



## Federal Ministry of Justice

### **MALAMI INAUGURATES COMMITTEE ON NATIONAL ARBITRATION POLICY**

The Honorable Attorney-General of the Federation and Minister of Justice, Abubakar Malami, SAN has charged the newly inaugurated members of the National Arbitration Policy Committee to come out with a comprehensive policy that will, among other things, ensure that domestic transactions originating and terminating in Nigeria are arbitrated in the country. Malami made this known at the Virtual Inaugural meeting of the Committee for the Development of a National Policy on Arbitration in Nigeria, Tuesday 13th October, 2020.

He said the proposed National Policy would also provide for sanctions against public officers who do not act in the national interest in the



HONOURABLE ATTORNEY GENERAL OF THE FEDERATION/MINISTER OF JUSTICE, ABUBAKAR MALAMI, SAN, GIVING OPENING REMARKS AT THE VIRTUAL MEETING OF THE COMMITTEE ON THE DEVELOPMENT OF A NATIONAL ARBITRATION POLICY, HELD 13<sup>TH</sup> OCTOBER, 2020 AT HAGF'S CONFERENCE ROOM

conduct of their official assignments. He stated that the P&ID case has raised concerns on the impact of arbitral cases and awards against the country leading to calls for the development of a National Policy on Arbitration to guide the arbitral process and agreements in Nigeria. The Committee was charged with the responsibility of developing transformational Arbitration Policy framework that addresses issues relating to arbitration

agreements, government contracts, domestic and foreign contractual relationships and transactions arising or terminating in Nigeria. According to the Minister, the objectives of the proposed policy include protecting Nigeria's economy, ensuring that transactions originating and terminating in Nigeria are arbitrated in Nigeria.

Other objectives are: having the seats/venues of arbitrations in Nigeria thereby creating jobs for and maximally harnessing the talents of

Nigerian lawyers who have specialized in Arbitration as well as saving the country billions of dollars.

The Committee was mandated to review the current laws and policies



L-R HONOURABLE ATTORNEY GENERAL OF THE FEDERATION/MINISTER OF JUSTICE, ABUBAKAR MALAMI, SAN, SPECIAL ASSISTANCE TO THE PRESIDENT ON JUSTICE REFORM & INTERNATIONAL RELATIONS, BARR. JULIET IBEKAKU-NWAGWU RIGHT SPECIAL ASSISTANCE TO THE PRESIDENT ON MEDIA AND PUBLIC RELATIONS IN THE OFFICE OF THE ATTORNEY GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE, DR. UMAR JUBRILU GWANDU AT THE VIRTUAL MEETING OF THE COMMITTEE ON THE DEVELOPMENT OF A NATIONAL ARBITRATION POLICY, HELD 13<sup>TH</sup> OCTOBER, 2020 AT HAGF'S CONFERENCE ROOM

on Arbitration in Nigeria, proffer advice on a new national Arbitration Policy, draft an Executive Order to support the application of the new Arbitration Policy across government agencies, develop an implementation plan; and advise on the required infrastructure for setting up a world standard Arbitration Center in Lagos and Abuja.

“Our goal is to create an arbitration hub in Africa and to ensure that Nigeria remains the venue of arbitration for transactions arising from Nigeria. It is expected that the National Arbitration policy will be applied in respect of government contracts, such that arbitration agreements in respect of all disputes arising from governmental contracts, especially with foreign entities will have Nigeria as the seat of arbitration,” he said.

“It is also expected that the federal and state government agencies will adopt this policy to be applied to all agencies, which will encourage domestic arbitration and curtail the flight of arbitration to other countries,” he added. “I look forward to receiving a copy the National

Arbitration Policy. Once completed, the Policy will be presented to the Federal Executive Council for adoption and implementation”, he concluded.

The Special Assistant to the President on Justice Reform and International Relations, Barrister Juliet Ibekaku-Nwagwu explained that the Specific Terms of Reference will among others; reveal the current law and policies on Arbitration in Nigeria; Advise on a new National Arbitration Policy; draft an Executive Order to support the application of new Arbitration Policy across Government Agencies. Members of the Committee consist of Specialists and Experts in the field of Arbitration as well as representatives of government institutions. They included, Dr. Olisa Agbakoba, SAN, Abubakar B. Mahmoud, SAN, Prof C.J Amasike, of the International Dispute Resolution Institute (IDRI) Mr. Akin Sowemimo, Mr Lawal Hassan from the Federal Ministry of Power and Mrs. Halima L. Halilu from the Bureau of Public Enterprises.

Other Members of the Committee are Wilfred Ikatari, the Director Regional Centre for International Commercial Arbitration, Mr. G. Umar Andumar, Head of Legal, Nigerian Ports Authority, Chike Okoye Representatives of the Nigerian National Petroleum Corporation (NNPC), the Ministries of Budget and National Planning, Transport, Works and Housing, Federal Ministry of Justice Regional Center for Arbitration, Bureau for Private Enterprises and Central Bank of Nigeria (CBN).