

**THE RIGHTEOUS BANKRUPTCY TRUSTEE:  
THE INFLUENCE OF CREDITORS ON THE APPOINTMENT OF A  
BANKRUPTCY TRUSTEE FROM A NETHERLANDS PERSPECTIVE**

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**Abstract**

In this contribution the topic of integrity of the bankruptcy trustee is being dealt with from a Dutch perspective, more specifically from the point of view of the creditors and their (lack of) influence on the appointment of the trustee. In this respect various questions are addressed: what does integrity or righteousness mean in the context of the appointment of a bankruptcy trustee and what do we mean when we are talking about a righteous trustee; why do we need a righteous trustee; and how do we reach our goal? After investigating the existing safeguards to prevent non-righteous persons to be enrolled or appointed as trustee, the position of the creditors is dealt with, especially with respect to their influence on the appointment of the trustee. A quick glance on various neighbouring jurisdictions, demonstrates that not much has been regulated in the Netherlands. As to the question whether or not more creditor involvement in the appointment process is required or desired, it is argued that there is no need to increase their influence because it is not to be expected that such influence will enhance the integrity of bankruptcy trustees.

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