

Amal Clooney and Caoilfhionn Gallagher QC condemn court decision affirming Maria Ressa's conviction and sentence for 'cyber libel'

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Amal Clooney and Caoilfhionn Gallagher QC, on behalf of the international legal team acting for journalist Maria Ressa, have condemned the [decision](#) of the Court of Appeals dated 7th July upholding her conviction for 'cyber libel' and increasing her maximum prison sentence to more than 6 years' imprisonment.

Ms Ressa, co-founder of news website Rappler.com and [Nobel Peace Prize Laureate](#), was charged with 'cyber libel', a crime in the Philippines, after Rappler published a story about alleged corruption by the Chief Justice of the Philippines Supreme Court. The article stated that the judge drove a car belonging to a businessman with an allegedly '*shady past*'. It was alleged that this tarnished the businessman's reputation and that, as a result, Ms Ressa should be imprisoned for up to 6 years and 8 months.

This sentence is based on a law that did not exist when the article was published and on charges that were brought [six years](#) after the time limit expired. The article was not even authored by Ms Ressa and, as a report on a matter of public interest written in good faith, should be protected free speech in Philippine law. The draconian sentence also [flies in the face](#) of [international law](#) and the [warning](#) by the Philippines Supreme Court that '*the constitutionality of criminalizing libel is doubtful*'.

In its decision, the Court of Appeals has upheld the [June 2020 decision](#) of Judge Rainelda Estacio-Montesa at the Manila Regional Trial Court, convicting Ms Ressa and former Rappler journalist Reynaldo Santos Jr., and even added a further eight months and 20 days to their prison sentences.

The Court of Appeals' decision comes just weeks after the Philippines' Securities and Exchange Commission [issued an order](#) against Rappler to shut it down by revoking its certificates of incorporation. These developments are merely the latest steps in a sustained campaign of state-sponsored legal harassment against Ms Ressa, Rappler and its team of journalists, who face a barrage of vexatious criminal and regulatory proceedings including numerous additional libel charges, accusations of allegedly illegal foreign ownership and spurious tax charges.

The Philippines' actions in this case have been condemned globally. 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*' by the government. The U.S. Department of State [said](#) it was '*concerned*' by the verdict in the case and called for resolution of the case '*in a way that reinforces ... freedom of expression*'. 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 over 50 states – issued a [statement](#) condemning '*the various charges against Maria Ressa*' and '*the increasing restrictions on freedom of the press in the Philippines*'.

In 2020, the US Congress also [identified](#) Ms Ressa as a journalist in need of protection in legislation directing the imposition of sanctions on foreign government officials involved in the intimidation of independent journalists. And the Nobel Committee awarding her the Nobel Peace Prize in October

2021 (jointly with fellow journalist Dmitry Muratov) [praised](#) her ‘*courageous fight for freedom of expression in the Philippines*’.

The Court of Appeals’ ruling in Ms Ressa’s appeal comes within weeks of the inauguration of Ferdinand Marcos Jr as the Philippines’ new President. He was sworn in on 30th June 2022, succeeding Rodrigo Duterte.

Since late June there have been a number of concerning developments. In addition to the Securities and Exchange Commission’s Rappler shut down order, on 22nd June 2022 press freedom and human rights groups [condemned](#) the National Security Council’s order to block access to multiple news sites due to their alleged affiliation with communist rebel groups. The National Union of Journalists of the Philippines (NUJP) denounced the inclusion of multiple independent news sites in the blocking order, stating that the government did not provide any notice to the newsrooms nor give them an opportunity to refute the NSC’s ‘*reckless claims*’. On 30th June 2022 journalists [called on the new President](#) to look into the killings of media workers and start bringing their killers to justice, a day after a political radio commentator, Federico ‘Ding’ Gempesaw, was shot dead in Cagayan de Oro.

Commenting on the judgment of the Court of Appeals in the cyber libel case against Ms Ressa, **Ms Amal Clooney** said:

‘Maria became the first Filipino Nobel Laureate in recognition of her work. She should be celebrated - not thrown in jail - for it. The latest judgment by a court in the Philippines shows that Maria has been considered guilty until proven innocent – and then prevented from proving her innocence. I hope that the Philippines Supreme Court will now set things right – and restore the country’s constitutional commitment to freedom of speech. And I hope that the new Marcos administration will show the world that it is strong enough to withstand scrutiny and allow a free press’.

Ms Caoilfhionn Gallagher QC said:

‘This is a pivotal moment for the Philippines. Duterte leaves behind a country in which press freedom, human rights and the rule of law have been severely weakened. The world is watching how the new President responds. Will President Ferdinand Marcos Jr stop the rot, or will he double down on his predecessor’s attacks on journalists and civil society? On the eve of his inauguration day, another journalist was added to the Philippines’ death toll. Now the Court of Appeals has confirmed Ms Ressa’s conviction on baseless charges and it has even increased her prison sentence. We call on the international community to condemn this ruling in the strongest terms, and to make clear to the new administration the vital importance of press freedom, human rights and the rule of law’.

Ms Maria Ressa said:

‘This decision follows alarming developments for press freedom over the past three weeks: the unprecedented blocking of news websites, the shutdown order of Rappler, the killing of a media worker, and increased online attacks against journalists and activists.

Despite these sustained attacks from all sides, we will continue to do our jobs. Independent journalism in the Philippines is needed now more than ever'.

Ms Clooney and Ms Gallagher lead the international counsel team acting for Ms Ressa, working with fellow barristers Can Yeginsu and Claire Overman. The team works 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.

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