

PRESS STATEMENT

Port Harcourt, Rivers State | *August 4, 2025.*

CIVIL SOCIETY GROUPS CONDEMN PLANNED RIVERS LG ELECTIONS AS UNCONSTITUTIONAL, CALLS FOR IMMEDIATE SUSPENSION, AND RETURN OF CONSTITUTIONAL ORDER IN THE STATE.

... CSOs describe the planned local government elections as an aberration to the constitution and a rape on our democracy.

Port Harcourt, Nigeria — The Alliance of Civil Society Organisations for Expansion of Electoral and Democratic Space (ACCESS) in Nigeria, a pro-democracy group, has vehemently condemned in strong terms the purported Local Government Elections scheduled for August 30, 2025, by the Rivers State Independent Electoral Commission (RSIEC) under the leadership of the current Sole Administrator. This announcement follows the controversial removal of His Excellency, Siminalayi Fubara – the duly elected Governor of Rivers state and the unconstitutional appointment of a Sole Administrator in his place, which represents a gross disregard for Nigeria’s democracy and a flagrant violation of constitutional governance.

The spokesperson of the coalition who doubles as the Executive Director of Speak Out Africa Initiative (SOAI) – Engr. Kenneth Eze cpm, has stated that such move amounts to a direct assault on Nigeria’s democratic framework and a blatant violation of both the **1999 Constitution of the Federal Republic of Nigeria (as amended)** and the **Electoral Act 2022**, while describing it as a joke now taken too far. Mr. Eze remarked that the earlier appointment of a Sole Administrator to replace a democratically elected Governor, lacks fundamental legal backing and is **void ab initio**. Despite strong calls for Mr. President to jettison the state of emergency declaration, which was orchestrated by what many described as a politically motivated fiasco, it is unfortunate that four months down the line the status quo remains. Thus, it is a rude shock that an illegitimate foundation with a defective status wants to carry out a legitimate process like overseeing and conducting the local government elections– this action if allowed to stand, is a rape on our hard-earned democracy, Mr. Eze said.

In what many described as a constitutional aberration and executive overreach by the Federal Government regarding the imposition of a Sole Administrator, it is expected that there would be a facilitation of the return of a constitutional order by bringing back the Executive Governor, which would have initiated democratic healing. Shockingly, what now appears to be one of the primary motives behind the unconstitutional removal of the duly elected Governor — the takeover of the local government structure — has come to light. In a move that defies constitutional order, local government elections have been announced under an unlawful leadership. Consequently, all actions taken under this sole administratorship, including the conduct of these elections, are **legally void, illegitimate, and unenforceable** under the law.

Additionally, the announcement by RSIEC to conduct LG elections on August 30, 2025, outrightly violates **Section 150(3) of the Electoral Act, 2022**, which mandates that: *"Notwithstanding any other provisions of this Act, every Local Government election shall be conducted **not earlier than 90 days and not later than 30 days** before the expiration of the term of office of the last holder of that office"* affirming illegally-shortened timetable. RSIEC's 21-day notice from July 28 to August 30 falls egregiously short of this 90-day minimum requirement, thereby invalidating the planned elections. This is the same reason the Supreme Court nullified the October 2024 local government elections in Rivers State — citing inadequate notice, non-updated voter registers, and procedural violations.

In the Supreme Court's ruling of Feb 28, 2025, the apex court reaffirmed that the **RSIEC must strictly adhere to constitutional and statutory electoral timelines**. It held that failure to comply with the 90-day notice provision rendered the October 2024 LG elections **invalid and unlawful**. This precedent is directly applicable to the August 30, 2025 elections and forms a **compelling legal basis for disqualification** of the process. It is therefore a show of mockery on democracy and the rule of law to see the current unconstitutional leadership in Rivers State. The Federal Government is preoccupied with an exercise leading "no-where" yet, taxpayers' money will be spent.

As a coalition committed to the expansion of democratic space and promoting the rule of law, ACCESS maintains that **any election conducted under a constitutionally questionable Sole Administrator** cannot stand the test of legal scrutiny. It will amount to a **waste of taxpayers' money, further destabilize** the state, and **erode public confidence** in Nigeria's democracy. And as such, this action should be rescinded and suspended while we strongly call on Mr. President to suspend the state of emergency in Rivers state and bring the elected Governor back to office. It is then we can begin to rebuild the cracked democratic walls and restore confidence in democracy before it becomes too late.

We therefore call on **RSIEC** to immediately halt preparations for the August 30 LG elections. **INEC and the judiciary** to intervene and uphold constitutional order. And **the President** to restore democratic governance in Rivers State in line with Section 1(2) of the Constitution, which states: *"No part of the Federation or State Government shall be governed... except in accordance with the provisions of this Constitution."*

In Conclusion, Nigeria's democracy **cannot be sacrificed** on the altar of political expediency. We call on **all well-meaning Nigerians**, the media, and international observers to reject this **brazen subversion of constitutional order**.

Signed:

ACCESS, Nigeria.

#SaveRiversDemocracy

#NoTolllegalElections

#ConstitutionMatters