

Lawyer Aquilino “Koko” Pimentel, III said today that he is determined to pursue his 2007 electoral protest against Juan Miguel Zubiri and will not be cowed into silence by an adverse ruling of the Senate Electoral Tribunal (SET).

In his reply to the November 4, 2010, resolution of the SET asking him to explain why he should not be punished for contempt, Atty. Pimentel said that he did not commit a contumacious act when he asked three SET members, namely, Senators Edgardo Angara, Loren Legarda and Manuel “Lito” Lapid, to inhibit themselves from the deliberations of the body to avoid any impression that their political bias could influence their decision on his election protest.

Atty. Pimentel pointed out that there is nothing in the records of the case or outside of it that would show that he was pitting public opinion against the Tribunal or that he has adopted a belligerent and provocative stance in making a mockery of the proceedings.

Koko Pimentel disputed the assertion of the SET-majority of six that his “actions speak of anarchy and (of) a gross as well as condemnable disrespect of the rule of law.”

Koko Pimentel: “Silence is not an option” - MabuhayRadio

Written by Koko Pimentel's Press Office
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“This is inherently untrue and is belied by the circumstances obtaining in this case. It may even be the product of a deliberate design to provide a façade of reason to achieve the predetermined objective to silence (me) particularly by the intimidating citation for contempt that in our view erroneously found its way in SET Resolution No. 07-113,” Koko Pimentel said.

Atty. Pimentel averred that since the Zubiri camp had not moved to cite him in contempt, then the issue of who is the complainant in the contempt case is a valid one.

“If it is the SET majority of six which is the complainant, then who shall judge my guilt or innocence on this matter?” Mr. Pimentel asked.

Koko Pimentel also urged the SET to identify the witness who gave it the information that he “has taken the liberty to seek recourse with media and pit public opinion against the constitutional functions of this Tribunal.”

“Why has his or her identity been kept a secret, thereby depriving (me) of the opportunity to confront and cross-examine this witness in violation of (my) constitutional rights?” Atty. Pimentel said.

Koko Pimentel said the SET should enumerate the specific acts he is alleged to have committed in violation of the sub judice rule.

“Since contempt proceedings are criminal in nature, a show cause order must state the ultimate facts constituting the alleged offense just like a criminal information. Where are the ultimate facts which have to be explained or answered?” he asked.

Koko Pimentel filed an election protest against Zubiri shortly after the May 14, 2007, election, which he said was characterized by massive irregularities, particularly in Maguindanao province. Mr. Zubiri has since filed a counter-protest alleging irregularities committed by the Pimentel camp. The SET has yet to make a final ruling on the matter. # # #