

## **Dutch court declares international collective settlement binding: the Converium Case**

The Amsterdam Court of Appeal declared on 17 January 2012 an international collective settlement binding. This is remarkable because only a limited number of potential claimants and none of the potentially liable parties were domiciled in The Netherlands.

This decision confirms the Court of Appeal's international jurisdiction. In principle all EU Member States, Switzerland, Iceland and Norway have to recognize this decision. Whether also other countries will recognize the decision will depend on local law.

On the basis of the Converium decision, the Netherlands is the only European country where, on an 'opt out' basis, a collective settlement can be declared binding on an entire class. In conclusion, the Netherlands is Europe's most attractive location for making international settlements possible.

The full text (in Dutch) of the judgement can be found at the following web address:

[www.rechtspraak.nl](http://www.rechtspraak.nl) LJN: BV1026

For more information please contact Roy Brands of Benvvalor.