

Note

Leo Netten, president of the UIHJ-International Union of Judicial Officers, welcomes:

- Mr Thomas Kappl, President of the European Union of Rechtspfleger
- Mr Ion Popescu, President of National Trade Union Confederation MERIDIAN
- Mr Catalin Predoiu, Minister, Ministry of Justice from Romania
- Mr Eberhard Desch, Federal Ministry of Justice from Germany – will forward the message of Mrs Sabine Leutheusser-Schnarrenberger, Minister of the Federal Ministry of Justice from Germany
- Mrs Amélie Leclercq, European Commission, DG Justice – will forward the message of Mrs. Françoise Le Bail, Director General D.G. for Justice, European Commission
- Mr John Stacey, President, European Commission for the Efficiency of Justice (CEPEJ)
- Mr Jeffrey Apperson, President International Association for Court Administration (IACA)
- Mr. Chris Pitt-Lewis, Member of the Board of European Land Registry Association (ELRA)
- Mr Nicolae Horatius Dumbrava, President, Superior Council of Magistracy
- Mrs Livia Doina Stanciu, President, High Court of Cassation and Justice of Romania
- Mrs Cristina-Mihaela Craciunescu, Director, National School of Court Clerks
- As well as all the participants of the General Assembly

He wishes everyone a productive and enjoyable work. He warmly thanks the EUR and its president for the invitation to attend the general assembly.

The International Union of Judicial Officers (UIHJ) is an international organization created in 1952. It now has 71 member countries and organizations involved in cooperation agreements.

The purpose of the organisation is to represent its members to international organisations and ensure collaboration with national professional bodies. It works to improve national procedural law and international treaties and makes every effort to promote ideas, projects and initiatives which help to move forward and elevate the independent status of officers of Court.

Furthermore, the Union takes part in the structural actions of officers of Court, notably via its involvement in the setting up and development of national professional organisations with a view to their becoming members of the UIHJ.

It participates in investigation missions in relation to governments and international bodies.

Lastly it promotes, wherever possible, the creation of a body of officers of Court made up of professionals and high-level legal officers fulfilling the task of the officer responsible both for the service of judicial and extra-judicial documents and the enforcement of orders.

The headquarters of the UIHJ is set in Paris. The UIHJ account the permanent secretariats and delegations located around the world.

The UIHJ is a member of the United Nations Economic and Social Council in New York. It also has representative offices in the UN's Geneva, Vienna and Amman offices.

The UIHJ is involved in the work of the Hague Conference on Private International Law, specifically in the planning of conventions relating to the service and notification of process and enforcement.

The UIHJ is involved in debate concerning the implementation of treaties, directives and regulations required for the constitution of the European Judicial Systems. It participated in the drafting of the Recommendation Rec (2003) 17 of the Committee of Ministers of the Council of Europe on enforcement as well as the Guidelines of 17 December 2009 of the Commission for the Efficiency of Justice of the Council of Europe (CEPEJ) for a better implementation of this recommendation.

These two basic texts can be seen as the future of the profession of judicial officer and civil enforcement procedures, not only at European level but also by ripple effect, in the world.

As regards the implementation of court decisions, the guidelines prepared by the CEPEJ cover all components of this activity which, according to the European Court of Human Rights, is an “*integral part of the right to fair trial*” referred to in Article 6.1 of the European Convention on Human Rights¹. This document describes issues such as accessibility of enforcement services, notice to parties and third parties, the enforceable title and the realization of enforcement.

With regard to enforcement agents, the guidelines of the CEPEJ are unifying for the harmonization of the profession globally. They are fully in the line with the ideas promoted by the UIHJ for many years. The enforcement agent (the judicial officer) should have an adapted initial and on-going training. He should operate independently while being subjected to strict control. He should be in charge of all civil enforcement procedures. He should exercise a number of complementary activities compatible with his status and professional qualities. He should act with restraint. He should have fast access to all information necessary to carry out his mission. When performing these activities as a civil servant, the enforcement agent should have a remuneration and means in accordance with his quality of “*essential element of the rule of law*” which was acknowledged by the European Court of Human Rights².

Today, the profession of judicial officer at European level is extremely diverse, both with regard to statutes and activities. Yet this diversity and richness inspired the drafters of the CEPEJ guidelines. It is now up to each country to draw on this unifying document for the profession to raise the standards higher still.

Justice reflects society. One of its key features is to be constantly changing. This creates a natural increasing complexity of the law. Fearing this complexity would be a mistake. It reflects the fullness, diversity and vitality of any modern society. We have to deal with this serenely, through knowledge and training which should be constantly at the heart of our concerns.

Add to this the phenomenon of globalization of trade and therefore the need to secure it at global level. This calls on States as well as organizations and international institutions. Rethinking the law in the world while preserving national identity is a challenge we face every day.

Rechtspfleger naturally fit in this process. This shows in the theme for this General Meeting, « *The role of the Rechtspfleger in the context of the continuing rise of judicial tasks of European Justice Systems* ». To say that Rechtspfleger are essential for the proper administration of justice is an understatement. They are at the heart of the judicial process. They help improving court efficiency. They help bringing justice closer to citizens. They therefore help improving the efficiency of justice. Like the other legal professions - including that of judicial officer - they are intended to harmonize while raising their status. The Green Paper for a European Rechtspfleger developed by the EUR is a perfect illustration. The Green Paper collects all the favours of the UIHJ.

At the 20th International Congress of judicial officers in Marseille (France) in September 2009, the UIHJ included in its agenda the strengthening of ties between legal professions. President Kappl was very receptive to this approach. Links were strengthened between the EUR and the UIHJ. The contacts are regular, cordial and fruitful. This is very positive.

¹ Honsby v. Greece, 19 March 1997, 1997-II

² Pini and others v. Romania, 22 June 2004, 78028/01 and 78030/01

For the Council of Europe, *"the proper functioning of the public service of justice is subject to a constructive dialogue not only between the various judicial bodies, but also among key stakeholders - the Department of Justice, courts, prosecution, legal professions and judicial officers"*.

The UIHJ has been organising for the past four years a World Day of the Judicial Officer in each of its member states. The success of that event with citizens and media encouraged us to pursue a wider international action. Indeed, we aim to have a World Week of Judicial Professions adopted by the UN.

The UIHJ believes that in an area largely dominated by global economy, it is important that lawyers fulfil their role in strengthening the presence and prestige of the law.

Naturally, this project should be carried out by the largest number of legal professions: judicial officers, judges, prosecutors, lawyers, notaries and Rechtspfleger.

February 20 was declared by the UN World Day of Social Justice. During the celebration of this day on February 20, 2011, Ban Ki-Moon, Secretary General of the UN, estimated that *"Social justice is more than an ethical imperative, it is a foundation for national stability and global prosperity. Equal opportunity, solidarity and respect for human rights -- these are essential to unlocking the full productive potential of nations and peoples"*.

What would social justice be without the legal professions?

One of the ideas that governed the creation of the World Day of Social Justice is that *"social justice is fundamental to peaceful coexistence and prosperity of men within nations and between nations themselves."* It seems appropriate to express how much that social justice is inseparable from the legal professions, without which it is only a concept.

This World Week of Judicial Professions would allow all states to celebrate it by leading at domestic level specific activities - professional and/or inter-professional - to promote the legal professions and their role in development and human dignity.

The EUR and its president Thomas Kappl have already expressed their support for this grand project. They should be thanked. Naturally, the UIHJ will continue its work. But it cannot succeed alone. For this it seeks the participation of all European and world organisations representing legal professions. Unity is strength.

Paris, September 9, 2011