

15 February 2019

## **Philippines: Maria Ressa arrested on charges of cyber libel, released on bail**

On 13 February 2019, human rights defender and journalist **Maria Ressa** was arrested by officers from the National Bureau of Investigation on charges of cyber libel carrying up to 12 years' imprisonment. She was released the following day after posting a bail of 100,000 PHP (1,690 EUR).

[Maria Ressa](#) is the CEO and co-founder of Rappler, the leading independent online news network in the Philippines. Prior to starting Rappler in 2012, Maria Ressa was the CNN's regional bureau chief first in Manila, and then in Jakarta. Over her more-than-three-decade career as a journalist in Asia, she has received several awards for her steadfastness in upholding and promoting freedom of expression. Most recently, Maria Ressa was named as one of Time magazine's 2018 Person of the Year.

The warrant for Maria Ressa's arrest was issued on 12 February 2019 by Presiding Judge Rainelda Estacio Montesa of the Manila Regional Trial Court Branch 46.

At around 5pm on 13 February 2019, Maria Ressa was arrested at the Rappler office in Manila by officers from the National Bureau of Investigation (NBI) for allegedly committing libel under Section 4(C)(4) of the 2012 Cybercrime Prevention Act. She was forced to spend the night in NBI custody despite her lawyers' efforts to post bail at the Pasay night court. The bail was rejected by the judge on the grounds that the bail proceedings had not been completed before a 9pm deadline, although Rule 114 Section 17 of the rules of court does not prohibit the filing for bail on such grounds.

On 14 February 2019, Maria Ressa was released from the NBI after posting a bail of 100,000 PHP (1,690 EUR).

The charges against Maria Ressa are over an article that Rappler published on 29 May 2012, approximately four months before the Cybercrime Prevention Act was enacted. More than five years after the article was published, on 11 October 2017, businessman Wilfredo Keng filed a complaint at the NBI on the grounds that the article had maliciously linked him to illegal drugs and human trafficking.

The NBI Cybercrime Division initially dismissed the complaint on 22 February 2018 on the grounds that the one-year limit for bringing libel cases had lapsed. However, the same division revived the complaint a week later and filed it with the Department of Justice (DOJ) on the grounds that Rappler had made punctuation changes to the article on 19 February 2014, after the enactment of the Cybercrime Prevention Act of 2012.

On 10 January 2019, the DOJ ruled in favour of Keng and falsely named Maria Ressa as the editor of the article in its decision. The DOJ also said that Rappler could be held liable based on the theory of "continuous publication."

Both Maria Ressa and Rappler have been repeated targets of judicial harassment and intimidation for their reporting on the ongoing “war on drugs” in the Philippines. In November 2018, the DOJ filed five tax evasion charges against Maria Ressa and Rappler, threatening to close down the news outlet and imprison Maria Ressa. Early last year, following President Rodrigo Duterte’s allegations that Rappler was reporting “fake news” and that it violated the constitutional restriction on foreign ownership of mass media, the Securities and Exchange Commission (SEC) revoked the media outlet’s license.

Front Line Defenders is deeply concerned over the charges and judicial harassment against Maria Ressa as it believes that they are a result of her peaceful and legitimate work in the defence of human rights, particularly in upholding and promoting freedom of expression.

**Front Line Defenders urges the authorities in the Philippines to:**

1. Immediately drop all charges against Maria Ressa, as it is believed that these charges are solely motivated by the human rights defender’s legitimate and peaceful work in defence of human rights;
2. Take all necessary measures to allow the exercise of freedom of expression in the Philippines, in order to ensure that human rights defenders who uphold press freedom will not face reprisals;
3. Cease targeting all human rights defenders in the Philippines and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.