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Daniel Ojukwu: ASF France calls for an end to the criminalisation of reporting under the Cybercrimes Act

Abuja, 17 November 2026

Avocats Sans Frontières France (ASF France) is concerned by reports that Daniel Ojukwu, a journalist with the Foundation for Investigative Journalism (FIJ), was remanded in Kuje Correctional Centre on 10 November 2026, pending the hearing of his bail application, on charges of cyberstalking under the Cybercrimes Act and criminal defamation in connection with his reporting. While fully respecting the independence of the judiciary and the presumption of innocence, ASF France recalls that pre-trial detention remains the exception especially for alleged non-capital offences.

This case reflects a broader and persistent concern. Since its adoption in 2015, the Cybercrimes Act, and particularly its cyberstalking provision in Section 24, has repeatedly been invoked to arrest, detain and prosecute journalists, bloggers and citizens over what they publish online. In 2022, the ECOWAS Court of Justice ordered Nigeria to amend Section 24 to bring it into line with its human rights obligations, and the provision was narrowed in 2024. Yet its use against the press has continued. ASF France is concerned that a law designed to combat genuine cybercrime is being misused to restrict legitimate journalism and public debate, with a chilling effect on the media as a whole.

Reporting on how public resources are managed is a service to society, not a threat to it. Freedom of expression and of the press is guaranteed by Section 39 of the Constitution of the Federal Republic of Nigeria, Article 9 of the African Charter on Human and Peoples' Rights and Article 19 of the International Covenant on Civil and Political Rights, while Article 9 of the Covenant protects the right to liberty.

The African Commission on Human and Peoples' Rights, in its Declaration of Principles on Freedom of Expression and Access to Information in Africa, calls on States to repeal criminal defamation laws. Where a published report is disputed, the appropriate response lies in civil remedies, such as a right of reply, a correction or civil proceedings, not in arrest and imprisonment. ASF France therefore calls the for unconditional release of Mr Ojukwu and on the Nigerian authorities to decriminalise defamation and to review the Cybercrimes Act so that it fully complies with these obligations.

Through its EXPRESS project supported by the Embassy of Netherlands in Nigeria, ASF France works to protect freedom of expression in Nigeria and monitors the application of the Cybercrimes Act in the Federal Capital Territory, Lagos and Enugu, building reliable evidence on how the law is applied in practice and on its impact on human rights. ASF France will continue to follow Mr. Ojukwu's case closely and stands ready to work with the authorities, the judiciary, the media and civil society organizations to ensure that the law protects people online without silencing those who keep the public informed.

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