Cross-Border Enforcement Center - The Netherlands

Judgments

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# With which jurisdictions does this country have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**

Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**

Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Hague Judgments Convention 1971:**

Albania, Cyprus, Kuwait, Portugal

**Bilateral:**

Albania, Aruba, Bonaire, Chile, Curacao, Guernsey, Isle of Man, Jersey, Kuwait, Liechtenstein, Mexico, Saba, Sint Eustatius, Sint Maarten, Suriname, United Kingdom.

# If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Not really, to enforce a judgment given in a jurisdiction that does not have any reciprocal agreement with the Netherlands, the case will have to be re-litigated. However, it is not uncommon for courts to only perform a (marginal) review of some minimum requirements for recognition of the foreign judgment.

# What is the approximate time required to register and enforce a foreign judgment if unopposed?

This depends largely on the origin of the foreign judgment. Judgments rendered in Brussels I recast jurisdictions may be enforced without delay, as these judgments may be enforced in the same manner as national judgments. For judgments rendered in jurisdictions that are party to an enforcement treaty, first a declaration of enforceability ("exequatur") must be acquired. If the judgment complies with the requirements for enforcement, the exequatur can be acquired within a few months. Time-wise, the same goes for judgments rendered in jurisdictions that do not have an enforcement treaty with the Netherlands, although these cases will have to be re-litigated. If the judgment complies with enforcement requirements, enforcement will be possible in a few months.

# What is the approximate time required to register and enforce a foreign judgment if opposed?

This again depends on the origin of the judgment. Enforcement for judgments rendered in Brussels 1 recast jurisdictions may only be refused on the limited grounds provided for in the Brussels I recast regulation. Therefore enforcement of such a judgment should in principle not prove to be too time-consuming. The enforcement of judgments rendered in states that are members of an enforcement treaty could take up to six months because an exequatur has to be acquired. Enforcement of judgments rendered in other jurisdictions could take up a minimum of a year because these cases will have to be re-litigated.

# What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Under USD 1,000.

# What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

Under USD 1,000.

# Are there any unusual difficulties in enforcing a foreign judgment?

No other difficulties exist than the ones listed above.

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