The background of the slide features the coat of arms of the Kingdom of the Netherlands. It consists of a crown at the top, two lions supporting a shield in the center, and a ribbon at the bottom. The entire emblem is rendered in a light gray line-art style. Overlaid on this emblem are several jagged, red, lightning-bolt-like marks that appear to be tearing or damaging the image, particularly around the lions and the shield.

# **THE KINGDOM OF THE NETHERLANDS: A 50-YEAR CASE OF STATE-SANCTIONED TORTURE AND THE SYSTEMIC OBSTRUCTION OF JUSTICE**

**A Submission to the Committee Against Torture  
A Submission to the Committee Against Torture Regarding  
Violations of Articles 1, 12, 13, 14, and 16 of the Convention**

Submitted by Ing. Hans Smedema, *Pro Se*



# The Complaint is Divided into Two Inextricably Linked Phases



## Phase I (1972-2000) - The Foundational Crimes

**The Motive:** Concealment of State-Protected Torture

Details the initial crimes of drugging, torture, and sexual exploitation of the complainant and his then-girlfriend, involving state employees who rose to high-level positions. This abuse was allegedly protected by a 'Royal Special Decree' ordering no investigation or prosecution, establishing a framework of impunity from the highest level.



## Phase II (2000-Present) - The Institutional Cover-up

**The Method:** Engineering the Collapse of Domestic Remedies

Documents the State's **calculated, multi-decade campaign** to silence the complainant and obstruct all paths to justice after his memories returned. This involved **weaponizing every state institution** to **block investigations**, deny legal aid, and discredit the victim.

This presentation will demonstrate how the State Party has engineered the unavailability of domestic remedies, making intervention by this Committee both necessary and urgent.



# Phase I: The Foundational Crimes Provided the Motive for Decades of Concealment

- 1972 — **State-Protected Torture**  
Details the drugging, hypnosis, and torture of Ms. Wies Jansma into a “sex slave.” States that perpetrators included State employees, naming “Mr. Joris Demmiik,” who later became Secretary-General of the Ministry of Justice.
- 1972-2000 — **Complainant Targeted**  
Alleges the complainant, Ing. Hans Smedema, was also drugged, rendered infertile, and subjected to clandestine conditioning, including electroshock torture, leading to 28 years of amnesia.
- 1973-1975 — **Impunity Solidified by Royal Decree**  
Introduces the allegation of a “Royal Special Decree” issued by “H.M. Queen Juliana,” explicitly ordering the Ministry of Justice to ensure no investigation or prosecution would ever occur.
- 1991 — **Investigation Actively Halted**  
Provides a concrete example of this impunity: Prosecutor Mr. Ruud Rosingh, who began investigating the rape of Ms. Jansma, was forcibly transferred by the Ministry of Justice, and the investigation was permanently halted.





# Forensic Analysis Refutes the State's 'Delusional Disorder' Defense



**State's Defense:**  
**"Delusional Disorder"**



**Forensic Reality:**  
**Structural Dissociation**

## Clinical Validation of Trauma

The State weaponizes the spouse's written denials ("NOOIT GEBEURD"/Never Happened) as proof of delusion. However, applying the **Theory of Structural Dissociation** demonstrates these denials are consistent with the "**Inter-Identity Amnesia**" of a severe trauma victim, not the reality-testing of a reliable witness. This reframes the "evidence" as a symptom of the original crime.

## Formal Declaration, April 11, 2005

In a formal Declaration, the complainant's spouse, W. Smedema-J., states she "**DOES NOT object to a further investigation**" and explicitly requests "judicially established hearing of various named and known possible witnesses." She describes the events as a "**life-altering event**" that caused "**serious psychological and material damages.**"

## External Corroboration

The complainant's narrative is further validated by external "tie-breakers," including the credibility findings of **US Immigration Judge Rex J. Ford** and the direct involvement of alleged perpetrator **Prof. Dr. Onno van der Hart**, the creator of the very theory of dissociation used in the analysis.



# The Cover-Up Begins with Pre-emptive Legal and Financial Sabotage

## 2003: The Foundational Act of Obstruction

Ministry agent Jaap Duijs (reporting to Secretary-General Demmink) orchestrated the cancellation of the complainant's legal defense funds ("DAS Rechtsbijstand").

### Method of Coercion

- Covertly administering the drug **Ketamine** to the complainant.
- While drugged and disoriented, subjecting him to "**hypnotic manipulation**" and "overwhelming pressure" that abused his untreated C-PTSD.
- Forcing him to sign the cancellation papers in this state of "enforced submissiveness."

### Strategic Impact

This act occurred just months before his full memories returned, ensuring he was **financially and legally disarmed** for the impending fight, constituting a pre-emptive violation of his right to a remedy under Article 13.





# The First Bricks in the Wall: Police and Judiciary Block All Paths to Investigation

## Brick 1: Police Obstruction (April-Sept 2004)

**Action:** Complainant presents a detailed report of crimes to Detective Haye Bruinsma.

**State Blockade:** The Ministry of Justice issues a letter explicitly **forbidding Detective Bruinsma from creating an official report** (*proces-verbaal*).

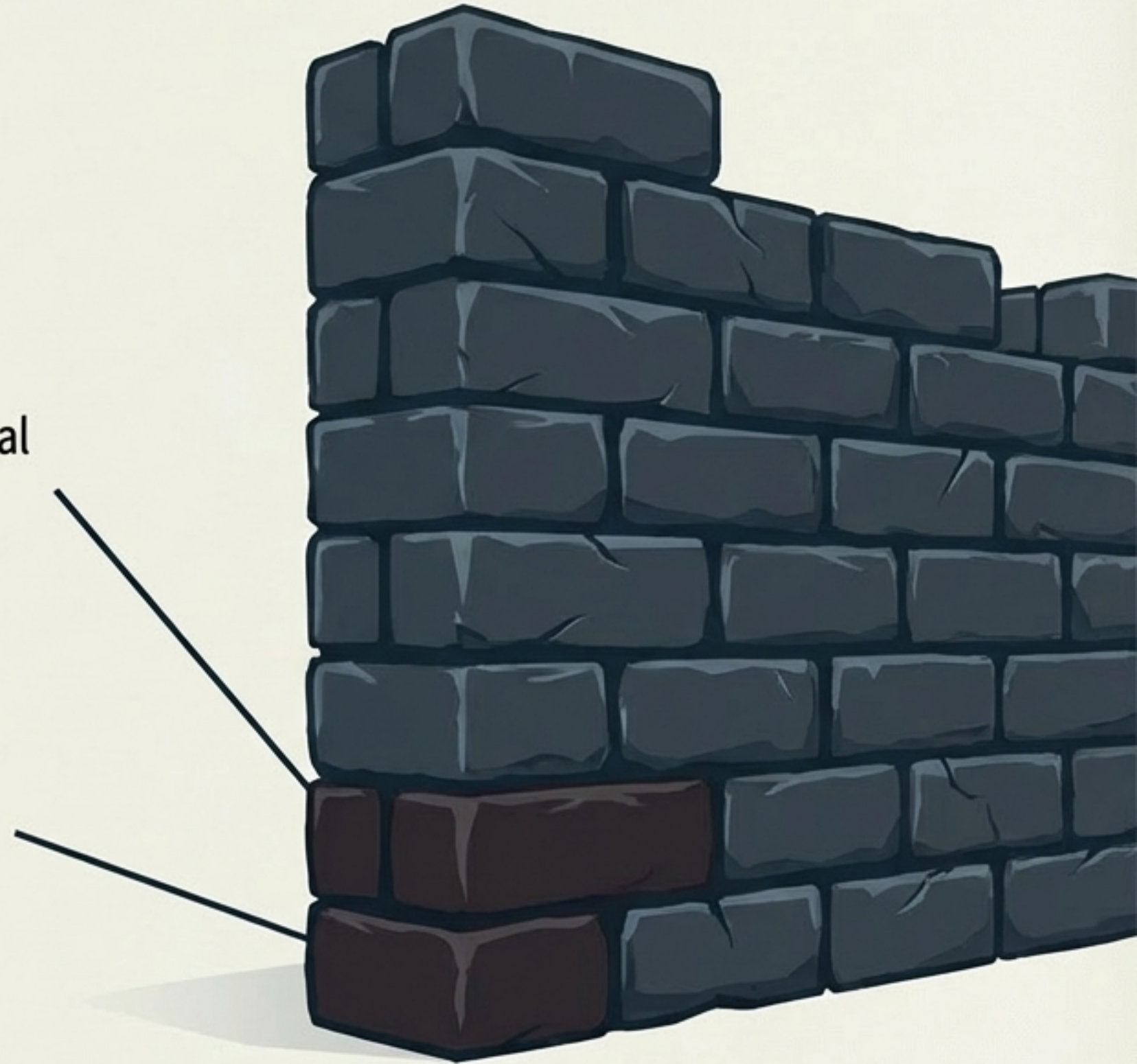
**Impact:** This blocked the legally mandatory first step of any criminal investigation in the Netherlands, violating UNCAT Article 12.

## Brick 2: Judicial Obstruction (June 2005)

**Action:** Complainant files an 'Article 12 procedure' to compel prosecution.

**State Blockade:** The Court of Appeal in Leeuwarden summarily rejects the procedure, stating there were "**kennelijk geen sprake van strafbare feiten**" ('apparently no criminal offenses').

**Impact:** Critically, the Court explicitly stated its decision "**not to hear the complainant**" or any of his named witnesses, making the right to complain under Article 13 illusory.





# The Wall Grows: Administrative and Oversight Bodies Reinforce the Blockade

## Brick 3: National Ombudsman (2005, 2008, 2025)

**Action:** Repeated complaints filed regarding systemic obstruction.

**State Blockade:** Rejected three times. The 2008 rejection occurred even after the CTIVD (see below) allegedly informed the Ombudsman of a “cover-up and conspiracy.” The final 2025 rejection was made by a handler unaware of the case history, citing a one-year time limit and cynically advising the complainant to “**seek a lawyer.**”

## Brick 4: Intelligence Review Committee - CTIVD (2008)

**Action:** During an official hearing, complainant identifies Joris Demmink as a perpetrator.

**State Blockade:** The CTIVD allegedly confirmed a “cover-up and conspiracy” existed and advised the Cabinet Balkenende to stop it. The Cabinet refused. The CTIVD took no further action, **constituting criminal obstruction.**







# International Warnings Were Explicitly Ignored at the Highest Levels

## Key Event 1: The 2015 US Diplomatic Warning

<b>Date</b>	June 1, 2015, during the Official State Visit of King Willem-Alexander to the United States.
<b>Action</b>	US authorities (DOJ/State Department) <b>explicitly flagged the 'Hans Smedema Case'</b> in a briefing document presented to the Dutch delegation.
<b>Significance</b>	This proves that <b>knowledge of the case reached the Head of State</b> and was a matter of international diplomatic concern. Continued obstruction after this point was a deliberate sovereign decision, not a bureaucratic error.

## Key Event 2: The 2017 US-Initiated Complaint

<b>Date</b>	January 2017.
<b>Action</b>	President Obama allegedly initiated an <b>UNCAT State-to-State complaint</b> against the Netherlands regarding this case.
<b>Significance</b>	The Netherlands apparently blocked this action, demonstrating a consistent pattern of obstructing international as well as domestic accountability.

**The Complainant explicitly requests the Committee use its fact-finding powers to request the production of the “June 1, 2015 State Visit Briefing Notes” from the State Party.**



# The **Keystone** of **Obstruction**: A Systemic, 20-Year Denial of Legal Counsel

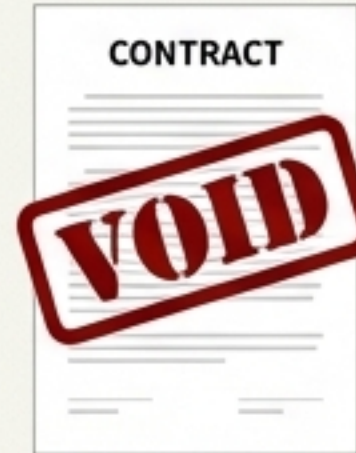
## The “Cordon Sanitair” (2004-Present)

- A systemic, universal refusal of legal assistance from hundreds of Dutch lawyers.
- Specific Example: In 2006, appointed lawyer Ad Speksnijder was **ordered not to provide legal aid**. Appeals up to the “Hof van Discipline” were universally refused.

## The “Secret Curatele” Hypothesis

This universal refusal is explained by the hypothesis that the complainant was secretly and unlawfully placed under state guardianship (*curatele*).

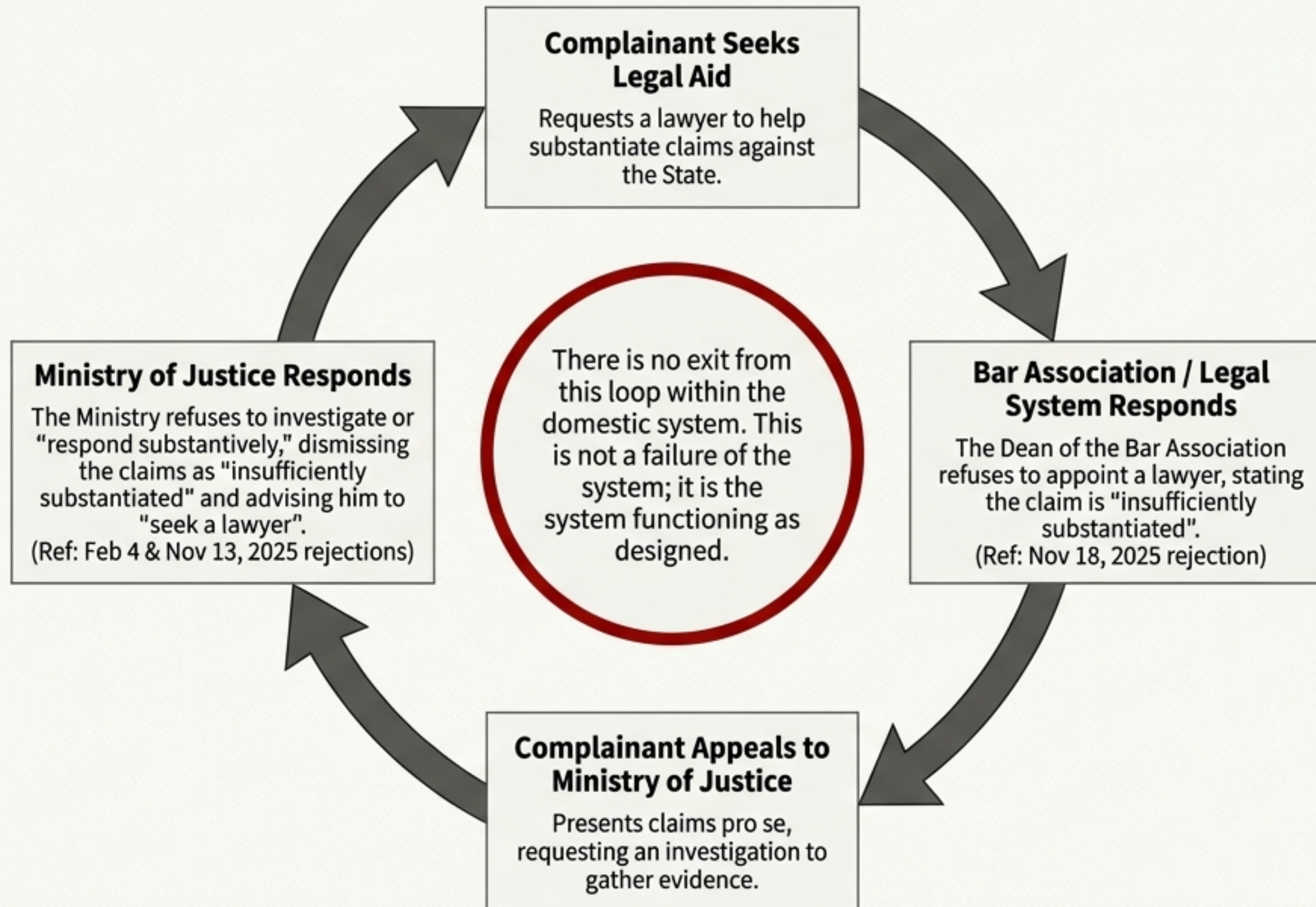
Under Dutch law, this renders him **“legally incompetent”** (*handelingsonbekwaam*), making any contract he signs (including hiring a lawyer) **“null and void ab initio.”**



This two-pronged strategy—the 2003 financial sabotage and the ongoing legal sabotage—represents the State’s method for “engineering the collapse of domestic remedies.”



# The 'Catch-22': A Visual Diagram of the State's Deliberate Trap





# The State's Final Position in 2025 Confirms the Absolute Foreclosure of All Remedies

## Event 1: Rejection of Arbitration (February 4, 2025)



Ministry of Justice and Security (Ref: 6155331)

- Refused to “**respond substantively**” (“geen reden zie om inhoudelijk te reageren”).
- Dismissed detailed claims as “**insufficiently substantiated**” (“onvoldoende onderbouwd”).
- Denied all liability and advised the complainant to “consider contacting a lawyer.”

## Event 2: Rejection of Liability (November 13, 2025)



Ministry of Justice (Ref: 6885286) in response to a formal “Notice of Liability.”

- Again **refused to engage substantively** with the Notice.
- Repeated the same cynical advice to “seek a lawyer,” fully aware of the “cordon sanitair.”

**Declaration of Exhaustion by Futility:** With these final refusals and the Bar Association's rejection, the complainant formally declares that domestic remedies are not just exhausted; they are structurally unavailable and their pursuit is futile.



# The State's Actions Constitute Direct and Ongoing Violations of the Convention



## Articles 1 & 16 (Torture and Cruel, Inhuman or Degrading Treatment)

**Physical Torture:** Clandestine electroshock; secret administration of antipsychotics (Risperdal) and Ketamine.

**Psychological Torture:** The ongoing, coordinated campaign of “**Institutional Gaslighting**” to destroy the complainant’s credibility constitutes a severe form of mental suffering. This “**weaponization of psychiatry**” with a “retaliatory aim” is a recognized form of inhuman treatment (ECtHR, SPIVAK v. UKRAINE, 2025).



## Articles 12 & 13 (Failure to Investigate & Denial of Right to Complain)

The State's 21-year refusal to investigate is proven by (1) the 2004 order not to create a proces-verbaal, (2) the 2005 Court's refusal to hear witnesses, and (3) the 2025 Ministry's final dismissal. This renders the right to complain under Article 13 **completely illusory**.



## Article 14 (Denial of Redress and Rehabilitation)

By blocking Articles 12 and 13, the State has **foreclosed any possibility of redress**, including compensation for catastrophic damages (valued at US\$50M-\$100M by a 2009 DOJ assessment).





# Interim Measures are Essential to Prevent Irreparable Harm

The complainant formally requests that the Committee recommend **interim measures** under Rule 114 of its rules of procedure.

**The risk of irreparable harm is acute and demonstrated by:**

1. The complainant's **advanced age of 77**.
2. His status of **forced exile** and precarious financial situation.
3. The severe and continuous psychological trauma inflicted by the State's ongoing campaign of denial and **'institutional gaslighting.'**

The State's active continuation of this harm is proven by its final rejection letters of February 4 and November 13, 2025.

**Justice delayed any further is justice denied in its most irreversible form.**



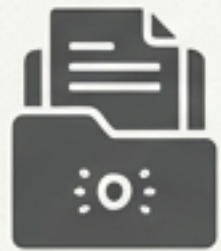
# Requested Measure 1: An Immediate Cessation of All Obstruction

The Committee is requested to call upon the State Party to take the following immediate measures:



## 1. Cease Harassment

Cease all forms of harassment, surveillance, and psychological pressure against the complainant.



## 2. Preserve Evidence

Take immediate and verifiable steps to **secure and preserve all relevant files** and evidence held within the Ministry of Justice and the AIVD. This includes the declassification of key documents, specifically the **briefing notes from the June 1, 2015 State Visit** regarding the US DOJ warning.



## 3. Remove Blockades

Immediately and verifiably **remove all legal and administrative blockades**, including any **de facto or secret “curatele”** (guardianship), that are **preventing the complainant from retaining legal counsel**.



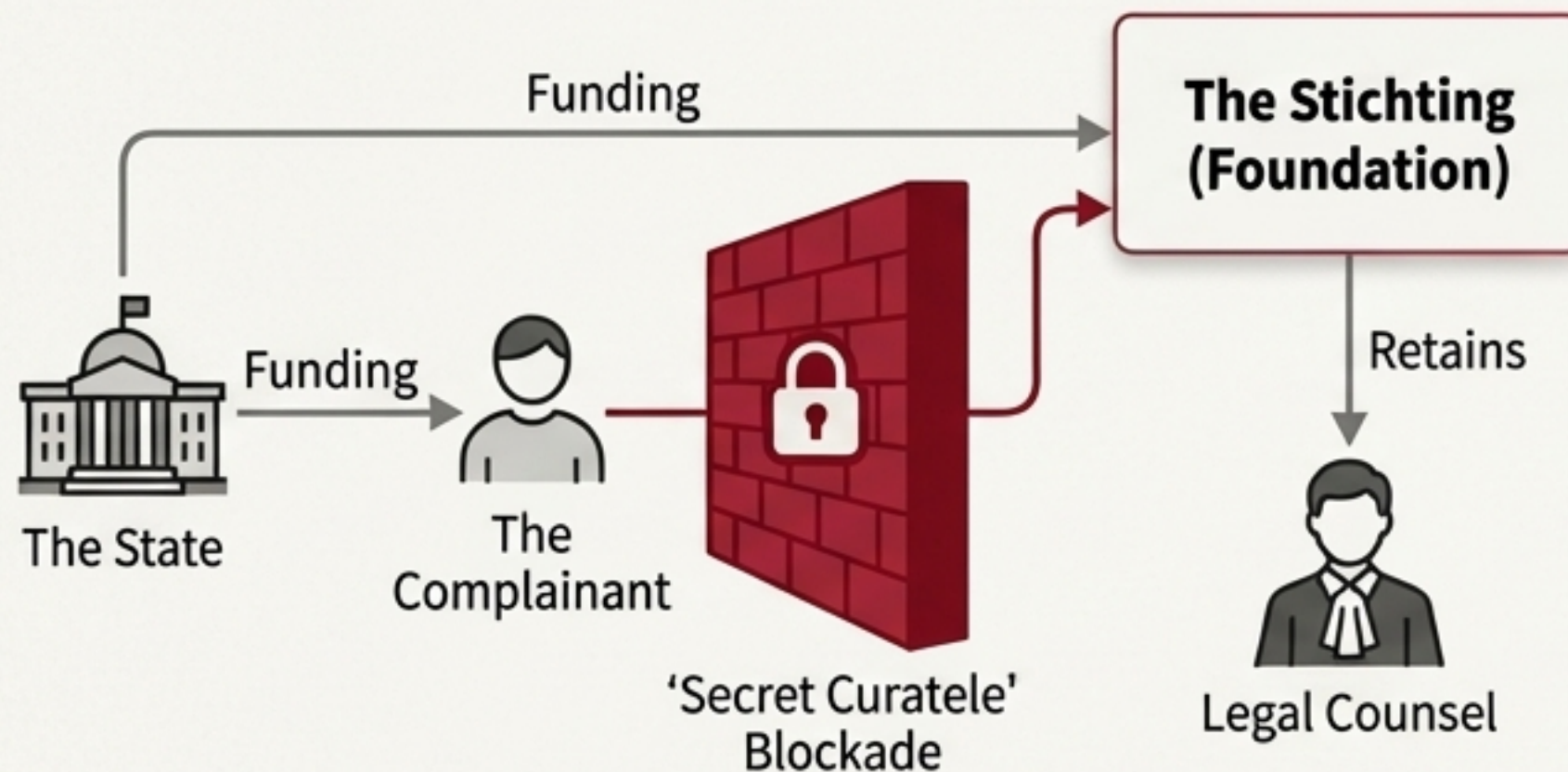
## 4. Enforce Compliance

Force the State to act within two calendar weeks, or pay a substantial weekly fine (€20,000) for non-compliance to the complainant's foundation.



# Requested Measure 2: The Only Viable Path to Justice is a State-Funded, Independent Legal Aid Fund

**Primary Request:** The Committee must recommend the State Party immediately establish a dedicated and sufficient legal aid fund. This is the only action that can remedy the foundational injustice of the State-engineered denial of legal representation.



## The 'Stichting' Solution: Bypassing the State's Trap

- **Problem:** A secret *curatele* may legally prevent the complainant as an individual from hiring counsel.
- **Solution:** The Committee must specify that these funds be paid directly into a **new, independent *Stichting* (foundation)**, to be established by the complainant.
- **Mechanism:** This "ownerless" legal entity can legally receive funds and hire lawyers even if the complainant is unlawfully blocked or dies, ensuring the case proceeds.

### Quantum Justification:

- **Restitution:** A minimum of **€50,000** (plus inflation) for the fraudulent 2003 cancellation of his legal insurance.
- **Precedent:** A benchmark of **€237,000** (the 2025 value of the €172,000 paid by the state in the related 'Demmink affair'), providing a state-verified standard for a case of this complexity.