



Den Haag

101

Return address: PO Box 12600, 2500 DJ The Hague

To: the Municipal Council

Date

29 May 2018

Subject

Start individual moral restitution for internees from the Dutch East Indies

Our reference

BSD/2018.126

RIS 299810

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Your council decided at the meeting of 15 August 2018 to implement individual moral restitution for internees from the Dutch East Indies for ground rent¹ and/or street tax.

We inform you by means of this document that the implementation of the East Indies moral restoration is commencing. Applications can be submitted from 1 June 2018 to 31 May 2019.

Steps made

We have since adopted the individual moral restitution for internees from the Dutch East Indies scheme. In addition, an advisory committee has been formed that will issue advice concerning the applications submitted. See in this connection the resolution of the municipal executive dated 29 May 2018 RIS 299809

The knowledge gained when setting up the individual Jewish moral restitution was applied in the elaboration of the East Indies moral restitution. In order to guarantee uniformity, the East Indies moral restitution aligns closely with the Jewish moral restitution.

The Dutch East Indies community was consulted during the formation of the East Indies moral restitution. An expert meeting with the Social Insurance Bank, Members of the Resistance and War Victims department, was also conducted. Such in order to prevent implementation issues from having to be resolved during the term as much as possible.

Individual moral restitution

As already evident from the NIOD, the archive of the Municipality of The Hague contains very little archive material with respect to the practical implementation by the Municipality of The Hague of regulations concerning ground rent and street tax during the war period and immediately after the war period. This means that the burden of proof concerning individual moral restitution will sometimes

¹ Certain of the houses in The Hague are built on land owned by the municipality of The Hague. Leasehold is the right to use this land. The municipality requests payment in return for this right and the leaseholders are bound to legal conditions. Within these conditions, they have the rights and duties of an owner. The leaseholders make an annual payment for the use of the land: the ground rent. The term 'owner' is used with respect to houses built on leasehold land as well as those on freehold land.

feel frustrating to applicants. The Mayor has promised to apply generosity within the context of the Jewish moral restitution. The same applies to moral restitution for internees from the Dutch East Indies. Nevertheless, a substantiation will be requested for each application that is submitted. There will have to be a basis on which the committee is able to proceed to restitution payment.

The conditions that apply in order to qualify for individual moral restitution were considered comprehensively. The following conditions must apply:

1. Privately-owned immovable property in The Hague;
2. Whose owner was in the Dutch East Indies and was interned as a citizen or prisoner of war by the Japanese authorities during (part of) the period between 8 March 1942 and 15 August 1945;
3. Payment of overdue ground rent and/or street tax for the years 1942 - 1945 to the Municipality of The Hague shortly after the war;
4. Which payment has not already been compensated in some way.

Similarly to the Jewish moral restitution, consultation will take place with the Tax and Customs Administration that no gift tax and income tax on the compensations needs to be paid, but that the amount paid does count towards the capital in box 3.

The Social Insurance Bank communicates in turn in its information that restitution payments do not have an impact on the pensions and benefits of members of the resistance and war victims.

Assistance to applicants

The application form is provided with an explanation in which it is indicated clearly for applicants which documents they may submit and where they can find these. In order to assist applicants, there is the possibility of contacting the secretary of the advisory committee in case of questions. Despite the fact that the number of available and accessible sources someone can use to submit an application is unfortunately limited, applicants are expressly requested to submit an application, completed as fully as possible.

Communication

NIOD concluded in its investigation conducted in September 2017 (on behalf of the Municipality of The Hague) that there are no indications that the abovementioned back taxes were imposed on internees from the Dutch East Indies. At the same time, NIOD also states emphatically that, in view of the limited sources from that time, the possibility of such an incident cannot be excluded.

Against this background, the search for possible interested parties will focus very specifically on the Dutch East Indies community.

In addition to placing an advertisement in *Algemeen Dagblad*, an appeal will be placed in various media focusing on the Dutch East Indies community (including the magazines *Moesson* and *Marinjo*, and SVB magazine *Aanspraak*) as from May 2018 to submit applications for individual moral restitution. The text of the advertisement has been enclosed with this council notice.

In addition, many organisations and associations affiliated with the former Dutch East Indies in the Netherlands and abroad are requested to raise awareness in their magazines and on their websites regarding the individual moral restitution for ground rent and/or street tax levied in the Municipality of The Hague. The networks of *Indisch Platform* and *Indisch Herinneringscentrum* will also be used in this connection. Embassies in countries where a relatively high number of people from the former Dutch East Indies are established (including the USA, Canada, Indonesia, New Zealand and South

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Africa) are also requested to disseminate information concerning this scheme among local associations.

Your council will be kept informed of the implementation of the Dutch East Indies moral restitution during the term of the scheme.

Collective restitution

Finally, your council also asked a question during the Administration committee on 31 January 2018 about the possibility of collective restitution for internees from the Dutch East Indies.

It will be possible to form a more complete picture regarding the issue of collective restitution once the implementation of the individual moral restitution has progressed further on the basis of the information obtained therefrom and in dialogue with the Dutch East Indies community. We will inform your council thereof at a later moment.

We trust that we have provided your council with sufficient information for the time being.

The municipal executive,
the secretary,

the mayor,

Peter Hennephof

Pauline Krikke

Municipality of The Hague

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Appendix 1: Advertisement text:

Individual moral restitution for internees from the Dutch East Indies

The Municipality of The Hague has decided to offer individual moral restitution to private owners of buildings in The Hague who were interned in the Dutch East Indies during the Second World War. It could be the case that they received a bill from the municipality for outstanding ground rent and street tax. The then council and the then municipal executive showed little compassion with these war victims and their surviving relatives. The current Municipal Executive and the Municipal Council of The Hague consider it important to rectify the actions of that time and have decided to implement this individual moral restitution.

Call

Are you the owner or a surviving relative of the owner of property in The Hague who resided in the Dutch East Indies during the Second World War? And did you or a relative receive a bill concerning outstanding ground rent or street tax from the Municipality of The Hague after the war? If so, you may qualify for this moral restitution.

For all information, please visit www.denhaag.nl/indischmoreelrechtsherstel