

Press Release, 8 October 2014

Raising one's finger, an inheritance from colonial times, comes easier to populist Dutch politicians than searching their own hearts. Once again they have an indelible opinion on their overseas fellow citizens in the Caribbean and on the question of guilt. The inhabitants of the islands are stigmatized from an inappropriate feeling of superiority which is not hindered by lack of factual knowledge. Being right cannot, however, be extorted via the media. The system of voting on the islands offers more guarantees than the Dutch system. In the Netherlands, many votes are cast outside the seclusion of the polling booth by means of a proxy or postal vote. There, all forms of supervision are lacking and there is a real threat for electoral freedom. In our country, every voter has to go in all cases to the polling booth to fill out the ballot all by himself or herself. Electoral freedom is guaranteed better here, whereas in Holland the voter can even give his ballot to another person. According to the Public Prosecutor, it is a 'common' practice in St. Maarten for all political parties to distribute advantages among voters. The Court, too, has endorsed this. It is not clear on the basis of what. The investigation was not aimed at that. It is believed to be a cultural happening. The first question that emerges is where the borderline is and who has to draw it. What is, therefore, exactly an advantage and what is not. According to the Integrity Commission, the political culture in the islands here is the root of the problem. It is a grey area. From the declarations at the court sessions of, among others, the Public Prosecutor, it seems to be a phenomenon of all times that occurs around all political parties. Dutch politicians do not possess miracle drugs that have the primacy to adjust social customs in the islands. Now the real facts. The final conclusion of the police investigation, as put forward at the session, is that it has not been established that the political party UP has bribed persons by means of donations or promises to exercise their right to vote. The Chief Inspector, too, confirmed that in the investigation before a Judge. Furthermore, the objective of the investigation has been concealed. The Chief Inspector has declared that the investigation was aimed at the Watheys. Theo Heyliger is a Wathey. This cannot, however, as it appeared at the court hearing, be found in any of the case files. There are objections with regard to the point in time at which the case has been reported after four years. Just before the elections. Roy Heyliger has never declared that, in the framework of his acts in this criminal case, he was accountable to Theo Heyliger. Furthermore, it gives a distorted picture, when in the ruling it is included that from CIE information, which information cannot be tested for correctness, it ensues that Theo Heyliger is believed to have deposited US\$ 3,000,000 in the election fund. No proof whatsoever has been presented for this. In this secretive report, it has also been incorporated that in the party assets of others, not being the UP, enormous amounts have been deposited by merchants who are not party members. The UP is willing, on taking office, to call a neutral commission into existence which will tackle this matter with all the political parties, to separate fact and fiction and, if necessary, to make recommendations. It will, however, not be lost sight of that in our small community it is expected of the 'haves' to help the 'have-nots'. Finding a correct balance with this topic will in itself be a challenge, but is something that the local politics itself will have to tackle first. For interference in internal affairs, there is, for the time being, no room, politically considered.

On behalf of our client the UP Party,

Sulvaran & Peterson law firm