

## OPENING HEARING 2 NOVEMBER 2021

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### WITNESS STATEMENT OF MARIA RESSA

On systematic attacks on independent journalism in the Philippines

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1. My name is Maria Ressa. This is my 35th year as a journalist. I started in 1986 in the Philippines at the government station, right after the end of almost 21 years of repressive dictatorship under Ferdinand Marcos. In 1987, I helped start a company called Probe Productions, which had the boldest investigative journalism in the Philippines at the time. At the same time, CNN asked me to open a bureau in Manila.

2. In 1995, I opened CNN's Jakarta bureau. I covered Southeast Asia's shift from one-man authoritarian rule to democracy, including the end of nearly 32 years of Suharto's rule in Indonesia. At the end of 2004, I came home to the Philippines and headed the largest news organisation in the Philippines: ABS-CBN. In 2012, I started Rappler with three co-founders. Our elevator pitch is that we build communities of action. For us, the challenge is: how do we hold power to account, embrace technology and merge it with the mission of journalism. To try to find the solution, we have three pillars: technology, journalism, and community.

4. In 2016, we came under attack because we exposed the government's propaganda machine on Facebook, in the same way we had exposed the way the government of the Philippines was modifying the numbers of casualties in the brutal drug war it has been waging. We demanded accountability and an end to impunity from Rodrigo Duterte and the the Filipino government, and Mark Zuckerberg and Facebook. This was in 2016. That is what made my life hell.

### **The impact of algorithmic bias for freedom of expression**

5. We created Rappler here in the Philippines because this country is a first adapter to technology from the SMS texting capital of the world to social media. This is what makes the Philippines unique: this is the 6th year in a row that Filipinos spend the most time online and on social media globally. Cambridge Analytica whistleblower Chris Wylie called us a "petri dish" The tactics of mass manipulation were tested here and in countries like Nigeria - countries in the Global South where accountability is weak. This enabled them to test with relative impunity and, when it worked, they "ported" it over to the West.

6. The second factor is: we are a rowdy democracy. There is press freedom, but at the same time, our institutions are weak and corruption is endemic. I was hoping when I set up Rappler that we could use technology to help jump-start development. And it actually worked from 2012 to 2016, until the American companies got too greedy. When Facebook began instant articles in 2015, they just wanted the news group on the platform, but they did not realise (or didn't care about) the impact it would have on the global information ecosystem.

7. It is not content, but algorithmic bias and distribution that is the problem. It is the same methodology, whether it's in the Philippines, the United States, Venezuela or in Turkey. Research has shown that lies laced with anger and hate spread faster and further on social media. These platforms grow through algorithmic choice, using friends of friends as a basis of its recommendation system. When our accounts grow, the more friends we have, the more the platform grows. Its recommendation algorithm is based on friends of friends. Friends of friends broke democracy. This is what happened in the Philippines: in 2016 we did not debate the facts. We agreed on the facts. In May 2016, Rodrigo Duterte won the elections. At that point, 97% of Filipinos on the internet were on Facebook. Facebook is our internet. With the algorithm of friends of friends, and the leadership that uses 'us' against 'them', if you are pro-Duterte, you moved further right. If you're anti-Duterte, using friends of friends, you moved further left. It pulls us apart. It rips apart the public sphere. There is no one to tell you that your illusions are illusions. You could have "alternative" facts, weaknesses in the system of micro-targeting that are exploited by bad actors.

9. By design, the platforms divide and radicalize. And we have seen this globally. Oxford University's computational propaganda research project showed this year that cheap armies on social media are rolling back democracy in 81 countries around the world.

### **Attacks on Rappler and the weaponization of law in the Philippines**

10. Online violence does not stay online. This development created the enabling environment for the weaponization of the law in my country. Our democracy dies by a thousand cuts. The first cut was the drug war. Within four hours of president Duterte taking his oath of office, the first person was killed. At that time, we only had one reporter in the night crew and they would come home with video of at least 8 dead bodies a night.

11. The first people chilled into silence were regular citizens asking about these deaths. Journalists were second. Opposition politicians came next. Human rights

workers are now being targeted. Our research shows this ('Annex 2'). By January 2017, the government reported at least 7000 people had been killed<sup>1</sup>. When they realised that they were going to be criticised for it, they rolled it back to a little more than 2000. The first casualty in my country's battle for truth is the exact number of people killed in the drug war. Human rights activists put the number of people killed in the first 3 years of the Duterte administration at 27000.

12. This is a context where violence and fear are the norm. The government is setting examples. There was a cautionary tale for businessmen (Roberto Ongpin); there was a cautionary tale for politicians (Sen Leila de Lima); and I am the cautionary tale for journalism. It started in 2016, when they used American social media networks to pound the message 'journalist equals criminal'. In the old days, if you repeated a lie ten times, a journalist could catch up and correct it. Now, when you say 'journalist equals criminal' a million times, people start to believe it. They are trying to silence me by manufacturing a reality. They pound to silence, take out that narrative and then create a manufactured reality. By doing this, they weaken the target, they weaken a gatekeeper.

13. In my case, after that, it got worse. In 2017, President Duterte attacked Rappler in the State of the Nation Address, repeating the messages 'journalist equals criminal' and 'they are foreign owned'. A little more than a week later, Rappler and I got our first subpoenas. In January 2018, the government revoked Rappler's license to operate, trying to shut us down. We challenged it and we never shut down, but it scared people and our advertisers. In the first four months, we dropped 49% of our advertising revenues. This would have killed us if we had not found a new sustainable business model.

14. In 2019, the arrests and the legal cases began. I spent 90% of 2019 with my lawyers. In 2020, I was convicted. I got my 9th arrest warrant in 2020 and my 10th in 2021. Within less than two years, this government filed 10 arrest warrants against me. These are cyber libel cases, tax evasion charges and allegations of securities fraud. They filed tax evasion because they reclassified Rappler as - and this is a direct quote from the documents - a "dealer in securities." They essentially called us a stock brokerage house, manufacturing the taxes we should have allegedly paid. We of course did not pay these taxes because we are not a dealer in securities.

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1 <https://www.amnesty.org/en/latest/press-release/2017/01/philippines-the-police-murderous-war-on-the-poor/>; <https://www.rappler.com/newsbreak/iq/timeline-philippines-pnp-deaths-under-investigation>; <https://www.rappler.com/newsbreak/iq/numbers-statistics-philippines-war-drugs>

15. In 2020, Rappler was charged and found innocent of cyberlibel. But my colleague and I were found guilty. The conviction shows the extent of how the law is weaponized. The case I was convicted on is a cyber libel case about a story we did in 2012. The statute of limitations for libel is 1 year. The case started in 2018. I did not write, edit or supervise this story. Since that conviction on 15 June 2020, my travel requests have been denied, including when my mom was diagnosed with cancer last year.

16. These cases show how the weaponization of social media creates an enabling environment for the weaponization of the law. Within about 6 months, our institutions were co-opted by president Duterte. The cases against me are part of a pattern. Rappler was the third attack by President Duterte. The first was the largest newspaper (the Philippine Daily Inquirer), then the largest broadcaster (ABS-CBN), then us. ABS-CBN lost its franchise last year under the Duterte administration. This is not unique. If you look at Trump and the 'Stop the steal' meta-narrative, you see the same dynamics ('Annex 3'). It shows how a meta-narrative can be planted, change reality and enable someone to stay in power. It's like spreading fertiliser on the ground.

17. The drug war was a prototype in using social media to silence and enable. They are now intensifying attacks against human rights activists. One of our partners, human rights group Karapatan, has had 16 people killed in the last 5 years. Our National Union of Journalists of the Philippines recorded at least 20 killings of journalists. Under Duterte, 63 lawyers have been killed compared to less than half of that under Marcos. For activists, this was a very bloody year. In March 2021, the police were able to get arrest warrants for 9 activists. They went to their homes at dawn, knocked on their doors and all 9 of those activists were killed.<sup>2</sup>

18. This is why I go back to the American platforms. The world's largest delivery platform for news is Facebook. Social media has become a behavior modification system, and we are Pavlov's dogs, experimented on in real time. There are consequences to this "move fast, break things" mentality in the Global South. We are not the United States, where during the elections in 2020, it was all-hands-on-deck for all the social media platforms. Our presidential elections in May 2022 is an existential moment for democracy, and if the platforms don't change their algorithmic distribution, we will lose our democracy regardless of what the citizens in the Philippines do.

19. For years, I've been comparing the impact of technology to Hiroshima: an atom bomb exploded in our information ecosystem, and it is so insidious that we don't

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2 <https://www.rappler.com/nation/dead-arrested-calabarzon-crackdown-progressives-march-7-2021>

even know it. After the Second World War, the entire world came together and they created NATO, Bretton Woods and the United Nations. They created the Universal Declaration of Human Rights. Solving the problems to protect our democracy begins with that. We have to take the virus of lies out of our information ecosystems ('Annex 1').

I confirm that the facts stated in this witness statement are true.

This statement was given in English on 15 October 2021, and will be delivered in English on 2 November 2021 during the opening hearing of the People's Tribunal on the Murder of Journalists.

Date and Place:

Name witness and signature:

## **ANNEXES:**

Annex 1: [Speech: 'Fighting the Virus of Lies'](https://www.rappler.com/voices/thought-leaders/opinion-maria-ressa-unesco-world-press-freedom-prize-speech) (May 3, 2021), Acceptance speech by Maria Ressa after receiving the 2021 UNESCO/Guillermo Cano World Press Freedom Prize, <https://www.rappler.com/voices/thought-leaders/opinion-maria-ressa-unesco-world-press-freedom-prize-speech>

Annex 2: [Investigation: 'New war: How the propaganda network shifted from targeting 'addicts' to activists'](https://www.rappler.com/newsbreak/investigative/how-propaganda-network-created-online-environment-justifies-shifted-killing-activists) (October 3, 2021), Don Kevin Hapal and Raisa Serafica (Rappler), <https://www.rappler.com/newsbreak/investigative/how-propaganda-network-created-online-environment-justifies-shifted-killing-activists>

Annex 3: [Report 'Laying the Groundwork: Meta-Narratives and Delegitimization Over Time'](https://www.eipartnership.net/rapid-response/election-delegitimization-meta-narratives) (October 19, 2021), Election Integrity Partnership, <https://www.eipartnership.net/rapid-response/election-delegitimization-meta-narratives>