

Brussels, 10 February 2003

PRESS RELEASE

Prof. Sison (Philippines) goes to court on EU 'terrorist' listing

Last Friday, February 7, Philippine professor Jose Maria Sison filed an application against the Council of the European Union, which had put him on its list of alleged "terrorists". Sison, the chief political consultant of the National Democratic Front of the Philippines and a political refugee in the Netherlands, was added to the EU's blacklist on October 28, 2002, and again on an updated list on December 12.

Prof. Sison now challenges this decision before the European Court of Justice in Luxemburg. He demands the partial annulment of the Council Decision of 12 December insofar it mentions his name. He also requests that the Council Regulation of 27 December 2001 "on specific restrictive measures directed against certain persons and entities with a view of combating terrorism" be declared illegal. Finally, he requires the European Union to compensate him for moral and material damages suffered.

Prof. Sison is represented by no less than five respected European human rights lawyers: Jan Fermon (Belgium), Antoine Comte (France), Hans Eberhard Schultz (Germany), Dundar Gurses (the Netherlands) and Thomas Olsson (Sweden). Atty. Jayson Lamchek, of the Public Interest Law Center in Manila, is his correspondent lawyer in the Philippines.

On a public forum held in Brussels on February 5, Atty. Romeo Capulong stressed that throughout the years, all criminal charges filed against Prof. Sison in the Philippines have been dismissed for lack of merit. Capulong chided the Council of the EU for being at the same time Prof. Sison's accusers, false witnesses, prosecutors, judges and executioners. He explained that the Council has completely violated his client's right to due process: he was not given notice of the decision, he was not given the opportunity to confront his accusers, nor to refute the accusations before an impartial court.

Atty. Jan Fermon cited four grounds for challenging the EU Council Decision. First, the decision is absolutely without any motivation. The only 'motivation' used is that "it is desirable to adopt a new list", on which Prof. Sison's name appears. "But it does not say why it is desirable, on which basis it is desirable and to whom it is desirable", Fermon said. "We are supposed to accept as motivation just that 'it is desirable!'" "Second", Fermon continued, "there is a patent error of judgment, as the decision arbitrarily lumps together the efforts to help achieve national liberation and acts of terrorism." Also the principle of proportionality is violated in Prof. Sison's 'terrorist' listing. "The blocking of my client's bank accounts", Fermon said, "does not concern the transfer of large amounts of money, but of his social benefits as a recognized refugee: a measly 201 euro a month! Well, if that's the amount of money to be spent on terrorism, we can all sleep safely!"

The procedure before the European Court of Justice in Luxemburg is expected to take months, if not years. Prof. Sison's lawyers are planning to demand interim measures to restore and safeguard their client's rights while awaiting a final decision of the court.

A large and varied group of personalities, among them several Members of the Dutch, Belgian, Swedish, Danish and European Parliaments, signed an international appeal supporting Prof. Sison in the legal action he is taking.

You may read the entire legal application of Jose Maria Sison on www.defendsison.be. You may also interview Prof. Sison and/or Atty. Fermon through the DEFEND Committee.

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