



Babatunde J. Fagbohunlu SAN

Aluko & Oyebo

1, Murtala Muhammed Drive
Ikoyi, Lagos
Nigeria
Email: tunde.fagbohunlu@aluko-oyebode.com
Website: www.aluko-oyebode.com

Date of Birth: 4 May 1967

Nationality: Nigerian

Tunde Fagbohunlu joined the firm of Aluko & Oyebo (Barristers & Solicitors) in 1993. He is a Partner and head of the firm's Litigation, Arbitration and ADR Practice Group.

Tunde is a barrister and solicitor of the Supreme Court of Nigeria (admitted 1988). In December 2008, he was conferred with the rank of Senior Advocate of Nigeria (SAN) by the Nigerian Legal Practitioners Privileges Committee, a Nigerian equivalent of the English Queen's Counsel.

Tunde specializes in commercial litigation and has litigated an extensive range of issues, including those pertaining to oil and gas, maritime, intellectual property, telecommunications, taxation, finance and banking, construction contracts, receiverships and insolvency, commercial law transactions and general litigation both at trial and appellate levels.

Tunde has represented various multinational oil companies, telecommunication companies and banks, including ad hoc arbitrations and arbitrations administered by arbitral institutions such as the International Court of Arbitration of the ICC. He renders legal advice on a wide range of commercial transactions. He has also been appointed arbitrator in several arbitration proceedings

In Chambers Global 2013 legal rankings he was described as "*hard-working and thorough*" respected by peers for his litigation skills, and is also increasingly involved in arbitration

Tunde's expertise has also been recognised in publications such as Who's Who Legal Nigeria 2010 and 2012, where he was described as a "fantastic litigator" and he was noted for his "craftsmanship" in constructing legal arguments when representing international entities in arbitration proceedings.

Experience as Counsel

Tunde acted as Co-counsel with Freshfields, Bruckhaus, Derringer LLP in ad-hoc arbitration under UNCITRAL Rules of Arbitration (Deep Offshore Production Sharing Contract dispute)

He acted as Co-counsel with Hogan Lovells International LLP in ad-hoc arbitration under UNCITRAL Rules of Arbitration (Venue: Abuja, Nigeria) (Deep Offshore Production Sharing Contract dispute)

He acted as Lead Counsel in ad-hoc arbitration under UNCITRAL Rules of Arbitration (Venue: Lagos, Nigeria) (Construction dispute arising from contract for engineering, procurement and construction works for an oil and gas flow station)

He acted as Lead Counsel in ad-hoc arbitration under UNCITRAL Rules of Arbitration (Venue: Lagos, Nigeria) (Construction dispute arising from contract for engineering, procurement and construction works for the Bonny Oil Export Terminal)

He acted as Counsel in International Chamber of Commerce (ICC) Arbitration, (Documents only arbitration (shareholder dispute)

He acted as Lead Counsel in International Chamber of Commerce (ICC) Arbitration, (Venue: Lagos, Nigeria and Accra, Ghana) (Marginal Oilfield Joint Venture Agreement dispute)

He acted as Lead Counsel in International Chamber of Commerce (ICC) Arbitration (Venue: Lagos, Nigeria) (contractual dispute arising from overseas supply and installation contract for the 8th All Africa Games, Nigeria (2003))

He acted as Lead Counsel in ad-hoc arbitration under UNCITRAL Rules of Arbitration (Venue: Lagos, Nigeria) (dispute arising from charter of barge and anchor handling tugs)

He advised and represented a client in an arbitration involving a dispute in relation to Petroleum Profit Tax in the context of a Deep Offshore Production Sharing Contract

He advised and represented a client in an appeal before the Tax Appeal Tribunal in a dispute involving the process for assessment of Education Tax, arising in the context of a Deep Offshore Production Sharing Contract.

He advised a client on Withholding Tax issues in the context of an EPC contract.

Experience as Arbitrator

Member, three-man arbitral panel in Shipping/Charterparty Arbitration (Venue: Lagos, Nigeria)

Sole Arbitrator in Insurance Arbitration (Venue: Lagos, Nigeria)

Sole Arbitrator in dispute arising from lease of Marine Barge & Jetty (Venue: Lagos, Nigeria)

Member, three-man arbitral panel in Hotel Construction Contract dispute (Venue: Lagos, Nigeria).

Sole Arbitrator, contract dispute arising from sale and skeleton building agreement, ad-hoc arbitration under UNCITRAL Rules of Arbitration, (Venue: Lagos, Nigeria)

Chairman, three-man arbitral panel, ad-hoc arbitration involving onshore oil drilling contract, Lagos, Nigeria (2014)

Chairman, three-man arbitral panel, ad-hoc arbitration involving agency agreement in the automobile industry, Lagos, Nigeria (2016)

Sole Arbitrator, ad-hoc arbitration involving Joint Venture Agreement for project management of an EPC contract in the oil and gas industry (Lagos, 2016)

Member, three-man panel, ICC arbitration arising from an international contract for the rehabilitation of urban town roads (2017 – ongoing)

Member, three-man panel, LCIA arbitration arising from an international agreement for the construction of high voltage electricity plants (2017 – ongoing).

Arbitration/ADR Publications

- Arbitration in Africa – A Review of Key Jurisdictions (Sweet & Maxwell, 2016) – co-authored with Kamal Rasiklal Shah and John Miles
- “The Principle of Limited Court Intervention Survives in Nigeria But How far will the Courts Go? – Kluwer Arbitration Blog, 2nd August 2013
<http://globalarbitrationreview.com/news/article/31789/statoil-chevron-overtun-nigerian-injunction/>
- “Are Maritime Arbitration Clauses Valid?” – “The Arbitrator”, Volume 2, No. 1, at pages 2-5
- The Nigerian Chapter on International Arbitration – The International Comparative Legal Guide to International Arbitration 2005- 2007
- “ A case for a Different Analytical Approach to the Enforcement of International Arbitration Agreements: The M.V. Lupex in Perspective” (2009) Vol. 1 Appellate Review page 81
- Co-Author Nigerian Chapter – GAR Know – How on Investment Treaty Arbitration
<http://www.globalarbitrationreview.com/know-how/topics/66/jurisdictions/18/nigeria/>

Speaking Engagements include:

- i. “Arbitration, Africa and putting the Ball in the Net: Rising Stars in the League” – ICC UK Symposium, Hogan Lovells LLP, London, UK, (July 2010)
- ii. “Arbitrator Ethics” – ICC Nigeria Seminar (May 2012)
- iii. “The future of Arbitration in Africa” – Africa Legal Network (ALN) and Stephenson Harwood Seminar on Arbitration in Africa (London, September 2012)
- iv. “Arbitration in Africa” - Hogan Lovells’ Africa Client Forum (London, March 2013)
- v. Young ICCA Skills Training Workshop (South Africa, March 2013)

Arbitration/ADR Related Memberships

- Member, LCIA Court of Arbitration
- Chairman, Board of Governors, Lagos Chamber of Commerce International Arbitration Centre (LACIAC)
- Member, International Arbitration Institute, Paris
- Member, Chartered Institute of Arbitrators, UK
- Member, Chartered Institute of Arbitrators, UK (Nigeria Branch)
- Member, London Court of International Arbitration (LCIA) African Users Council

Arbitration Panel Listing

