PRESS RELEASE

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DigiCivic Initiative condemns the remand of investigative journalist Daniel Ojukwu

Calls for safeguards against the criminalisation of journalism and the protection of press freedom in Nigeria

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DigiCivic Initiative expresses deep concern and unequivocally condemns the remand of Daniel Ojukwu, a correspondent with the Foundation for Investigative Journalism (FIJ), at the Kuje Correctional Centre, Abuja, following proceedings before the Federal High Court on 10 November 2026. The journalist was remanded pending the hearing of his bail application, which was adjourned to 1 December 2026, in connection with a 12-count charge bordering on alleged cyberstalking and criminal defamation arising from investigative reports published in 2023 and 2024.

The charges reportedly relate to investigative publications concerning the expenditure and implementation of projects under the Office of the Senior Special Assistant to the President on Sustainable Development Goals, formerly occupied by Adejoke Orelope-Adefulire. Among the issues examined in the publications were alleged irregularities surrounding payments of ₦147.1 million and ₦47.5 million for classroom construction projects, the status of project execution, and concerns regarding the functionality of installed solar infrastructure.

While acknowledging the constitutional authority of the courts to adjudicate matters properly brought before them, DigiCivic Initiative is deeply troubled by the circumstances surrounding this prosecution, particularly its implications for investigative journalism, public accountability, freedom of expression and the civic space in Nigeria.

INVESTIGATIVE JOURNALISM IS A CONSTITUTIONALLY PROTECTED PUBLIC INTEREST FUNCTION

The Constitution of the Federal Republic of Nigeria, 1999 (as amended), under Section 39, guarantees the right to freedom of expression, including the freedom to hold opinions and to receive and impart ideas and information without interference. This constitutional guarantee is indispensable to democratic governance and necessarily encompasses the right of journalists to investigate, scrutinise, report and interrogate matters of public interest.

Furthermore, Section 22 of the Constitution expressly recognises the responsibility of the press, radio, television and other agencies of the mass media to uphold the fundamental objectives contained in Chapter II and hold the government accountable to the people.

Investigative journalism, particularly reporting concerning public expenditure, procurement, public infrastructure and the administration of public resources, is not merely a professional activity. It is an essential accountability mechanism through which citizens exercise democratic oversight over public institutions and public officeholders.

Where journalists investigate the utilisation of public funds, question the implementation of government projects or expose apparent inconsistencies in public expenditure, such activities must be understood within the broader constitutional framework of transparency, accountability and democratic participation.

The fact that an investigative publication concerns a public official, attracts controversy or generates reputational discomfort does not, without more, transform legitimate journalistic activity into criminal conduct.

THE DANGERS OF USING CRIMINAL LAW TO POLICE JOURNALISM

DigiCivic Initiative is particularly concerned about the continued resort to criminal allegations of cyberstalking and defamation in circumstances involving journalistic publications and public-interest reporting.

The Cybercrimes (Prohibition, Prevention, etc.) Act, 2015, as amended in 2024, was enacted to address cyber-related offences and protect the integrity and security of digital systems and communications. It must not, however, be interpreted or applied in a manner that unnecessarily restricts constitutionally guaranteed expression, criminalises legitimate scrutiny of public officials or creates a chilling effect on independent journalism.

The 2024 amendment to the Cybercrimes Act reinforces the importance of applying its provisions within defined legal parameters and respecting fundamental rights. Law enforcement authorities and prosecuting agencies must therefore exercise their powers with restraint, proportionality and due regard for the constitutional distinction between genuine cyber-related criminal conduct and legitimate expression on matters of public interest.

The use of criminal prosecution to address publications that question public expenditure raises serious concerns about the potential weaponisation of criminal law against journalists. Such an approach risks creating an environment in which reporters, editors, media organisations and citizen journalists are compelled to choose between performing their professional responsibilities and exposing themselves to arrest, prolonged detention, criminal prosecution and other forms of institutional pressure.

This is particularly concerning where the subject matter of the publications relates to the management of public resources. Public officials and persons entrusted with public responsibilities must necessarily be subject to a higher degree of public scrutiny. Reputational interests deserve legal protection, but such protection must not be elevated above the public's right to receive information and scrutinise the exercise of public power.

Where a publication is alleged to be inaccurate, defamatory or otherwise unlawful, the appropriate legal response must be pursued within the confines of the law, with due regard to necessity, proportionality, the public-interest defence and the protection of freedom of expression. Criminal proceedings must not become a disproportionate response to legitimate journalistic scrutiny.

DETENTION, PERSONAL LIBERTY AND THE RIGHT TO FAIR HEARING

DigiCivic Initiative further draws attention to the constitutional implications of Mr Ojukwu's continued detention.

Sections 35 and 36 of the Constitution guarantee the right to personal liberty and the right to fair hearing, respectively. These safeguards are fundamental to the administration of justice and must be respected at every stage of criminal proceedings.

We recognise that the remand order was made by a court of competent jurisdiction and that the substantive allegations remain before the court for determination. Accordingly, we do not seek to prejudge the proceedings or interfere with the exercise of judicial discretion.

Nevertheless, the administration of criminal justice must remain consistent with constitutional safeguards, including the presumption of innocence, the right to adequate facilities for the preparation of a defence, access to legal representation and the right to have bail applications determined within a reasonable time.

Mr Ojukwu has reportedly pleaded not guilty to the charges. He must therefore be treated as innocent unless and until his guilt is established in accordance with the law. The pendency of criminal proceedings must not become a justification for imposing unnecessary or disproportionate restrictions on his liberty.

We urge the court, in the exercise of its judicial discretion, to give the pending bail application expeditious and diligent consideration, taking into account the applicable legal requirements, the circumstances of the case and the constitutional presumption of innocence.

NIGERIA'S INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Nigeria's obligations under international and regional human rights instruments further reinforce the imperative to protect journalists and safeguard freedom of expression.

Article 19 of the International Covenant on Civil and Political Rights (ICCPR) protects the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds. Any restriction on this right must satisfy the requirements of legality, legitimate purpose, necessity and proportionality.

Similarly, Articles 9, 6 and 7 of the African Charter on Human and Peoples' Rights guarantee freedom of expression and the right to receive information, personal liberty and the right to have one's cause heard, respectively.

These guarantees are not abstract commitments. They impose concrete obligations on the Nigerian State to ensure that its law enforcement, prosecutorial and judicial processes do not operate in ways that unjustifiably suppress independent journalism or undermine the democratic function of the media.

The African Commission on Human and Peoples' Rights, through its Declaration of Principles on Freedom of Expression and Access to Information in Africa (2019), also underscores the importance of protecting journalists, media practitioners and other persons exercising their right to freedom of expression from arbitrary interference, intimidation and unlawful restrictions.

The protection of press freedom is not an institutional favour to journalists. It is a fundamental requirement of democratic governance and the rule of law.

OUR POSITION AND CALL TO ACTION

In view of the foregoing, DigiCivic Initiative:

1. Calls for the expeditious consideration of Daniel Ojukwu's bail application and urges that his continued detention be assessed in strict accordance with constitutional safeguards, applicable law and the principles governing personal liberty and the presumption of innocence.
2. Urges the Nigeria Police Force and prosecuting authorities to exercise restraint and prosecutorial responsibility in matters involving journalistic publications, particularly where the subject matter concerns public expenditure, public accountability and matters of legitimate public interest.
3. Calls for an end to the weaponisation of cybercrime and criminal defamation provisions as instruments for intimidating, harassing or silencing journalists, media organisations and other individuals exercising their constitutionally protected rights.
4. Urges the National Assembly and relevant institutions to strengthen safeguards against the criminalisation of legitimate expression, including ensuring that laws addressing cyber-related offences are not applied in ways that undermine press freedom and democratic accountability.
5. Calls on the National Human Rights Commission and relevant human rights institutions to closely monitor the proceedings and associated human rights concerns, and to take appropriate steps within their statutory mandates to safeguard the rights of the affected journalist.
6. Calls on media organisations, civil society organisations, professional associations and the international community to remain vigilant and constructively engage relevant institutions in protecting journalists and preserving an open, safe and enabling civic space in Nigeria.

7. Encourages public institutions and public officeholders to embrace transparency, accountability and lawful avenues for redress where they consider themselves aggrieved by media publications, rather than resorting to measures capable of creating a chilling effect on independent reporting.

A THREAT TO ONE JOURNALIST IS A WARNING TO THE ENTIRE CIVIC SPACE

The circumstances surrounding Daniel Ojukwu's prosecution should be treated as a matter of broader public concern. When journalists face criminal prosecution and prolonged detention in connection with reporting on public expenditure, the consequences extend beyond the individual journalist or media organisation involved. They affect the willingness of other journalists to investigate, the ability of citizens to access information, and the capacity of civil society to demand accountability from those entrusted with public power.

A democratic society cannot sustainably function where the scrutiny of public institutions is perceived as a criminal risk. Neither can the rule of law be strengthened by legal processes that, in their application, produce an atmosphere of fear, self-censorship and institutional intimidation.

DigiCivic Initiative reiterates that freedom of expression does not confer immunity from lawful accountability, nor does investigative journalism place anyone above the law. However, the exercise of state power against journalists must be strictly justified, necessary, proportionate and consistent with constitutional and international human rights standards.

We reaffirm our commitment to defending digital rights, freedom of expression, press freedom, access to information and the protection of civic space in Nigeria. We will continue to advocate for a legal and institutional environment in which journalists can investigate and report matters of public interest without fear of arbitrary arrest, intimidation or disproportionate criminal sanctions.

> Journalism must not be criminalised. Accountability must not be intimidated. Freedom of expression must not be sacrificed at the altar of institutional convenience.

Signed

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About DigiCivic Initiative

DigiCivic Initiative is a non-governmental organisation based in Abuja, Nigeria, committed to protecting and advancing digital rights within Africa's civic space. It provides legal support and pursues strategic litigation on behalf of citizens, journalists, bloggers and independent media facing digital rights violations, and works to ensure that people can freely access information, engage in public discourse, organise collectively and hold governments accountable.