



A SERIES JOURNEY TO PUBLIC OFFICE 1/6

TONYE COLE

2022

1 OCTOBER 6

The Governor of Rivers State, Nyesom Wike (PDP) passed Executive Order 21, which requires the written permission of the state government and a N5 million fee to hold rallies in large public facilities. It seemed targeted at hampering the campaign of opposition parties. Tonye Cole's campaign team and the APC held rallies in privately owned spaces and on the streets.

2 NOVEMBER 11

Mr Wike passed a second order, Executive Order 22, banning all political parties from opening and operating campaign offices in residential areas. The PDP had a prominent Campaign Office in GRA Phase 2, Port Harcourt. Tonye Cole's Campaign Organisation had recently secured an office in GRA, Port Harcourt.

3 JANUARY 19

Dynamite was thrown at the rally ground followed by sporadic gunfire at Ojukwu Field, Port Harcourt as Tonye Cole and his Campaign Team took their campaign to Port Harcourt Local Government Area (LGA). Three (3) supporters sustained injuries from the attack.

6 MARCH 18

The Ahoa West LGA DG of Tonye Cole's Campaign Organisation, Chiosom Lennard was killed along with 2 Polling Unit Agents, Esor Godspower Ajahu and Okpara Chinyere at Ward 10, Unit 01 in Ubeta Community, Ahoa West LGA.

5 FEBRUARY 15

Bola Tinubu arrived in Port Harcourt for the APC Presidential Rally hosted by Tonye Cole then paid a visit to Mr Wike at the State House. A deal was seemingly struck with Mr Wike to support Tinubu's presidential bid in exchange for Tinubu supporting Wike and the PDP governorship candidate, Siminalayi Fubara.

4 JANUARY 31

Tonye Cole and his supporters were ambushed and shot at in Opobo Town to prevent them from holding a rally in Opobo/Nkoro LGA. The exchange of gunfire between the attackers and the security personnel accompanying the Campaign Team lasted for over an hour. The rally was called off to save lives.

7 APRIL 7

Tonye Cole accused PDP and its thugs, who were picketing the INEC office on Aba Road, Port Harcourt, of abducting his lawyer from the INEC premises and withholding the certified-true-copies (CTC) of documents used in the conduct of the March 18th governorship elections. These documents were never recovered.

8 APRIL 19

Due to the excessive violence surrounding access to INEC's premises for the collection of the CTC of documents and inspection of other election-related materials, the Election Petition Tribunal was transferred to Abuja.

9 MAY 22

APC withdrew from the Election Petition Tribunal leaving Tonye Cole to continue prosecuting his case as the Sole Petitioner against INEC, Siminalayi Fubara and the PDP. Some believe this was part of the Tinubu-Wike deal.

12 AUGUST 1

Tonye Cole, the Petitioner called and tendered documents via 40 witnesses (PW1-PW40). The depositions and cross-examinations of the witnesses were concluded with Tonye Cole (PW40) taking the stand as the star witness. The Petitioner closed its case after that. Mr Wike was in court.

11 JULY 27

Mr Wike was nominated as a Minister in the Tinubu-led APC government.

10 JULY 4

Witnesses for Tonye Cole's election petition began giving testimony supporting his petition.

13 AUGUST 4

The 1st Respondent (INEC) opened its case, and tendered documents but did not present any witnesses for cross-examination and closed its case after that.

14 AUGUST 7

The 2nd Respondent (Siminalayi Fubara) opened its case and tendered documents and 24 witnesses (DW1-DW24).

15 AUGUST 14

The 2nd Respondent closed its case after presenting all 24 witnesses for cross-examination by the Petitioner's counsel.

18 SEPTEMBER 30

The notice for the judgement to be delivered on October 1, 2023, was given to all parties.

17 SEPTEMBER 13

The Final Address by all parties was presented to the Tribunal and the trial period was concluded. The Election Petition Tribunal received the addresses and reserved judgement. Mr Wike was in court.

16 AUGUST 21

The 3rd Respondent (PDP) opened its case and tendered documents across the bar but did not present any witnesses for cross-examination and closed its case after that.

19 OCTOBER 1

- Judgement was delivered by the Tribunal and Mr Cole's petition was unanimously dismissed because his party, APC (the 2nd petitioner and his sponsor) had withdrawn from the case. Hence, he had no locus to continue the appeal without a co-petitioner.
- The Tribunal also ruled that the petitioner did not provide sufficient documentary evidence to prove electoral malpractice.
- An appeal must be filed on or before October 22, 2023 (21 days from date of judgement).

20 OCTOBER 7

CTC of tribunal judgement was released to all parties (6 days after). It is usually expected within 48 hours of delivering judgement.

21 OCTOBER 10

- Appeal Tribunal heard the appeal of Cole vs Fubara.
- The appeal was adopted and reserved for judgement.
- Judgement must be given on or before December 2nd.

24 DECEMBER 7

Tonye Cole filed an appeal at the Supreme Court.

23 NOVEMBER 28

The Court of Appeal affirmed Siminalayi Fubara as the Governor of Rivers State after dismissing Tonye Cole's petition.

22 NOVEMBER 22

APC dissolved its Rivers State Executive Council and appointed a 7-man Caretaker Committee, who will run the party for six months.

25 JANUARY 25, 2024

The Supreme Court dismissed Tonye Cole's appeal on the grounds that, among other things, he didn't prove the allegations of non-compliance with the Electoral Act.

Does this mean the former Governor of Rivers State and federal minister, Nyesom Wike, is in control of the Rivers State Chapter of the APC?

Source: EiE Research