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Maria Ressa’s International Legal Team Call for New Criminal Cyberlibel Charges against her to be Dropped

Award-winning journalist Maria Ressa faces new criminal charges in a “cyberlibel” prosecution which could lead to seven years’ imprisonment. An arrest warrant was issued against Ms Ressa, former CNN bureau chief, on Friday 27 November 2020. She has posted bail and she will appear in court for the first time in the case on Friday 4 December 2020.

The filing of this arrest warrant follows Ms Ressa’s earlier conviction for cyberlibel. In June 2020, a Philippines court sentenced her 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. She was convicted even though cyberlibel was not a crime at the time of publication and the article related to alleged corruption by a supreme court justice facing impeachment at that time: a matter of clear public interest.

This new cyberlibel case arises out of a single tweet by Ms Ressa on her Twitter account in February 2019 which refers to the earlier article about the judge’s ties to Mr Keng and states:

“Here’s the 2002 article on the “private businessman” who filed the cyberlibel case, which was thrown out by the NBI then revived by the DOJ. [#HoldTheLine](#)”

Attached to the message were screenshots of a 2002 article published in the Philippine Star newspaper, one of the sources of the article that is the subject of the first cyberlibel case.

Amal Clooney and Caoilfhionn Gallagher QC have, on behalf of the international legal team acting for award-winning journalist Maria Ressa, expressed condemnation of the decision to commence criminal proceedings against her for this tweet.

Ms Clooney said:

“This absurd case threatens to send a journalist to prison for a single tweet that simply reposts an old newspaper article. It is the latest in a string of spurious prosecutions designed to silence Maria Ressa and send a warning to every other journalist in The Philippines. Earlier this year, a trial judge sentenced Maria to up to 6 years in prison for ‘cyberlibel’ based on an article that she did not write, a law that did not exist when the article was written, and a prosecution that was initiated 6 years after the limitation period had expired. Philippine courts have an opportunity to set things right on appeal. But the United States should also do all it can to vigilantly protect a woman who is not only its citizen but also an investigative journalist whose work serves the public at large.”

Ms Gallagher said:

“Our brave client Maria Ressa already faces up to six years in prison following her conviction on baseless charges earlier this year. This latest prosecution could see that sentence more than double. Threatening a journalist with criminal proceedings and imprisonment for an innocuous tweet and screengrab is the behaviour of a despotic regime, not a proud democracy with a

long constitutional tradition of respect for freedom of expression. This is not only an act of aggression against our client, Ms Ressa; it is a grave attack on independent journalism and the rule of law in the Philippines. The EU, UN and the international community must take robust, concrete steps to halt this campaign of legal harassment against our client."

Ms Ressa said:

"I was convicted of cyberlibel earlier this year, and now I have my ninth arrest warrant and could go to jail for a tweet. The legal acrobatics to harass and intimidate me continue, but these moves only convince me that we have to fight back and demand justice."

Regrettably, multiple further cases remain pending against Ms Ressa, exposing her to the possibility of spending the rest of her life in prison. These additional cases, which allege illegal foreign media ownership of her news site and alleged tax offences, are equally spurious, and a clear act of retaliation by the current administration against her reporting. The National Union of Journalists of the Philippines has characterised the cases against Ms Ressa as an act of "persecution" by a "bully government."

In June 2020, Ms Ressa's conviction for cyberlibel 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" and the need for "robust intervention by the UN." 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 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, Kurt Wimmer and Ambassador Daniel Feldman of Covington & Burling LLP, as well as Ms Ressa's counsel team in Manila.