



NIGERIAN BAR ASSOCIATION

BODY OF CHAIRMEN RIVERS STATE

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PRESS STATEMENT ISSUED BY THE CHAIRMEN OF THE 8 (EIGHT) BRANCHES OF NIGERIA BAR ASSOCIATION IN RIVERS STATE ON THE RELOCATION OF THE NBA ANNUAL GENERAL CONFERENCE, THE DISMANTLING OF DEMOCRATIC INSTITUTIONS AND DISREGARD OF THE RULE OF LAW IN RIVERS-STATE

15th April, 2025

We the Chairmen of the 8 (Eight) Branches of the Nigerian Bar Association (N.B.A.) in Rivers State, in line with the objective of the N.B.A. in Promoting the Rule of Law, and after full deliberations and having the constitutional mandate of our Branches, do state as follows:

1. The fact that Rivers State, our dear State is under emergency rule as declared by Bola Ahmed Tinubu (GCFR), President of the Federal Republic of Nigeria and approved by the National Assembly, and endorsed by the Attorney-General of the Federation, is no longer news. The declaration, which further contained the suspension of the democratically elected Governor of the State, His Excellency Sir Siminalayi Fubara (GSSR), his Deputy and the Members of the Rivers State House of Assembly and the appointment of a Sole Administrator for the State, was hinged on the need to secure the Federal Government economic assets in the State and maintain peace and stability, while a Reconciliation Committee was expected to work at resolving the political issues between the suspended Governor and the 27 (Twenty Seven) State Assembly Lawmakers.
2. The reaction of the Nigerian Bar Association as adequately captured in the address of the National President of our Association, Mazi Afam Osigwe (S.A.N.) in the Press Release of 18th March, 2025 entitled *"State of Emergency in Rivers, 'Suspension' or Otherwise Summary Removal of a Democratically Elected Governor and Other Elected Officials is Unconstitutional,"* has been in the public domain with the full concurrence of its members and we the Chairmen of the 8 (Eight) NBA Branches in Rivers State.
3. Since the above declarations, we have observed with shock and dismay that, rather than the peace-building efforts that was promised by the President, tension has steadily

escalated in Rivers State, arbitrariness and impunity have been displayed on a daily basis and democratic institutions have been demobilized in a gestapo, military style and the legal provisions and judicial pronouncements flagrantly disregarded and treated with disdain. Political appointments are being made by the Sole administrator, Vice-Admiral Ibok Ete-Ibas with military fiat, without approval being sought from the National Assembly or any known legal institution for that matter. In all of these happenings, there has been no sign or any word from the so-called Peace or Reconciliation Committee supposedly set up to resolve the political impasse. It has gradually become clear that the leadership of our State has been hijacked to serve specific interests, without due regard for the peace and stability of the state, the economy of the state or the nation for that matter, and the well-being of the people of Rivers State.

4. From the above positions, it was our understanding that the intendment of the declaration of the State of Emergency by the President and his appointment of the Sole Administrator, is for the maintenance of the peace and security in the State, to wit to secure the pipelines and related facilities in the State from being blown up and to prevent attacks on them that would sabotage the overall economic interest of the Country.
5. Accordingly, it is our view that the role of the Sole Administrator in the circumstance DOES NOT cover or extend to the steps already taken by the Sole Administrator in dismantling already established democratic institutions of the State which include Boards, Agencies, Councils, Commissions and Parastatals, etc., and appointing replacements for the persons removed from the offices, which has been done by the Sole Administrator in gross violations of the laid down procedures for the removal and appointment of such officers of the Boards, Agencies, Councils, Commissions and Parastatals, etc. in the State.
6. The mandate of the Sole Administrator in our view also DOES NOT extend to the preparation or presentation of any budget, especially for infrastructural development in the State; and certainly does not cover for the appointment of administrators for the 23 (Twenty Three) Local Government Areas in the State, in further violation of the Constitution of the Federal Republic of Nigeria and the Judgments of the Courts that Local Government Councils cannot be headed by appointed Administrators but by duly elected Chairmen!
7. Indeed, the release of the State's allocation by the Federal Government to the Sole Administrator upon his assumption of office, against the decision in the Supreme Court Judgment of 28th February, 2025 and without a proper Appropriation Bill passed and signed into Law, or the election of Local Government Chairmen, which were the accusations levelled against the suspended State Governor, is baffling and points clearly

to a selective implementation of the said Judgment of the Supreme Court by the Federal Government.

8. The cumulative effect of the above actions of the Sole Administrator, are clearly at variance with the Rule of Law and are capable of causing a breakdown of Law and Order in Rivers State as tensions escalate, uncertainty pervades the air and members of the society feel compelled to react to the situation and voice their displeasures.
9. One of the fallouts of the questionable actions of the Sole Administrator is the blatant violation of the human rights in the State by members of the Nigerian Police on Monday 7th April, 2025, when a group of individuals on a peaceful protest match against the State of Emergency in the State and journalists from various media houses, were attacked, assaulted and tear-gassed by armed officers of the Nigerian Police Command in Rivers State and other security outfits in the State around the C.F.C. flyover area of Port Harcourt. Such actions are unacceptable in a democratic society, if we truly claim to still exist in one with the 1999 Constitution (as amended) still operational.
10. The actions of the Sole Administrator have also become one of the reasons for the unfortunate relocation of the venue of the Annual General Conference of the Nigerian Bar Association from Rivers State to Enugu State, leading to an immeasurable colossal loss to businesses in Rivers State, especially the hospitality Industry, and loss of job opportunities for the period. The conference was expected to cater for up to 30,000 (Thirty Thousand) lawyers, thereby boosting the economy of the State, but has now been sadly impacted by fallouts from the declared State of Emergency.

WE THEREFORE MAKE THE FOLLOWING SUBMISSIONS:

- i. We condemn in its entirety the indiscriminate dissolution of Boards, Commissions, Councils and other government institutions, and replacement of their members by the Sole Administrator with other individuals without due regard to constitutional and legislative provisions with respect to those Institutions.
- ii. We condemn the undemocratic appointment of Administrators to head the 23 (Twenty Three) Local Government Area Councils of Rivers State in contravention of the Judgment of the Supreme Court in the case of the ATTORNEY-GENERAL OF THE FEDERATION V. THE ATTORNEYS-GENERAL OF THE 36 STATES OF THE FEDERATION as delivered in July, 2024 that *inter alia* outlawed the appointment by Governors of Caretaker Committees to handle the affairs of Local Government Councils. Consequently, we call on the Sole Administrator of the State to desist from dismantling of democratic institutions and cease the undemocratic appointments in the State, and rather concentrate on his mandate of ensuring the security of Federal Government assets and interests, and the stability of the State. He should also desist from carrying out political activities which would further escalate tensions in Rivers State, as he is expected to be apolitical and not to conduct

himself as a stooge of any of the parties in the political *imbroglio*. Accordingly, we advise the Sole Administrator to desist from going beyond the mandate as given to him by the President and approved by the National Assembly.

- iii. We condemn the harassment, intimidation and assault of peaceful protesters and Journalists in the State by officers of the Nigerian Police as they are in violations of their Constitutional right to peaceful assembly and freedom of expression, and we categorically state that the NBA Human Rights Committees in the State would be available to pursue the legal claims of any victims of the said Police action. Accordingly, we call on the Nigerian Police and other security Agencies to desist from further aggravation of the tension in the State. Rather, they should concentrate on doing their lawful duties of maintaining peace and security in the State.
- iv. We call on the President of the Federal Republic of Nigeria, President Bola Ahmed Tinubu and the leadership of the National Assembly to take necessary steps to rein-in the Sole Administration in Rivers State and ensure he keeps within the mandate given to him on his appointment, to save Rivers State from further crisis. We also urge the Presidency to do everything within its power, in line with the Rule of Law, to ensure the return of full democratic governance to the State on or before the 6 (Six) months tenure of the Sole Administrator.
- v. We call on the Peace or Reconciliation Committee of the National Assembly to swing into action and dispassionately carry out its role of reconciliation and peace-building in Rivers State to avoid further economic losses and degeneration of the political crisis and escalation of tension in the State. Accordingly, we wish to emphasize the position of our National President, Mazi Afam Osiagwu (S.A.N.) that the N.B.A. is ready and available to be part of the reconciliation process.

CONCLUSION,

We stand with the good people of Rivers State in these trying times in the history of our State and empathize with the business owners affected by the unfortunate relocation of the N.B.A. Annual General Conference from Rivers State to Enugu State. We urge you all to remain law abiding and continue to seek legal means of redress in resolution of disputes, as we remain courageous in the defence of the integrity of our State and the Country. The N.B.A. re-affirms its resolve to uphold the Rule of Law in the State, and to continue to serve the society by rendering *pro bono* services for rights violations through our Human Rights Committees. Let us continue to join hands to pray and work towards the return of normalcy to our dear State.

God bless Rivers State!

SIGNED BY

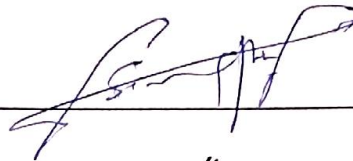
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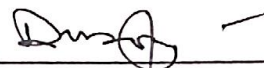
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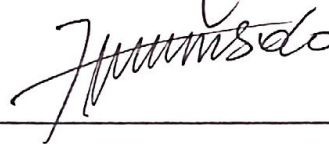
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