



Case First Round
Amsterdam Law Trials
2026

Thomas Hadiwiryono

v.

Marc de Weerd Cocque

Thomas Hadiwiryono is a university student (started 2022) living in Amsterdam. He is Indonesian but has lived in the Netherlands since he was 14 years old, and has become well-integrated. He is accepted into a selective human rights law LLM and is deeply passionate about the causes it promotes. His dream is to work at International Amnesty, where he has been lucky enough to secure a prestigious and paid (!) internship. Only three candidates have been selected after a rigorous selection process.

Apart from studying, Thomas is a member of the Corps of Students in Amsterdam, a fraternity where he enjoys participating in social events and has met many of his friends. The fraternity, with strong traditions and expectations that members take part in weekly gatherings and parties, plays a central role in his social life. Thomas prides himself on how well he is integrated into the fraternity despite not being Dutch, and loves spending time with his friends there. He is, however, occasionally teased by the others due to his Asian flush, a facial skin reaction that occurs to him when he drinks alcohol. As a consequence of this condition, he moderates his drinking and consumes alcohol only in small amounts. When his skin reaction occurs, he laughs along with his friends. Still, Thomas' foreign background and left-leaning idealism do set him apart from most of the other members.

That is not true for fraternity member Marc de Weerd Cocque, who has become one of Thomas' best friends. Marc is an open-minded individual who feels that some traditions and, especially, the hierarchical nature of the fraternity make it too exclusive to truly include more diverse members.

To act upon his concerns, Marc has pitched a diversity event celebrating Ketu Koti. The board instantly embraced the idea. Apart from its intrinsic value, it could shed some positive light on the tarnished reputation of the association, and could possibly lead to the return of university subsidies which they lost after an infamous hazing incident four years ago. The board officially planned the Ketu Koti party on the first of July 2025.

When Thomas, Marc and some other close friends attended the Ketu Koti party, as usual, Thomas had only drunk a couple of beers to prevent his Asian flush from showing. Marc, who had drunk some more, decided to play a prank on Thomas.

When Thomas asked Marc to grab him his last beer for the evening at 3AM, Marc ordered a 'submarine' (beer with a shot glass of vodka in it) and told Thomas to down one with him. Thomas chugged the beer in one smooth and sophisticated gulp whilst proclaiming himself "the King of Alcohol."

As a couple of minutes later, Thomas – clearly not used to drinking spirits – glances over to two of his other friends and proposes an idea:

“Friends, in honour of Keti Koti, you white #####s should kneel as slaves in front of me.”

As the others laugh, Thomas insists:

“Time to reverse the historical roles! Now pose as my merchandise!”

When two guys start to kneel and bow to Thomas, Thomas looks at Marc and asks him to take a picture. “Nooo, come on” Marc says laughing. “We cannot do this!”

Upon Thomas' insistence Marc snaps a picture of Thomas and the two friends, posing with their wrists close together. Back at his frat home, Marc revisits the picture, using AI to add a blackface to Thomas and shackles to the two friends posing as slaves, while making sure Thomas remains prominently recognisable.

Marc and Thomas have a good look at it. “This is really bad,” Thomas says: “post it in the frat house group chat!” Marc sends the picture on the groupchat. In the chat, Thomas adds a laughing face reaction to the picture.

Now properly drunk, Marc searches for the contact “Alex” on his WhatsApp contact list. Alexander de Jonghe van Houberghen is a friend of Marc and Thomas, who is also a member of the fraternity but not part of the house group chat. However, instead of sending it to his friend Alexander, Marc sends the picture to Alex de Jong, a journalist with whom he has been in contact in the past to discuss inclusion and tolerance within fraternities. The accompanying text is:

"You will LOVE this."

By the time Marc and Thomas wake up, the picture has already gone viral. Alex de Jong instantly posted it on his Twitter account with the headline “Racist Abuses at Fraternities Continue”.

The picture also reached the HR department of International Amnesty, who immediately reached out to Thomas to cancel his internship offer, stating that the mockery displayed in the picture is not compatible with International Amnesty’s values.

Thomas is devastated. He attempts to explain the situation to the NGO but his efforts are fruitless - the internship opportunity is revoked. He is not able to secure any other internships at NGOs, let alone paid ones. Unwilling to work commercially, as it does not align with his personal values, he cannot afford his rent anymore and moves back to his parents in Zwolle. Traveling by train to the university becomes very costly.

Thomas decides to bring a tort action against Marc under Article 6:162 of the Dutch Civil Code, claiming a declaration of law that Marc has acted tortiously and claiming all damages he will suffer as a result of this incident.