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### **Maria Ressa's Lawyers call for New Criminal Cyberlibel Complaint against her to be Dismissed**

Journalist Maria Ressa faces yet another spurious criminal complaint, filed just days before she is due to accept her Nobel Peace Prize in Oslo. On behalf of the international legal team representing Ms. Ressa, Amal Clooney and Caoilfhionn Gallagher QC urge the Philippine authorities to throw out this manifestly unfounded complaint and drop the other pending charges against her.

The latest complaint against Ms Ressa -- the first ever Nobel laureate from the Philippines and the first journalist in over 70 years to win the prestigious award -- was filed by a member of President Duterte's Cabinet, the Secretary of the Department of Energy Alfonso Cusi. It relates to an article published by Rappler.com which reported on a criminal complaint against Mr Cusi filed by concerned citizens, alleging that he approved an illegal transaction that placed shares in one of the Philippines' largest natural gas fields in the hands of a close friend of President Duterte, at an estimated loss of more than \$400 million dollars for the Philippine state.

The article – which was not written by Ms Ressa – reported official records, related to a public figure and concerned a matter indisputably in the public interest. It cited official sources such as the citizens' complaint, an official response from the Department of Energy (which is quoted), a statement from Mr Cusi himself (also quoted) as well as Senate Panel findings which state that the Department of Energy “bent rules” to approve the transaction. Nevertheless Mr. Cusi has [sought](#) to trigger criminal charges against seven media outlets and 17 reporters, editors and executives for reporting on this issue, prompting an [outcry](#) from the Foreign Correspondents Association of the Philippines as well as others.

The criminal complaint against Ms Ressa comes more than a month after the article was published, but just days ahead of Ms Ressa's Nobel Peace Prize ceremony in Oslo. The Duterte Administration [attempted to block](#) Ms Ressa from travelling to Oslo, but the [Philippines Court of Appeals](#) overruled the government's objections, and she will receive the Prize on December 10<sup>th</sup>.

Commenting on the latest criminal complaint, Ms Clooney said:

*“Here we go yet again: yet another criminal complaint for libel based on public interest reporting by Rappler. This time the case has been initiated by a member of Duterte's cabinet, making the government's campaign of persecution against the press more brazen than ever. The case is an embarrassment for the Philippines just days before Maria Ressa will be awarded the Nobel Peace Prize for courageous journalism in defiance of the government's crackdown. And it is a reminder that the Philippines [should take](#) anachronistic criminal libel laws off its books.”*

Ms Gallagher said:

*“The Nobel Committee has honoured Maria Ressa's courage and the courage of journalists everywhere who are threatened for simply doing their jobs. But in the immediate lead-up to the Nobel Ceremony the Duterte Administration has proven just how dangerous this job is,*

*bringing yet another baseless libel complaint against Ms Ressa and journalists across the Philippines, threatening them with criminalisation and imprisonment. This article for which Ms Ressa is being targeted concerns a high-profile transaction regarding a lucrative national asset, which has resulted in Senate investigations, an Ombudsman complaint and considerable press coverage. This is undoubtedly reporting in the public interest on a matter of profound national concern. We urge Philippine prosecutors and courts to throw out these and other unfounded charges against Ms Ressa.”*

An outpouring of support for Ms Ressa has followed her selection for the Nobel Peace Prize that she will collect later this week. Congratulating her for the award, US President Joe Biden [praised](#) Ms Ressa for working “tirelessly and fearlessly... to check the abuse of power, expose corruption, and demand transparency”, and criticised the “constant threats, harassment and intimidation” she has faced. The European Union [described](#) Ms Ressa’s “dedication to journalism, in the face of numerous ongoing legal actions and her conviction” as an “inspiration to all who believe in the importance of free and independent journalism”. And UNESCO [said](#) that “journalists are on the front lines of the struggle to shine light into the most needed places, often facing tremendous personal risk to do so. Today, they are rightly being held up as defenders of justice and truth”. Ms Ressa and her co-awardee Dmitry Muratov will receive their awards in person at the Nobel Peace Prize award ceremony in Oslo on Friday 10 December 2021.

### Background

Prosecutors have charged Ms Ressa with the ‘crime’ of libel on three previous occasions. Two of those cases were thrown out by the courts, in [June](#) and [August](#) 2021, but in [June 2020](#), Ms Ressa was convicted of cyberlibel and sentenced to up to 6 years’ imprisonment for an article published on Rappler.com that suggested ties between businessman Wilfredo Keng and a judge in the Philippines who was subsequently impeached. She was convicted even though cyberlibel was not a crime at the time of publication, the prosecution was filed after the limitation period had expired, and the article related to a matter of clear public interest.

This ruling was widely criticised. The UN [expressed](#) grave concern at the treatment of Ms Ressa and highlighted “the staggering cost of the relentless and systematic assault on the most basic rights of Filipinos at the hands of the Government”. The U.S. Department of State [said](#) it was “concerned” by the trial court’s verdict and called for “resolution of the case in a way that reinforces ... freedom of expression, including for members of the press.” The European Union [stated](#) that the conviction “raises serious doubts over the respect for freedom of expression as well as for the rule of law in the Philippines”. And the Media Freedom Coalition of States – a group of approximately 40 states led by the United Kingdom and Canada – issued a [statement](#) condemning “the various charges against Maria Ressa” and “the increasing restrictions on freedom of the press in the Philippines.”

[Ms Clooney](#) and Ms [Gallagher QC](#) lead the international counsel team acting for Ms Ressa, working with fellow barristers Can Yeginsu and [Claire Overman](#). The team is also working closely with Peter Lichtenbaum, Stephen Rademaker, Rani Gupta and Lisa Peets of Covington & Burling LLP, as well as Ms Ressa’s counsel team in Manila.