

Press Statement

8 June 2008

INTERNATIONAL COMMITTEE DEFEND CONDEMNS CONTINUING OPPRESSION OF PROF. SISON

By International Committee DEFEND

We, the International Committee DEFEND, hereby condemn the long-running scheme of Philippine and Dutch government authorities at the highest level to oppress and criminalize Prof. Jose Maria Sison by subjecting him to false charges of murder against him and to an endless politically-motivated criminal investigation.

The oppression of Prof. Sison by Dutch authorities began on January 26, 2005 when Philippine foreign secretary Alberto Romulo and Dutch justice minister Piet Hein Donner met and agreed to subject Prof. Sison to false murder charges in connection with the killing of Philippine military assets Romulo Kintanar in 2003 and Arturo Tabara in 2004.

The Romulo-Donner agreement led to the intense surveillance on Prof. Sison, the taking of testimonies by the Dutch police from witnesses provided by Philippine authorities in Manila from January 2006 onwards and the arrest of Prof. Sison on August 28, 2007 as well as raids on the NDF Information office and the homes of members, consultants and staffers of the NDFP Negotiating Panel.

The scheme to oppress and criminalize Prof. Sison and other Filipinos abroad is part of the so-called legal offensive of the Arroyo government to preoccupy and stigmatize leaders of the opposition by levelling false criminal charges against them through the instrumentality of so-called Inter-Agency Legal Action Group (IALAG) of the Oplan Bantay Laya. This agency is so notorious that the UN special rapporteur on extrajudicial killings and summary executions, Philip Alston, has recommended its abolition.

It is important to be aware of the political context in which Prof. Sison is subjected to endless criminal investigation despite the decisions of the District Court of The Hague on September 13, 2007, The Hague Court of Appeal on October 3, 2007 and the examining judge on November 21, 2007 that there is no prima facie evidence against him. In its decision, the Hague Court of Appeal pointed to the political context in which the witnesses against Prof. Sison are unreliable and that it is doubtful whether he can cross-examine the witnesses who are managed by the Philippine military.

In its June 5, 2008 decision on the complaint of Prof. Sison demanding the end of the overextended criminal investigation against him, the District Court of The Hague declared that up to now there is no incriminating evidence against him. But the court decided to give the prosecution an unspecified amount of time to further interrogate witnesses and further examine the things seized in the raids on August 28, 2007.

It is anomalous that in its decision the court claims falsely that the lawyer of Prof. Sison withdrew the demand for the termination of the criminal investigation. In fact, the lawyer vigorously reminded the court that the prosecution had asked for an extension of the investigation up to mid-June 2008. It is even more anomalous for the court to claim falsely in its decision that the examining judge closed the preliminary investigation on November 21, 2007 after supposedly giving the prosecution a blank check on the interrogation of witnesses.

The June 5, 2008 decision of the District Court of The Hague has created a series of problems. It has not made clear what are the grounds and in respect of what facts is the prosecution allowed the unspecified or unlimited time to continue and complete investigation. The prosecution is practically allowed to generate witnesses and evidence as freely as it wishes and to prolong the investigation as it pleases.

Since the prosecution received the aforesaid court decision, the prosecution has casually tried to enlist the assistance of the office of the examining judges in the supposed task of investigation, without clarity of grounds and without a modicum of respect for the role of the examining judge in accordance with definite provisions in the Code of Criminal Procedure.

It seems like anything goes in the sphere of criminal investigation, prosecution and even in judicial decision-making so long as the political interests of the highest officials of government are served. Is the supposed rule of law in The Netherlands being bent or degraded to subserve the political collaboration of the Dutch and other governments against individuals like Prof. Jose Maria Sison who intelligently and courageously exercise their freedom of thought and expression in the service of the people?###

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