

Philippines: International community enraged by the Philippines cyber-libel verdict against Maria Ressa, Reynaldo Santos Jr and the independent news website Rappler

Wednesday 17 June 2020, by [Amnesty International](#), [FCCT](#), [ICFJ](#), [IWME](#), [PRACHATAI](#), [Reporters sans frontières \(RSF\)](#)
(Date first published: 17 June 2020).

Amid widespread outrage at the guilty verdict handed to Maria Ressa, co-founder of the independent news website Rappler, and its writer, Reynaldo Santos Jr, many international civil society organizations have called for the case to be dismissed.

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Maria Ressa on stage as keynote speaker of the 2019 Global Investigative Journalism Conference in Hamburg, Germany (Photo by Nick Jaussi)

On 14 June Ressa and Santos received “indeterminate sentences” of a minimum of six months and one day and a maximum of six years, and fines of P200,000 (US\$4,000) in moral damages and another P200,000 in exemplary damages. They were found guilty of libelling a businessman under the Cybercrime Prevention Act.

In May 2012, Rappler published an article accusing then-Supreme Court Chief Justice Renato Corona of impropriety for using an SUV owned by a businessman. The article predated the Cybercrime Prevention Act of 2012, which includes the crime of libel. In February 2014, Rappler corrected a typo in the story, changing “evation” to “evasion”, thus technically updating the story on the website.

In addition to this case, Ressa and her colleagues face seven other cases in various courts for which she has been arrested and bailed.

The Foreign Correspondents' Club of Thailand (FCCT) published a statement that the legal cases filed against Ressa, Santos and the Rappler "amount to a serious attack on media freedom, which affects the work of all journalists in the country".

"The FCCT opposes criminal defamation in principle. ... Criminal defamation is widely misused in countries like Thailand, where it can be exploited to blackmail defendants into paying large out-of-court settlements or to silence political critics and human rights defenders. ... Maria Ressa should be allowed to go free to continue holding those in power in the Philippines to account." reads the FCCT statement.

The International Women's Media Foundation (IWMF) published a statement demanding justice for Maria Ressa.

"This baseless conviction is another deliberate attempt by the Philippine government to silence Ressa's voice. ... Like so many other women journalists, Ressa faces persistent online harassment for her coverage. On top of her legal battle, these attacks, waged by pro-Duterte troll armies, are further attempts to silence Ressa's work and eliminate all criticism of the Duterte regime," states the IWMF.

Reporters Without Borders (RSF) published a statement claiming "This conviction of Ressa and Santos is the latest chapter in the systematic judicial harassment to which they have been subjected by various government agencies for more than two years. Either directly or through Ressa, the website is facing ten other similar complaints, each as baseless as the other, with the aim of intimidating its journalists."

After falling seven places since 2017, the Philippines is ranked 136th out of 180 countries and territories in RSF's 2020 World Press Freedom Index.

"By passing this extremely harsh sentence at the end of utterly Kafkaesque proceedings, the Philippine justice system has demonstrated a complete lack of independence from the executive," said Daniel Bastard, the head of RSF's Asia-Pacific desk.

"This sentence bears the malevolent mark of President Duterte and his desire, by targeting Rappler and the figure of Maria Ressa, to eliminate all criticism whatever the cost. We urge Manila's judges to restore a semblance of credibility to the Philippine judicial system by overturning this conviction on appeal."

An Amnesty International (AI) statement calls for the Philippine authorities to overturn the conviction against Ressa and Santos.

"This verdict is a sham and should be quashed. Ressa, Santos and the Rappler team are being singled out for their critical reporting of the Duterte administration, including ongoing human rights violations in the Philippines. The accusations against them are political, the prosecution was politically-motivated, and the sentence is nothing but political." said Nicholas Bequelin, AI Asia-Pacific Regional Director.

"Ressa and her team have become global icons for press freedom after President Duterte himself has repeatedly singled them out for attack, intimidation and harassment. They face a long battle ahead, with several more politically motivated charges awaiting trial."

The International Center for Journalists (ICFJ) claims that the convictions mark a "devastating day for journalism ... in a case that is which widely seen as a crackdown on independent journalism in the Philippines."

"This is a miscarriage of justice," said ICFJ President Joyce Barnathan. "Maria is facing a bevy of charges designed to silence her and Rappler. If journalists are muzzled, democracy itself is at stake. ICFJ condemns Maria's conviction and calls for all other charges against her to be dropped."

The Global Investigative Journalism Network (GIJN) of which Prachatai is a member, is "outrage and alarmed" by the conviction and stated that it will closely monitor the case.

"Ms. Ressa is a journalist of unquestioned integrity, representing the best of her nation's long tradition of investigative reporting. This politically motivated and legally irregular prosecution represents an attempt to silence independent Filipino journalists," says the GIJN.

Prachatai

- Prachatai. Submitted on Wed, 17 Jun 2020 - 03:27 PM:
<https://prachatai.com/english/node/8596>
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FCCT STATEMENT ON THE CONVICTION OF MARIA RESSA

Foreign Correspondents' Club of Thailand - FCCT

15 juin, 16:33

The professional membership of the Foreign Correspondents' Club of Thailand is shocked by the conviction by a Manila court of Maria Ressa, on questionable charges of violating the 2012 Cybercrime Law. Ms. Ressa, the founder and executive editor of the online news site Rappler, faces up to six years in prison.

The charge was filed by Filipino businessman Wilfredo Keng, five years after an article was published in Rappler raising questions about his links to a former Supreme Court judge. The article in question was published before the Cybercrime law was passed. Criminal libel complaints in the Philippines cannot be filed more than a year after the alleged offence, and the Cybercrime law cannot be applied retroactively. However, Mr. Keng exploited a technicality, as Rappler made a small typographical correction to the article in 2014, and the Department of Justice has now ruled that Cybercrime charges can now be filed up to 12 years after the alleged offence.

The FCCT opposes criminal defamation in principle. Damage to reputation in most countries is a civil matter, to be adjudicated in civil courts, with no risk of criminal punishments being imposed. Criminal defamation is widely misused in countries like Thailand, where it can be exploited to blackmail defendants into paying large out-of-court settlements or to silence political critics and human rights defenders.

The dubious basis for this criminal conviction of a well-respected journalist in the Philippines, along with multiple other legal cases filed against Rappler under the Duterte government, amount to a serious attack on media freedom, which affects the work of all journalists in the country. Maria Ressa should be allowed to go free to continue holding those in power in the Philippines to account.

- <https://www.facebook.com/FCCThailand/posts/3066508193434110>

IWMF Demands Justice for Rappler's Maria Ressa

[June 15, 2020] - The IWMF is appalled by the conviction of Maria Ressa, CEO and co-founder of Rappler and one of the most prominent journalists in the Philippines, on charges of cyber libel [1]. We stand with Ressa and her colleague Reynaldo Santos, Jr. and call for the immediate dismissal of all charges against them.

This baseless conviction is yet another deliberate attempt [2] by the Philippine government to silence Ressa's voice. Since its founding in 2012, Rappler has produced reputable, uncompromising reporting that exposes government corruption and holds the Philippines' top officials - including President Duterte - to account. Censoring this reporting is a blatant attack on press freedom.

Like so many other women journalists, Ressa faces persistent online harassment for her coverage. On top of her legal battle, these attacks, waged by pro-Duterte troll armies, are further attempts to silence Ressa's work and eliminate all criticism of the Duterte regime.

Ressa now faces up to six years in prison for these erroneous charges. The IWMF demands that officials overturn this conviction immediately, and that President Duterte and the Philippine government begin upholding a free, democratic press.

Learn more about ways to support Rappler and its fight for press freedom in the Philippines here.

The International Women's Media Foundation (IWMF)

- <https://twitter.com/rapplerdotcom/status/1272353067808067584>

Dismay over Philippine journalist Maria Ressa's prison sentence Philippines

June 15, 2020

Reporters Without Borders (RSF) is appalled by the up to six years in jail sentence that Philippine journalist Maria Ressa received on a criminal libel charge in a shocking judicial masquerade in Manila today, and calls on the country's justice system to recover a semblance of credibility by overturning her conviction on appeal.

A Manila regional court convicted Maria Ressa, co-founder and director of the independent news website Rappler, over an article published in 2012 that was the subject of a complaint by a businessman. But the case was brought under a cyber-crime law that took effect after the article's publication. Rappler's former researcher-writer Reynaldo Santos Jr received the same sentence. Both were allowed to post bail, pending an appeal.

As no criminal legislation can be retroactive, the National Bureau of Investigation logically dismissed

the case in February 2018. But President Rodrigo Duterte's department of justice decided otherwise. It revived the case in February 2019 on the grounds that a supposed principle of "continuous publication" could be applied to websites.

"By passing this extremely harsh sentence at the end of utterly Kafkaesque proceedings, the Philippine justice system has demonstrated a complete lack of independence from the executive," said Daniel Bastard, the head of RSF's Asia-Pacific desk.

"This sentence bears the malevolent mark of President Duterte and his desire, by targeting Rappler and the figure of Maria Ressa, to eliminate all criticism whatever the cost. We urge Manila's judges to restore a semblance of credibility to the Philippine judicial system by overturning this conviction on appeal."

Systematic harassment

This conviction of Ressa and Rappler is the latest chapter in the systematic judicial harassment to which they have been subjected by various government agencies for more than two years. Either directly or through Ressa, the website is facing ten other similar complaints, each as baseless as the other, with the aim of intimidating its journalists.

What with denying its reporters access to the presidential palace, threatening to withdraw its licence and accusing it of tax evasion, the authorities have stopped at nothing to harass Rappler, even arbitrarily detaining Ressa overnight in February 2019.

ABS-CBN, the biggest Philippine broadcast network and one of the few other media outlets to dare criticize the government, had its franchise withdrawn last month. Its radio stations and TV channels all stopped broadcasting on 5 May at the behest of the justice department and National Telecommunications Commission.

The country's irascible and authoritarian president had warned the network's executives last December: "If you expect that [the franchise] will be renewed, I'm sorry. I will see to it that you're out."

After falling seven places since 2017, the Philippines is ranked 136th out of 180 countries and territories in RSF's 2020 World Press Freedom Index.

Reporters Without Borders (RSF)

- <https://rsf.org/en/news/dismay-over-philippine-journalist-maria-ressas-prison-sentence?fbclid=IwAR2br1iQQOsC6hQeOSzEg3O1RxcG8VLDwzSyOCg3kQzgilBYM5cjIGOf7rg>

Quash conviction of Rappler journalists Maria Ressa and Rey Santos

15 June 2020, 09:54 UTC

Responding to news that a Manila court convicted Rappler editor-in-chief Maria Ressa and former journalist Reynaldo Santos Jr of "cyber libel" over an article written in 2012, Amnesty International's

Asia-Pacific Regional Director, Nicholas Bequelin, said:

Ressa and her team have become global icons for press freedom after President Duterte himself has repeatedly singled them out for attack.

Nicholas Bequelin, Asia-Pacific regional director

“This verdict is a sham and should be quashed. Ressa, Santos and the Rappler team are being singled out for their critical reporting of the Duterte administration, including ongoing human rights violations in the Philippines. The accusations against them are political, the prosecution was politically-motivated, and the sentence is nothing but political.

“With this latest assault on independent media, the human rights record of the Philippines continues its free fall. It is time for the UN to urgently open an international investigation into the country’s human rights crisis, in line with the recent conclusions of the UN Human Rights office itself.

“Ressa and her team have become global icons for press freedom after President Duterte himself has repeatedly singled them out for attack, intimidation and harassment. They face a long battle ahead, with several more politically motivated charges awaiting trial.

It is time for the UN to urgently open an international investigation into the country’s human rights crisis, in line with the recent conclusions of the UN Human Rights office itself.

Nicholas Bequelin

“This guilty verdict follows the shutdown of ABS-CBN, which remains off the air - also after coming under the President’s attacks. The international community cannot remain silent in the face of this brazen vendetta against the press.”

Background

On 15 June 2020, a Manila court convicted both Ressa and Santos of cyber libel, becoming the first journalists in the Philippines convicted of the offence. The verdict carries a penalty of imprisonment ranging from six months and one day to six years. It orders Ressa and Santos to pay the complainant, businessman William Keng, a total of PhP 400,000 (USD 7,950) in damages. The court allowed the two to post bail.

The case against the two stems from an investigative article by Santos, published on 29 May 2012. The article alleged that former Philippine Chief Justice Renato Corona used a vehicle owned by Keng, who had suspected links to illegal drugs and human trafficking.

Seven years later, on 13 February 2019, Ressa was arrested by the National Bureau of Investigation and detained overnight before being granted provisional release on bail, after the Department of Justice accused Ressa and Santos of “cyber libel” for the article. The article was published more than three months before the Cyber Libel Act was passed into law. The law should never have been applied retroactively, as the alleged offence was not a crime at the time it took place.

Ressa, Santos and Rappler’s directors collectively face several other lawsuits and investigations, including alleged tax violations and violations of the prohibition against foreign control over mass media. Rappler has been a consistent critic of President Duterte and his administration, publishing detailed investigations into some of the thousands of extrajudicial executions of poor and marginalized people committed by police and other unknown armed persons during ‘war on drugs’ operations.

On 5 May 2020, the National Telecommunications Commission (NTC) issued a cease-and-desist

against broadcast media company ABS-CBN, ordering the company to stop operating its TV and radio broadcasting stations nationwide “due to the expiration of its congressional franchise”. ABS-CBN has produced numerous investigative reports highlighting human rights violations and attracted the ire of President Duterte for allegedly failing to run his paid political advertisements, during the 2016 elections that he won.

On June 4, a UN Human Rights Office report drew attention to “serious human rights violations” in the country. The report, among other things, “detailed ongoing threats to freedom of expression, with legal charges and prosecutions being brought against journalists and senior politicians critical of the Government, as well as actions to shut down media outlets.”

Amnesty International

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<https://www.amnesty.org/en/latest/news/2020/06/philippines-quash-conviction-of-rappler-ressa-santos/?fbclid=IwAR3C6gbe7aDAvMCUkewNS3zon3fOUNGg1om-8WlaV-ceNQnfIMVYfnWwnX0>

A Devastating Day for Journalism

By: ICFJ | 06/15/20

Maria Ressa, an outspoken champion of press freedom, was convicted today in a case that is widely seen as a crackdown on independent journalism in the Philippines.

“This is a miscarriage of justice,” said ICFJ President Joyce Barnathan. “Maria is facing a bevy of charges designed to silence her and Rappler. If journalists are muzzled, democracy itself is at stake. ICFJ condemns Maria’s conviction and calls for all other charges against her to be dropped.”

Ressa, the CEO and executive editor of Rappler, received the ICFJ Knight International Journalism Award in 2018. ICFJ cited her pioneering news site for being at the forefront of both investigative journalism and media innovation and for shining “a spotlight on the policies of President Rodrigo Duterte and his government’s brutal war on drugs.”

Ressa was found guilty today for the criminal offense of “cyber libel” under the Cybercrime Prevention Act for a story published prior to enactment of the law. She was sentenced to a minimum of six months and a maximum of six years imprisonment. Ressa was granted bail pending appeal. Ressa faces another seven charges, including tax evasion, and has denied all of them.

For the Philippines in particular, this is a devastating blow to a country once known for a vibrant, free press. Ressa has often said that her case is the “canary in the coal mine” for independent journalism everywhere. Journalists worldwide need to do what they do best: report facts, seek the truth, and hold the powerful to account

The International Center for Journalists (ICFJ)

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https://www.icfj.org/news/devastating-day-journalism?fbclid=IwAR3QGCude2PcEr3tw_liyd-h_Tx6Ny

GIJN Deplores Libel Verdict Against Ressa, Santos
By GIJN | June 15, 2020

Rappler's Maria Ressa keynotes last year's Global Investigative Journalism Conference. Photo: Nick Jaussi

The Global Investigative Journalism Network is outraged and alarmed by the conviction of our colleagues Maria Ressa and Reynaldo Santos for cyberlibel in a Philippines regional court. Maria Ressa, the founder and executive editor of Rappler, was the keynote speaker at the 2019 conference of GIJN, which represents 184 nonprofit investigative journalism organizations in 77 countries.

Ms. Ressa is a journalist of unquestioned integrity, representing the best of her nation's long tradition of investigative reporting. This politically motivated and legally irregular prosecution represents an attempt to silence independent Filipino journalists. GIJN members worldwide proudly stand with Ressa, Santos, and the journalists of Rappler as they appeal this conviction and resist other attacks on press freedom.

GIJN will be closely monitoring further developments in the case.

Global Investigative Journalism Network (GIJN)

For information on how to support these journalists, see Rappler's website here:

https://www.rappler.com/move-ph/263837-how-you-can-support-rappler-cyber-libel-verdict#cxrecs_s

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<https://gijn.org/2020/06/15/gijn-denounces-libel-verdict-against-ressa-santos/?fbclid=IwAR23M780wO66Cb5faDtrKNGg3N1fgjoTL2tiuVDQk2i5Kq0IsUZ-S0WmmnY>

Footnotes

[1] <https://www.iwmf.org/2019/02/the-iwmf-calls-for-the-immediate-release-and-dropping-of-charges-against-journalist-maria-ressa/>

[2] <https://www.iwmf.org/2019/02/the-iwmf-calls-for-the-immediate-release-and-dropping-of-charges-against-journalist-maria-ressa/>