

AGREEMENT
BETWEEN THE GOVERNMENT OF NIGERIA
AND THE
ASIAN-AFRICAN LEGAL CONSULTATIVE
COMMITTEE RELATING TO THE REGIONAL
CENTRE FOR ARBITRATION IN LAGOS

WHEREAS a Regional Centre for Arbitration (hereinafter referred to as the 'Centre') under the auspices of the Asian-African Legal Consultative Committee (hereinafter referred to as the 'Committee') in co-operation with the "Host government" was established in Lagos in march 1989 for an initial period of three years, pursuant to an Agreement concluded by an Exchange of letters in 1980 between the Committee and the Host Government on terms and conditions set out in the aforesaid Agreement.

WHEREAS on the expiry of the in initial period of three years and as result of administrative/technical constraints the Centre has not been able to totally fulfil the objectives for which it was established.

WHEREAS it is deemed appropriate by the Host Government to provide for the continued functioning of the Centre on the basis of the said agreement by making available annual grants to meet the operational costs of the Centre as well as provision of suitable administrative office premises;

WHEREAS due recognition is given by the host government to the fact that the Centre is an international, independent, and neutral arbitral institution;

AND WHEREAS following consultations between the Host Government and the Committee it is deemed appropriate to formalise the continued functioning of the Centre for a further period of five years with effect from January 1999 to December 2004.

ITS IS HEREBY AGREED as follows.

ARTICLE I
DUTIES OF THE CENTRE

1. The centre shall have the following duties:
 - (a) promotion of international arbitration in the region;
 - (b) co-ordination of activities and assistance to existing arbitration institutions in the region,
 - (c) assistance to ad hoc arbitrations, especially in cases where they are taking place in accordance with UNCITRAL Rules,
 - (d) assistance in enforcement of arbitral awards;
 - (e) conducting arbitrations under the auspices of the Centre;
 - (f) Enforcement of arbitral awards.

ARTICLE 11
INDEPENDENCE OF THE CENTRE

1. The Centre shall continue to function under the auspices of the Committee only on the basis of co-operation, mutual understanding and goodwill.
2. The Host Government shall respect the independent functioning of the Centre.

ARTICLE III

JURIDICAL PERSONALITY

The Centre shall possess juridical personality and shall have the capacity to contract and dispose of immovable property and to institute legal proceedings in its name in accordance with the relevant provisions of the Nigerian Law.

ARTICLE IV

PRIVILEGE AND IMMUNITIES OF THE CENTRE AND PROFESSIONAL STAFF

1. The Centre shall enjoy such privileges and immunities as may be necessary for the purpose of executing its functions including immunity from suit and legal process.
2. The Host Government shall take the necessary steps to ensure that the premises of the Centre, its property, assets and archives and all documents belonging to it or held by it shall be inviolable.
3. The Host Government shall take the necessary steps to ensure that'
 - (i) the Centre be exempted from customs duties in respect of equipment used by it for its official purposes- and
 - (ii) the Centre, its assets, funds, income and other property whether owned or occupied shall be exempted from taxes.
4. The Host Government shall take steps to ensure that Foreign professional staff of the Centre shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity.
5. The Host Government shall take steps to ensure that Foreign professional staff of the Centre shall be exempted from taxation on the salaries and emoluments paid to them by the Centre.

ARTICLE V

ADMINISTRATION OF THE CENTRE

1. The Centre shall be administrated by a Director who shall be a national of Nigeria and shall be appointed by the Host Government in consultation with the Secretary General of the Committee.
2. The Host Government shall continue to make available Administrative premises and to make an annual grant for the purposes of the functioning of the Centre including the following:
 - (i) operating costs of the Centre;
 - (ii) purchase of office furniture, equipment, stationery, telephones, faxes, etc;
 - (iii) costs of seminars and conferences which are to be conducted in Nigeria under the auspices of the Centre.
3. The Committee shall make an annual contribution towards the operating cost of the Centre as determined by the Liaison officers of the member States of the Committee.
4. The Director shall send annual reports on the Centre is activities to the Secretary general of the Committee and the appropriate department of the Host Government.

ARTICLE VI
INTERPRETATION

This Agreement shall be interpreted in the light of its primary objectives of enabling the centre to fully and efficiently discharge its duties and fulfill its purposes and functions as an independent arbitral institution of an international character.

ARTICLE VII
SUPPLEMENTARY AGREEMENTS

The Government of Nigeria and the Committee may enter into such supplementary agreement(s) as may be necessary to fulfil the purposes of the Agreement.

ARTICLE VIII
DURATION OF AGREEMENT

This Agreement shall be valid initially for a period of five years as from January 1999. At the end of the initial period and subsequent periods, if any, it shall stand automatically renewed for a further period of five years unless a six-month notification is given in writing to the contrary by any of the parties.

ARTICLE IX
ENTRY INTO FORCE

This Agreement shall come into force upon the completion of the legal procedures applicable in Nigeria.

This Agreement is prepared in two originals in English language both texts being equally authentic.

In witness Whereof the Respective Representatives have signed the Agreement on 26th April 1999

For the Asian-African Legal
Consultative Committee

For the Government of Nigeria

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TANG CHENGYUAN
SECRETARY-GENERAL
ASIAN/AFRICAN LEGAL
CONSULTATIVE COMMITTEE
(AALCC)

ABDULAH I BRAHIM (SAN)
HON. ATTORNEY-GENERAL
OF THE FEDERATION OF
NIGERIA AND MINISTER OF
JUSTICE.