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An inefficient enforcement system seriously undermines the investment climate, economic growth, stability and development of society. World Bank in various reports concluded that a country in which the principles of the Rule of Law are well implemented will have, despite the financial crisis a higher economic growth. E.g. Jamal Ibrahim Haidar concluded based on the indicators as used in the World Bank Doing Business Reports: *“However, the extent to which economic growth has decreased differed among countries, which reformed at least one area during the 3 years, that preceded the recent financial crisis to those which did not. [...] reforms, which improved business and investment climate, may have helped to mitigate the effects of the 2008 global slump in economic growth. Countries with more business regulatory reforms enjoyed higher economic growth rates.”* It is obvious that those principles of the Rule of Law include a well functioning, efficient and effective enforcement system.

Economic disruptions caused worldwide economic losses, people became unemployed and States had to cut the State budgets. It is clear that the financial crises causes changes in the civil justice system: people want to be compensated for their losses, will initiate civil proceedings and, consequently, enforcement. At the same time the financial collapse leads to state budgets under stress. This stress, we can see in practice, caused major changes in the court mechanisms and in litigation. Civil procedure systems are reorganising, introducing different instruments e.g. for small and/or uncontested claims, there is an increasing attention for alternatives for civil procedure such as mediation and ADR.

The “Union Internationale des Huissiers de Justice” has been working on the construction of a set of norms and standards enabling states to define an effective and efficient enforcement system, taking into consideration the different view on enforcement of court decisions: the model law defines a new balance between the rights of the creditor and the protection of the fundamental rights of the debtor, it anticipates the recourse to new technologies for modernizing enforcement methods and responds to new economic factors.

The right to the effective enforcement of enforceable titles is a factor in the development of a socially responsible economy in the world. One principle of good governance consists of establishing and enforcing rules that protect property rights: the creditor may have certainty, and should exactly be informed about the enforceable titles and the conditions of enforceability. The absolute necessity of finding solutions in this time of economic crisis give a particular urgency to the process of reflection on worldwide enforcement standards. In effect the right to effectively enforce enforceable titles is a key tool for economic development. All international organizations concerned with sustainable development strategies stress the need of granting a right to enforce to both private individuals and companies. If the rule of law is to be maintained so that all persons before the law may have confidence in the judicial system, the enforcement process must be effective and equitable.

If effective enforcement law makes an undisputable contribution to economic growth, the crisis shows that poverty is increasing and that enforcement is becoming a task that is increasingly difficult to achieve. For this reason and because the citizen want economic development that takes account of the social aspects, it should not be forgotten that the right to enforcement must respect the basis rights of the debtor (the right to a family life, right to housing, right of defence, etc.). These essential aspects must be guaranteed by the intervention of a judicial officer or enforcement agent who is competent, diligent and impartial. The global standards must therefore both allow

effective enforcement procedures and guarantee the quality of the enforcement agents and protection of the rights of the debtor. The Code introduces modern concepts such as “amicable” enforcement, “participatory” enforcement, and “soft” enforcement (the participation of the debtor in the procedures of the enforcement: priority should be given to reaching agreement between the parties in order to coordinate enforcement timeframes).

The set of norms is based on the experiences of UIHJ in various countries. With 87 member countries UIHJ is one of the major NGOs in the legal field. UIHJ has developed a “Toolkit” in the actual implementation of the World Code standards. In an empirical way, the article will show how the UIHJ developed, based on its experiences in various countries, this “toolkit on Enforcement law”. The principles are implemented in several countries, taking into considerations the particularities of such a country since civil enforcement procedures comprise cultural, social and economic aspects that make it necessary to respect specific national particularities.

In that respect UHIJ can reflect with the drafting of the standards and the development of the toolkit, on lessons learned from countries where the system has been reformed.

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