



CALD Statement No. 3, S. 2022

CALD condemns the latest attacks on Rappler and their implication for press freedom

The Council of Asian Liberals and Democrats (CALD) condemns the decision of the Securities and Exchange Commission (SEC) of the Philippines to uphold its earlier ruling revoking the certificate of incorporation of Rappler, thus denying the digital media company of its operating license.

Rappler and its CEO and Founder Maria Ressa, Nobel Peace Prize Laureate, have been the target of political harassment and intimidation during the term of former President Rodrigo Duterte. Among the government agencies that have already filed cases against Rappler included the SEC, the National Bureau of Investigation (NBI), the Bureau of Internal Revenue (BIR), among others.

In his second State of the Nation Address in 2017, Duterte claimed that Rappler is “fully owned by Americans,” which Rappler debunked. Rappler then filed a verified explanation to the SEC after a show cause order was issued from a special SEC panel.

In January 2018, the SEC revoked Rappler’s registration due to its issuance of Philippine Depository Receipts (PDRs) to foreign investor Omidyar Network, an investment firm. A PDR is “a financial instrument which allows foreigners to invest in a Filipino company without owning any part of it.” The Philippine Constitution prohibits foreign control on media companies. According to Rappler’s legal team, there is a very big difference between PDRs and shares of stock.

In February 2018, Omidyar Network donated its PDRs to 14 Rappler managers, which according to Rappler proves that “it has always been, Filipino-owned and -controlled.” In March 2019, the Court of Appeals (CA) denied the motion for partial reconsideration filed by Rappler and upheld that the foreign investment constituted foreign control and reiterated CA’s earlier ruling that the SEC should review its previous order to revoke Rappler’s license in light of the donation made by Omidyar Network.

On 28 June 2022, two days before Duterte steps down, the SEC once again issued an order upholding the revocation of Rappler’s operating license upon the decision of the Commission en banc. In a press briefing, Rappler’s chief legal counsel Francis Lim said that they believe in the rule of law and will comply with the SEC directives and do business as usual. “We will not defy the court orders...there is recourse in the courts of law.”

CALD is alarmed by the persecution and selective justice conducted by the government against independent media organizations. Amidst an era of fake news and disinformation, media institutions that strive for transparency, accountability, and truth must always be protected. Former United Nations special rapporteur Agnes Callamard previously said, that the “move against Rappler comes at a time of rising rhetoric against independent voices in the country.”

CALD, together with journalists, parliamentarians, human rights advocates, and netizens, condemn in strongest terms the latest decision of the SEC against Rappler. It strongly supports Maria Ressa and her team “to continue holding the line and not to voluntarily give up (their) rights.” People must “demand better -- stand on rule of law and fight in courts of law.”

CALD firmly upholds fundamental human rights and condemns any efforts to curtail press freedom, which is fundamental to every democratic society. CALD also fervently calls on the international community to continue to “hold the line”, speak truth to power, and protect journalists from persecution.

For the Council of Asian Liberals and Democrats:

Senator Francis "Kiko" Pangilinan
Chairperson

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