

# Böhler

## PRESS STATEMENT

### **Dutch State has to pay compensation to the widows and survivor of the Rawagedeh massacre**

Amsterdam, 15 September 2011 - Yesterday, the District Court of The Hague decided in favour of the action brought by the widows and survivor of the Rawagadeh massacre that took place on 9 December 1947.

Despite the fact that the claim expired on 31 December 1952, the State cannot invoke the statute of limitations. The Court considered the summary executions by Dutch soldiers of unarmed civilians of the Kingdom of The Netherlands without any form of process to constitute extremely grave facts. Given this graveness of the facts, the State's knowledge of these facts and its passive attitude over a period of sixty years, the Court ruled that invocation of the statute of limitations is unacceptable in view of the criteria of reasonableness and fairness.

The Court also took into consideration that the case relates to a period of the Dutch history that does not belong to the past yet, and that there are people alive today that have lived throughout this difficult period and have witnessed the executions.

The Court concludes that the State has acted wrongfully towards the widows and has to pay compensation for past and future damage.

**Background** - On 9 December 1947 Dutch troops attacked the village of Rawagadeh on Java in Indonesia. Hundreds of male villagers were executed, along with prisoners and refugees. A UN Security Council fact-finding committee in a 1948 report condemned the actions of the Dutch Army to be "deliberate and ruthless". Criminal proceedings against the soldiers responsible for the Rawagedeh bloodbath have never been instituted. The Netherlands has never apologized or paid compensation to the surviving family members of the murdered villagers. This is the first time that Indonesian surviving family members issue a summons against The Netherlands for crimes committed during the decolonisation wars in Indonesia from 1945 until 1949.

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