



UNION INTERNATIONALE  
DES HUISSIERS DE JUSTICE ET OFFICIERS JUDICIAIRES

# **Innovative Rule of Law Initiative**

## **Enforcement Toolkit**

# Legal reform: justice for everybody



# Innovating Justice

## **Collaborative effort from five legal organizations:**

- CILC: Center for International Legal Cooperation
- Hague Institute for the Internationalisation of Law
- Microjustice Initiative
- European Academy for Law and Legislation
- Tilburg Institute for Interdisciplinary Studies of Civil Law and Conflict Resolution Systems

**Subsidized by:** Dutch Ministry of Economic Affairs,

# Rule of Law: innovation is necessary:

Innovation is necessary:

*fundamental rights, government power, absence of corruption, order and security, access to civil justice, effective criminal justice and informal justice and, of course, effective regulatory enforcement.*

# Rule of Law

Success in providing, improving and strengthening Rule of Law remains mixed, modest, and hard to measure.

Achieving real change in this sector has proven to be difficult.

**Aim of the project:** to create a platform, in which Rule of Law experts can share experiences, showcase their innovations and learn from each other's efforts.

# Toolkits

Toolkits:

*Administrative law, training of legal professionals, court management, civil enforcement law*

Acting as a road map, the toolkit will help countries and organizations introduce an enforcement law system.

Instead of imposing one specific system, it provides several possibilities, using best practices from different countries.

# Setting standards

When completed the toolkit:

- will present a unique and interlinked framework consisting of general and international principles, which together will provide minimum standards for enforcement law;
- will list best practices;
- when applied will provide insight into the relationship between enforcement law and the rule of law in the country concerned;
- will provide a working method for reforming enforcement law, which can be used by countries and organizations.

# Cooperation UIHJ and CILC

- Expertise;
- Maintenance of the toolkit;
- Benefits of the toolkit;

# Toolkit enforcement law



# Toolkits for Rule of Law Enforcement Law Toolkit



[Home](#) [Enforcement law in context](#) [Inception](#) [Reform](#) [Implementation](#) [Stabilisation](#)

[Contact](#)

## Enforcement law Toolkit

The principles of the Rule of Law are of importance for both developed nations as well as developing countries. In developing societies, where the rule of law is still under construction, it has a significant impact on economic growth and human development.

CILC, the Centre for International Legal Cooperation, is one of the partners in a project funded by the Dutch Ministry of Economic Affairs aiming to address the static nature of the rule of law and to stimulate and help implement lasting innovation in the Rule of Law domain around the world. Also on a broader scale all kind of initiatives have been developed aiming to identify problem areas and deliver more justice. Those areas relate to issues such as fundamental rights, government power, absence of corruption, order and security, access to civil justice, effective criminal justice and informal justice and, of course, effective regulatory enforcement.

Looking for improvements means developing new systems and new tools. However at the same time this means learning by experience: are we able to define certain standards, what are best practices, but also what is the legal background, the culture of a country. It means that developing a new, innovative model of legal reform can only be done if we are able to identify certain key issues: what should be the main characteristics of a legal reform, what will make a reform successful, what are experiences from beneficiary countries, what are experiences of experts et cetera.

[> Read more](#)

[Introduction](#)

[Cooperation with the UIHJ](#)

[Background of Toolkit](#)

[About Innovative Rule of Law Initiative](#)

[The Union Internationale des Huissiers de Justice et des Officiers Judiciaires](#)

## About Innovative Rule of Law Initiative

The Toolkit Administrative Law is a result of the Innovative Rule of Law Initiative. Within this project CILC, together with HiIL and TISCO, develops and implements open processes for supporting rule of law innovation.

Together with two Dutch internationally orientated institutions- HiIL and TISCO - the Center for International Legal Cooperation (CILC) in 2009 co-initiated the Innovative Rule of Law Initiative. The aim of this project is to develop and implement open processes for supporting rule of law innovation. Furthermore it provides innovative products and

## About CILC

CILC (founded in 1985) is a Dutch non-profit organization that designs and implements rule of law programs and projects. CILC is based in The Netherlands and operates in Europe, Asia and Africa. For more information visit [www.cilc.nl](http://www.cilc.nl).

## The Union Internationale des Huissiers de Justice et des Officiers Judiciaires

The Union Internationale des Huissiers de Justice et des Officiers Judiciaires (UIHJ) is the international organization of all bailiffs and judicial officers. The



# Toolkits for Rule of Law Enforcement Law Toolkit



[Home](#) [Enforcement law in context](#) [Inception](#) [Reform](#) [Implementation](#) [Stabilisation](#)  
[Contact](#)

You are here: [Enforcement law in context](#) > [Relation to the rule of law and international law](#) > [The Council of Europe](#)

## The Council of Europe

"The aim of the Council of Europe is to achieve an ever-greater unity between its members, founded on the principles of parliamentary democracy, the rule of law and human rights, for the purpose of safeguarding and realising the ideals and values which are the common heritage and facilitating their social and economic progress. This aim shall be pursued through the organs of the Council by discussion of questions of common concern, by conventions and agreements and common action in the fields necessary to achieve this unity".[1]

One of the means to fulfil this statutory aim is by concluding treaties: by agreements and common action in economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realization of human rights and fundamental freedoms.[2] One of those treaties is the Convention for the Protection of Human Rights and Fundamental Freedoms, in short European Convention on Human Rights (ECHR).

This Convention was drawn up within the Council of Europe. It was opened for signature in Rome on November 4, 1950 and entered into force on September 3, 1953. Taking as their starting point the 1948 Universal Declaration of Human Rights,[3] the framers of the Convention sought to pursue the aims of the Council of Europe through the maintenance and further realisation of human rights and fundamental freedoms. The Convention was to represent the first steps for the collective enforcement of certain of the rights set out in the Universal Declaration.

In addition to laying down a catalogue of civil and political rights and freedoms, the Convention set up a mechanism

[Reasons for introducing a modern system of enforcement law](#)

[Relation to the rule of law and international law](#)

[The European Convention for Human Rights and Fundamental Freedoms](#)

[The European Union](#)

[The Council of Europe](#)

[Framework of enforcement law](#)

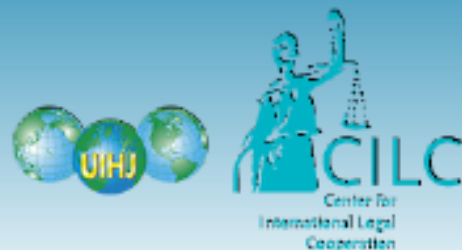
[Enforcement standards](#)

[Enforcement agents](#)

[Glossary](#)



# Toolkits for Rule of Law Enforcement Law Toolkit



[Home](#) [Enforcement law in context](#) [Inception](#) [Reform](#) [Implementation](#) [Stabilisation](#)  
[Contact](#)

You are here: [Home](#) > The Union Internationale des Huissiers de Justice et des Officiers Judiciaires

## The Union Internationale des Huissiers de Justice et des Officiers Judiciaires

The Union Internationale des Huissiers de Justice et des Officiers Judiciaires (UIHJ) is the international organization of all bailiffs and judicial officers. The UIHJ was established in 1952. Official languages of the UIHJ are English and French. The headquarter of the UIHJ is based in Paris.

The object of the UIHJ is the promotion of the organization of the profession of officials responsible for carrying out judgments in different countries all over the world.

At this moment, more than 70 associations or national chambers of judicial officers are member of the UIHJ. The organization offers a very diverse profile, varying from states with members of the legal profession in private practice (France, Belgium, the Netherlands, many former Soviet republics, African countries and Quebec) or actors in public office enjoying some prerogatives (Germany, Brazil, Russia) or ordinary civil servants placed under the authority of the judge (Spain, Cuba, Austria), to very fragmented forms as in England and the United States.

As an NGO, UIHJ is an advisory body to the Economic and Social Council of the United Nations, the Hague Conference for Private International Law and the Council of Europe (e.g. observer to CEPEJ). Furthermore, UIHJ is regularly involved in different international commissions, especially in the legal domain.

The UIHJ is closely linked to the organization of the European Judicial Area. The UIHJ has experts working on behalf of the European Union or the Council of Europe. Furthermore, the UIHJ is involved in Africa with the implementation of the OHADA Treaty (for the harmonization of business law in Africa) and in the improvement of The Hague Convention of 15 November 1965. Finally, UIHJ has also embarked on an action aiming at the implementation of a process of harmonization in the Mercosul area in South America.

[Introduction](#)

[Cooperation with the UIHJ](#)

[Background of Toolkit](#)

[About Innovative Rule of Law Initiative](#)

**The Union Internationale des  
Huissiers de Justice et des Officiers  
Judiciaires**

# Phases in the legal reform process

## Legal Reform Process

I Inception  
Phase

II Reform  
Process

III  
Implementation  
Process

IV Stabilization

# Phases in the legal reform process

## I Inception Phase

1.  
Enforcement  
law in  
perspective

2.  
Assessment  
current state  
of affairs

3. Strategy  
planning

# Phases in the legal reform process

## II Reform Process

4. Public  
awareness

5. Legislative  
process

# Phases in the legal reform process

## III Implementation Process

6. Public awareness

7. Legislative framework development

8. Institution building

9. Control mechanisms

10. Disciplinary proceedings

11. Training

12. Fees

# Phases in the legal reform process

## IV Stabilization

13. Public awareness

14. Evaluation