

National Prosecutor

DEMAND FOR JUDICIAL PRELIMINARY INVESTIGATION

The prosecutor of the National Prosecutor Office considers, that

Parquetnummer:

09/750006-06

Jose Maria Canlas Sison

Born on 08 February 1939 in Cabugao

Living in Utrecht, Rooseveltlaan 778

Suspect is, that

1.

that he at one or more point(s) in time in or around the period from 1 January 1987 up to and including 23 January 2003, in Utrecht, at least in the Netherlands and/or the Philippines, together and in association with another or others, at least alone, intentionally and with forethought, has killed a person named Romulo Kintanar, or suspect and/or his accomplice(s) has/have, on 23 January 2003 in Quezon City (Philippines), with that intent and after calm consideration and sober discussion, with a pistol, at least a firearm, fired one or more bullet(s) at (the body of) the abovementioned Kintanar, as a consequence of which that Kintanar died.

At least that the suspect together and in association with others, at least alone, then and there has incited this confirmed act.

(Article 289 with article 47 Penal Code)

Subsidiarily

that he at one or more point(s) in time in or around the period from 1 January 1987 up to and including 23 January 2003, in Utrecht, at least in the Netherlands and/or the Philippines, together and in association with another or others, at least alone, has committed a confirmed act for which the laws and norms as meant in article 8 of the War Crimes Law, to wit the killing of a person named Romulo Kintanar, if not the intentional permission for the commission of this act by one or more of those who are subordinate to him.

(Article 8 and 9 War Crimes Law)

2.

that he at one or more point(s) in time in or around the period from 1 January 1987 up to and including 23 January 2003, in Utrecht, at least in the Netherlands and/or the Philippines, in execution of the intended crime by the suspect and/or his accomplice(s) to kill, together and in association with another or others, at least alone, intentionally and with forethought, one or more person(s) named Ruel Murakami and/or Edmundo Ruiz y Martinez and/or one or more person(s) who remain unknown until today, with that intent and after calm consideration and sober discussion, on 23 January 2003 in Quezon City (Philippines), with a pistol, at least a firearm, fired one or more bullets at (the bodies/bodies of) Murakami and/or Ruiz y Martinez and/or one or more person(s) who remain unknown until today, while the execution of this intended crime was not completed.

(Article 289 with article 47/45 Penal Code)

At least that the suspect together and in association with others, at least alone, then and there has incited this/these confirmed act(s).

Subsidiarily

that he at one or more point(s) in time in or around the period from 1 January 1987 up to and including 23 January 2003, in Utrecht, at least in the Netherlands and/or the Philippines, together and in association with another or others, at least alone, has committed a confirmed act for which the laws and norms as meant in article 8 of the War Crimes Law, to wit the committing of an attack on the life of the abovementioned persons or shooting with a firearm at or in the direction of the abovementioned persons (who were present as bystanders during the committing of the attack on R. Kintanar), if not the intentional permission for committing of this act by one or more of those who are subordinate to him.

(Article 8 and 9 War Crimes Law)

3.

that he at one or more point(s) in time in or around the period from 1 January 1987 up to and including 26 September 2003, in Utrecht, at least in the Netherlands and/or the Philippines, together and in association with another or others, at least alone, intentionally and with forethought, has killed two, at least one, person(s) named Arturo Gabasan Tabara and/or Stephen Alamo Ong, or suspect and/or his accomplice(s) has/have, on 26 September 2003 in Quezon City (Philippines), with that intent and after calm consideration and sober discussion, with a pistol, at least a firearm, fired one or more bullet(s) at (the body/bodies of) of Tabara and/or Ong, as a consequence of which that Tabara and/or Ong died.

At least that the suspect together and in association with others, at least alone, then and there has incited this confirmed act.

(Article 289 with article 47 Penal Code)

Subsidiarily

that he at one or more point(s) in time in or around the period from 1 October 2003 up to and including 26 September 2003, in Utrecht, at least in the Netherlands and/or the Philippines, together and in association with another or others, at least alone, has violated that which is laid down in article 6 paragraph 1 sub 1 (attack on life or physical violence) and/or article 6 paragraph 1 sub d (promulgation or imposition of a sentence without previous trial) and/or article 6, paragraph 2 sub d (killing or wounding of enemies in a treacherous manner) and/or article 9 of the Law on International Crimes, by (doing) the killing of Arturo Gabasan Tabara and/or Stephen Alamo Ong, at least the (doing of) intentional permission that these person(s) were killed by those who are subordinate to him, or that he intentionally has failed to take measures in so far as these are necessary and which can be demanded from him, while this/these act(s) were committed by those who are subordinate to him.

(Article 6 and 9 Law on International Crimes)

considering, that he/she, in this case, considers necessary a judicial preliminary investigation;

in view art. 149 and 181 Code of Strafvordering and the SR 289, SR 47/1/1 etc.

demands, that the judge-commissioner responsible with handling criminal cases shall immediately decides to institute a preliminary investigation.

Rotterdam, 23 August 2007

The prosecutor

A copy of the above demand was given to the suspect by me during the first hearing.

Rotterdam, ...

The judge-commissioner