

ACCOUNT OF THE POLICE BREAK-IN, UNSPECIFIED SEARCH OF MY HOME & CARTING AWAY FROM HERE OF DOCUMENTS, COMPUTERS AND RELATED EQUIPMENT AND DIGITAL MEDIA

I am Julieta de Lima and Prof. Jose Maria Sison is my husband. Together we reside at Rooseveltlaan 778 in Utrecht.

In the morning of 28 August at around 8:45, my husband left for a 9:30 appointment at the Overvecht police station. A person who identified himself as Mr Vogel had arranged the appointment through a telephone call to my husband on Friday, 24 August. The caller said he was seeking an appointment because of new developments on a case which my husband lodged with the police in 2001.

As soon as my husband left for the appointment, I took my coffee while checking my email and after some 30 minutes, I decided to do a quick cleaning up and tidying of the apartment, starting with the bathroom. As I started to scrub the bathroom floor tiles, I heard strong pounding sound from the direction of the front door. I stood up and moved from the bathroom through the kitchen but before I could reach the corridor to the front door two or more men blocked my way and I saw several other men, some with pistols drawn, rushing into all the rooms in the apartment. At the top of my voice I asked who they were and what they were doing.

As I moved towards the living room, a man whom I presume to be the team leader said they were the police and they were to conduct a search. I demanded to be presented with a search warrant specifying what they were after or else they should leave. But they could not show any warrant. Two or three from among the team told me that in the Netherlands a search warrant was not required and that a search without a warrant was legal. They said the judge would come.

I then demanded to call my lawyer, Mr Bernard Tomlow, but they refused and said that the judge who was coming would decide whether or not I could call my lawyer. They forced me to sit down and when I stood up to try to get to a phone, I was manhandled and forced down on a chair. So, for a while I kept calling out at the top of my voice, "Help! I want my lawyer!"

I took quite some time before the judge could come. When he arrived, I asked for his credentials and he showed me his identification card, which had the name L.K. v. Zaltbommel. I told him that I wanted the presence of my lawyer. He said no, this was not allowed. I again asked him for a search warrant that specify what were to be searched but his answer again was that it was legal in the Netherlands to conduct a search without a search warrant. And since I presumed that he came in lieu of a search warrant, I asked him to specify what items the search team were after. He repeatedly said that they were looking for materials linked to murders in the Philippines.

The judge came and stayed for about 30 minutes to lend legality to the break-in, the raid, the search and the carting away of several boxes of documents, personal computers, other digital equipment (including a videocamera and two digital photo cameras) and various kinds of digital media (external hard disks, usb flash disks, diskettes, cds, dvds, video & audio tapes, etc.)

The search started as soon as the "judge" came and lasted the whole working day. A team of about 5 persons concentrated on examining and copying the hard disks of the computers. Several other teams simultaneously searched various parts of the living room, our study room and all the other rooms, including the storeroom downstairs and the storage cabinet in the balcony. One team brought in the materials to be taken away and put these into boxes. Another team had a computer to make some kind of listing, print out labels and label the

boxes into which the materials were put. But I saw no itemization of all the materials that were being put into the boxes.

At one point after the “judge” had left, a member of the team read out one by one a series of questions from a few pages of paper. Apart from those about my name, address, date & place of birth, I refused to answer and instead demanded to have a lawyer. The questions were probably in Dutch but were read out in English translation and my nonanswers or refusal to answer were noted down in Dutch translation. I was asked but I refused to sign the paper containing the questions read out and what I said in protest.

I asked for a detailed itemized listing of all the materials to be carted away but the team leader, one who introduced himself as Mr. Bosboom from the Driebergen office of the National Police said that either I or my lawyer would be given the list. He gave me his calling card, which I gave to Michiel Pestman when we met at the Schoolplein Advocaten office in the evening after the search. As of today (Tuesday) the police has given neither my lawyer nor me any listing of the materials that the search team had carted away from my household.

It will take me a lot more time to go through all the parts of my household that were searched and make an inventory of the materials taken away by the search team and analyze how the materials are related to the so-called criminal case that is being brought against my husband. The “judge” did not tell me what items specifically the search team were after. Neither did anyone among the search team.

I can only say in a general way that voluminous documents, consisting of various kinds of communications in hard copies and various kinds of digital media (computer hard disks, diskettes, cds, dvds, etc), could be misused to endanger the lives and safety of so many people in the Philippines with whom my husband is in touch, given the state of lawlessness among the state authorities, especially the executive branch that include the military and its intelligence services, and the general state of the politicization of judicial systems all over the world and especially in the United States under the rubric of Bush' “war on terror”.