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National case law

Netherlands

Case law made available on a website

Since 9 December 1999, the case-law of district courts (*rechtbanken*), courts of appeal (*gerechtshoven*), the Supreme Court of the Netherlands (*Hoge Raad der Nederlanden*), the Administrative Jurisdiction Division of the Council of State (*Afdeling Bestuursrechtspraak van de Raad van State*), the Central Appeals Tribunal (*Centrale Raad van Beroep*) and the Trade and Industry Appeals Tribunal (*College van Beroep voor het bedrijfsleven*) has been published online. Judgments can be searched in the case-law database at rechtspraak.nl by text, case number, date of judgment or publication, judicial authority, (sub-) jurisdiction, ECLI or publication reference.

Presentation of decisions/Headlines

The headline is called an 'indication of content', and may consist of a head note (one sentence), a short or long summary, some keywords, a paragraph summarising the law the case is about, or a literal citation of the most important dictum of the decision.

Example of headlines

Law applicable to renting: cancellation of the rental contract of an office space (*Huurrecht; ontbinding van huurovereenkomst kantoorruimte (81 RO)*).

Formats

Judgments are published on rechtspraak.nl in HTML format. Information is also available in RDF for professional (re-)users.

Courts concerned

Judgments of all courts can be found on the website via [Search judgments](#). These are:

Supreme Court of the Netherlands

Administrative Jurisdiction Division of the Council of State

Central Appeals Tribunal

Trade and Industry Appeals Tribunal

Four courts of appeal

Eleven district courts

Further proceedings

	Higher courts	Other courts
Is there information available:		
– on appeals?	Yes	Yes
– on whether a case is still pending?	No	No
– on the result of appeals?	Yes	Yes
– on the irrevocability of the decision?	No	No
– on further proceedings before:	Yes	Yes
– another domestic court (Constitutional Court,...)?	No	No
– the European Court of Justice?	No	No
– the Court of Human Rights?		

Publication rules

The courts have developed two sets of guidelines on the publication of case law. One deals with **anonymisation** (removing personal details), while the other deals with **selection**.

Anonymisation guidelines rechtspraak.nl

The anonymisation guidelines require published judgments to be anonymised. This means that judgments should not contain information on any persons not professionally involved in a case.

This set of guidelines is based on recommendation R (95) 11 'Concerning the selection, processing, presentation and archiving of court decisions in legal information retrieval systems' of the Council of Europe: the **highest jurisdictions** publish all cases, unless they are clearly not of legal or societal interest, while **other** courts publish only those cases that are of clear legal or societal interest. The Dutch guidelines go into further detail as regards these concepts.

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