

Press release

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To All media
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Court of Appeal upholds lower judge's decision not to detain J.v.d.S.

- J.v.d.S remains prime suspect
- Judicial investigation continues

The Court of Appeal announced by the end of yesterday, February 14th, 2008, its decision to uphold the refusal by the investigating judge to order pre-trial detention of J.v.d.S. in the case of the disappearance of Natalee Holloway. The Office of the Public Prosecutor had requested such an order after the "Peter R de Vries-tapes" had been received by the Office and had been evaluated. Last week the Office appealed the ruling of refusal by the judge.

The reasons underlying the Court's decision are the following. The Court has seen the visual materials, has listened to the audio materials and has inspected the verbatim reports. Based on that, the Court is of the opinion that there is a lack of sufficient facts and circumstances substantiating serious grounds for the suspicion of the suspect's involvement in the crimes for which he is being held responsible by the prosecution. The Court will generally be a bit more hesitant when it has to decide on a new request for pre-trial detention of a suspect, when that same suspect has been detained repeatedly before and there has been a considerable lapse of time.

J.v.d.S. has given extensive and detailed statements in Patrick van der Eem's car, the undercover citizen who worked for Peter R. de Vries, on what happened during the night of the disappearance of Natalee Holloway. Nevertheless the Court sees various reasons not to accept the serious grounds of suspicion which are statutorily required for pre-trial detention. One of them is the history of contradictory statements by J.v.d.S., which were belied repeatedly by objective findings.

At this moment those parts of the statements made in Van der Eem's car which contain new elements are not being underpinned by objective findings. Considering the possibility of a serious personality disorder – as voiced by the prosecution – combined with a personal history of untrue statements and remarks, which even

according to the suspect himself are frequently false, the Court of Appeal has reasons for doubt regarding the incriminating character of the “car-statements.”

On the pre-trial detention issue the Code of criminal procedure does not provide for further appeals. The effect of the Court decision is that J.v.d.S. cannot be (re)arrested. The investigation of the Natalee Holloway case continues. J.v.d.S. is again the prime suspect.

At the end of the investigation the Office of the Public Prosecution will decide whether to charge or not.

Press information is available at telephone number 00 297 5928481 (between 8.00 a.m. and 6.00 p.m.; during the weekend between 9.00 and 11.00 a.m.)