



NIGERIAN BAR ASSOCIATION

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STATEMENT BY THE PRESIDENT OF THE NIGERIAN BAR ASSOCIATION MR YAKUBU CHONOKO MAIKYAU, OON, SAN, ON THE PURPORTED SIGNING OF THE ENHANCED TRADE INVESTMENT PARTNERSHIP (ETIP) AGREEMENT ON LEGAL SERVICES BETWEEN THE GOVERNMENTS OF NIGERIA AND THE UNITED KINGDOM

13 February 2024

My attention was drawn to the news making round on a number of media platforms on the alleged signing of the Enhanced Trade Investment Partnership (ETIP) Agreement, between the governments of Nigeria and the United Kingdom. It was reported that this agreement seeks to enable cooperation between the two countries in areas such as financial and legal services. More bewildering is the stated provision that will allow lawyers from the United Kingdom to practice in Nigeria. Understandably, this news has generated tremendous disquiet within and outside the legal profession in Nigeria.

The Minister of Industry, Trade and Investment was reported to have expressed delight over what she described as a **“ground-breaking agreement”** that will translate to ‘more money’ for Nigeria. The NBA finds this statement credited to the Honourable Minister ridiculous, unpatriotic, and uninformed. It is indeed unfortunate that this tragic reminder of our colonial past, is being gleefully celebrated at the highest level of the Government of Nigeria. What is more disheartening is the fact that a decision of this magnitude that adversely affects the wellbeing and livelihood of millions of Nigerians, could be taken without any consultation, especially with the Nigerian Bar Association (NBA).

For the avoidance of doubt, the NBA had no foreknowledge or inclination of the text of the said agreement. We could not therefore have contributed to it. I have since assuming office as President of the NBA clearly opposed any agreement that will compromise our legal space. At all the meetings I had with officials of the Law Society of England & Wales and the Bar Council of England & Wales, I never failed to note our opposition to a bilateral agreement between the Government of Nigeria and that of the United Kingdom on legal services. In the workshop I attended with Mr George Etomi on 5 October 2023, convened by the UK-Nigeria Working Group on Trade Policy, with officials of Federal Ministry of Industry, Trade and Investment in attendance, at the Foreign, Commonwealth and Development Office (FCDO), King Charles Street, London, I made the point in unmistakable terms, that the NBA does not support any bilateral agreement with the UK on legal services. I emphasised that we are not yet at a place for such agreement, and that even if we are to enjoy reciprocity with the UK (which is not an acceptable position), knowledge and skills gap is so wide that we cannot favourably compete with the lawyers from the UK. I made it clear that while there can be an agreement or discussion on other trade matters, legal services was not on the table.

We know for certain that the British Government will not undermine its own body of legal professionals in such spectacular fashion as this administration has done to the NBA in the matter of this agreement. It is truly tragic that while the government of the UK is seeking opportunities for its own lawyers beyond its constrained environment, the government of

NATIONAL OFFICERS:

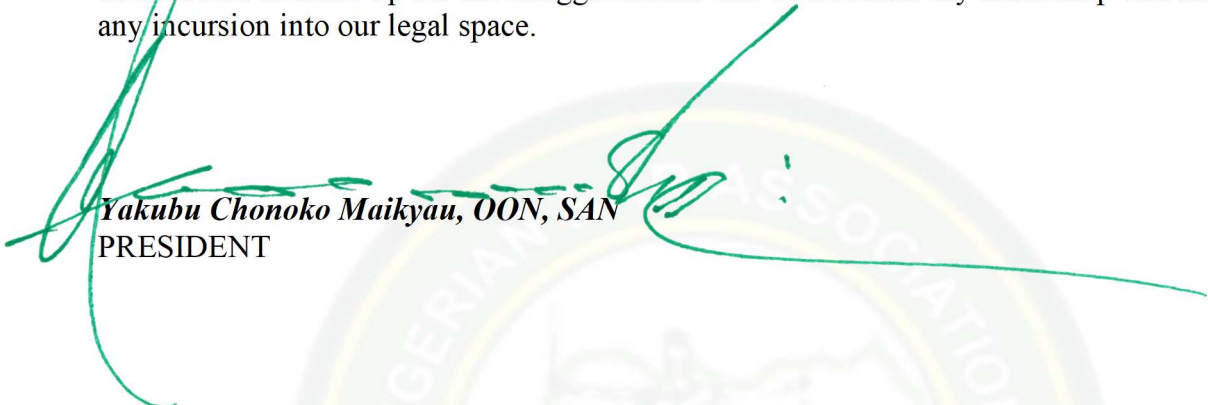
Yakubu Chonoko Maikyu, OON, SAN President

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Nigeria is attempting to deprive Nigerian lawyers and their millions of dependants of means of livelihood. To embark on such a venture without recourse to the NBA is the height of insensitivity to the plight of the legal profession in Nigeria, and this is totally unacceptable.

We want to make it very clear that the ETIP agreement, in so far as it relates to legal services is unacceptable in its entirety. The NBA will take all necessary measures provided by our laws in support of our position on this matter. As a starting point, I have today convened a meeting of senior lawyers with a view to devising an appropriate litigation strategy. We intend to fully challenge the legality of this agreement all the way to the Supreme Court if necessary. This is without prejudice to other intervention measures that may be necessary to express our rejection of this agreement. I want to use this opportunity to call on all members of the NBA to brace up for the struggle ahead. The NBA under my leadership will not allow any incursion into our legal space.



Yakubu Chonoko Maikyaau, OON, SAN
PRESIDENT



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