

# LIBERATION INTERNATIONAL

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March - June 2009

## Arroyo's new attempts at charter change meet angry protests

By Pingkian  
and Bagani Dong-ilay

It was a day of ignominy," said a progressive member of the Philippine House of Representatives, the lower House of Congress.

On 2 June 2009, House Resolution 1109 was railroaded through the House of Representatives by majority congressmen who are loyal to Manila President Gloria Macapagal-Arroyo. HR 1109 proposes to transform the House into a Constituent Assembly ("Con-Ass") for the purpose of amending the Constitution of the Republic of the Philippines.

The resolution excludes the members of the Philippine Senate from participating in the Con-Ass and in amending the Constitution.

Leaders of opposition parties describe the convening of the Con-Ass as an imminent rape of the 1987 GRP Constitution. They warned that Gloria Arroyo will use her influence and government resources to ram through self-serving and pro-imperialist constitutional amendments.

They assert that Arroyo wants to remove constitutional provisions giving formal protection to national sovereignty and patrimony, and prohibit foreigners from owning land and strategic industries in the country; to eradicate the remaining provisions that protect civil rights; and to perpetuate herself in power even beyond her term of office.

The US-backed Arroyo regime is characterized by many as massively corrupt and a ruthless violator of human rights, liable for war crimes punishable under international laws.

The 2008 World Bank report listed the Arroyo government as among the "most corrupt" in the world. Her husband, Mike Arroyo, and son, Mikey Arroyo are widely known to be involved in corruption scandals and illegal gambling operations.

Her government is guilty of extrajudicial killings, enforced disappearances, warrantless arrests, illegal detention, filing of trumped up charges against suspected

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Worse than A(H1N1) virus. Protesters chant "No to Cha-Cha virus!" in Cebu City, in central Philippines, during the nationwide protest action on 10 June. Photo from Arkibong Bayan / BAYAN - Central Visayas.

## Day of Shame: US Supreme Court denies review of Cuba Five case

By Roselle Valerio

The Supreme Court of the United States of America announced on 15 June that it had denied a petition to review (certiorari) the case of the Cuba Five who have been incarcerated in US prison cells for more than 10 years for monitoring terrorist organizations based in Miami, Florida.

Offering no explanation for its rejection, the Court ignored 12 "Friends of the Court" appeals issued by ten Nobel Prize winners, dozens of jurists, parliamentarians and concerned organizations around the world, to review a case plagued with anomalies. It has also ignored a ruling of the UN Working Group on Arbitrary Detentions which had declared the imprisonment of the Cuba Five as arbitrary and illegal.

Reacting to the Court decision, Ricardo Alarcón, President of the Cuban National

Assembly, said that the US Supreme Court "ignored the demand of Humanity and its obligation to do justice."

"We see manifested once more the arbitrariness of a corrupt and hypocritical system and its brutal treatment of our Five brothers," he said.

The International Committee to Free the Five, in a statement issued to the media said, "This day will be marked on our calendars as the day of shame of the US judicial system and the inaction of the Obama government in the face of terrorist groups

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communists and revolutionaries.

UN Special Rapporteur on extra-judicial killings Prof. Philip Alston recently censured the Arroyo government for failing to put an end to extra-judicial killings. In his report to the 11<sup>th</sup> session of the UN Human Rights Council in Geneva, Switzerland, he said that forced disappearances and illegal detentions remain all too common, as does the bringing of trumped up charges against activists and victims of human rights abuse. Impunity reigns as not a single military personnel accused of human rights violations has been tried or punished.

It will be recalled that US interventionist policies in the Philippines has long included a strong lobby to amend the GRP constitution. An exposé during the reign of Gen. Fidel V. Ramos revealed that a well-funded lobby group within the GRP bureaucracy itself had been working to undermine the people-power inspired 1987 constitution.

This is not the first time Gloria Arroyo has made an attempt to amend the GRP's basic law. But every time she did, she had been rebuffed by a vast majority of Filipinos.

On 10 June, Filipinos representing a broad section of society went out on the streets in major cities across the Philippines to denounce the convening of the Con-Ass. They were joined by overseas Filipinos in several cities in North America, Asia-Pacific, the Middle East and Europe, in shouting "No to Gloria's dictatorship!"

Tens of thousands converged in the country's financial district, Makati City, consisted of businessmen and bankers, prominent members of the political opposition, members of the Senate, progressive party-list congressmen, workers, peasants, students, urban poor, church leaders, teachers and

members of the academe, journalists, a former Philippine vice-president, local government officials, priests and nuns, and rank-and-file government employees.

"More than a show of force, the protests across the Philippines on 10 June were an expression of outrage, a manifestation of a people's growing revulsion toward a regime that has become the most despised since the dictatorship of Ferdinand Marcos," wrote an on-line news agency.

Most recently on 30 June, thousands of protesters led by Bagong Alyansang Makabayan (BAYAN, New Patriotic Alliance) gathered in Bonifacio Plaza, in the heart of Manila, to echo the people's demand to stop the Con-Ass and for the US-Arroyo regime to end its reign on 30 June 2010.

These mobilizations will reach a peak on 27 July 2009. On that day, Arroyo will deliver her traditional State of the Nation Address before the two houses of Congress. Arroyo and her lackeys are expected to make a move on that day to convene Congress into a Constituent Assembly.

As anger continues to spill onto the streets of the Philippines, Filipinos outside of the country threatened to withhold their remittances if the Con-Ass is convened. A union of computer professionals has also called on the online community to maximize the web to express solidarity with the Filipino people.

The International League of Peoples' Struggle (ILPS), a global anti-imperialist formation, through its chairperson, Prof. Jose Ma. Sison, said in a statement:

"The broad masses of the Filipino people are justly seething with anger over the evil scheme of 'charter change' through 'constituent assembly' monopolized by the congressional asses of the Arroyo regime.

The Arroyo regime intends to remove the constitutional restraints on martial law,

emergency rule and violations of human rights. It seeks to undercut the formal guarantees of civil and political liberties in the Bill of Rights. Driven by its desire to keep and enlarge its ill-gotten wealth and by its fear of future prosecution for corruption, the Arroyo ruling clique is obsessed with perpetuating itself in power, engaging in state terrorism and being propped up by US economic and military power."

For its part, the Communist Party of the Philippines (CPP) called on the Filipino people "to employ to the fullest all forms of open protest and armed resistance against all of Gloria Arroyo's moves to perpetuate her reign through all means foul and brutal."

The CPP said that Arroyo has grown desperate because time is running short as her schemes to stay in power at all costs is being met with opposition at every turn.

The CPP directed the New People's Army (NPA) to "intensify its tactical offensives against the rotten and power-hungry Arroyo regime, deal more and bigger body and head blows against it, and contribute to the overall effort to end it soonest and frustrate all its designs to perpetuate itself in power." ■



The National Democratic Front of the Philippines (NDFP) is an alliance of revolutionary organizations with roots in the various sectors and regions of the Philippines. Its goal is to build a society that enjoys national sovereignty, genuine democracy, social justice, progress and peace. It seeks to unite with all forces willing to achieve these goals.

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# **NDFP exposes forced displacements, violations of rules of war by US-Arroyo regime**

**By Ed Ladera**

In a letter to the Head of Delegation of the International Committee of the Red Cross (ICRC) in the Philippines, dated 20 March 2009, Fidel V. Agcaoili, Chairman of the Human Rights Committee of the National Democratic Front of the Philippines (NDFP), exposed the massive forced displacement of civilians and civilian communities by the armed forces of the US-backed Government of the Republic of the Philippines. In the first 75 days of 2009, according to Agcaoili, ruthless military operations by the Arroyo government caused the following cases of forced displacement:

1. 112 families from Barangays (villages) Villa Rica and Malbang in Pantabangan, Nueva Ecija, in northern Philippines, sought refuge at the barangay hall and high school of Pantabangan on 31 January after being told by the GRP armed forces to evacuate their villages because of military operations against the New People's Army (NPA). The evacuation resulted in the destruction of their crops and the divestment of their livestock by the GRP military.
2. More than 300 families were forced to evacuate to Barangay Bacong Multipurpose Building and other evacuation centers in Tulunan, North Cotabato, in southern Philippines, after aerial and artillery bombardments by the GRP armed forces on 6 February 2009 of the villages in Tulunan, North Cotabato and Magsaysay, Davao del Sur. According to reports, the civilians are still in makeshift evacuation centers and afraid to return to their homes.
3. 195 families composed of 501 women and 313 children from Barangays Lipa and Kiburiao of Quezon, Bukidnon, also in southern Philippines, forcibly evacuated their communities to escape the military operations of the 29<sup>th</sup> Infantry Battalion of the GRP's Philippine Army, in the aftermath of encounters between the GRP and the NPA on 22-23 February. According to reports, the civilians are still in the evacuation centers and are in need of relief from humanitarian agencies. Daily economic activities were also hampered in Barangays Lipa, Palacapao, Puntian, Salawagan, Sta. Cruz and Kiburiao because of GRP military operations in the said areas.

In his letter to the ICRC, Mr. Agcaoili attached a documentation of 39 cases of forcible displacement committed by military, police and paramilitary forces of the US-Arroyo regime during 2008. This documentation was researched and prepared by the NDFP-Joint Secretariat. Illustrative of these cases affecting numerous communities and thousands of families are the following:

Before 24 January 2008 in Talaingod, Davao del Norte, in southern Philippines, indigenous people from 17 villages were forcibly displaced by GRP military operations. The soldiers encamped in homes and schools in the village center. Residents' farm animals were slaughtered, their farm houses destroyed, their water gallons urinated on and left with fecal matter by the soldiers. Women were harassed and tribal leaders disrespected. Some residents were prevented by the military from going to their farms for three days. A five-month old baby died due to hunger. This was reported in the People's Journal Tonight, 24 January 2008.

218 families (506 individuals) in Sitio (sub-village) Bagong Bayan, Brgy. San Victor, Baganga, Davao Oriental, were forced to evacuate on 30 January 2008 because of military operations including aerial and artillery bombardment. 32 elements of the regime's 67<sup>th</sup> Infantry Battalion under Colonel Bejarin and Captain Mai were identified in the complaint filed with the Joint Monitoring Committee against the GRP under file no. G-1375.

From 2-18 February 2008, 26 families of Sitio Bagang in Talaingod, Davao del Norte, were forced to evacuate by elements of the 73<sup>rd</sup> IB under Lt. Col. Alexander Ambal and Army Scout Rangers under 1Lt. Betinol. The military looted the houses, taking bags of rice seeds and scattering them into the air from a helicopter. The residents walked for 10 days and hid for two weeks in the forests. This complaint was filed with the JMC under file no. G-1474.



*Volunteers from religious and citizens' organizations distribute food & other relief goods to families forced to flee their homes due to massive militarization in North Cotabato in October 2008. Photo from Arkibong Bayan.*

On 10 February 2008, 150-200 indigenous (Mangyan-Hanunuo) people in Sitio Quintal, Brgy. Murtha and Sitio Kalinisan, Brgy. Bayobot, Occidental Mindoro, in central Philippines, were forced by elements of the 76<sup>th</sup> IB led by Major Lapada to evacuate to a multipurpose hall in one of the barangays. The military accused the victims of being NPA supporters and of buying commodities and other necessities for the NPA. This is filed under complaint no. G-2107.

Meanwhile, in a subsequent letter to ICRC Head of Delegation, Mr. Jean Daniel Tauxe, dated 20 May 2009, Agcaoili attached an initial tabulation of complaints and reported violations of international humanitarian law by the US-backed regime's armed forces in the conduct of the armed conflict in 2008. These involve the indiscriminate aerial and artillery bombardment of civilian communities, the strafing of civilian houses, hamletting, food blockade, and the military occupation of churches, schools, community and health centers, public

**Displacement, page 4, col 1...**

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plazas and civilian houses.

The aforementioned initial tabulation, also researched and prepared by the NDFP-JS, cites 22 cases affecting 538 families and almost 3,000 individuals, in addition to entire civilian communities in 19 villages. Many of the individuals are children. Illustrative of these 22 cases are the following:

On 20 February 2008, 62 families consisting of 310 individuals of Sitio San Roque, Brgy. Baracatan, Toril, Davao City were subjected to hamletting and food blockade. Around 60 soldiers of the 66<sup>th</sup> IB headed by 2Lt. Ferdinand Fernandez, prohibited families from going to their farms. The soldiers closely monitored the movements of residents in the area. Anyone who wished to go anywhere had to be questioned and was obliged to sign in a logbook.

Forced occupation of civilian houses was inflicted by the regime's soldiers against the residents of Sitio Tudaya, Sibulan, Sta. Cruz, Davao del Sur on 3 February 2008. Armed soldiers occupied the houses, whose owners could not refuse out of fear.

On 1 February 2008, about a hundred soldiers arrived in the aforementioned Sitio Tudaya and told the sitio leaders that they will build a detachment near the Tudaya Elementary School. They ordered the residents to gather wood and bamboo for the detachment. For two weeks, about 20 male residents were forced to do construction work without pay. This was filed under Complaint G-1484 as a case of forced labor and occupation of a schoolyard for military purposes.

On 4 February 2008, in Brgy. Ipil,

## AFP bombards Tumanduk land in Capiz, civilian homes destroyed

By Julian Paisano  
Spokesperson, NPA Panay

The Coronacion "Waling-waling" Chiva Command condemns the shelling of Tumanduk ancestral lands by the 3rd Infantry Division, Philippine Army, on 29 June 2009, and the massive militarization of the upland barangays of Tapaz, Capiz, in central Philippines.

Earlier, the NPA had launched a series of successful ambushes against the widescale military operations of the AFP in Tapaz. The first was on 27 June, 7:50a.m. at Mt. Cabagol, Brgy Aglinab. The second was at 10:15a.m. on the same day at Karatagan, Katipunan. The third was on 29 June at 8:25a.m. at Mt. Garu, Acuña. The results were at least two 47th IB soldiers killed and four wounded, with no casualties on the NPA side. In all these skirmishes, the NPA used rifles and explosives aimed precisely at military targets.

Maimbung, Sulu, 8 persons including a 4-month pregnant woman were killed due to strafing and indiscriminate gunfire by elements of the GRP's Special Warfare Group, Philippine Navy and the Light Reaction Company of the Philippine Army. Thirty households with 180 individuals were victimized. Some civilians tried to escape to a nearby mangrove area on board a small boat but the soldiers shot at the boat despite the passengers' cries that they were civilians. This complaint is filed under G-1506 with the JMC.

Pastor Armando Chavez, 34, of Sitio Quarry, Brgy. Ngan, Compostela Valley,  
**Displacements, page 6, col 1 ...**

But at 12:00 noon on 29 June, long after NPA troops have withdrawn and were safely resting kilometers away, the AFP, without warning the nearby households and in utter disregard for civilian lives and property, started bombarding Mt. Garu with 105mm howitzers. Mt. Garu is a major pass connecting upland barangays to the lowlands. Some shells hit Ganga in the Pan-ay River, the main waterway used by Tumanduk farmers in transporting their products to the town center. Another hit the house of a family in Sitio Badas, Brgy Tacayan. Until now, productive activities of indigenous farmers in Tapaz have come to a halt as hundreds of government soldiers occupy barangays and helicopters hover overhead.

From the harassment of peasant activists who do not want to join the charade of fake surrenderees, to coerced recruitment to the GRP's paramilitary, to sustained military operations and forcing the establishment of military detachments, the 3rd Infantry Division has stepped up its military campaign to include the use of howitzers and airborne operations to further dislocate the lives and livelihood of the people.

The militarization of the indigenous people of Tapaz is only natural from a government and military institution that treats them with such contempt that its own Battalion Commander, Lt. Col. Tyne Bañas, 47IB, tells the media that indigenous people are deceived by the NPA because "dali lang sila intu-intuon" (they are very gullible).

Bañas further insults the intelligence of the listening public by saying on air that they were giving away vegetable seedlings, when they are actually grabbing the Tumanduk ancestral lands and establishing occupation forces there named Re-engineered Special Operations Team (RSOT).

On the other hand, the NPA respects the indigenous people of Panay and is one with them in the struggle to reclaim their ancestral lands from the 3ID, PA.

If what Bañas means by the seedlings are the armalites, machine guns and howitzers his men were carrying, it is but natural that they will harvest firefights in return.

**Stop the shelling of Tumanduk land!  
Continue the struggle against the militarization of Tapaz!** [Ang Bayan] ■

Protesters in Cotabato City, in southern Philippines, denounce the US-supported all-out war of the Arroyo regime and demand justice for all the victims of human rights violations. Photo from Arkibong Bayan.



# NPA offensives annihilate enemy units, seize more weapons

By Roselle Valerio

Tactical offensives and counter-offensives conducted by the New People's Army during the first six months of 2009 were able to annihilate the equivalent of two companies of enemy units, killing or wounding close to 200 elements of the mercenary Armed Forces of the Philippines, Philippine National Police and paramilitary forces. In the same period, the NPA was able to seize from the enemy at least 50 low and high-powered rifles, 22 handguns, and other military and communications equipment.

The civilian population have long demanded the punishment of the Gloria Arroyo government and its security forces which have been responsible for the ruthless harassment, plunder and armed assaults against their communities.

The most noteworthy among these tactical offensives include the ambush conducted by the Narciso Antazo Aramil Command of the NPA in Rizal Province on 3 January against elements of the 418<sup>th</sup> Police Mobile Group in Barangay Macabud, Rodriguez, Rizal.

A policeman was killed on the spot when the Red fighters detonated a bomb, lobbed grenades and unleashed a volley of gunshots on the police car as it approached Rodriguez town, about 40 km east of the capital city Manila.

P/Inspector Rex Cuntapay, Police Officer 1 Alberto Umali and PO1 Marvin Agasen surrendered to the NPA and were taken into custody as prisoners-of-war. The other wounded policemen were given first aid before being brought to the hospital.

Seized from the enemy were six M16 armalite rifles, three 9 mm pistols, three .45 caliber pistols and several mobile phones.

The Revolutionary Government found them not guilty of grave crimes and, by virtue of a decision of the National Executive Committee of the National Democratic Front of the Philippines, the three POWs were turned over to the International Committee of the Red Cross on 27 March.

On 15 February, guerrillas of the Celso Minguez Command based in Sorsogon province in central Philippines ambushed a platoon of Scout Rangers and four soldiers



*Prisoners of war (from left) Police Officer 1 Alberto Umali, P/Inspector Rex Cuntapay and PO1 Marvin Agasen sign their documents of release on 27 March. Behind are Red fighters of the New People's Army who served as custodial forces of the POWs. Photo from Arkibong Bayan/Alexander Martin Remollino.*

of the USA, killing 12 and wounding eight more elements of the mercenary army.

The enemy were conducting clearing operations in the remote villages of Juban and Irosin in Sorsogon, in preparation for the joint US-RP military trainings in the region, when they were waylaid by the Red fighters. An American soldier was reportedly injured in the ambush, but this was staunchly denied by US and local reactionary officials.

In the same period, eight elements of the 41<sup>st</sup> IBPA and the 5<sup>th</sup> Infantry Division Recon Company were killed while two others were wounded in a series of tactical offensives conducted by the Agustin Begnalen Command of the NPA in Lacub, Abra province, north of the Philippines, on 14-17 February. The security forces of the Arroyo government are intensifying its armed assaults in the area to secure it for the entry of big foreign mining companies.

On 1 March, six elements of the 29<sup>th</sup> Infantry Battalion of the Philippine Army, including company commander 1Lt. Ricardo Naguiat, were killed while three others were wounded, in a series of armed clashes with Red fighters of the NPA Front 6 in Barangay Sta. Cruz, Quezon, Bukidnon province in southern Philippines.

The guerrillas were able to seize four M16 armalite rifles from the enemy.

Five mercenary troopers were confirmed dead in an ambush by the NPA's Tomas Pilapil Command in Camarines Sur, in central Philippines, on a sea vessel of the Philippine Army at 9:00 am of 27 March. The enemy also suffered an undetermined number of wounded.

Earlier in the day, six soldiers were killed when an NPA squad fired shots at the 7<sup>th</sup> Scout Ranger Company detachment in San Isidro, Bulan, Sorsogon at around 1:00 am.

Also in Camarines Sur, in Barangay Lubigan Jr, Sipocot town, the NPA attacked and overran a detachment of the 22<sup>nd</sup> IBPA and CAFGU on 19 May, seizing two M14, four M1 Garand and six M1 carbine rifles. The soldiers and paramilitary elements fled the battle scene, allowing the Red fighters to seize the detachment without suffering any casualty.

The NPA is conducting these tactical offensives in the midst of the all-out war of the US-backed Arroyo regime against the armed revolutionary movement as well as against legal activists, progressive

**Offensives, page 6, col 2 ...**

**By filing thousands of nuisance complaints  
US-Arroyo military  
sabotages peace process**

By Ed Ladera

**"The NDFP publication exposes the blatant lies of the GRP and its agencies, regarding the extra-judicial killings of unarmed civilians, as well as the malicious attempts to shift blame for a number of these criminal incidents to the CPP, NPA, and other revolutionary forces of the NDFP."**

In one day alone, on 8 November 2006, the US-backed Arroyo regime through the Judge Advocate General Service (JAGS) of the Armed Forces of the Philippines (AFP) presented 1,373 unsubstantiated nuisance complaints against the forces of the National Democratic Front of the Philippines (NDFP).

This is exposed in a publication of the NDFP-Monitoring Committee, *A Look into the Complaints Submitted to the Joint Monitoring Committee, 4 June 2004 to 31 December 2007*.

In his preface to the aforementioned publication, NDFP Chief Political Consultant Prof. Jose Maria Sison states that this publication "exposes in very concrete terms the blatant lies of the GRP and its agencies, especially Task Force Usig (TFU), regarding the extrajudicial killings of unarmed civilians, as well as the malicious attempts to shift blame for a number of these criminal incidents to the Communist Party of the Philippines (CPP), New People's Army (NPA), and other revolutionary forces of the NDFP."

The Joint Monitoring Committee (JMC) is mandated by the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL), signed by the negotiating panels of the NDFP and the Government of the Republic of the Philippines (GRP), and subsequently approved by their respective Principals, NDFP Chairperson Mariano Orosa and GRP President Joseph Estrada in 1998.

**... Offensives, page 5, col 3**

personalities and civilians suspected of being sympathetic to the revolution. The NPA has totally frustrated the regime's counterrevolutionary Oplan Bantay Laya I and II from 2001 to the present, and has in fact grown in strength and advanced the People's War.

And despite the ruthless all-out attacks of the enemy, the NPA is successfully integrating the armed struggle with the tasks of implementing genuine land reform and building the mass base of peasants, workers and petty bourgeoisie. The People's Army is indeed excelling as a force of the Filipino people for fighting, propaganda, organizing, production and cultural development. [*with reports from Ang Bayan*] ■

The JMC, consisting of three members each from the GRP and the NDFP, is tasked with monitoring the implementation of the CARHRIHL. Since 4 June 2004, the Joint Secretariat of the JMC, supported by the Norwegian Government, has been holding office in Metro Manila, in the Philippines.

The nuisance complaints filed by the GRP security forces, clearly shown as such with samples, mock the integrity of the JMC and objectively sabotages the GRP-NDFP Peace Negotiations.

The US-Arroyo regime appears intent on inflating the number of incidents against the revolutionary movement. Of the 1,791 submissions or complaint forms against the NDFP's forces, more than 96% are considered nuisance cases. Only six are worthy of being referred to the NDFP Monitoring Committee for further study.

Of the 1,791 complaint forms, 152 are either duplicates of previously submitted complaints or are multiple submissions for a single incident. An examination of the remaining 1,639 submissions reveals that 1,349 of these are defective in form and content, and cannot qualify as valid complaints.

They are not properly documented and most contain no narration of incidents. They also lack substantiation for the allegations, except for terse, bare and formulaic statements such as "shot to death/summarily executed" by CTs or "communist terrorists". One complaint form (No. S-1022) has only the signature of the military lawyer from the JAGS office of the AFP. Since these 1,349 submissions are practically impossible to verify, evaluate or investigate, they are really nuisance complaints meant only to fictitiously bloat the number of complaints against the NDFP.

UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Prof. Philip Alston, says that during his mission to the Philippines from 12-21 February 2007, "The Government provided a list of 1,335 individuals, two-thirds of them civilians, allegedly killed by the NPA (New People's Army). Despite numerous requests for documentation substantiating any of these cases, virtually none was provided... Without further documentation it is impossible to confirm its reliability or to evaluate which killings violated the humanitarian law of armed conflict." ■

**... Displacements, page 4, col 2**

was accused by the regime's soldiers of "coddling NPA snipers". The pastor denied the accusation. The Living Word of God Chapel run by the pastor was used by the soldiers as a military camp. Out of fear, the pastor left. Composite army units from several infantry battalions and elements from Scout Rangers and Special Forces are cited in Complaint G-1674.

From March to April 2008, the Pananuman community in Tubo, Abra province, in northern Philippines, were subjected to hamletting, occupation of a school, church and community center, food blockade, and indiscriminate aerial and artillery bombardment by GRP security forces. Complaint G-1942 documents the occupation of the primary school, the Seventh Day Adventist church, the dap-ay (indigenous socio-political center) by the soldiers, using these community centers as military camps. Aerial bombings started soon after the soldiers arrived. An artillery piece was set up on a hill and for several days, shells were fired into the forested areas, day and night. Curfew was imposed and the daily activities of the residents were closely monitored.

In his 20 May 2009 letter, as in his earlier 20 March 2009 letter, Mr. Agcaoili states to ICRC Head of Delegation Mr. Jean Daniel Tauxe: "We shall appreciate whatever action you may deem appropriate to take in accordance with your mandate as the guardian of International Humanitarian Law." ■

# Political crisis simmers in Nepal

By Roselle Valerio

A new political crisis is brewing in Nepal after the resignation as prime minister of Pushpa Kamal Dahal alias Prachanda of the Unified Communist Party of Nepal-Maoist (UCPN-M) and the party's withdrawal from the coalition government on 4 May.

Comrade Prachanda resigned after President Ram Baran Yadav rejected the dismissal of Gen. Rookmangud Katawal as chief of the Nepal Army (NA). The prime minister had fired Katawal for countermanding the government's order to stop the recruitment of additional soldiers and for hindering the integration into the NA of 19,000 troops of the revolutionary People's Liberation Army in accordance with the peace agreement signed in 2006.

The UCPN-M protested Katawal's recruitment of more than 3,000 new soldiers

and the reinstatement of eight expelled generals without consulting the Defense Ministry.

President Yadav's interference in the steps taken by Prachanda's government has split the coalition that brought down the old monarchy, and presages a new series of political battles.

The UCPN-M and the Nepali people have been launching successive protest actions against what they called Yadav's treason.

On 6 May, hundreds of Maoist women marched towards the president's residence to demand the dismissal of General Katawal. Some 1,000 UCPN-M supporters also marched to the capital of Kathmandu and called for Yadav's resignation. On 11 May, clashes took place in Kathmandu between police and about 400 Maoists calling for Yadav's ouster and the cancellation of what they called the president's "constitutional coup d' état".

The Nepali parliament is having difficulty forming a new government after the UCPN-M's withdrawal from the coalition, as the party constitutes 40% of the entire assembly. A loose alliance of 22 political parties in parliament eventually elected Madhav Kumar Nepal as Prime Minister last month. But he is still struggling to put together a full cabinet due to wrangling among his political allies.

On 21 June, thousands of Maoist supporters staged nationwide demonstrations, including near the office complex of the prime minister in Kathmandu, to protest Mr. Nepal's reinstatement of Gen. Katawal. Police attacked the demonstrators when the latter attempted to enter the government complex.

The current political crisis is also delaying the drafting of a constitution for the Nepali republic. Comrade Prachanda said that widespread consensus is needed to complete the peace process and write the constitution.

Many are now concerned that the heated political situation will lead to the collapse of the peace agreement and reignite civil war in the country. [with reports from Ang Bayan] ■

# Tamil liberation struggle: Down but not out

By Bagani Dong-ilay

The Sri Lankan Government of Mahindra Rajapaksa has dealt the Liberation Tigers of Tamil Eelam (LTTE) a big military defeat using the most brutal methods and taking advantage of its overwhelming military superiority and the tacit approval of the imperialist powers. Since then the reactionary government has basked in triumphalist celebrations hailing Rajapaksa as a "warrior king".

According to reports, the offensive that ended the war cost over 7,000 civilian lives. Around 300,000 refugees are still incarcerated in what some commentators have called virtual "Nazi concentration camps" in dire need of food, water and medical attention. The Government of Sri Lanka (GoSL) has refused to let independent non-government organizations and UN agencies access to these camps even for humanitarian reasons.

The brutal methods used by the Rajapaksa government to defeat the LTTE sparked huge demonstrations in many cities around the world among the Tamil diaspora. Around 1 million Tamils are scattered



around the globe. The LTTE has wide and deep support among this diaspora.

Many Tamils have called for an independent international investigation on the atrocities committed by the GoSL in its last offensive against the LTTE, and its handling and treatment of the hundreds of thousands of

*Artillery and aerial bombing by the Sri Lankan government in pursuit of Liberation Tigers guerrillas devastate civilian homes and infrastructure, and equipment of international relief organizations in this "no-fire zone" in Mullaivivu, northeast of the country. The full-scale assault killed and wounded tens of thousands of civilians. Photo from www.tamilnational.com*

internal refugees. The GoSL continues to hunt down suspected members and sympathizers of the LTTE in the refugee camps and in Colombo and other cities in a paranoid operation to prevent the reemergence of the LTTE.

**Tamil, page 8, col 1 ...**

## INTERNATIONAL FRONT

*Nepalese police charge against women activists of the Unified Communist Party of Nepal (Maoist) during a protest against President Ram Baran Yadav, in Kathmandu. Thousands of Maoist demonstrators have been taking part in a wave of protests on the streets of the capital after the collapse of the government in early May. (Prakash Singh/AFP)*



### ... Tamil, page 7, col 3

A professor of International Law at the University of Illinois College of Law, Francis Boyle describes the behavior of the Sri Lankan government thus, “The Government of Sri Lanka (GoSL) is continuing to inflict Nazi-type crimes and atrocities against the Tamils even after their alleged excuse of fighting a ‘war against terrorism’ has been exposed as a bogus pretext to annihilate the Tamils and to steal their lands and natural resources. This is what Hitler and the Nazis called ‘lebensraum’—‘living space’ for the Sinhala (majority nationality) at the expense of the Tamils. The GOSL’s ‘ethnic cleansing’ of the Tamil Homeland for the benefit of the Sinhala is now underway.”

On 17 May, the LTTE confirmed that its leader, Velupillai Prabhakaran, was dead. “We announce today, with inexpressible sadness and heavy hearts that our incomparable leader and supreme commander ... attained martyrdom fighting the military oppression,” said Selvarasa Pathmanathan, the LTTE’s head of international relations.

The LTTE statement read: “For over three decades, our leader was the heart and soul and the symbol of hope, pride and determination for the whole nation of people of Tamil Eelam. Since the failure of the peace process and the escalation of the war forced upon the Tamil people, the LTTE was faced to confront the Sri Lankan military that was supported by the world powers. This deliberate bias and position taken by the international community severely weakened the military position of the LTTE.”

“Our leader confronted this threat without any hesitation. He would not waver in his desire to be with his people and fight for his people till the end. His final request was for the struggle to continue until we achieved the freedom for his people.”

There is no doubt that the Tamil people will carry on with the struggle for national liberation and for an independent homeland against the reactionary Sri Lankan state which is supported by the western imperialist powers with the tacit approval of India, China and Russia.

In the words of LTTE leader Pathmanathan, “There is not a person who can doubt the LTTE’s fearless and unending commitment

### ... Polisario, page 11, col 1

2,200-kilometer wall or berm in the desert and persisted in perpetrating numerous human rights violations.

Recently, four rounds of negotiations between representatives of Morocco and the SADR have failed because Morocco insists that the referendum vote can only be for autonomy under Moroccan rule.

Prime Minister Omar recalled that in the last congress of Polisario in December 2007, the majority of the delegates expressed their disappointment that the UN mediation had “failed to organize the referendum of self-determination it promised the Sahrawi people to be held in 1992.” He added, “17 years have passed already and for some, this is more than sufficient to conclude that Morocco does not have the necessary will to move forward and that the UN Security Council does not impose its resolutions to compel Morocco to respect them.”

The last congress of Polisario in December 2007, he said, entrusted the Sahrawi leadership to establish an objective assessment of the negotiations under the auspices of the UN within a maximum period of three years.

“A year and a half has passed already. If there is no progress ...(and) we reach the conclusion that there is no progress, then we must move on to the next step of military preparations to take up arms again,

to this cause with which we have been entrusted by our people. Know that the Tamils are a people deeply rooted in culture and history. No force can prevent the attainment of justice for our people. Our sons and daughters have taken up this call without question and without hesitation or fear of death. None have hesitated to make the supreme sacrifice for the cause of liberating their motherland.” ■

because we are ready for everything except to surrender or accept the fait accompli of Morocco.”

He further stressed that despite the long wait for justice to be done and despite the harsh conditions of life, the Sahrawi people are determined “more than ever” to fight for their right to self-determination and independence.

At the 35th anniversary of the SADR, on 27 May 2008, more than six thousand fighters of the Sahrawi Liberation Army marched in a military parade in Tifariti inside the Western Sahara under the control of Polisario. Guests present at the ceremony, alongside SADR President Mohamed Abdelaziz, were the personal representative of the Tanzanian President, the Ethiopian Prime Minister Meles Zenawi, and government officials from Algeria, South Africa, Mauritania and Nigeria, among others.

International solidarity for the just cause of the Sahrawi people is persistently promoted by the Polisario Front. In Europe, Mohamed Sidati, European Representative and member of the leadership of Polisario, has recently toured Portugal to foster stronger solidarity for the Sahrawi people.

In the US, Sahrawi human rights activist Aminatou Haidar, herself a former victim of human rights violations by Morocco, was awarded last year the prestigious Robert F. Kennedy Award. She had been “disappeared” and tortured by Moroccan forces for four years, and later again for seven months. The award was presented in the US Senate by Senator Edward Kennedy, who said: “I congratulate Aminatou Haidar for receiving this honor. All who care about democracy, human rights, and the rule of law for the people of the Western Sahara are inspired by her extraordinary courage, dedication and skilled work on their behalf.” ■

# 1<sup>st</sup> anti-imperialist conference on the Balkans held in Greece

By Jose Emilio Jacinto III

A significant step towards joint anti-imperialist struggle in the Balkans and the Eastern Mediterranean region was made with the holding of the first International Anti-Imperialist Conference on 22 March 2009 in Thessaloniki, Greece.

The anti-imperialist conference, organized by the Communist Party of Greece (Marxist-Leninist), coincided with the 10th anniversary of the NATO invasion of the former Yugoslavia. Held at the Polytechnic Campus in Thessaloniki, the conference was attended by more than 400 participants.

During the meeting, the participating organizations exchanged views on the international situation and the imperialists' policies across the world and more particularly in the Balkans and the Eastern Mediterranean Region. They also examined the ways and political aspects to consolidate the coordination and the joint anti-imperialist struggle and solidarity.

They also discussed the situation in Cyprus and exchanged experiences and views on the situation in the Balkan countries and the level of the anti-war and anti-imperialist struggle. The delegates noted the absence of delegates from the countries of the former Yugoslavia and stressed the need to increase the effort to expand contacts and meetings towards a more multilateral cooperation and coordination.

The participating organizations included: New Communist Party of Romania, magazine "Partisan" from Turkey, Popular Front for the Liberation of Palestine, the Bulgarian Workers-Peasant Party, Bulgarian Workers' Party (Communists), Bulgarian Workers Union Association, Bulgarian Workers Marxist movement and the Socialist Party of Cyprus.

The Italian philosopher Constanzo Preve also participated. The conference was supported by the International League of Peoples' Struggle (ILPS). Manolis Arkolakis, ILPS vice chair and responsible for external affairs, participated and greeted the conference on behalf of the ILPS.

Among those who conveyed messages of solidarity were: the Committee Against Foreign Bases and Dependence from Chania-Crete, the Anti-War, Anti-imperialist Committee of Karditsa, the Militant Movements of Students, Greece.

The Communist Party of Australia (Marxist-Leninist), the Revolutionary-Communist Youth League from Austria, ATIK and New Democratic Youth from Turkey.

The main contribution in the discussions was made by the Communist Party of Greece (ML) general secretary, Vasilis Samaras. ■

### ... Cuba Five, page 1, col 3

that are holding justice to ransom."

It called on the people to "more than ever demand of the government of Obama that it end this colossal injustice and order the immediate liberation of the Five." The international solidarity for the Cuba Five, it asserted, "will be expressed in the thousand ways in which we the peoples know how to transform pain and indignation into struggle, on the streets outside US embassies, in the universities, in Parliaments, in churches, with our modest resources and modest means, but with all the strength that truth and the right give us."

Responding to the denial of their petition for certiorari, Gerardo Hernández, one of the Cuba Five declared, "I am not surprised by the Supreme Court's decision. There are no longer any doubt that our case has been, from the beginning, a political case."

"I repeat what I said one year ago, that as long as one person remains struggling outside, we will continue resisting until there is justice," he asserted.

Meanwhile, in a motion unanimously approved by all participants, the International Communist Seminar in Brussels, Belgium on 17 May expressed solidarity with the

Cuban people and demanded the immediate release of "the Five Cuban Heroes who have been held in prison for more than 10 years for fighting against terrorism and who have been victims of hate, of arbitrary actions and of the injustice of the US empire."

The Motion in Solidarity with Cuba passed by the International Communist Seminar hailed the 50<sup>th</sup> anniversary of the Cuban Revolution, affirming it as "a just, equitable and sustainable alternative".

It demanded the lifting of economic, commercial and financial blockades imposed on Cuba for more than 48 years by successive US governments, saying that these blockades are the main obstacle for the economic and social development of the Cuban people. It also expressed support for a continuing political dialogue between Cuba and the European Union, describing it "as an important step toward the full normalization of relations."

It asserted that the EU's common position should be eliminated for its unilateral and inflexible character, "reflecting a prejudiced and manipulated vision of Cuban society".

The Cuba Five (Gerardo Hernández, Antonio Guerrero, Ramón Labañino, Fernando González and René González) were arrested in Miami, Florida on 12 September 1998 and charged with false identification, espionage and conspiracy to commit murder. They are now serving four life sentences and 75 years, collectively.

Falsely accused of committing espionage, the Five have asserted that they had been monitoring the activities of Miami-based terrorist groups planning terrorist attacks on their country Cuba. The Five's actions were never directed at the US government and, they clarified, they never harmed anyone nor ever possessed or used any deadly weapon within the US. ■



Photo from [www.pcml.ca](http://www.pcml.ca)

## ... Book launching, page 11, col 3

“The price includes incarceration in the Philippines under Marcos, forced exile and various forms of persecution and maltreatment by a combination of forces, including the reactionary GRP, its US imperialist master, and reactionary allies in the Government and the state apparatus of the Netherlands, including being branded as a ‘terrorist’, denial of political asylum, deprivation of employment and social benefits, unlawful detention; and threats of and attempts at assassination.”

But he added that despite all these, Sison has been defiant in the face of adversity and has held firmly to his commitment to advance the Filipino people’s struggle and international solidarity against imperialism and reaction.

Bert de Belder, a Belgian doctor who stayed in the Philippines for 8 years, made a review of the second book *Democracy and Socialism against Imperialist Globalization*. He said that well before the explosion of the full-blown global crisis in 2008, Sison had already made well-grounded scientific analyses of the causes and implications of the ever-worsening crisis of the world capitalist system, pointing out that such crisis was also laying the ground for socialism.

Rey Casambre of the Philippine Peace

## ... Legal victory, page 12, col 3

lawyer, Jan Fermon of Belgium, assisted by German lawyers Eberhard Schultz and Wolfgang Kaleck, Filipino lawyer Romeo T. Capulong, French lawyer Antoine Comte, and Dutch lawyer Dundar Gurses.

At the hearing on 30 April 2009 in Luxembourg, lawyers Jan Fermon and Eberhard Schultz presented a powerful defense of Prof. Sison. They pointed out that the Council of the EU failed to present any concrete evidence of any specific act of terrorism against Prof. Sison.

Jan Fermon pointed out further that the Council did not meet the basic legal requirements for putting Prof. Sison in the blacklist. According to Article 1 (4) of the Common Position 2001/931 and Article 2/3 of Regulation 2580/2001, listing a person must be: 1) on the basis of precise information or material; 2) that a decision has been taken by a competent authority in respect to the person concerned; 3) concerns instigation of investigations or prosecution; 4) for a terrorist act, an attempt to perpetrate, participate in or facilitate such an act; and 5) based on serious and credible evidence or clues or condemnation for such deeds.



Center spoke on behalf of Aklat ng Bayan, the publisher of Sison’s two books and the four-volume series. He said that Sison had predicted the current global crisis as early as eleven years ago. He said that the publication of the two volumes was heartily welcomed by progressive people in the Philippines who always wanted a readily accessible compilation of Sison’s writings.

At the end of the program, Sison thanked the Filipino people and friends and

Asked by the presiding judge from Scotland, Judge Nicholas James Forwood, why they had never investigated Prof. Sison for any specific act of terrorism, the lawyer of the Council of the EU and the lawyer of the Dutch government could not give any answer. Jan Fermon had told the Court that the then Dutch Foreign Minister Jaap de Hoop Scheffer had declared to the Dutch Parliament on 8 October 2002, in the name of four other cabinet ministers, that there was nothing even to just start a criminal investigation against Prof. Sison.

The decision on this case before the European Court is expected within six to twelve months.

Prof. Sison is also fighting a legal battle to secure a permit to stay in The Netherlands. After having been declared a political refugee, in the meaning of Article 1 A of the Refugee Convention, by the highest administrative court in The Netherlands, the Raad van State (Council of State) in 1992 and 1995, and having been acknowledged

sympathizers from all over the world who had supported him in his long-running struggle against political persecution. He said that his court victory in the Netherlands would help him in his battle at the European Court of First Instance in Luxembourg to remove him from the European terrorist list.

After the short program, he signed copies of his books and had pictures taken with the book buyers and well wishers. The entire event was also covered by live video stream on the Internet. ■

as covered by the absolute protection of Article 3 of the European Convention on Human Rights and Fundamental Freedoms (ECHR), he still has been denied entry as a refugee and denied a permit to stay.

Prof. Sison is contesting two negative decisions of the Immigration and Naturalization Service (IND) dated 13 and 14 May 2009. His Dutch lawyer, Dundar Gurses, has filed his appeals on 5 June 2009 with the Central Registration Office for Aliens’ Cases in Utrecht, The Netherlands. Mr. Gurses and Sison’s other Dutch lawyers assure him that since he enjoys the absolute protection of Article 3 of the ECHR, there is no danger at all that he can be expelled from The Netherlands. This article of the ECHR provides the absolute and non-derogable protection against torture and inhuman and degrading treatment and punishment.

The lawyers of Prof. Sison are marshaling the compelling arguments for his right to receive a title of residence in The Netherlands. ■

# Polisario to resume armed struggle if negotiations fail

By Ed Ladera

The Prime Minister of the Sahrawi Arab Democratic Republic (SADR) Abdelkader Taleb Omar, declared that in case of the continued failure of negotiations with Morocco, under the auspices of the United Nations, the Polisario Front “will have no other alternative but to take up arms again”. He stated this in an interview with Spanish news agency EFE in the third week of May 2009.

He further explained that the Polisario leadership is facing “growing pressure” from the Sahrawi people, especially the youth, who “no longer support the deadlock of the situation and require the return to war.”

The Polisario Front, established on 10 May 1973, has waged fierce armed struggles against the colonial forces of Spain, Morocco and Mauritania. After the withdrawal of Spain from Western Sahara in 1975, the Sahwari people led by the Polisario fought the troops of Mauritania which was compelled to withdraw in 1979. The area abandoned by Mauritania was however taken over by Morocco.

On 27 February 1976, the Polisario Front proclaimed the Sahrawi Arab Democratic Republic which has since been recognized by more than 65 states. It is a full member of the African Union (and of the Organization of African Unity since 1982).

In 1975, the International Court of Justice declared that the Sahrawi people has the right to self-determination. A UN Committee sent to Western Sahara reported that the overwhelming majority of the people in the region were for independence. Despite these international rulings, Morocco refused to give up its colonial rule, claiming Western Sahara as one of its provinces. The UN and other international organizations refuse to recognize this Moroccan claim.

In September 1991, the SADR agreed to a UN-sponsored ceasefire with the agreement that a referendum would be held in 1992 to determine what the people in Western Sahara would decide, either independence or autonomy under Morocco. Since then, Morocco, with the support of the US and France, has sabotaged UN plans for a referendum by bringing in many thousands of settlers into the region. It has obstinately violated UN decisions. It has further built a

**Polisario, page 8 col 2 ...**



Security forces of the République Arabe Sahraoui Démocratique (RASD, Sahrawi Arab Democratic Republic). Photo from abdoumenfloyd.centerblog.net

## Prof. Sison launches two new books in Amsterdam

By Ed Ladera

Filipino and Dutch friends and well-wishers joined Prof. Jose Maria Sison in celebrating his legal victory in the Dutch courts and in launching two new books containing his writings at the Mirror Centre in Amsterdam, The Netherlands, on 9 May 2009. The books, entitled *Democracy, Socialism and Peace* and *Democracy and Socialism against Imperialist Globalization*, are the first two volumes of a four-volume series to be released this year.

Prof. Sison, founding Chairman of the Communist Party of the Philippines and incarcerated by the US-backed Marcos dictatorship from 1977-1986, is living in exile in The Netherlands since 1987. He is currently the Chief Political Consultant of the NDFP in peace talks with the government of the Republic of the Philippines (GRP) and the Chairperson of the anti-imperialist International League of Peoples' Struggle (ILPS).

The book launching opened with a greeting from Theo Droog, Chairperson of the Nederlands-Filippijnse

Solidariteitsbeweging (NFS, Dutch-Filipino Solidarity Movement).

This was followed by Rev. Hans Visser of the Committee DEFEND, congratulating Sison for his victory in the court case. Rev. Hans Visser, a prominent clergyman who has defended the rights of the homeless and other such causes, has been active in working to get Prof. Sison out of the so-called terrorist list of the USA and the European Council. Citing the current global economic crisis which has brought untold sufferings to millions of people around the world, Visser said that instead of a “terrorist list”, what is needed is a list of greedy capitalists who have dragged the world into the abyss of crisis.

Prof. C. Pathmamanoharan of Utrecht University was the next speaker. He read the review written by Prof. Sivanandam Sivasegaram of Colombo, Sri Lanka, of the first book *Democracy, Socialism and Peace*. Prof. Sivasegaram said that Sison's writings are unambiguous in their aim to serve the Filipino people's struggle for liberation, democracy and socialism. And for this, Sison has paid a heavy price:

**Book launching, page 10, col 1 ...**

# Prof. Sison wins resounding legal victory in the Netherlands

By Ed Ladera

Prof. Jose Maria Sison won a resounding legal victory on 31 March 2009 when the Dutch Prosecution Service announced that it will finally no longer pursue the case against him concerning the deaths of two military assets of the Philippine reactionary government. The case was earlier dismissed for lack of evidence by the District Court of the Hague on 13 September 2007, which decision was upheld by the Court of Appeals on 3 October 2007 and the examining judge of the Prosecution Service on 21 November 2007.

Prof. Sison, founding Chairman of the Communist Party of the Philippines and currently Chief Political Consultant of the National Democratic Front of the Philippines (NDFP), was defended by Michiel Pestman of the Bohler, Franken, Koppe & Wijngaarden law firm in Amsterdam. Also helping in the defense were Victor Koppe and Suus Hopman of the same law office, and Philippine lawyers led by former UN Judge Romeo T. Capulong of the Public Interest Law Center.

Dutch police arrested Prof. Sison on 28 August 2007 and simultaneously broke into the office of the NDFP Peace Negotiating Panel and six colleagues' homes. They carted away computers and other electronic equipments, and voluminous paper files to search for so-called evidence. He was detained in isolation at the Scheveningen prison near The Hague for seventeen days before being ordered released by the courts for lack of evidence.

After 19 months of traveling back and forth to the Philippines, interviewing dubious witnesses provided by intelligence services of the US-backed Arroyo government, and a fruitless search for evidence from the computer and paper files the Dutch police had seized, the Dutch Prosecution Service was eventually forced to drop the evidently false charge against Prof. Sison.

The US-Arroyo regime in January 2005 initiated a request for the Dutch authorities to persecute Prof. Sison, when the regime's secretary of foreign affairs Alberto Romulo asked them to extradite the Filipino patriot. Told that extradition was not possible, the Arroyo regime contrived the false charge against Sison.

Starting January 2006, Dutch prosecutors



*Well-wishers greet Prof. Jose Maria Sison in Utrecht shortly after he was ordered released on 13 September from 17 days of detention due to lack of evidence. Photo from Arkibong Bayan.*

and police secretly held hearings of the dubious witnesses. Most of the hearings were conducted at the US embassy in Manila, indicating the direct collusion of US authorities. Other hearings were carried out in the former US Clark airbase in Pampanga, Philippines, in the Dutch embassy in Manila, and some were conducted in The Netherlands.

The dismissal of the false charge against Prof. Sison was in accordance with the decisions of the District Court of The Hague, the Appellate Court and the examining judge, ruling that there is no sufficient evidence, and that the case has a political context involving the political motivation of the charge, the unreliability of witnesses and the hindrances to Sison in cross-examining said witnesses and getting his own witnesses.

On the day of the dismissal of the case, Prof. Sison issued a press statement declaring, among others, "I have always been confident that the case would eventually be dismissed because in the first place I am innocent of the allegation. Moreover, the Dutch courts have previously made a series of decisions to release me from detention because of insufficient evidence and the political context of the case against me. The decision of the Dutch Public Prosecution Service to drop the case is long overdue and much delayed."

He also took the "opportunity to thank once more all the people and organized forces worldwide who have supported me in my time of need against the false charge". While he was in prison, there were demonstrations in The Hague, in Manila, and in more than 30 other cities in more than 20 countries worldwide.

## On the "terrorist" list of the European Council

On 30 April 2009, Prof. Sison attended a hearing of the European Court of Justice, First Instance, in Luxembourg. It was a hearing on his application to be taken off the "terrorist" list of the Council of the European Union.

The Luxembourg Court had already ruled on 11 July 2007 that his being placed in the EU "terrorist" list from 28 October 2002 and subsequent listings all the way to 30 May 2006 were a violation of his fundamental rights to due process, to defense and effective legal protection. However, the Council of the EU, preempting the Court's decision on 28 June 2007, again put him on its "terrorist" list.

Hence, Prof. Sison made a new application in September 2007 to scrap his name from the said EU "terrorist" list. He is defended in the Luxembourg Court by his lead

**Legal victory, page 10, col 1 ...**