

**WHY I STAY IN THE NETHERLANDS
TO CARRY OUT MY LEGAL DEFENSE
Statement to the Dutch Court of Appeals**

**By Prof. Jose Maria Sison
The Hague, The Netherlands
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Your Honors:

As early as July, I was able to get an appointment with a cardiologist to examine my heart condition on this day starting at 3:40 p.m. Out of respect for your court, I decided this morning to postpone the medical appointment and to attend this hearing.

Let me declare my reasons for staying in The Netherlands and carrying out my legal defense. I wish to dispel the fears of the prosecution that I would run away from my own legal defense against a patently false and politically motivated charge originating from the Manila government.

1. I am innocent of the charge of ordering or inciting the killing of Kintanar and Tabara. I have no power or authority to make this happen in any way. Since 1977, when I was arrested and detained by the Marcos fascist dictatorship, I have lost the position of Chairman of the Central Committee of the Communist Party of the Philippines. It is against my moral and political principles to settle any difference of ideas through violence. I am a political scientist and teacher who loves and enjoys the exchange of ideas.
2. Because of my innocence of the charge, there can never be any direct or sufficient evidence to make me culpable in any way for the killing of Kintanar and Tabara. Given the opportunity to collect and present exculpatory evidence under the rule of fair play, I am sure and confident of being able to debunk the false testimonies against me, including the obvious multiple hearsay, speculations, conjectures, rumors and presumptions.
3. I have gained so much confidence in the Dutch legal system, especially after the decision of the Rechtbank finding insufficient evidence and releasing me from detention. I am aware that proof beyond reasonable doubt is required for the punishment of anyone for murder.
4. The charge against me is false and politically motivated. It started with the Philippine foreign secretary Alberto Romulo dumping on the Dutch justice ministry allegations and papers against me in 2005 when he came to The Netherlands. It did not originate from any discovery of wrongdoing by me in The Netherlands. It originated from the Manila government, which provided the witnesses and papers to the Dutch investigators. Nevertheless, it is a mere recycling of the Kintanar and Tabara incidents which were previously described as specific acts of rebellion by the Philippine prosecutors up to the level of the Solicitor General. These were wastebasketed by the Philippine Supreme Court when it nullified the charge of rebellion against me and 50 others last July. It is extremely anomalous that I am charged with ordering or inciting murder in

connection with the Kintanar and Tabara incidents, which have been categorized as acts of rebellion by the Philippine authorities which have the jurisdiction rather than the Dutch government.

5. While attending to my legal defense, I am desirous of performing my role as chief political consultant of the NDFP Negotiating Panel in peace negotiations with the Government of the Republic of the Philippines and in pushing the implementation of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law. Expected in the coming months are the visits to the NDFP Negotiating Panel by a delegation of the Philippine Senate's Committee on Peace and Reconciliation, officials of the Norwegian foreign ministry and representatives of human rights, religious and business organizations interested in the protection of human rights and attainment of a just peace in the Philippines.
6. It is in connection with my role as chief political consultant of the NDFP Negotiating Panel that I have a wide array of publications, documents and drafts in my files and library collection. These include materials related to the GRP, including the Office and Cabinet of the President, Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP); the NDFP, including the CPP, NPA and other allied organizations; and various political forces in the Philippines and abroad. So that I can resume performing my role in the peace negotiations, I wish to reconstitute my files and library collection which have been disrupted by the raids and seizures. From the records of the GRP-NDFP peace negotiations, I wish to belie the claim of a former PNP intelligence officer that I ordered the release of the prisoners of war or captives held by the NPA. These captives were released as goodwill measure upon the negotiations and mutual agreement of the GRP and NDFP Negotiating Panels.
7. The only way I can build my legal defense and overcome the big headstart of the police and prosecution against me is being out of detention. Please consider that the Philippine authorities started to deliver materials against me in 2005 and the Dutch police started to do its investigation in 2006. It is a matter of justice and fair play that I be given the opportunity to catch up in building my legal defense.
8. I have no material resources and I am not in any fine health to be able to live the life of a fugitive. I have no choice whatsoever but to pursue my legal defense against the false and politically motivated charge. This is a weak because baseless charge. I have full confidence in being able to debunk it completely.
9. I am not in any position to threaten any witnesses. The witnesses against me, who are in the Philippines, are protected by the Philippine authorities. On the other hand, it is the witnesses in my favor who are threatened and disadvantaged by the Philippine government, which has become notorious for gross and systematic human rights violations.
10. I thank the institutions, parties, organizations, personages and the broad masses of people in The Netherlands who have expressed solidarity and support for me, criticized my detention and demanded my release. They belie the claim of the prosecution that I have shocked and frightened Dutch society.

Thank you for letting me speak.###

Note: Prof. Jose Maria Sison was able to read the statement up to the end of No. 5 above before the Court of Appeals.