



COMPOS
MENTIS
LEGAL PRACTITIONERS

**DISPUTE
RESOLUTION
DIGEST**

Q3 2026

Compos Scriba ADR Centre: Expanding the Frontiers of Dispute Resolution

On 7 August 2026, the Compos Scriba Alternative Dispute Resolution (ADR) Centre was formally inaugurated at its headquarters in Ekpan, Uvwie Local Government Area of Delta State. The Centre focuses on alternative dispute resolution practice and is designed to facilitate efficient, confidential, and commercially responsive dispute resolution. The Centre's inauguration reflects the growing

recognition of mediation and arbitration as integral components of modern dispute resolution practice in Nigeria. The Compos Scriba Alternative Dispute Resolution (ADR) Centre is equipped with modern facilities and advanced technology that facilitates both physical and virtual sessions, enabling parties to participate in proceedings from anywhere in the world.

The inauguration was attended by with several distinguished attendees, some of which were representatives of the Delta State Multi-Door Courthouse, following the Centre's earlier engagement with the institution and the invitation extended to its Director-General and team, representative of the Attorney General of Delta State and Commissioner for Justice, the Delta State Chamber of Commerce, Industry, Mines and Agriculture (DACCIMA) and the Nigerian Bar Association (NBA). The Centre is conceived as a dedicated forum through which parties may pursue consensual and adjudicatory mechanisms for dispute resolution, with particular emphasis on procedural efficiency, confidentiality, and preserving commercial relationships. In furtherance

of this objective, the Centre is positioned to provide accessible and effective ADR services to parties in the Effurun/Warri area, across Delta State and other parts of Nigeria, while leveraging its virtual capabilities to facilitate the resolution of disputes involving parties within and outside Nigeria and, ultimately, to serve the wider global dispute-resolution community. Its establishment consequently adds a private institutional dimension to the expanding network of ADR mechanisms available to disputants.



Supreme Court Brings Finality to Providus–Unity Bank Merger

In *Abubakar & Anor v Providus Bank Ltd & Ors*, Appeal No: SC/CV/132/2026, delivered on 1 June 2026, the Supreme Court brought finality to a challenge to the proposed merger between Providus Bank Limited and Unity Bank Plc. The Appellants, who claimed interests as

shareholders and stakeholders in Unity Bank, challenged the merger on grounds including

alleged fraud, forgery, non-compliance with court orders and procedural irregularities. Their challenge proceeded from the Federal High Court to the Court of Appeal and ultimately to the Supreme Court.

In resolving the appeal, the Supreme Court considered the competence and character of the grounds of appeal, including whether

complaints framed as questions of jurisdiction, fraud or forgery were, in substance, questions of law or mixed law and fact. The Court held that the substance and particulars of a ground, rather than its label, determine its true

character, and that allegations requiring

investigation of disputed facts ordinarily raise questions of mixed law and fact. The Court also found no merit in the complaints about the accelerated hearing and dismissed the appeal.

With the appeal thus resolved, the Court turned to the substantive consequence of the

proceedings—the proposed merger itself. Finding that the record contained sufficient material to determine the matter without

further proceedings or delay, the Supreme Court invoked its powers under section 22 of the Supreme Court Act and sanctioned the merger. It ordered the transfer of Unity Bank's assets, liabilities, and undertakings to Providus Bank; the dissolution of Unity Bank without winding up; and the adoption of the name Providus–Unity Bank Limited, among other

consequential orders. The decision illustrates the Court's capacity, where the record permits, to use its section 22 jurisdiction to bring

definitive resolution to commercially significant proceedings.



Seplat Compensation Dispute: Court Limits Legislative Investigative Powers

On 20 July 2026, the Federal High Court, Lagos Division, delivered judgment in *Seplat Energy Producing Nigeria Unlimited v House of*

Representatives, Suit No:

FHC/LAG/CS/862/2026, setting aside a directive of the House of Representatives requiring Seplat Energy Producing Nigeria Unlimited to pay ₦72.624 billion in compensation to

communities in respect of alleged oil-spill

incidents. The directive arose from a House report dated 14 November 2025, which found Seplat liable and directed payment based on valuation reports.

The Court held that although the National

Assembly possesses investigative powers under the Constitution, those powers do not extend to determining civil liability or awarding compensation. By finding Seplat liable and

directing it to pay compensation, the House had effectively assumed a judicial function

constitutionally vested in courts of competent jurisdiction. The Court consequently held that the directive was unconstitutional, null and void, granting the reliefs sought by Seplat.

The decision draws a clear institutional

distinction between legislative investigation and judicial adjudication. While the National



distinction between legislative investigation and judicial adjudication. While the National

Assembly may investigate matters within its constitutional remit, the determination of civil liability arising from alleged wrongs and the consequential award of compensation must be undertaken through the appropriate judicial process. This distinction is particularly

significant for disputes arising from Nigeria's oil and gas sector, where regulatory investigations and claims for civil compensation may

frequently intersect.

Nigeria Signals a New Direction for Investor-State Disputes Settlement: AGF Calls for Reforms.

Speaking at the Heads of Delegations Roundtable during the Chief Legal Advisers Forum (CLAF) 2026 in Singapore on 27 August 2026, the Attorney-General of the Federation (AGF), Lateef Olasunkanmi Fagbemi, SAN, emphasised the need to reform the existing framework for

international investor-State dispute settlement (ISDS). The call formed part of broader efforts to strengthen Nigeria's

domestic judicial institutions and address challenges arising from the current ISDS framework, drawing on Nigeria's experience in the Process and Industrial Developments Ltd v The Federal Republic of Nigeria

arbitration. He further called for a review of Nigeria's investment treaty obligations in light of emerging developments in international investment arbitration.

The Attorney General's position is particularly significant and in line with the ongoing global reform of Investor-State Dispute Settlement (ISDS). The United Nations Commission on International Trade (UNCITRAL) Working Group III is currently considering reforms to address procedural issues, damages, and compensation in investor-state dispute settlement. Sessions are scheduled from October 2026 to

October 2027, with the earliest being the session in Vienna from 12 to 16 October

2027. The call for stronger domestic judicial institutions also aligns with recent steps taken by the Nigerian Investment Promotion Commission (NIPC) in May 2026, when it engaged with the International Centre for Settlement of Investment Disputes (ICSID) to deepen collaboration on investment dispute prevention and resolution in Nigeria.

The proposed reforms may positively impact Nigeria's dispute resolution landscape and promote investment in the Nigerian economy while protecting national sovereignty and the public interest.



Beyond the Courts: Nigeria's Proposed Commercial Dispute Resolution Tribunal

In June 2026, the Minister of Finance and Coordinating Minister of the Economy, Mr. Taiwo Oyedele, at the Second Biennial Conference of the Capital Market Academics of Nigeria (CMAN), proposed the establishment of a specialised Commercial Dispute Resolution Tribunal to accelerate the resolution of commercial disputes in Nigeria. The proposal was made in view of growing concerns over prolonged commercial litigation, which usually takes a longer timeline to conclude in courts.

The proposed Tribunal is to be used as a tool to complement the existing dispute resolution mechanisms by ensuring the speedy determination of commercial disputes. The use of digital case management systems, technology-driven proceedings and mandatory timelines are to be maximised in order to achieve that result. The Tribunal will include experts in commercial, financial and capital-market matters including judges and arbitrators.

The proposal, if implemented, would have significant implications for dispute-resolution in Nigeria. A tribunal specifically created for commercial disputes would



develop judicial and arbitral expertise in complex areas such as banking, finance, securities, capital markets and commercial contracts. It will also ensure speedier resolution of disputes and improve investor confidence.

Identity Theft, KYC and the Evolving Scope of Data Controller Liability in Nigeria: A case study of Olukunjuwon v Moniepoint Microfinance Bank Ltd.

On 30 July 2026, the High Court of Oyo state delivered a significant judgement bordering on Nigeria's developing data protection jurisprudence. In *Olukunjuwon v Moniepoint Microfinance Bank Ltd*, Suit No:

MIW/014/2026, the Applicant instituted the matter in Court alleging that two Moniepoint accounts had been opened in her name using her personal data including her National

Identification Number (NIN) and Bank Verification Number (BVN) without her knowledge, consent or authorisation. The

Applicant maintained that her personal data had been unlawfully processed by the

Respondent, which constitutes a breach under Section 37 of the Constitution,

Section 24 of the Nigerian Data Protection Act and Article 32(1) of the NDPA General

Application and Implementation Directive (GAID) 2025.

In delivering the Judgement, Hon Justice M.L Owolabi held that the act of the Respondent constituted a violation of the Applicant's right to privacy and that by opening an account with her personal details without her authorisation, the Bank breached its duties under the Data Protection Act and an

order was made directing them to close the Moniepoint accounts associated with the

Applicant. The Court found that the Respondent processed the data without appropriate identity verification. Further, damages in the sum of N3,000,000 (Three Million Naira) was awarded in favour of the Applicant.

This decision is important to Nigeria's emerging data-protection drive as it intertwines KYC obligations with data-controller liability. It recognises identity theft as a major threat to online banking and the negative effect it has on data subjects. It also emphasises the duty of digital financial institutions to safeguard the integrity of their platform and maintain adequate verification systems.



Tecnimont Wins Against EuroChem in a Longstanding Arbitral Battle.

On 28 August 2026, an International Chamber of Commerce (ICC) arbitral tribunal seated in London delivered a partial final award in the dispute between Tecnimont, its subsidiary MT Russia LLC and EuroChem over the

construction of the K2 fertiliser plant in Russia. The dispute traces its background to June 2020 when EuroChem contracted

Tecnimont to construct the K2 fertilizer plant in Russia. However, Tecnimont suspended performance in 2022, citing the impact of

European sanctions imposed following

Russia's invasion of Ukraine. In response, EuroChem purportedly terminated the

contract, alleging non-performance, after which Tecnimont initiated arbitration under the arbitration agreement in the Contract.

The Tribunal found that Tecnimont lawfully suspended performance of the K2 and that EuroChem's termination of the contract was wrongful. EuroChem was ordered to pay

approximately €260 million to Tecnimont and its subsidiary, while EuroChem's

counterclaims against Tecnimont and its

subsidiary for damages amounting to €1.6

billion was dismissed. The arbitration is

expected to proceed to Phase 2, which will



compensation, including claims arising from related proceedings.

This case underscores the importance of clearly drafted arbitration agreements,

particularly in complex international

commercial contracts. The recognition of the London-seated ICC tribunal as the agreed forum for resolving disputes arising from the

contracts reinforces the principle that

parties are bound by their chosen dispute resolution mechanism. More broadly, the case demonstrates the effectiveness of

international arbitration as a reliable and

efficient mechanism for resolving complex cross-border commercial disputes.

Supreme Court Recasts the Boundaries of Maritime Jurisdiction in GHL Dispute

The Supreme Court, in its judgment in *General Hydrocarbons Ltd v First Bank of Nigeria Ltd & Ors* (unreported), delivered on 3 July 2026, held that a dispute arising from an alleged failure to remit crude oil sale proceeds under a financing arrangement was fundamentally contractual and commercial, rather than a maritime claim. The dispute arose from an arrangement under which First Bank financed the development and operation of OML 120, while General Hydrocarbons Limited (GHL) was required to pay proceeds from crude oil sales into a designated collection account maintained with the Bank. Following allegations that the proceeds had not been remitted as agreed, the Bank sought orders resulting in the arrest and proposed sale of crude cargo produced from OML 120.

The Supreme Court held that the Federal High Court lacked admiralty jurisdiction because the substance of the dispute concerned an alleged breach of a financing agreement and recovery of monies, rather than ownership of the vessel, the crude cargo or a maritime right. The Court further held that the contractual obligation to remit crude oil sale proceeds did not confer upon First Bank any ownership or security interest in the crude cargo that could justify its

arrest and sale through admiralty proceedings.

proceedings and consequential orders were therefore set aside, and the Court directed the release of the crude cargo to GHL. First Bank was also ordered to pay ₦5 million in costs.

The decision is significant to commercial and oil and gas litigation in Nigeria as it reinforces the importance of determining the true nature of a claim before invoking the specialised jurisdiction of the Federal High Court. It further demonstrates that a contractual entitlement to payment from the proceeds of crude oil sales does not, without more, transform a banking or commercial dispute into an admiralty claim capable of supporting the arrest and sale of the underlying cargo.



FCT Rein vigorates ADR Framework for Land Disputes

On 16 September 2026, the Department of Land Administration of the Federal Capital Territory Administration (FCTA)

reconstituted its Alternative Dispute

Resolution (ADR) Committee to facilitate the faster, transparent and efficient

resolution of land-related disputes within the Federal Capital Territory. The

reconstituted Committee is tasked with mediating and conciliating between parties involved in land disputes, reviewing

complaints and petitions, examining

relevant land records and engaging affected parties before advising the FCTA on

appropriate and equitable resolutions. The initiative is intended to provide an

alternative to prolonged litigation and

promote amicable settlement of

land-related disputes.

The Committee's mandate reflects a

structured approach to resolving disputes arising from land administration by

requiring complaints to be examined against relevant land records and the

circumstances of the affected parties before recommendations are made. The

Committee is also expected to promote compliance with terms mutually agreed by disputing parties, thereby placing emphasis not merely on settlement but on

effective implementation of agreed resolutions.

The development is significant to Nigeria's evolving ADR landscape, particularly in the context of land administration, where

disputes may involve allocation, title,

documentation and other administrative issues. By strengthening an institutional

mechanism for mediation and conciliation, the FCTA has reinforced the role of

consensual dispute resolution as an

alternative avenue for addressing

land-related grievances without immediate recourse to conventional litigation.



Court of Appeal Defines the Limits of Interlocutory Injunctions in COSON Dispute

On 9 July 2026, the Court of Appeal, Lagos Judicial Division, delivered judgment in Copyright Society of Nigeria Ltd/Gte v

Nigerian Copyright Commission, Appeal No. CA/LAG/CV/166/2022, concerning the refusal of an interlocutory injunction sought by the Copyright Society of Nigeria Ltd/Gte (COSON) against the Nigerian Copyright Commission (NCC). COSON's substantive action challenged regulatory measures

affecting its operation as a Collective

Management Organisation. Pending

determination of the substantive suit, COSON sought an injunction restraining the NCC from interfering with its operations, management, funds, bank accounts, audits and royalty-collection activities. The Federal High Court had refused the application, prompting the appeal.

The Court of Appeal unanimously dismissed the interlocutory appeal and awarded ₦200,000 costs against COSON. In reaching its decision, the Court considered the status of COSON's operating approval, which had been suspended in April 2018 and

subsequently expired in May 2019, before

the commencement of the substantive

proceedings.

The Court held that there was therefore no subsisting approval capable of being

preserved by an interlocutory injunction. It reaffirmed that the purpose of an

interlocutory injunction is to preserve the

existing state of affairs pending

determination of the substantive dispute and not to reverse an act that had already

occurred before proceedings were

commenced.

The decision is significant to Nigerian civil procedure and intellectual property

regulation as it reinforces the distinction

between preserving an existing right and seeking to restore a right that has already ceased to exist. It also demonstrates the

importance of establishing the existence of a subsisting legal or proprietary interest before seeking interlocutory relief. The

judgment, however, concerned the

interlocutory application and did not finally determine COSON's substantive challenge to the regulatory powers of the NCC.