



ADAMAWA STATE POLICY ON THE ESTABLISHMENT OF A DEDICATED DISPUTE RESOLUTION MECHANISM FOR FIBER OPTIC INFRASTRUCTURE DEPLOYMENT

Adamawa State Government ICT Policies and Procedures

adamawastate.gov.ng

Effective from: November 2024

Policy Version: v.01

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1. Introduction

The Adamawa State Government recognizes that the successful deployment and sustainability of fiber optic infrastructure — a cornerstone of the state's digital transformation agenda — depend not only on technical planning and investment but also on an efficient, predictable, and impartial system for resolving disputes.

Investors and service providers frequently encounter challenges related to right-of-way access, inter-agency coordination, community relations, regulatory clarity, and damage to deployed infrastructure. These issues often result in project delays, increased costs, and reduced investor confidence.

To address these challenges and support the objectives of the State Action on Business Enabling Reforms (SABER), the ASITDA Law (2024), and broader digital economy initiatives, this policy establishes a dedicated, time-bound, and impartial dispute resolution mechanism specifically tailored to fiber optic and broadband infrastructure projects.

This mechanism will ensure fairness, transparency, and timely redress for all stakeholders, including private investors, government agencies, local communities, and public utilities.

2. Purpose / Objectives

The primary objectives of this policy are:

1. To establish a fast-track, low-cost dispute resolution framework for conflicts arising from fiber optic infrastructure deployment and operation.
2. To minimize project delays caused by unresolved administrative or operational disputes.
3. To enhance investor confidence through enforceable, transparent, and neutral adjudication processes.
4. To define clear roles and responsibilities among MDAs, investors, and communities in conflict prevention and resolution.

5. To complement existing policies such as the Right of Way Regulation (2023), Dig Once Policy (2024), and Nigeria Startup Act Implementation Framework.
6. To institutionalize accountability for damages to critical digital infrastructure, including liability of MDAs and third parties.

3. Scope

This policy applies to:

- All fiber optic cable deployment, maintenance, and expansion projects within Adamawa State.
- Disputes involving:
 - Right-of-Way (RoW) access and permit delays
 - Damage to infrastructure by road/construction works
 - Conflicting directives from different Ministries, Departments, and Agencies (MDAs)
 - Applicability of land use charges, sanitation levies, environmental fees, and tenement rates on underground fiber
 - Community-based obstructions or unauthorized charges
 - Breach of PPP agreements, anchor tenancy guarantees, or incentive commitments
- Stakeholders including:
 - Telecommunications companies, Internet Service Providers (ISPs), infrastructure providers
 - State and local government agencies
 - Contractors and construction firms
 - Community leaders and affected residents

Note: Criminal acts such as deliberate vandalism remain subject to prosecution under penal law, but civil claims arising from such incidents fall under this mechanism.

4. Policy Guidelines

4.1 Establishment of the Panel

There is hereby established the Adamawa State Digital Infrastructure Dispute Resolution Panel (AS-DIDRP), operating under the oversight of the Office of the Secretary to the State Government (SSG) and hosted administratively by the Adamawa State ICT and Digital Economy Agency (ASITDA).

4.2 Composition of the Panel

The AS-DIDRP shall consist of five (5) members appointed by the Governor upon recommendation of the SSG for a term of three (3) years, renewable once:

1. Chairperson: A retired Judge or Senior Legal Practitioner with expertise in infrastructure and administrative law (*Neutral Arbiter*)
2. Technical Member: Telecom engineer or infrastructure expert (e.g., former NCC official or industry veteran)
3. Government Representative: Director-level officer from the Ministry of Justice
4. Private Sector Representative: Nominated in consultation with ALTON, NATELMA, or other recognized telecom associations
5. Civil Society/Community Representative: Expert in conflict resolution, rural development, or consumer protection

Quorum requires at least four members. No sitting executive official may serve as Chairperson.

4.3 Case Handling Process

<i>Step</i>	<i>Timeline</i>	<i>Responsibility</i>
<i>Complaint Lodged</i>	Within 24 hours of submission	ASITDA Secretariat
<i>Acknowledgment & Preliminary Assessment</i>	3 working days	Dispute Resolution Unit
<i>Mediation Attempt</i>	5 working days	Panel Mediator

<i>Full Hearing (if unresolved)</i>	Scheduled within 7 days	AS-DIDRP Panel
<i>Final Ruling Issued</i>	Within 14 calendar days of filing	Panel Chair
<i>Enforcement Monitoring</i>	Ongoing for 90 days post-ruling	ASITDA Compliance Team

All rulings are binding unless appealed in a court of competent jurisdiction within 14 days.

4.4 Transparency and Accessibility

- A dedicated online portal will be developed for complaint submission, tracking, and publication of anonymized case summaries.
- Quarterly reports on resolved cases, average resolution time, and stakeholder feedback will be published on the state website.
- Hyperlinks to relevant laws, regulations, and guidelines (e.g., RoW Regulation, ASITDA Act) will be provided in all communications.

4.5 Exclusions

- Matters already before a court of law
- National security-related infrastructure decisions made by federal authorities
- Internal labor disputes within private companies

5. Roles and Responsibilities

<i>Roles</i>	<i>Responsibility</i>
<i>Office of the SSG</i>	Overall policy oversight, appointment of panel members, budget advocacy
<i>ASITDA</i>	Hosts secretariat, manages operations, provides technical support, maintains database

<i>Ministry of Justice</i>	Legal advisory role; ensures alignment with state and national laws
<i>Ministry of Finance</i>	Facilitates budgetary provision and financial sustainability
<i>Telecom Operators & ISPs</i>	Participate in good faith, provide evidence, comply with rulings
<i>MDAs (Works, Environment, Urban Development, etc.)</i>	Cooperate with investigations, implement corrective actions, prevent future violations
<i>Local Governments & Community Leaders</i>	Encourage peaceful engagement, refrain from imposing unauthorized charges
<i>Investment Promotion Agency</i>	Integrate mechanism into investor onboarding and assurance package

6. Compliance / Enforcement

- The Adamawa State Government shall conduct biannual audits of dispute resolution outcomes and enforcement compliance.
- Failure by any MDA or contractor to comply with a ruling may result in:
 - Financial penalties
 - Suspension of permits or contracts
 - Public naming in quarterly reports
- Incentives for compliance include:
 - Priority consideration in future infrastructure partnerships
 - Recognition in annual digital economy awards
- A publicly accessible dashboard will track enforcement status of all rulings.

7. Review and Amendments

- This policy shall be reviewed every two years or earlier based on stakeholder feedback.
- Consultative forums will be held annually with:
 - Telecom operators (via ALTON/NATELMA)
 - Investor groups
 - Civil society organizations
 - Academic institutions
- Proposed amendments must be approved by the Executive Council after due process.

8. Conclusion

The establishment of the Adamawa State Digital Infrastructure Dispute Resolution Panel (AS-DIDRP) marks a significant step toward creating a predictable, fair, and investment-friendly environment for digital infrastructure development.

By ensuring swift, impartial, and enforceable resolution of disputes, Adamawa State reaffirms its commitment to becoming a leader in sub-national digital governance in Nigeria. This policy complements ongoing reforms such as zero RoW charges, the *Dig Once* initiative, and public-private partnership frameworks.

All stakeholders are encouraged to engage constructively with this mechanism to build a resilient, inclusive, and future-ready digital economy for the people of Adamawa State.