

KEYNOTE ADDRESS BY THE HONOURABLE, THE CHIEF JUSTICE OF NIGERIA AND CHAIRMAN, BOARD OF GOVERNORS, NATIONAL JUDICIAL INSTITUTE, HON. JUSTICE MAHMUD MOHAMMED, GCON, DELIVERED AT THE OPENING CEREMONY OF THE 2015 WORKSHOP FOR JUDGES ON LEGAL ISSUES IN TELECOMMUNICATIONS HELD AT IBETO HOTELS, GUDU DISTRICT, ABUJA ON THE 24TH JUNE, 2015.

I feel most delighted to be in your midst to deliver this Keynote Address at the Opening Ceremony of the National Workshop for Judges on Legal Issues in Telecommunications organized by the Nigerian Communications Commission in collaboration with the National Judicial Institute. Let me join previous speakers in welcoming you this very important workshop.

There is no gainsaying that telecommunications plays a pivotal role in the growth of the economic system of any country. It is the main anchor of globalization. While the Nigerian telecommunications industry is gradually becoming highly complex and dynamic, disputes inevitably must arise. Judges should possess adequate knowledge and skills to efficiently adjudicate on the cases that may come before them. This informs the need for this yearly workshop so as to expose judicial officers to the rudiments of the legal and technical aspects of telecommunications and to keep them abreast of evolving international best practices in the sector.

I am happy to say that the National Workshop for Judges on Legal Issues in Telecommunications has received enormous support from the Board of Governors of the Institute since its inception as a result of which it has succeeded in expanding the knowledge base of our judicial officers who have been privileged to participate in this annual programme. Therefore, I must commend the efforts of both the Commission and the Institute for sustaining this synergy over the years.

I must also say that the theme of this year's workshop: *Legal Issues in Telecommunications* is apt and timely as it presents an opportunity for judges, the regulatory authorities, and the telecommunications network service providers to explore the legal and regulatory issues that are emerging, as advanced networks spread through the world, and new services and applications have increasingly gone beyond borders. It is my expectation that the workshop would bring to the fore current issues on National and International legislations, guidelines, regulations and judicial decisions on telecommunication services, management and operations.

I noticed that since the enactment of the Nigerian Communications Commissions Act in 2003, scores of issues relating to telecommunications services, management and operations in Nigeria have arisen. These issues pose legal, regulatory and policy challenges. For instance, one of the greatest challenges in the

sector is the great innovations in the ICT world, which has given rise to the growth of mobile broadband services, new broadband applications and services, in addition to massive influx of smart phones and tablets have created the beginnings of a seismic shift in industry structure and relationships. For example, emerging machine-to machine communications, converged services, cloud services and many more services are giving rise to a new breed of service providers although these new services and providers are in their early stages. The evidence of greater challenges to come is overwhelming.

In addition, the market behaviours in telecommunications and the growing need for customers protection are increasingly becoming complex for courts and regulators in the converged environment of today. E-transactions such as e-commerce, e-payment and e-banking pose major challenges in the legal terrain relating to telecommunications. All these call for a corresponding reflection on the regulation of the industry and it is therefore important to bring to the fore a stimulating discussion on the need for critical overview and review of the Act in order to fill in the gaps and to cover current issues generated by technological advancements in the sector.

It is also important for the workshop to take a look at the dynamic nature of telecommunications and its catalytic effect on the development of other parts of the economy such as agriculture, health, tourism and education as well as its necessity for the

commercial, industrial, socio-economic and political development of our country. I find this imperative as it would entrench a progressive legal framework and efficient judicial system needed to keep pace with the rest of the world.

My Lords and distinguished guests, permit me to emphasise the need for speedy and fair adjudications of telecommunication disputes as a key for an orderly growth and sustainability in the sector. Let me categorically state that the Nigerian Judiciary would remain steadfast and be a great partner in the development of the telecommunications sector through interpretation and enforcement of the laws. On many occasions, courts have demonstrated sensitivity in promoting the rule of law in the sector through judgments.

I must seize this opportunity to emphasise the importance of Alternative Dispute Resolution (ADR) Mechanisms in settling disputes arising from the operations and management of telecommunications. Indeed ADR has become part and parcel of our judicial process. I therefore encourage you to facilitate the use of ADR in your various jurisdictions.

On this note, I wish to thank the management and staff of the Nigerian Communications Commission for their unrelenting efforts in the discharge of their regulatory mandate amongst which is the protection of consumers' rights by ensuring quality services and for

their commitment towards sustaining this synergy which is yielding a fruitful outcome.

In the same manner, I congratulate the National Judicial Institute under the leadership of the amiable and unassuming but industrious Administrator, Hon. Justice R.P.I. Bozimo, *OFR*, for living up to expectations by working hand in hand with the NCC to ensure that the National Workshop for Judges on Legal Issues in Telecommunications remains a sustainable annual programme. It is my hope and prayer that this collaboration will be sustained and nurtured unabated.

I must also thank the Resource Persons and Chairmen of Sessions for accepting to be in our midst and share their wealth of experience and knowledge in this specialized area of the law with us.

My Lords, distinguished ladies and gentlemen, it is now my singular honour to declare the 2015 Workshop Judges on Legal Issues in Telecommunications open. I wish you all very successful and fruitful deliberations.

Thanks and God bless us all

Hon. Justice Mahmud Mohammed, GCON
Chief Justice of Nigeria and Chairman,
Board of Governors, NJI