

ANATOMY OF A STATE-SPONSORED COVER-UP

A 50-Year Case of Systemic Rule of Law Failure in the Netherlands
and its Challenge to the European Union's Core Values.

This dossier presents an evidence-based analysis of a decades-long ordeal, commencing in 1972, involving allegations of state-sponsored corruption, systematic obstruction of justice, and severe human abuses within the Kingdom of the Netherlands.

The 50-Year Ordeal: From Heinous Crimes to Institutional Betrayal



The Alleged Foundational Crimes (1972)

Allegations of drugging, torture, rape, and forced infertility against Hans Smedema and his then-girlfriend. These acts create the motive for the subsequent 50-year cover-up.



The Alleged Cover-Up Mechanism

A secret "Royal Special Decree" (c. 1972/73) allegedly provided impunity to perpetrators, establishing a nationwide "Omerta" organization to enforce silence and obstruct any investigation.



The Human Cost

Decades of psychological torment, C-PTSD, 'Betrayal Trauma', destruction of family, financial ruin, forced exile, and the alleged murder of a journalist neighbor investigating the case.



The Systemic Failure

Complete neutralization of all domestic remedies: denial of legal aid, police refusal to file reports, judicial complicity, and the systematic discrediting of the victim through 'Institutional Gaslighting'.

The Anatomy of Obstruction: A System Engineered to Fail

Police & Prosecution

Police Detective Haye Bruinsma allegedly "ordered NOT to investigate" and forbidden by the Ministry of Justice from filing an official report (c. 2004). Prosecutor Ruud Rosingh's 1991 investigation was forcibly halted; he was transferred when he refused to stop.

Denial of Legal Aid

Systematic denial of legal representation since 2000 (effectively since 1972). Over 30 Dutch lawyers allegedly refused the case. The Dean of the Bar Association formally rejected a request for a lawyer in 2025, citing the claim was "insufficiently substantiated"—a direct result of the state's obstruction.

Evidence Suppression

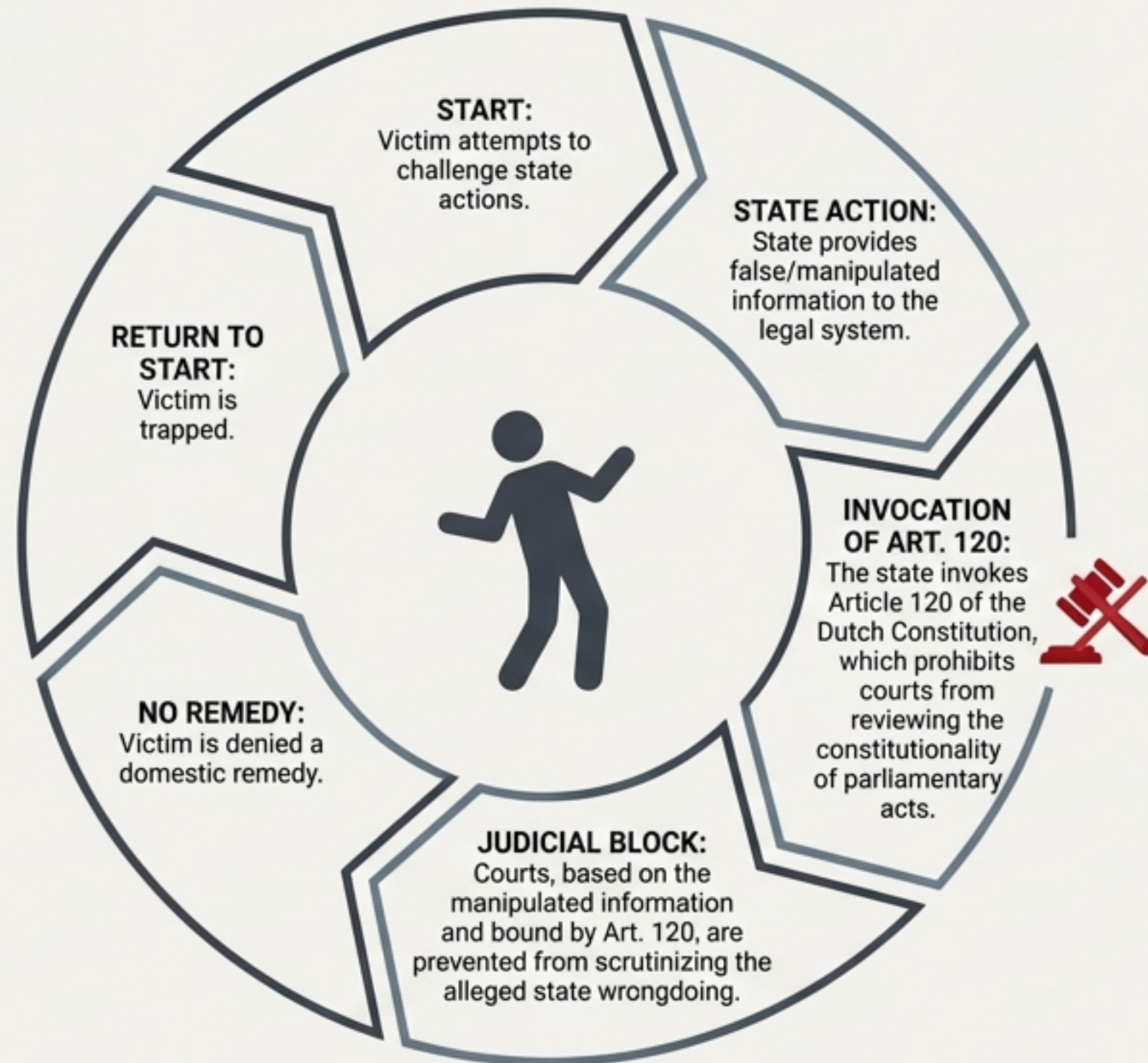
Critical evidence allegedly destroyed, including a 30+ page "Frankfurt Dossier" on the case (erased in 1983) and photographic evidence (c. 2003). The AIVD (Intelligence Service) is implicated in deleting 50 related files.



International Manipulation

Allegations that the Dutch Ministry of Justice provided false and manipulated information to the European Court of Human Rights, leading to the rejection of case 45710/05 in 2006 for "failure to exhaust domestic remedies"—the very remedies the state had blocked.

The Kafkaesque Trap: Weaponizing the Dutch Constitution



The core allegation is not against Article 120 itself, but against its application based on decades of false information from the Ministry of Justice. This transforms a principle of parliamentary sovereignty into an impenetrable shield for alleged criminal complicity, creating a closed loop where the legal system itself becomes the instrument of oppression.

The Architects of Impunity: A Secret Organization Within the State



Joris Demmink (aka "MOL-X")

Former Secretary-General, Ministry of Justice.

Named as the architect of the state-level cover-up. Allegedly used his decades-long career to amass power over judicial, police, and intelligence appointments, creating a "culture of fear" and placing "like-minded" individuals in key posts.

His appointment as SG in 2002 occurred despite a "flow of negative publicity" and an alleged AIVD screening that warned "do not appoint, too much risk".



The "Omerta" Organization

Extra-Legal Enforcement Mechanism

A clandestine group, allegedly led by the victim's brother (Johan Smedema, Master in Law) with direct ties to the Ministry of Justice.

Its purpose: to enforce the secrecy mandated by the "Royal Special Decree."

Implicated in acts of intimidation and destruction of evidence.



Prof. Dr. Onno van der Hart

Alleged Medical Accomplice

Dubbed the "Dutch Mengele."

Accused of performing "criminal electroshock torture" and psychological conditioning to enforce amnesia and discredit the victim.

A world-renowned expert in Dissociative Identity Disorder, whose expertise was allegedly weaponized against the victims.

Systemic Vulnerabilities: The Dutch Rule of Law in Context

Council of Europe (GRECO) Evaluations

GRECO's evaluation of the Netherlands (2018-2023) revealed persistent challenges in implementing anti-corruption measures for top executive functions. The initial 2021 compliance report concluded that **none of the 16 recommendations** had been satisfactorily implemented. The Dutch Council of State noted "constitutional complexities" in establishing external supervisory bodies for ministers, underscoring systemic difficulties in achieving independent accountability for high-level actors.

Academic & Institutional Analysis (SGI Network)

A 2024 Sustainable Governance Indicators (SGI) assessment ranks the Netherlands "relatively poorly (rank 26)" in horizontal accountability.

Critically, it observes: **"If learning occurs, it becomes evident only years after a seriously problematic situation is first signaled."** Political interference in inspectorates is cited as a potential cause for such delays.

This documented pattern of delayed institutional response and protracted struggles for high-level accountability lends contextual plausibility to a decades-long, solitary struggle for exposure and justice.

International Corroboration: The American Validation



Exhibit A: Judicial Finding (2009)

Source: U.S. Immigration Judge Rex J. Ford, Miami.

Finding: “After a seven-month FBI/CIA investigation, Judge Ford—a judge with one of the highest asylum denial rates in the US (88.5%)—found **“5 good grounds for asylum”** against the Kingdom of the Netherlands, calling the case “credible,” “credible,” “unbelievable,” and “unique.” The investigation also confirmed the victim’s children were not biologically his.”

Exhibit B: Executive Branch Action (Jan 2017)

Source: Alleged action by the Obama Administration.

Finding: President Barack Obama allegedly used his final days in office to initiate a formal state complaint, **“State America vs. State Netherlands,”** under the UN Convention Against Torture (UNCAT), lodging a pallet full of evidence with the UN.

Exhibit C: Royal Obstruction (2017)

Source: Allegation of direct interference.

Finding: King Willem-Alexander is accused of personally blocking the subsequent US asylum offer on March 15, 2017, while acting as a KLM co-pilot, allegedly misusing a bilateral judicial treaty to prevent scrutiny of the Dutch Crown.

A Catalogue of Alleged Breaches of EU Law and Values

Alleged Action/Failure by Dutch State	Relevant EU Law/Principle	Explanation of Alleged Breach
Decades-long systemic corruption within the Ministry of Justice; fostering impunity.	Article 2 TEU (Rule of Law)	Fundamentally undermines the rule of law, a core EU value, by perverting the institution responsible for justice.
Systemic interference with judicial independence; blocking investigations.	Article 19 TEU (Effective Judicial Protection)	Prevents independent judicial scrutiny and violates the obligation to ensure a functioning, independent judiciary.
Pervasive obstruction by police, MoJ, judiciary; suppression of evidence since 1972.	Article 47 CFR (Right to an Effective Remedy and Fair Trial)	Constitutes a comprehensive denial of access to justice and the ability to have a case heard fairly.
Systematic denial of legal representation since 2000.	Article 47 CFR (Legal Aid)	Prevents meaningful access to courts, rendering other fair trial rights illusory.
Application of Art. 120 Dutch Constitution based on false information.	Article 2 TEU; Article 47 CFR	Transforms a constitutional provision into a tool of oppression, creating a "Kafkaesque trap."
Compromised Dutch justice system eroding trust from other Member States.	Principle of Mutual Trust in the AFSJ	Erodes the indispensable trust required for cross-border judicial cooperation (e.g., European Arrest Warrant).

Benchmarking the Crisis: A Comparative Analysis

Crisis Event	Key Characteristics	Comparison to This Case
Rule of Law Backsliding (HU/PL)	Overt, government-led dismantling of democratic institutions for ideological reasons.	This case alleges a concealed, criminal conspiracy within a democratic state's core ministry, driven by impunity, not ideology. Its 50+ year duration is exceptional.
Major Corruption (e.g., Qatargate)	Often financial corruption, bribery, or influence peddling targeting EU or national institutions.	This case alleges a far deeper, more violent corruption interwoven with torture, murder, and a decades-long cover-up to ensure impunity for heinous crimes, not just financial gain.
Eurozone Sovereign Debt Crisis	Primarily economic/financial, threatening the stability of the Euro and affecting millions socio-economically.	This case represents a collapse of justice and fundamental rights , threatening the EU's identity as a community based on the rule of law.
Systemic Human Rights Violations (e.g., Greek Junta)	Overt state repression and suspension of democratic norms by an authoritarian regime.	This case alleges an insidious corruption within the existing structures of a democratic EU member state, representing a potentially unparalleled example of concealed, state-sponsored denial of justice.

Institutional Gaslighting: The State's Campaign to Destroy Reality



The Tactic:

When obstruction alone was not enough, the State allegedly engaged in a systematic campaign of psychological manipulation to destroy the victim's credibility. This is "**Institutional Gaslighting**": using the authority of the state to make a victim doubt their own sanity.

The Weapon:

Psychiatry was allegedly weaponized. Official medical bodies, like the Regional Disciplinary Tribunal for Healthcare in Groningen (2007), concluded the victim's claims were based on "delusions," a finding allegedly predicated on the state's own withheld evidence.

'Nergens is gebleken van enige reden tot twijfel aan de juistheid van de vaststelling dat bij klager sprake is van wanen...'

(Translation: "Nowhere has any reason appeared to doubt the correctness of the determination that the complainant suffers from delusions...")

The Consequence:

This official diagnosis became the ultimate shield. It provided a rationale for police, courts, and lawyers to dismiss the case without investigation, perpetuating the cycle of injustice and inflicting profound psychological harm, including C-PTSD and 'Moral Injury'.

A New Remedy for a Unique Harm: The Documentary as Legal Redress

Publico Headline

Monetary compensation cannot repair decades of state-sponsored reputational destruction. The UN Convention Against Torture (UNCAT, Art. 14) mandates a broader “redress,” including the remedy of “**Satisfaction**”: a “full and public disclosure of the truth” to restore the victim’s dignity and reputation.

The Legal Logic

The State has a positive obligation to provide this remedy.



The State has refused, and is the architect of the harm.



Therefore, the State is liable for the full, reasonable cost for the victim to commission this remedy independently.

The Budget as Evidence of Proportionality

Total Estimated Cost: €850,000

Purpose: Professional, broadcast-quality, feature-length investigative documentary.

Development & Pre-Production:	€120,000
Production (Crew, Equipment, Travel):	€345,000
Post-Production (Editing, Archival Licensing):	€250,000
Legal & Admin:	€135,000

“This is not a claim for damages to be used for a film. It is a claim for the cost of procuring a future remedy that the State is obligated, yet has failed, to provide.”

A Challenge to the EU Legal Order: From National Failure to European Crisis



1. Violation of Foundational Values (Article 2 TEU)

The alleged perversion of a core justice ministry in a founding Member State for 50+ years represents a profound and sustained breach of the Rule of Law, a value upon which the Union is founded.

2. Erosion of Mutual Trust

The principle of Mutual Trust is the bedrock of the Area of Freedom, Security and Justice (AFSJ). If one Member State's justice system is systemically compromised as alleged, the basis for cooperation in mechanisms like the European Arrest Warrant collapses. How can Member States trust judicial decisions from a system allegedly captured by a criminal conspiracy?

3. Risk to EU Financial Interests (Article 325 TFEU)

A Ministry of Justice allegedly incapable of investigating high-level domestic corruption cannot be trusted to fulfil its obligations under the PIF Directive to combat fraud against the EU budget. This creates a direct link to a serious risk to the Union's financial interests.

The Path Forward: Avenues for EU Scrutiny and Action

1. Input into the Annual Rule of Law Report

The detailed, externally-validated allegations should inform the Commission's preparation of the country chapter on the Netherlands, leading to robust recommendations for an independent investigation into historical institutional misconduct.

2. Assessment under the Rule of Law Conditionality Regulation

The most potent tool. Requires an assessment of whether the alleged systemic corruption poses a “**sufficiently direct**” and current risk to the sound financial management of the EU budget.

3. Targeted Infringement Proceedings

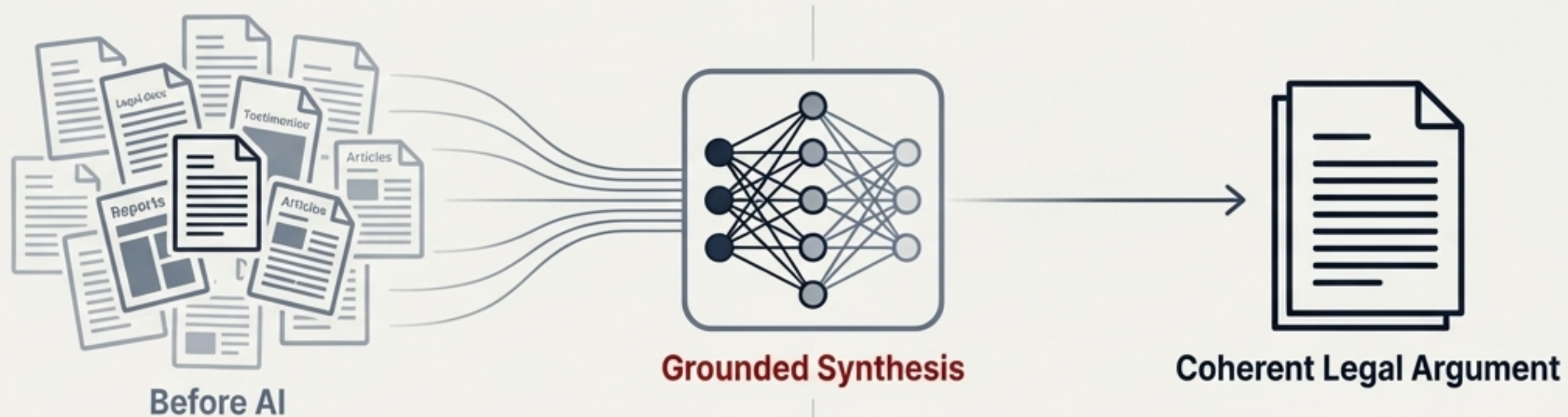
The Commission can investigate ongoing breaches of specific EU laws, such as the continued denial of an effective remedy (**Art. 47 CFR**) or failures to ensure judicial independence (**Art. 19 TEU**) that stem from this historical context.

4. Scrutiny of Petitions (EP)

Petition **1808/2025** has been forwarded to the European Parliament's Committee on Petitions. Unlike previous attempts, it is now framed as a documented case study of the failure of a Member State's rule of law, **directly implicating EU core values**.

The New Counsel: How AI-Driven Synthesis Broke a 50-Year Deadlock

A lone individual faced a “lonely, maddening battle for reality itself,” overwhelmed by fragmented traumatic memories and a mountain of disorganized evidence, pitted against the state’s unified “wall of denial”.



After AI

Synthesizing the Archive

Using tools like Google NotebookLM, 24 years of personal archives, legal rejections, and evidence were uploaded into a secure, grounded knowledge base.

Identifying the Legal Strategy

Advanced AI reasoning shifted the entire basis of the claim from the verifiably obstructed historical crimes (1972) to the documented, ongoing tort of denying investigation and remedy (2000-present).

Building Contextual Plausibility

The AI cross-referenced the victim’s claims with public-source documents (e.g., the Demmink affair, the *Toeslagenaffaire* scandal), situating the “extraordinary” allegations within a documented pattern of systemic failure in the Dutch state.

AI became the indefatigable, objective partner that could finally structure the trauma, connect the dots, and build the irrefutable case.

The Case is Closed. The Investigation Must Begin.



1. The Unlawful Act is Proven:

The State's decades-long refusal to conduct a mandatory investigation under UNCAT, despite credible allegations and external validation, is a continuous and unlawful act.

2. The Evidence is Irrefutable:

The evidence is no longer a suppressed memory, but the State's own paper trail of obstruction, corroborated by the judicial findings and executive actions of the United States.

3. The State's Defense is Invalidated:

The primary state defense—a diagnosis of 'delusional disorder'—has been deconstructed as a tool of 'Institutional Gaslighting' and is clinically and factually untenable.

4. The Mandate for EU Action is Clear:

This is not an internal Dutch matter. It is a systemic failure that strikes at the heart of the EU's legal and moral foundation, demanding scrutiny and action to uphold the Rule of Law.