. Our energy sector development is critical to combating climate change.
  - d. We have to develop clean energy.
  - e. It is important to conclude international negotiations, which is critical for additional source of financing Climate Change



- measures.
- f. It is essential to Stitch up initiatives under the WTO, MEF, G8, G20 and other UN Focal points like the UNCCSD, UNCBD, UNCCCD, WMO etc.
  - g. Develop Nationally Appropriate Mitigation Action (NAMA).
  - h. Strengthen the PIB to ensure monitoring and verification of GHG reductions in the petroleum industry.
2. Comprehensive national climate change policy is imperative.
  3. Massive investments in capacity building, knowledge generation and information management.
  4. Define leadership (strong national institution) with coordinated strategy, based on a national agenda and supported by effective funding framework.
  5. NCCC Bill to be harmonized.
  6. Building multi stakeholders approaches.
  7. Linking domestic actions with regional and global network. Following up the international negotiations and defining Nigeria's position with relationship to the Copenhagen Accord etc.
  8. Adopting a green strategy in pursuit of a low carbon economy.
  9. Climate change solutions are market driven: (carbon, water and biodiversity markets) therefore appropriate legal framework must be put in place.
  10. A national strategy for climate change adaptation is imperative, and would engross:
    - a. Institutional changes that will integrate science into the decision-making process to improve information about risks and opportunities;
    - b. Enhanced communication and capacity building among relevant stakeholders;
    - c. Clear process of coordination and facilitation of collaboration;
    - d. Identify priorities for a coordinated government response;
    - e. A flexible framework that will enable government agencies and entities to understand, analyze and respond to climate change;
- f. A commitment to dynamic engagement, iterative understanding of results, and rigorous evaluation.
12. Sharpen the connection between project activities and climate variability and Change.
  14. Enhance support for, and fine-tune, successful actions for adaptation and mitigation.
  15. Strengthen monitoring, reporting on main streaming climate change and strengthen support to policy and institutional reform interventions related to climate change.
  16. Mainstream gender analysis into climate change strategies. To this end:
    - a. Nigeria's NAPA must not only recognize the need for gender analysis, it must identify poverty as a core problem and women as a target group.
    - b. A gender sensitize problem analysis must be done with a long term strategies to translate the result of the analysis into sectoral strategies.
    - c. NAPA must set an agenda for a broad participatory process involving local groups of stakeholders which must be a balance of both sexes.
    - d. gender experts must be identified as key stakeholders and allowed to play an active role in adaptation planning and monitoring.
  17. Nigeria must come out prepared with a position for presentation at the up coming Mexico U.N Climate Conference of the Worlds environmental Ministers.

**Lagos, Nigeria 8th June, 2010.**

**Signed,**  
**Professor Epiphany Azinge, SAN**  
**Director-General**



# INFORMATION TECHNOLOGY: An Agent of Change.

By J. Oni

**M**an that is still living is bound to undergo and encounter changes in life. All other things may not be constant, but it has been affirmed that the most constant thing in life is change. In order to meet set goals, a lot of changes have to take place in an organization. Growth, development and progress are all about changes. One of the ways an organization can achieve her set goals and carry out its mandate is by improving on her methods and process of doing things on daily basis. This is what the information technology is all about. IT is constantly looking for ways and means by which things will be done faster, in better ways, in order to achieve better result.

**Information Technology** had been defined by people at various times, but a simple definition says Information Technology is the process of harnessing of electronic technology for the information needs of an Organization at all levels. It involves merging of various electronic technology such as use of microcomputers for the processing and storage of information, the application of electronic spreadsheets and business modeling programs, word processing for preparing standard reports and other correspondence at high speed with better accuracy and electronic mail for transmitting messages from one office or location to the other without the use of paper, but using data transmission lines which link computers, This is popularly referred to as Electronic mail system (E-mail). Also, included in the definition are distributed processing and information systems often organized as local area networks (LANs) which allow the interchange of information between different parts of an Organization whilst sharing central resources such as a database supported by server, higher capacity storage and high speed printing facilities.

The purpose of information technology in the content of organization activities is to improve the technical, administrative and managerial functions. This is largely achieved by automating the manual process of doing things and produce information to the management for decision making in a timely and effective manner. Automation is simply referring to the mechanization of all manual processes of an organization.

In these days of increase dynamism in the field of information technology the benefits of **IT** are so enormous that we can not mention all. Let remind ourselves of the few obvious ones.

- a) IT helps to reduce cost (manufacturing, Administrative, and all other costs involved in production.)
- b) Productivity level is increased i.e. achieving greater output of high quality at lower cost than was possible using the previous methods and techniques.
- c) Improvement in the efficiency level.(Both Individual and Organizational efficiency are noticeably Increased.)

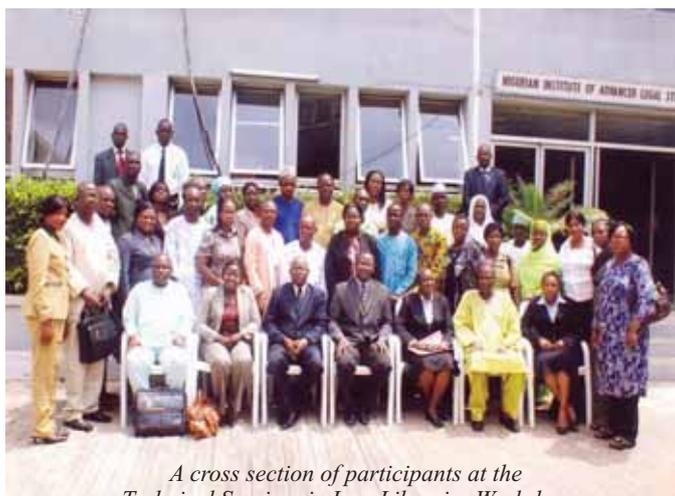
- d) Adherence to standards- Automated process must be able to modify its behavior when deviations from standard performance are detected by inbuilt control mechanisms. The systems inputs are adjusted according to the magnitude of the deviation( known as variances)of actual to budgeted expenditure or in a standard costing system deviations of actual cost from standard cost
  - e) Automated System saves time, a job that five men will do in Twenty days a computer well programmed, with a professional at the control panel will do it in one day will higher level of accuracy.
  - f) It helps in planning and achievement of goals at targeted time .It is easier to meet deadlines when the process is automated that when it is manual.
  - g) With the aid of IT we can get constant information online “real time” that is up to minute up to Date.(The is very relevant in the Banking Industry where up to Date information is needed in decision making).
  - h) **IT** has helped to create more time out of 24 hours. Business can be opened 24 by 7 all over the Globe. It has made purchases from different countries to be easier and more convenient.
  - i) Creation of new Jobs- Probably the best advantage of information technology is the creation of new jobs. Computer programmers, Systems Analysts, Web Designers are some of the many new employment opportunities created with the help of IT.
  - j) The technology has not only made communication Cheaper, but also made it much quicker and 24 by 7. The wonders of text messages, email and auto-response, backed by computer security applications, have opened up scope for direct communication  
Time and space will not permit us to go on enumerating the benefits of IT.
- Many organizations today have benefitted a lot from the advantages of information technology. They have improve on their performance and profitability, but to large extend a lot of organizations are yet to embrace the enormous benefit of **IT**. Though, many organizations have purchased computers and put in the offices and homes, many of these Systems are being grossly under- utilized. To derive maximum benefit from a computer system requires the intervention of qualified **IT** professional who has gotten the know-how of putting a computer system to optimum use.

If such a professional is not on ground there is little we can get out of the computer systems. We may claim to be using computer, but when there are a lot of operations around us yet to be automated. I want to submit that many of the computer systems around are been under utilized.



## WORKSHOP ON TECHNICAL SERVICES IN LAW LIBRARIES

**N**igerian Institute of Advanced Legal Studies held its National Workshop on Technical Services in Law Libraries from April 27-29, 2010 at the Ignatius Ayua Lecture Theatre, University of Lagos campus. The biennial Library course which is



*A cross section of participants at the Technical Services in Law Libraries Workshop*

one of Institute's oldest course was introduced been years ago in response to the need to develop the capacity of Law Librarians and Information professionals in vital areas of Library Services and Management.

This year's workshop was geared towards sharpening participants' skills in the area of Technical Services in Law Libraries covering issues such as subject classification, using Elizabeth Moy's Classification Scheme; Web Resource Management; ICT, Knowledge Organisation; Cataloguing and Classification; Internet Application and Indexing of information from the internet.

High point of the closing ceremony was the presentation of Certificate of Attendance to participants.

## INTENSIVE COURSE IN LEGISLATIVE DRAFTING HELD IN NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

**T**he Intensive Legislative Drafting Course which was held from June 1-4, 2010 is one of Institute's Continuing Education programme which was carved out from the Postgraduate Diploma and Master's Degree programmes. The programme was introduced in the late 1990s to meet the needs of drafters and legal practitioners in the public and private sectors, who are unable to attend the longer postgraduate programme.

The course has been revised and improved on to cover issues like Plain English Drafting; ICT and Legislative Drafting; Principles of Legislative Expression; Global Trends in Financial Drafting; Human Trafficking and Anti-Terrorism Legislation; Mainstreaming Gender and HR Standards into Legislative Drafting; Bill Analysis and Review; Considerations in Legislative Drafting; Amendments and Repeals, and Research Tools and Legislation.

The Director General, Professor E. Azinge, SAN who was represented by the Director of Research, Professor Bolaji Owasanoye declared the workshop opened. Participants at the workshop were drawn from NAFDAC, Federal Inland Revenue Service, State Ministries of Justice and private legal practitioners.



*Participants at the Intensive Course in Legislative Drafting Workshop*





*Director-General delivering his speech*



*Mr. George Etomi Centre named after him*



*Pastor Itua Ighodalo giving the keynote address*



*The Director General and other dignitaries*



*(L-R) Professor Joash Amupitan and Dr. J. A. Aremu of ECOWAS Commission*



*The Director-General with Mr. George Etomi*



*Mr. Adebisi Aremu delivering his speech*



*The Director-General drawing someone's attention with other dignitaries standing.*



# PhotoNews



(L-R): Mrs. N. Udombana; Prof. Idornigie; Mr. J. Bathnna and Mr. T. O. Dada at the workshop



Honourable Justice A. B. Adejumo, President of the National Industrial Court, giving his speech



(L-R): Professor Azinge, SAN with Professor Ademola Popoola



Staff of National Industrial Court at the workshop



Rapportuers at the Roundtable



(L-R): Dr. Aremu, Prof. Azinge, SAN and Mr. Etomi



Across section of staff and guest at the Roundtable



Refreshment after the Roundtable



# NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES

LAGOS, NIGERIA

## ROUNDTABLE ON NIGERIA'S HUMAN RIGHTS CHALLENGES: AN OMNIPRESENT BATTLE

23rd June, 2010



### COMMUNIQUE

#### Introduction

On December 10, 1948, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights. Following this historic act, the Assembly called upon all Member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

The preamble to the Declaration recognized the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world, but noted that disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.

For peaceful co-existence of the human family, the peoples of the world under the auspices of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom.

THE GENERAL ASSEMBLY thereby proclaimed "THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction."

In Nigeria this injunction has been kept; our Chapter IV as well as chapter II of the Constitution contain provisions that tally with those of the Declaration. How well these provisions are observed and enforced however remains and is a constant issue for debate and discourse. Some argue that the provisions are honoured more in breach while others maintain that Nigeria is a Human Rights Compliant nation.

The Roundtable on Nigeria's Human Right Challenges: An Omnipresent Battle convened by the Nigerian Institute of Advanced Legal Studies under the auspices of the Gani Fawehimi Centre for Human Rights is the Institute's contribution to the process; the Roundtable aimed to look closely at Human Rights Practice in real terms in Nigeria with a view to seeing where we stand in the common global standard.

The Roundtable held on 23<sup>rd</sup> June 2010 at Professor Ayo Ajomo Auditorium at the Institute's Premises, University of Lagos Campus, Lagos.

In attendance were stakeholders and interested persons from a cross section of society and diverse walks of life. Notably, there were representatives from: Ministries of Justice; Human Rights Commission; Legal Research Initiative and other NGOs; Nigerian Ports Authority; Independent and Corrupt Practices Commission; National Orientation Agency; International Human Rights and Development; Private Legal Practitioners, the Academic community.

Perspectives for the Roundtable included:

- Overview of the legal and Institutional Framework for Protecting The Nigerian Child
- Human Rights and Access to Justice
- Combating the scourge of Unlawful Arrest, Torture and Extra Judicial Killings in Nigeria
- Mechanisms for monitoring and Enforcing Fundamental Human Rights in Nigeria
- Overview of Nigeria's International and Regional Human Rights Obligation

#### Observations

The Roundtable observed as follows:

1. Today all human rights are regarded as interdependent and equal and so should be treated equally and accorded similar prominence.
2. One third of the problems of human rights in Nigeria are directly linked to poverty; the others are related to interaction with state actors e.g. police brutality.
3. Statistics on the state of living in Nigeria are really appalling: infant mortality, expected life span of the average Nigerian and standard of living all fall well below minimum global standards.
4. The underdevelopment of Nigeria is in direct opposition to the country's resources.
5. Access to justice should be secured as a human right in itself and not just a tool or a means to securing human right
6. The pursuit of justice is a very important aspiration of any civilised society.
7. The goal of human rights and the goal of justice are the same; to ensure the realisation of human rights protection, access to justice must be assured.
8. In Nigeria where per capita income of the greater populace is low, pursuit of justice is viewed as luxury.



9. Incompetence and inadequate capacity of the legal practitioner is a major challenge to access of justice in Nigeria
10. Nigeria's level of underdevelopment is linked to her human rights records / non observance.
11. The present state of poverty is equally linked to corruption and impunity.
12. Impunity is at the heart of all acts of corruption and non observance of human rights principles.
13. The electoral system in place makes voters' choice irrelevant and so credible leaders are not elected into positions of leadership.
14. Corrupt acts go unpunished in Nigeria and much regard is placed on affluence and material prosperity.
15. Human rights norms create a trilogy of obligations: obligation to (i) respect; (ii) protect; and (iii) fulfil.
16. The international human rights architecture parades an array of human rights norms encapsulated in a range of instruments.
17. Regional and International human rights norms create vertical and horizontal obligations. The former refer to the obligations of States to non-State actors, while the latter refers to inter-State obligations.
18. Vertical obligations often require States to put in place legislative, administrative and judicial mechanisms to ensure the realization of human rights,
19. while horizontal obligations are generally two-fold: (i) each State fulfils its own obligations; and (ii) each State is obligated to ensure that other States fulfil their own obligations.
20. Regional and International human rights obligations are, broadly speaking, created by treaties which are consent dependent and customary international law, which are not consent dependent.
21. Nigeria is a party to most international human rights instruments. Unfortunately, Nigeria's international posture is sometimes "at variance with its domestic constitutional scheme of human rights; a paradoxical and hypocritical stance that renders Nigeria vulnerable to charges of engagement in a bogus public relations stunt.
22. At the continental level, Nigeria is a party to all the instruments on which the African human rights system is predicated. These include the African Charter on Human and Peoples' Rights (and its protocols) and the African Charter on the Rights and Welfare of the Child.
23. A norm of human rights which acquires the status of a peremptory norm (or jus cogens) binds all States.
24. Because of the importance of the values it protects, the prohibition of torture has evolved into a peremptory norm or jus cogens, that is, a norm that enjoys a higher rank in the international hierarchy than treaty law and even 'ordinary' customary rules.
25. Nigeria signed the UN CAT on July 28, 1988 (during General Babangida's tenure), but it was not ratified until June 28, 2001 (by the Obasanjo administration) thirteen years later!
26. Nigeria has obligations deriving from its membership of the international community and its ratification of international instruments.
27. With specific reference to UNCAT this obligation includes amongst others:
  - to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction;
  - to ensure that attempts to commit torture, complicity or participation in torture and all acts of torture are offences under its criminal law and made punishable by appropriate penalties which take into account their grave nature
  - to ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment
  - to ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his/her dependants shall be entitled to compensation.
28. Nigeria has complied with its UN CAT Obligations in the following areas-
  - In terms of legislative measures, apart from relevant provisions of the Penal Code and the Criminal Code, as far back as September 30, 1960, Nigeria enacted the Geneva Conventions Act, which domesticated the 1949 Geneva Conventions which, in turn, prohibit, among others, "torture or inhuman treatment, including biological experiments
  - Section 34(1)(a) of the 1999 Constitution provides that every individual is entitled to respect for the dignity of his person, and accordingly no person shall be subjected to torture or to inhuman or degrading treatment", while article 5 of the African Charter on Human and Peoples' Rights, 1981 (which Nigeria has domesticated) forbids "all forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruelty, inhuman or degrading punishment and treatment.
29. Nigeria has not complied with its UN CAT obligations in the follows areas-
  10. Nigeria's level of underdevelopment is linked to her human rights records / non observance.
  11. The present state of poverty is equally linked to corruption and impunity.
  12. Impunity is at the heart of all acts of corruption and non observance of human rights principles.



13. The electoral system in place makes voters' choice irrelevant and so credible leaders are not elected into positions of leadership.
14. Corrupt acts go unpunished in Nigeria and much regard is placed on affluence and material prosperity.
15. Human rights norms create a trilogy of obligations: obligation to (i) respect; (ii) protect; and (iii) fulfil.
16. The international human rights architecture parades an array of human rights norms encapsulated in a range of instruments.
17. Regional and International human rights norms create vertical and horizontal obligations. The former refer to the obligations of States to non-State actors, while the latter refers to inter-State obligations.
18. Vertical obligations often require States to put in place legislative, administrative and judicial mechanisms to ensure the realization of human rights,
19. while horizontal obligations are generally two-fold: (i) each State fulfils its own obligations; and (ii) each State is obligated to ensure that other States fulfil their own obligations.
20. Regional and International human rights obligations are, broadly speaking, created by treaties which are consent dependent and customary international law, which are not consent dependent.
21. Nigeria is a party to most international human rights instruments. Unfortunately, Nigeria's international posture is sometimes "at variance with its domestic constitutional scheme of human rights; a paradoxical and hypocritical stance that renders Nigeria vulnerable to charges of engagement in a bogus public relations stunt.
22. At the continental level, Nigeria is a party to all the instruments on which the African human rights system is predicated. These include the African Charter on Human and Peoples' Rights (and its protocols) and the African Charter on the Rights and Welfare of the Child.
23. A norm of human rights which acquires the status of a peremptory norm (or *jus cogens*) binds all States.
24. Because of the importance of the values it protects, the prohibition of torture has evolved into a peremptory norm or *jus cogens*, that is, a norm that enjoys a higher rank in the international hierarchy than treaty law and even 'ordinary' customary rules.
25. Nigeria signed the UN CAT on July 28, 1988 (during General Babangida's tenure), but it was not ratified until June 28, 2001 (by the Obasanjo administration) thirteen years later!
26. Nigeria has obligations deriving from its membership of the international community and its ratification of international instruments.
27. With specific reference to UNCAT this obligation includes amongst others:
  - to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction;
  - to ensure that attempts to commit torture, complicity or participation in torture and all acts of torture are offences under its criminal law and made punishable by appropriate penalties which take into account their grave nature
  - to ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment
  - to ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his/her dependants shall be entitled to compensation.
28. Nigeria has complied with its UN CAT Obligations in the following areas-
  - In terms of legislative measures, apart from relevant provisions of the Penal Code and the Criminal Code, as far back as September 30, 1960, Nigeria enacted the Geneva Conventions Act, which domesticated the 1949 Geneva Conventions which, in turn, prohibit, among others, "torture or inhuman treatment, including biological experiments
  - Section 34(1)(a) of the 1999 Constitution provides that every individual is entitled to respect for the dignity of his person, and accordingly no person shall be subjected to torture or to inhuman or degrading treatment", while article 5 of the African Charter on Human and Peoples' Rights, 1981 (which Nigeria has domesticated) forbids "all forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruelty, inhuman or degrading punishment and treatment.
29. Nigeria has not complied with its UN CAT obligations in the follows areas-
  - Nigeria has not made a Declaration pursuant to Article 21 of the UNCAT that it recognises the competence of the Committee against Torture to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the convention
  - Nigeria has not made a declaration, pursuant to article 22 of the convention, recognising the competence of the committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State Party of the provisions of the convention. Thus, in respect of both inter-State and non-State communications, the committee has no competence over Nigeria.
  - Nigeria has, so far, not domesticated the Convention in accordance with section 12 of the 1999 Constitution to give the Convention a force of law in Nigeria.



30. While certain acts that can be classified as torture (for instance assault) are punishable under the laws of Nigerian, there is no law specifically criminalising torture in the context of UN CAT and so there is lack of a deterring factor in the form of punishment
31. While there are signs of improvement under the current civilian regime in the use of torture, a lot remains to be done- especially in the realm of law enforcement and in the specific context of the treatment of prisoners, to secure a respectable degree of compliance with the provisions of the Convention.
32. Victims of Human Rights abuse including torture are either ignorant of their rights or are not willing to challenge acts of impunity because of the limiting force of their poverty
33. Human rights are products of struggle and not dependent on the number of laws enacted or instruments ratified, and this struggle is predominantly initiated and sustained by the general public and the civil society
34. There are numerous cases in Nigeria testifying to the success of sustained efforts from the public and the civil society in addressing instances of gross human rights abuses by government agents against individuals.

**Recommendations**

1. There is need to instill in the society the desire to bring change which should be gradual and evolutionary rather than revolutionary
2. Effort should be made to address the root causes of poverty and the degradation of societal values rather than only the symptoms
3. The culture of change should be instilled holistically covering the basic foundation of development of the Nigerian person from early childhood and up bringing.
4. Accountability would dispense with the rule of impunity and usher in development.
5. Reforms situated in the context of governance are needed to make votes count. It is only then that human rights abuses would abate.
6. Electoral reform must be at the root of these reforms, for every time INEC publishes a fictitious result or register, political larceny is committed on the nation. Electoral reform is needed to secure votes and make the process more credible.
7. Civil society organizations should be active in preventing electoral malpractice by monitoring conduct of elections and speaking out against acts of impunity and corruption by government officials.
8. Credible persons should seek positions of leadership.
9. Public opinion is a potent tool for change and is

indispensable in ushering in a stable and progressive nation based on ideals of human right, there should therefore be public enlightenment on human right issues.

10. Nigeria should, consistent with the requisite constitutional prescriptions, domesticate the UN CAT and ensure its optimal application in its entire territory; there should be a clear offence of torture in Nigeria.
11. Nigeria should make articles 21 and 22 of the human rights declarations to underscore its commitment to combat the scourge of torture.
12. Nigeria should sign and ratify the optional protocol to the UN CAT, which establishes a system of regular visits to be undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.
13. Nigeria should ensure prompt compliance with its reporting and other obligations;
14. Civil society organizations should sustain their efforts in popularizing the provisions of the UN CAT and underscore the need for Nigeria to rise up to its UNCAT obligations.
15. Poverty and ignorance is again identified as being at the root of non challenge of torture and acts of impunity, therefore socio-economic development and empowerment of the people will usher in strong resistance to acts of torture.
16. Access to justice cannot be over emphasized in the fight against human rights violation. Our justice system should be made accessible especially to the poor and vulnerable groups.
17. There is need for adequate advocacy capacity in the bar and the bench to create and secure access to justice, where not only access will be given but justice is actually guaranteed.
18. There is need for an innovative interpretation of the Constitution specifically Chapter II to ensure that rights guaranteed under Chapter IV are protected. This has been done and is being done effectively in India and South Africa.
19. The possibility of actually seeking remedies or enforcement of socio-economic rights under the African Charter should be explored more assertively.

**Signed:**

**Professor Epiphany Azinge, SAN**  
**Director-General**



# THE DIRECTOR GENERAL VISITS ASIAN LAW INSTITUTES

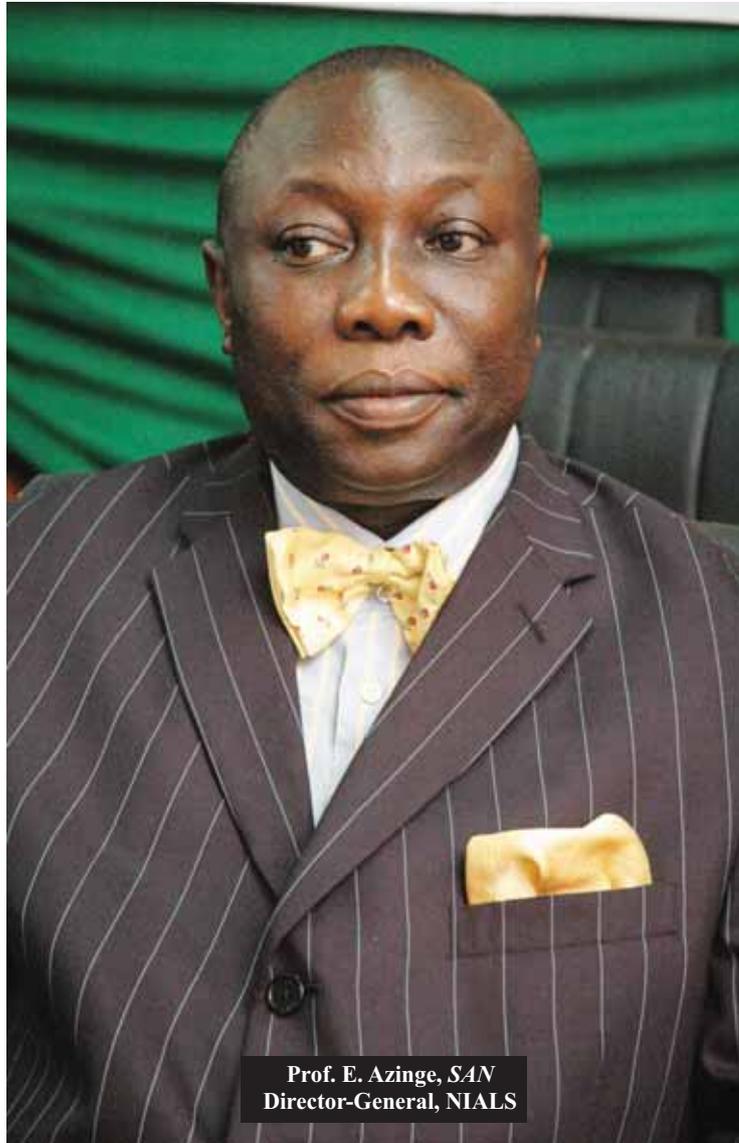
## MALAYSIA

As part of the institute's foreign collaborative effort, the Director General visited the Asian Law Institute in Malaysia to attend the 7<sup>th</sup> conference titled *Law in a pluralist Asia: Challenges and Prospects*. This institute was established in March 2003 by a group of leading law schools in Asia. Its primary goal is to facilitate academic exchanges as well as research and teaching collaborations among its members.

The institute organizes annual academic conferences hosted by its founding member institutions on a rotating basis. This conference examined contemporary global legal issues of interest to Asian countries and gathered scholars and experts from the member institutions as well as from Asia and beyond. Critical and analytical presentations were made drawing from diverse legal backgrounds, these ranged from Commercial law, Civil law, Environmental law, Islamic customary law, Human Rights and Constitutional law, Legal pluralism, International Business Law. As remarked by the Kumaralingam Amirthalingam, the current Director of ASLI remarks, "Pluralism necessarily involves dialogue, reflection and engagement with difference. It should lead to more creative and nuanced ways of framing an issue and finding a resolution...or two!"

There were five rounds of seven parallel sessions

conducted simultaneously over two days. (25<sup>th</sup> 26<sup>th</sup> May) Each paper was allocated a maximum of 15 minutes for presentation. A question and answer session followed after all presenters had presented.



Prof. E. Azinge, SAN  
Director-General, NIALS

## INDIA

On the 28<sup>th</sup> of May 2010, the Director General visited the Indian Law Institute to establish and maintain links with institute and to foster research relationship between the Nigerian Institute of Advanced Legal Studies and its Indian Counterparts.

Professor Epiphany Azinge met and was well received by the Director of the Institute Prof D.S Sengar, who was very eager to establish a network with

Institute, he has initiated that staff of our institute are welcomed to undertake LLM courses in specified areas at a reasonable cost and has instigated the possibility of inviting their staff to our Institute to participate in our courses in terms of resource persons.

-Exchange programs.

-Informed them of our website which they can key into.

-We have since forwarded a proposal to this effect to the Indian Law Institute



## Dele Finds His Missing Rib



*Mr. & Mrs. Dele Ikeorha*

The saying that "marriage is honourable and bed undefiled" came into reality in the lives of Miss Kelechi Obasi and

wife and presented to the church; Pastor Dele could not help but give his wife a French kiss to the admiration of the crowd. The NIALS family was fully represented at the wedding.

Pastor Dele-Israel Ikeorha on 19<sup>th</sup> June, 2010 when the two were joined into holy matrimony. The climax of the occasion was when they were declared husband and

The groom could not hide his joy and appreciation to all who could make it to the wedding and also thanked all those who stood by them. NIALS Newsletter crew and the entire staff of the Institute congratulate Mr. and Mrs. Dele Ikeorha for a successful wedlock.



*The Couple with NIALS Staff*





# NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES LAGOS, NIGERIA



## ROUNDTABLE ON THE UNSERVED HANDICAPPED: RAISING RESPECT AND AWARENESS FOR THE RIGHTS OF THE DISABLED IN NIGERIA

28th June, 2010

### COMMUNIQUE

#### INTRODUCTION

Perhaps the most important index of civilization of a society and indeed the measure of the strength of a nation is the humane treatment and the measure of respect it accords the disabled, weak and infirm members of its population.

According to the World Health Organization (WHO), disability is any restriction or lack of ability to perform an activity in the manner or within the range considered normal for a human being, due to impairment. The disabled include persons with physical or other dysfunction, which may be acquired, congenital, even hereditary, consequentially affecting their full participation in the society, and the performance of social roles.

It is recognized that human rights have universal application without bias to disabilities, gender, race or class (or other social category). In principle, the human rights of people living with disabilities (PLWDs) are automatically inherent in the general principles of human rights. Given the long standing discriminatory practices and the non recognition of PLWDs rights as human rights, it has become clear that it is absolutely necessary to make a clear delineation of their human rights. Consequently, they will no longer be constantly ignored and violated under the mistaken belief that PLWDs rights can be effectively recognized and protected in a subsumption within the general principles of human rights.

The United Nations (UN) adopted various instruments which prohibits discrimination and sets standards on treatment of PLWD, some of which include: *The UN Charter; the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of Migrant Workers and Members of their Families; the Convention on the Elimination of All Forms of Discrimination Against Women; the Declaration on the Rights of Disabled Persons; the Declaration on the Rights of Mentally Retarded Persons; the Declaration on Social Progress and Development* and other relevant instruments.

The UN also adopted the *Standard Rules on the Equalization of Opportunities for Persons with Disabilities*. Preconditions for equal participation as enumerated by the Standard Rules include: Awareness raising; Medical Care; Rehabilitation; Support Services; Accessibility; Education; Employment; Income Maintenance and Social Security; Family Life and Personal Integrity; Culture; Recreation and Sports; Religion; information and Research; Policy-making and Planning; Legislation; Economic Policies; Coordination of work; Organization of Persons with Disabilities; Personnel Training; National Monitoring and Evaluation of Disability programmes in the Implementation of the Rules; Technical and Economic Cooperation; and International Cooperation.

The UN Decade for People with Disabilities (1983-1992) is the period in which UN member states were expected to implement the World Programme of Action Concerning People with Disabilities. The decade raised the expectations of disabled people all over the world. It

was hoped that at the end of the Decade, the quality of disabled people would be improved, yet, this did not materialize, especially in a country like Nigeria. There comes a time in the life of a nation when it has to take vital decisions for the citizens to define who they are, reassert their social values and express what they believe. That time has now come for Nigeria.

In consideration of the foregoing, the Nigerian Institute of Advanced Legal Studies, through its **Jadesola Akande Centre for Women, Children and Disabled Persons** held a *Roundtable on The Unserved Handicapped: Raising Respect and Awareness for the Rights of the Disabled in Nigeria*.

#### OBSERVATIONS

The Roundtable made the following observations-

1. The spectrum of disability includes: physical disability resulting from visual, hearing, speech impairment, mobility impairment, mental disability/mental handicap resulting from psychiatric disease, mental retardation and learning impairments, whether congenital or acquired.
2. There are persons with disabilities in all parts of the world and at all levels in every society. Closely allied to this is the fact that the number of persons with disabilities in the world is indeed growing. The UN estimates that there are about 600 million of the world's 6.7 billion people who are persons with disabilities of various types and degrees. This puts the total percentage of persons living with disability in the world at about 10%. There are about 10 million PLWD in Nigeria. In Lagos State alone, there are about 1.8 million disabled persons. On the average, 9 out of 10 disabled persons in Nigeria live below the poverty line.
3. The causes and the consequences of disability vary throughout the world. This is a result of differences in socio economic circumstances and of the different provisions that states make for the well being of their citizens.
4. While the present disability policy is the result of developments over the past 200 years, and in many ways reflect the general living conditions and social and economic policies of different times, specific circumstances such as ignorance, neglect, superstition and fear have in the history of disability isolated persons with disabilities and delayed their development.
5. After women, children and youths, disabled persons constitute one of the next categories of neglected and marginalized sectors in Nigeria and Africa, yet the humanity of a society is to a large extent, measured by the way and manner it treats these categories of her population especially persons with disability.
6. Superstitious beliefs, harmful traditional practices, tales by the clergy of disability as evidence of being bewitched, absence or shortage in the number of specialist medical practitioners, non-availability of machines to conduct proper diagnosis early enough have added to the woes of PLWD in Nigeria.
7. Adding to the distress faced by PLWD worldwide is the reluctance of employers of labour both in the public and private sectors to recruit PLWD despite their meeting the qualification for such jobs. An estimated 386 million of the world's working age people are disabled and unemployment among the working age disable is as high as 80 percent.



8. The design of nearly all public infrastructure and private buildings reflects the attitude of the public towards the disabled—a gross lack of concern. Car parks are located far from the main buildings without facilities like wheel chairs and potters to ease mobility for the disabled. Access to public transportation is a big challenge as the buses do not stop for commuters to get in and the other commuters do not show concern for the plight of the disabled.
  9. Children are one of the most vulnerable groups among persons with disabilities. All over the world, different cultures, religions and myths emphasize the disgrace of giving birth to a disabled child. Despite modern human rights attitudes, the idea that a disabled child is the result of the anger of the gods, or ancestors, the embodiment of sin in the family is still prevalent.
  10. The Child Rights Act 2003 (CRA) affirms the human rights provisions of in chapter IV of the Constitution of the Federal Republic of Nigeria and also includes other rights that are specific to the child. However, unlike the UN Convention on the Rights of the Child, the CRA did not give the disabled child adequate attention as one would have expected. Mention is indirectly made of the disabled child in Part V of the CRA (Children in need of care and protection) as one of the categories of children that may be brought before the court for protection (section 50 (1) (d)).
  11. Although there have been numerous legislative bills on the subject matter for consideration by the Federal and State legislatures over the years, there is only one legislation that is fully enacted for the protection of the welfare of persons with disability and that is the *2003 Disabled Persons Welfare (Enhancement) Law of Lagos State*.
  12. The Constitution fails to acknowledge the reality that disability is a basis of discrimination, marginalisation and/or exclusion in Nigeria and in assuming this approach it leaves persons with disability with little or no protection.
  13. The Constitution provides for humane work environment, but there is no provision in our work place infrastructure for disabled persons.
- c. The Discrimination against Persons with Disabilities (Prohibition Bill) (2008).
  - d. A Bill for an Act to prohibit all forms of discrimination against persons with disabilities and give them equal opportunities in all aspects of life in society and related matters (2009).
  - e. The Mental Health Bill (2008).
  - f. The Social Welfare Bill (2008).
3. Government must formulate policies to guarantee the employment of persons with disabilities and institute stiff penalties for individuals or corporate bodies who directly or indirectly discriminate against PLWD. This must be backed up with adequate sanctions and this can only be achieved through legislation.
  4. The labour Act should be amended with particular provisions for disabled persons as a special class.
  5. We have learnt from the Nigerian experience that even when a good and adequate law is in place, failure on the part of the Executive will render such law ineffective. Therefore when an adequate legislation has been passed, the executive has the duty to ensure that it implements and enforces the legislation to end by bringing to reality its goals and objectives.
  6. Assistive technology has become the norm all over the world. The government of Nigeria should make concerted efforts to provide and encourage the production of assistive technologies like; SmartboxAT's the Grid, Freedom Scientific's JAWS, the free and open source alternative-arca, the LOMAX keyboard etc, designed specifically for PLWD.
  7. Disability should be mainstreamed into the process of governance, thereby making the people accept disability as normal. To this end, the federal and state governments should create agencies for the promotion of the welfare of the disabled.
  8. There is need for attitudinal change on the part of the public on how they relate to the disabled. The physically able people should associate more closely with people with disability and shed off any form of discrimination. To this end, there is the need to raise respect and awareness for the rights of the disabled in Nigeria. Public enlightenment programs must be embarked on by government to sensitize the society on the rights of disabled persons. The press and the media must be unrelenting in exposing all forms of discrimination against disabled persons.
  9. Government should ensure through the town planning departments of government in all the States of the federation and the Federal Capital Abuja that new buildings are constructed with accessibility codes and guidelines, remodel old buildings to meet the code and make transport system disability friendly.

### RECOMMENDATIONS

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

1. There is need to urge the Nigerian government to take steps necessary to fully accede to the UN Convention on Rights of Persons with Disability by ratifying it and subsequently domesticating it.
2. The legislature has the duty to harmonize all the bills related to PLWD and ensure that it not only enacts necessary legislations, but that it enacts adequate legislations. The legislations should acknowledge disabled children's rights; should change the attitude of the society towards disability and ensure that disabled children are able to live the normal lives that they are entitled to. Some of the bills in this respect that have been pending before the National Assembly include:
  - a. A Bill for an Act to establish the National Social Security Board and vest it with the responsibility for the control and administration of benefits and assistance to enhance the welfare of citizens especially disadvantaged persons, particularly children, women, the handicapped, the sick, the aged and the unemployed (2000).
  - b. A Bill for an Act to provide special facilities for the use of

handicapped persons in public buildings.

**Signed:**

**Professor Epiphany Azinge, SAN  
Director General**





**THE NIGERIAN INSTITUTE OF ADVANCED LEGAL STUDIES**  
(Emmanuel Ukala Centre for Democracy and Electoral Process)

in collaboration with the  
**National Human Rights Commission**  
and  
**The Federal Ministry of Justice**

Cordially invites you to its  
**One-Day Roundtable**  
on

**2011 ELECTION:  
IMPERATIVES AND CHALLENGES  
FOR CREDIBLE ELECTIONS**

Keynote Address to be delivered by  
**Mr. Mohammed Adoke, SAN,**  
Honourable Attorney General of the  
Federation & Minister of Justice

Under the Distinguished Chairmanship of  
**Professor Ignatius Ayua, SAN**

Special Guest of Honour  
**Professor Attahiru Jega,**  
Chairman,  
Independent National Electoral Commission

**Date:** Tuesday July 27<sup>th</sup> 2010

**Venue:** Kano Hall, Transcorp Hilton Abuja.

**Time:** 10.00am Prompt

**R.S.V.P**

**Kehinde Ikhimiukor- 08056931749**

**Laura Ani - 07035974779**

**Godwin Atsu - 08035877732**



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Under the Distinguished Chairmanship of  
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**Date:** Wednesday August 4, 2010  
**Venue:** Ayo Ajomo Auditorium  
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Unilag Campus, Akoka- Lagos.  
**Time:** 4.00 pm. Prompt

**R.S.V.P**  
**Kehinde Ikhimiukor- 08056931749**  
**Laura Ani - 07035974779**  
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# ROUNDTABLES AND OTHER EVENTS

## JANUARY - JUNE 2010

TITLE	DATE
Terrorism in the Aviation Industry; Imperatives for Best Practices in Nigeria. The Bayo Ojo Center For Aviation and Transportation	January, 19 <sup>th</sup> 2010
Evaluation of Judicial Performance and Integrity Index Since 1999. The Mohammed Uwais Center for Judicial Integrity Assessment	February, 10 <sup>th</sup> 2010
Frontloading: Challenges and Implications for Speedy Dispensation of Justice. The Abdullahi Ibrahim Center for Litigation and Case Law	February 16 <sup>th</sup> , 2010
Policy Dialogue on the Review of the Rome Statute of the International Criminal Court	14 <sup>th</sup> march, 2010
Roundtable on Kidnapping and Abduction: Challenges For National Security.	March, 2 <sup>nd</sup> 2010
International Digital Conference on Forensic Advocacy	April 19-23, 2010
Roundtable on Telecommunication Offences: Unveiling of Borderless Criminality.	March, 4 <sup>th</sup> 2010
Founders Day Lecture by Prof. Chun Hung Lin	March 17, 2010
Roundtable on The Legal Dynamics of Investment in Solid Minerals In Nigeria. Hosted by Hon. Justice A.I. Katsina- Alu Center for Energy and Solid Minerals	March, 9 <sup>th</sup> 2010
Roundtable On Mitigation, Adaptation And Climate Change: Capturing Essential Synergies For Nigeria (Post-Copenhagen).	June, 8 <sup>th</sup> 2010
Induction of the D.G Into The Hall of Fame of The Human Rights Writers Association of Nigeria (HURIWA) ON 25.3.2010	25 <sup>th</sup> March, 2010
Roundtable On Nigeria's Human Rights Challenges: An Omnipresent Battle.	June, 23 <sup>rd</sup> 2010
Induction Into NIALS HALL OF FAME and Reception For Justice Bhagwati and Dinner For CJN	21 <sup>st</sup> April, 2010
New frontiers lecture – Africa on the Cusp of Biotechnology – the Legal and Ethical Aspects of Genetics by Prof. Remigius Nwabueze	18 <sup>th</sup> May, 2010
Roundtable on The Un-served Handicapped: Raising Respect And Awareness For The Rights of The Disabled In Nigeria. Hosted by Jadesola Akande Center for Women, Children and Disabled Persons	June, 28 <sup>th</sup> 2010
First Chike Chigbue, SAN, OFR Memorial Lecture - Redefining Advocacy in Contemporary Legal Practice: a Judicial Perspective by Hon. Justice Chima Centus Nweze, Ph.D. Justice, Court of Appeal	November 2009





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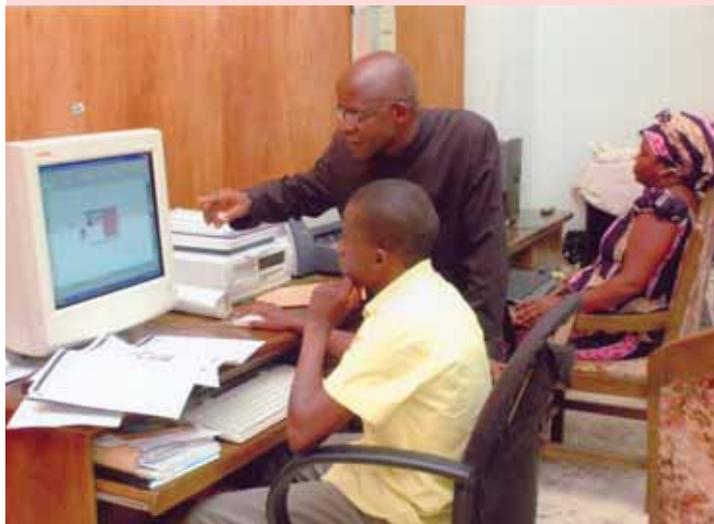
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