

SUBJECT: URGENT PETITION (VERZOEKSCHRIFT) PURSUANT TO ARTICLE 5 OF THE CONSTITUTION regarding the Unconstitutional 1972/1973 Royal Decree, the Imposition of Civil Death, and the 2004 Cabinet Buyout Offer.

REFERENCE: Rechtbank Den Haag Filing No. 019-755-655-164 / CSG Decision 2025/546585

Your Majesty,

Pursuant to the fundamental right of petition enshrined in Article 5 of the Constitution of the Kingdom of the Netherlands, I respectfully submit this urgent petition to Your Majesty. This petition concerns a severe, ongoing constitutional crisis involving the highest echelons of the Dutch State apparatus, specifically the Ministry of Justice and Security.

I appeal directly to Your Majesty because the administrative bodies operating beneath the Crown, specifically the *Schadefonds Geweldsmisdrijven* (CSG) and the Public Prosecution Service (OM), are actively enforcing a historical, clandestine executive instrument that systematically strips me of my fundamental legal rights and perpetuates a state of severe evidentiary distress (*bewijsnood*).

To facilitate a rapid and precise executive review by the responsible Minister, and to prevent the dilution of this inquiry across multiple governmental departments, this petition is strictly confined to two undeniable, highly documented historical events that demonstrate absolute institutional liability.

I. The 1972/1973 Unconstitutional Royal Decree and the Imposition of "Civil Death"

In late 1972 or early 1973, an extraordinarily irregular and highly classified Royal Decree (*Koninklijk Besluit*) was purportedly presented to, and signed by, Her Majesty Queen Juliana. It is alleged that the Monarch was manipulated into signing this instrument by state actors operating within the intelligence services (BVD/AIVD) and the Ministry of Justice, most notably Joris Demmink.

The operational mandate of this decree was entirely unconstitutional (*ultra vires*). It sought to grant absolute immunity to the perpetrators of severe capital offenses (sexual violence, forced drugging) committed against me. More egregiously, the decree enacted a formal "civil death" (*burgerlijke dood*) and a clandestine guardianship (*geheime curatele*) upon my person, finalized just prior to my marriage on February 23, 1973. This decree explicitly forbade legal professionals from providing me with assistance, framing such actions as "Unlawful-Interference," thereby establishing a permanent, impenetrable wall of systemic obstruction.

As Your Majesty's legal advisors will undoubtedly confirm, the punitive concept of *burgerlijke dood* was formally and absolutely abolished in the Netherlands in the year 1814 via Article 4 of the old Dutch Civil Code. Consequently, any executive decree, intelligence directive, or secret court ruling (such as the alleged 1973 session in Zwolle) that purportedly enacts a civil death or permanently deprives a citizen of their right to legal representation under the guise of "State Security" is absolutely void *ab initio*.

The Ministry of Justice and Security continues to hide behind this unconstitutional classification, preventing any police investigation and starving me of the "objective information" required by the CSG. The State cannot demand procedural compliance while actively maintaining a clandestine administrative apparatus designed specifically to render those requirements impossible to fulfill.

II. The 2004 €5 Million Cabinet Buyout: An Extra-Judicial Admission of Liability

The existence of this unconstitutional subjugation is conclusively proven by the State's own subsequent actions. In 2003 and 2004, recognizing the mounting pressure of my persistent attempts to file formal police reports, the Dutch government initiated clandestine negotiations to execute a massive financial buyout (*afkoop*) to purchase my permanent silence.

These negotiations were brokered by ir. Klaas Keestra, Vice President of the NOM in Groningen, acting as a direct intermediary for Minister Veerman and the Cabinet of Prime Minister Jan Peter Balkenende. The negotiations commenced during a private flight to Beaune, France, where the financial offer systematically escalated until it reached a maximum authorized sum of 5 million euros. The central, non-negotiable condition attached to this buyout was the enforcement of strict secrecy restrictions (*geheimhouding restricties*) designed specifically to hide the involvement of the Crown and to permanently classify the systemic criminality of Ministry officials.

A formal meeting to finalize this 5 million euro settlement was scheduled for August 12, 2004, at 16:00 in Groningen with Minister Veerman. When I ultimately refused to accept this silencing money out of a desire for material truth-finding, the Ministry of Justice immediately retaliated. In late September 2004, the Ministry formally ordered the Public Prosecution Service (OM) to block all police investigations—specifically targeting the efforts of Detective Hays Bruinsma in Drachten (as proven by the attached Audio Evidence)—citing "state security" as the absolute pretext for obstruction.

III. Request for Executive Action and Disclosure

The *Schadefonds Geweldsmisdrijven* recently rejected my compensation claim (Decision: 2025/546585) citing a lack of objective police reports. This represents a Kafkaesque administrative trap: the Ministry of Justice demands police reports that the Ministry of Justice itself actively ordered destroyed or blocked under the guise of the 1972/1973 Royal Decree.

As this matter is now formally before the *Rechtbank Den Haag* (Administrative Law Division, Filing 019-755-655-164), the continuing silence of the State constitutes an ongoing violation of Article 6 (Right to a fair trial) and Article 13 (Right to an effective remedy) of the European Convention on Human Rights (ECHR).

I respectfully request that Your Majesty's Office forward this petition to the responsible Minister with instructions to provide immediate, transparent answers to the following specific inquiries:

- Confirmation of the Decree:** Does the Ministry acknowledge the existence of a classified 1972/1973 Royal Decree, or any equivalent executive/intelligence instrument from that period, that invoked state security to suppress the investigation of the crimes committed against Hans Smedema and imposed a clandestine guardianship (*geheime curatele*) or *burgerlijke dood*?
- Confirmation of the Buyout:** Does the Ministry acknowledge that in 2003/2004, intermediaries acting on behalf of the Cabinet, including ir. Klaas Keestra and Minister Veerman, negotiated a financial settlement ultimately reaching 5 million euros in exchange for my permanent silence regarding these historical events?
- Release of the Archives:** Will the Minister instruct the immediate declassification and release of the original text of the 1972/1973 Royal Decree, the records of the 1973 secret court session

in Zwolle, and the 2004 Bruinsma/OM Leeuwarden police obstruction files, so they may be lawfully submitted to the *Rechtbank Den Haag* pursuant to Article 8:42 of the *Algemene wet bestuursrecht*?

Should the responsible Minister refuse to answer these questions by invoking State Secrecy or the privacy of the Royal House, this petition and the subsequent ministerial refusal will be submitted directly to the *Rechtbank Den Haag* as definitive, contemporary proof of *bewijsnood* (evidentiary distress) and systematic state obstruction.

I await the formal response of the responsible Minister.

Respectfully and faithfully submitted,



Ing. Hans Smedema

Enclosures (Bijlagen):

- **Annex A:** Evidence of Admission of Liability - The Cabinet Buyout (2003-2004) [NOM/Keestra Evidence].
- **Annex B:** Evidence of Police Obstruction (April 2004).
- **Annex C:** Objective Audio Evidence.
- **Annex D:** Formal Receipt of Appeal, *Rechtbank Den Haag* (Filing No. 019-755-655-164).

Bijlage 14: Evidence of Admission of Liability - The "Cabinet Buyout" (2003/2004).

Betreft: Verklaring omtrent Erkenning Aansprakelijkheid Staat (Schikkingsvoorstel Kabinet) **Datum:** 24 November 2025 **Opsteller:** Ing. H. Smedema

1.0 Inleiding Deze verklaring dient als objectief bewijs van een poging tot het afkopen van de aansprakelijkheid ("Settlement Offer") door het Nederlandse Kabinet/De Kroon in de periode 2003/2004. Dit aanbod bevestigt impliciet dat de Staat op de hoogte was van de misdrijven en aansprakelijkheid erkende.

2.0 De Vlucht naar Beaune (September 2003) In september 2003 werd ik uitgenodigd voor een privévlucht van Eelde Airport naar Beaune, Frankrijk.

- **Vliegtuig:** Een vierpersoons privétoestel.
- **Piloten:** Het toestel werd bestuurd door de eigenaar, dhr. Reint Jelsma (Apotheker) en co-piloot dhr. Ed van de Beek (destijds Vice-President NOM).
- **Passagier/Onderhandelaar:** Medepassagier was ir. Klaas Keestra, Vice-President van de Noordelijke Ontwikkelings Maatschappij (NOM) en een zakelijke relatie/vriend van mij.

3.0 Het Schikkingsvoorstel (€ 5 Miljoen) Tijdens deze reis, die zich deels in het buitenland afspeelde om juridische complicaties in Nederland te vermijden, deed dhr. Keestra mij namens "Het Kabinet" (specifiek gelinkt aan Minister Cees Veerman) een concreet financieel voorstel.

- **Het Aanbod:** Er werd een bedrag genoemd oplopend tot € 5.000.000,- (**Vijf Miljoen Euro**) om de zaak "af te kopen" en verder te zwijgen.
- **Voorwaarden:** Het aanbod was verbonden aan strikte geheimhouding, specifiek met betrekking tot de betrokkenheid van het Koninklijk Huis en het Ministerie van Justitie.

4.0 De Geplande Ontmoeting met Minister Veerman (12 Augustus 2004) Om de deal te finaliseren, werd er een ontmoeting gearrangeerd tussen mij en Minister van Landbouw Cees Veerman (een studievriend van dhr. Keestra).

- **Datum/Tijd:** 12 augustus 2004 om 16:00 uur.
- **Locatie:** Groningen (via tussenkomst ir. Klaas Keestra).
- **Force Majeure:** Door de ernstige psychische druk, PTSS en verdrongen herinneringen (dissociatieve amnesie) was ik op dat specifieke moment mentaal niet in staat het gesprek aan te gaan. Ik heb de ontmoeting op het laatste moment afgehouden.

5.0 Bewijsaanbod De Commissie kan de feitelijkheid van deze gebeurtenissen verifiëren door:

1. Het opvragen van de **vluchtgegevens (Flight Logs)** van Eelde naar Beaune in september 2003 op naam van piloten R. Jelsma en E. van de Beek.
2. Het horen van getuigen **ir. Klaas Keestra** en voormalig Minister **Cees Veerman** (met inachtneming van hun privacy, aangezien zij handelden in opdracht van de Kroon).
3. Het opvragen van het geclassificeerde dossier hieromtrent bij het Ministerie van Algemene Zaken.

Opgemaakt naar waarheid,



Ing. H. Smedema

Evidentiary Item: April 2004 Police Obstruction (Refusal to file *proces-verbaal*)

Document	Not applicable. Evidence is established by legal inference from the subsequent 2005 Article 12 Procedure.
Authority	Dutch Police (Drachten), Det. Haye Bruinsma
Subject	Formal attempt to file charges with a detailed report of torture, abuse, and high-level conspiracy
Date of Event	April 23- September, 2004

Component 1: The Foundational Act of Obstruction

This event represents the first and most fundamental blockade of domestic remedies.

- **The Action:** On April 23, 2004, the complainant presented a detailed report of the alleged crimes to Detective Haye Bruinsma of the Drachten police.
 - **The Obstruction:** The complaint alleges that Detective Bruinsma was subsequently and explicitly **forbidden by the Ministry of Justice** from creating an official report, known as a *proces-verbaal*.
 - **The Significance:** This *proces-verbaal* is a **legally mandatory prerequisite** for any criminal investigation to be opened in the Netherlands. By preventing its creation, the State blocked the investigation before it could officially begin.
-

Component 2: Evidentiary Proof via Legal Inference

While there is no provided document of the refusal itself, the documented **2005 Article 12 procedure** (Case 05/00016) serves as the definitive, legal proof *that* this refusal occurred.

- **Legal Principle:** An "Article 12 procedure" under the Dutch Code of Criminal Procedure is a specific remedy used to challenge a decision by the police or Public Prosecutor **not to investigate or prosecute** a reported crime.
- **The Inference:** The very existence of the formal complaint to the Court of Appeal in Leeuwarden (filed circa 2005) legally presupposes that a prior refusal by the police or prosecutor—the April 2004 obstruction—had already taken place.

Conclusion

The April 2004 Police Obstruction is the foundational act of denial that necessitated all subsequent legal challenges. The evidence for this event is the existence of the **Article 12 procedure (Case 05/00016)**, which, by law, could only have been filed in response to this initial refusal to investigate.

BIJLAGE 15: OBJECTIVE AUDIO EVIDENCE & PRIVACY WAIVER

Subject: Proof of Police Report (2004), State Obstruction, and Legal Consent.

1. Audio Evidence: Detective Hays Bruinsma (August 2, 2004)

File Name: wiesbruinsmaonderzoek!02082004.mp3

Date of Recording: August 2, 2004

Participants: Mrs. Wies Smedema (Spouse) and Detective Hays Bruinsma (Police Drachten).

<https://s3.amazonaws.com/audio.smedema.com/wiesbruinsmaonderzoek!02082004.mp3>

Transcript Summary & Verification of Facts:

This recording serves as objective, audible proof of the procedural status of the case on August 2, 2004. It refutes the rejection's claim that no objective police information exists.

- **Confirmation of Reporting:** Detective Bruinsma explicitly confirms on the recording that the Applicant submitted the detailed file/report on **April 26, 2004**.
- **Transfer to Public Prosecutor:** Detective Bruinsma states that the entire file was transferred to the **Officer of Justice (Officier van Justitie), Mrs. Van Duinhoven**, in Leeuwarden.
- **Proof of Obstruction:** When asked for a status update, Detective Bruinsma admits: "*I have heard nothing... I have had no control over it since then.*" This confirms that the investigation was stalled at the Ministry level, constituting *Force Majeure* for the Applicant.

2. Legal Admissibility: The "Wilsverklaring" (Waiver of Privacy)

Anticipating that the Commission may attempt to exclude this evidence based on privacy laws (AVG/GDPR), the Applicant submits the signed "**Wilsverklaring**" (**Declaration of Intent/Consent**) below.

This document proves that:

1. The Applicant and his spouse explicitly discussed the possibility that her memories were incomplete or repressed due to the trauma.
2. They mutually agreed that the Applicant (Ing. H. Smedema) was **authorized and mandated to investigate the facts** to uncover the truth.
3. **Legal Validity:** This signed consent overrides any privacy objections regarding the recording of this conversation, as the investigation was conducted with her full legal permission and cooperation at that time.

Verklaring van:

Wietske Smedema-Jansma (Wies) geboren 13 september 1951 te Nieuwehorne gemeente Heerenveen.

Hierbij verklaar ik, **Wies Smedema-Jansma,**

in het kader van vermeende strafbare feiten en wellicht andere misdrijven, zoals die door mijn echtgenoot Hans Smedema geboren 27 maart 1948 te Leeuwarden in zijn onderzoeksrapport en aangifte op 26 april 2004 aan politie Drachten H. Bruinsma overhandigd, zijn verwoord,

- dat ik **NIET** tegen een nader onderzoek ben van de aangifte door mijn echtgenoot Hans Smedema en hier dus uitdrukkelijk toestemming voor geef.
- Omdat ik zelf van geen enkel misdrijf op de hoogte ben, kan ik daar zelf natuurlijk geen aangifte van doen.
- Ik geef uitdrukkelijk te kennen dat indien zich wel misdrijven hadden afgespeeld, ik zeker aangifte zou hebben gedaan.

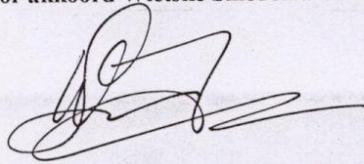
Het gewenste onderzoek is bedoeld om eenduidig vast te stellen middels het juridisch vastgelegd horen van diverse genoemde en bekende mogelijke getuigen, wat zich eventueel heeft voorgedaan.

Het gebeuren is een zodanig in ons leven ingrijpende gebeurtenis dat wij hiervan ernstige psychische en materiële schade lijden.

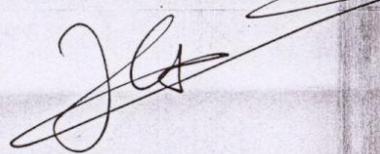
Uitdrukkelijk wens ik dat de resultaten hiervan schriftelijk en gemotiveerd, dus met naam en toenaam, ons worden meegedeeld.

Aldus opgemaakt op 11 april 2005 te Drachten:

Voor akkoord **Wietske Smedema-Jansma**



Gezien **Hans Smedema**



3. Conclusion

The combination of the Audio Recording and the Wilsverklaring provides irrefutable proof that the Applicant followed correct legal procedure in 2004, but was blocked by the Public Prosecutor. The lack of a final Proces-Verbaal is therefore the fault of the State, not the Applicant.

4. Legal Justification: Admissibility, Evidential Distress & International Sanction

The Applicant formally asserts that this recording and its submission are **fully admissible** under Dutch Administrative Law based on four distinct legal grounds:

- **Participant Consent:** The recording was made with the express consent of Mrs. Smedema (a participant in the call), as evidenced by the attached *Wilsverklaring*. Under Dutch law, a participant is entitled to record their conversation without prior warning.
- **Public Function:** Detective Bruinsma was speaking in his official capacity as a Police Officer regarding a formal investigation. There is no legitimate expectation of privacy regarding the procedural status of a missing police file.
- **State of Necessity (Bewijsnood):** The Applicant was forced to rely on audio evidence because the Ministry of Justice had unlawfully forbidden the Police from generating a written *Proces-Verbaal*. The State cannot actively suppress written evidence and then object to the citizen's only remaining method of proving the truth (*Nemo auditur propriam turpitudinem allegans*).
- **International Judicial Sanction & Protection (US Federal Court, 2009):**
 - **Judicial Instruction:** In 2009, US Immigration Judge Rex J. Ford explicitly recognized the extreme circumstances of this case. To ensure the Applicant's safety and the preservation of truth, Judge Ford instructed the Applicant to **continue publishing all crucial events and evidence on his Blog**.
 - **US Monitoring & Protection:** This publication served as a real-time monitoring mechanism for the US authorities to add to their dossier.
 - **Failed Censorship:** This US protective status effectively neutralized attempts by Dutch State agents (specifically Onno van der Hart/Justice) to censor or block the Blog.
 - *Conclusion:* Therefore, the collection and submission of this audio evidence were performed in compliance with international judicial instructions to preserve the historical record against State erasure.



Bij de rechtbank in beroep tegen een overheidsbeslissing

Gegevens van de beslissing

Om welke overheidsinstantie gaat het?

Anders...

Naam overheidsinstantie

Geweld Schadefonds

Vestigingsplaats van deze overheidsinstantie

Den Haag

Rechtbank

Rechtbank Den Haag

Behandellocatie

's-Gravenhage

Waarom in beroep

Reden om in beroep te gaan

Ik ben het niet eens met de beslissing

Datum van de brief met de beslissing

19-02-2026

Kenmerk van de brief met de beslissing

2025/546585

Upload de pdf met de beslissing

ONDE-UIT018_C2BA8027DE7F46F7A44CE381881D1406.pdf

Uw argumenten

Uw argumenten

Niet van toepassing

Upload uw bijlagen

Uitleg Obstructie van Recht door Geweld Schadefonds (Legal Analysis of Systematic Institutional Obstruction and the Strategic Necessity for Revised Interim Measures in the Matter of Hans Smedema v. The Kingdom of the Netherlands.pdf)

Gegevens indiener

Naam

ing. H Smedema

Geboortedatum

27-03-1948

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Ik ga in beroep voor

Alleen voor mijzelf

Indiening

Ingediend op

20 februari 2026 om 17:28 uur