

ICSID Secretariat,

You may wish to find below Nigeria Interim Position/comments;

TIMES FRAMES

On the issue of all time frames mentioned which applies to the proposed reforms are in themselves commendable as they expedite cases. However, it is much easier for developed countries that have proper data systems to comply with the timelines. Developing countries who have challenges with record-keeping will struggle to make the deadlines. Moreover, a number of cases could emanate from States or even local governments as concerns Nigeria and it will take developing countries a while to piece together qualitative documents and facts required to meet the narrowed deadlines.

We therefore propose increased timeframes cutting across the proposed timelines, which will take cognisance of the developmental differences in member-States.

Concerning the proposed amendments on issues of Bifurcation, Consent to Publishing Awards, Timelines for rendering Awards, Revised Arbitration Rules for Expedited Proceedings and of course, Security of costs to curb Third Party funding we wish to inform you that the National Working Group are still consulting and will send our comments on these subsequently.

ICSID FOCAL POINT NIGERIA

INTERNATIONAL AND COMPARATIVE LAW DEPARTMENT
FEDERAL MINISTRY OF JUSTICE