

Dutch Journal of PIL (NIPR) - issue 2022/4



The latest issue of the Dutch Journal on Private International Law (NIPR) has been published.

Editorial

M. Zilinsky / p. 629-630

Article

E.N. Frohn & I. Sumner, Protecting vulnerable adults across borders: where do we stand? / p. 631-649

Abstract

The first meeting of the Special Commission to review the practical operation of the 2000 Hague Convention took place from 9-11 November 2022, after writing this publication. In preparation for this meeting, a questionnaire was sent to the Member States of the Conference. One of the questions addressed to the non-contracting states of the 2000 Convention was of that state is considering joining the 2000 Convention. The Netherlands replied that there is no urgent need to become a contracting party, pointing out that the rules of the treaty are applied in practice.

This article concerns the Hague Convention of 13 January 2000 on the International Protection of Adults in relation to the Dutch standard practice of anticipating application of this Convention. Furthermore, this article will provide information on the European view regarding the international protection of vulnerable adults.

Case note

K.J. Krzeminski, *Actio iudicati* onder de Brussel I-bis Vo: een open deur of een geopend ‘achterdeurtje’? HvJ EU 7 april 2022, ECLI:EU:C:2022:264, NIPR 2022, 288 (*J/H Limited*) / p. 650-659

Abstract

In *J v. H Limited*, the CJEU has held that a decision rendered by an EU Member State court on the basis of a third country judgment (*actio iudicati*) may, under certain circumstances, qualify as a ‘judgment’ within the meaning of Article 2(a) Brussels I-bis Regulation, thereby opening the door to EU-wide recognition and enforcement. This article explores the implications of the decision for cross-border enforcement, in particular of judgments rendered in Dutch proceedings on the basis of Article 431(2) of the Dutch Code of Civil Procedure.