



Sossa Dorothé, ministre de la Justice du Bénin – Minister of Justice of Benin



Claudine Mougni, représentant Ufohja – Ufohja representative

The second morning's work was devoted, still under the auspices of Mr Spinelli, with Mme Rose-Marie Bruno as participant, to the seizure of company shares and to the collection of debts on an amicable basis.

This was an opportunity to get to grips with the complex concepts associated with company law and to set out the enforcement procedures for intangible property rights that a share in the ownership of a company constitutes. This highly technical subject raised very precise questions from the attendees, who were most attentive and interested by the subject.

Debt collection and presence of Voodoo...

The discussion of amicable debt collection and focus on techniques and operation methods was carried out in a more light-hearted manner and was an opportunity to stress the absolute necessity for African judicial officers to take charge of these types of cases and not leave them for collection companies.

Work of the last afternoon was devoted to compliance rules, which were inspiringly discussed by chairmen Bonou, Aggrey and Somba.

It was the job of Mr Bonou, Mr Spinelli and the representative of the Minister of Justice to close these two days of intense work, which was fulfilling and of a high level of legal technicality, because of both the topics selected and the highly relevant and frequent involvement of the seminar participants.

The closing dinner, with the arrival of Mr Jacques Isnard, "Chairman of all African Judicial Officers", was an opportunity to admire the colourful folklore of Mali, to taste the varied local dishes and to glimpse, without actually ever understanding them fully, signs of the presence of Voodoo.

Conférence des présidents de la zone Ohada à Cotonou

La conférence des présidents des chambres nationales de la zone Ohada s'est tenue le 7 mai 2005 à Cotonou, en marge du colloque international.

Un copieux ordre du jour

Dix chefs de délégation (Bénin, Burkina-Faso, Gabon, Congo, Sénégal, Côte d'Ivoire, Cameroun, Mali, Togo) outre, Jean-Michel Rouzard, huissier de justice à Montpellier (France), représentant de l'Ecole nationale de procédure de France, et l'UIHJ avec son président Jacques Isnard, Jean-Paul Spinelli (membre de l'UIHJ) et René Duperray (secrétaire général de l'UIHJ) ont été accueillis par le président Robert Bonou, président de la Chambre nationale des huissiers de justice du Bénin.

Un copieux ordre du jour attendait les chefs de délégation avec au menu, en particulier, l'étude de trois grands projets :

- projet de mise en œuvre d'un statut unifié de l'huissier de justice au sein de l'espace Ohada
- proposition de publication d'un acte uniforme visant la transmission directe des actes judiciaires entre huissiers de justice, avec le remplacement de la poussive convention de coopération en matière de justice de 1962
- organisation en 2006 d'une grande conférence inter-africaine à Pretoria, réunissant les huissiers de justice représentants les 22 pays des zones centre, occident et partie australe de l'Afrique, membres de l'UIHJ, outre Madagascar. Cette conférence est destinée à lancer une large réflexion sur l'élaboration d'un statut harmonisé de l'huissier de justice, prélude au lancement du projet de l'UIHJ (projet CADAT) visant à promouvoir un espace judiciaire en Afrique.

Autre thème évoqué, celui du recouvrement des créances, dont l'aspect avait été déjà largement abordé au cours du séminaire de la veille, y compris par le garde des sceaux M. Sossa Dorothé.

L'Afrique s'éveille à ce secteur, déjà aux mains d'organismes de recouvrement, et on ne peut que s'en féliciter.

La formation à l'honneur

Enfin, dernier « gros morceau », celui de la formation où fut évoqué le fonctionnement de l'Ufohja qui, progressivement, avec l'aide précieuse de l'Ecole nationale de procédure française, accroît son audience sur toute la zone, avec pour conséquence la transmission d'un savoir de qualité croissante, au demeurant parfaitement perceptible lors des deux journées du séminaire précédent la conférence.

L'ensemble des présidents devaient se féliciter de la qualité technique et de l'importance accrue de l'Ufohja au sein de l'UIHJ.

L'assemblée, avant de se séparer, procédait à la désignation de deux membres à la commission de réforme du statut et du projet d'acte uniforme, MM. Somda (Burkina faso) et Dembéle (Mali), et décidait de fixer une conférence d'information à l'occasion du colloque de Brazzaville (6-7 octobre 2005).



Le groupe de travail de l'Ufohja



*Madina Sand, secrétaire de l'organisation du séminaire
Secretary of the organization of the seminar*

Conference of the chairmen of the Ohada area

The conference of the chairmen of the national chambers of the Ohada area was held on 7 May at Cotonou as a breakout from the international colloquium.

A full agenda

Ten heads of delegations (Benin, Burkina-Faso, Gabon, Congo, Senegal, Ivory Coast, Cameroon, Mali, Togo) as well as Mr Jean-Michel Rouzaud, representing the National Procedural School of France, the UIHJ with its chairman Jacques Isnard, Mr Jean-Paul Spinelli and Mr René Duperray were welcomed by Mr Robert Bonou, chairman of the National Chamber of Judicial Officers of Bénin.

A full agenda awaited the heads of the delegations and in particular the analysis of three major projects:

- implementation of a unified status of the judicial officer throughout the Ohada area
- proposal to publish a uniform act for the direct transmission of judicial acts among judicial officers, replacing the ageing justice cooperation agreement from 1962

Robert Donou (Bénin), Honoré Aggrey (Côte d'Ivoire) & Severin Somda (Burkina Faso)



- the organisation in 2006 of a large inter-African conference in Pretoria to bring together judicial officers representing the 22 countries of the central, western and southern African areas, members of the UIHJ, except for Madagascar. This conference is meant to initiate a broad reflection on the elaboration of a harmonised status for the judicial officer, as a prelude to the launch of a UIHJ project (CADAT) designed to promote a judicial area in Africa.

Another topic raised was that of debt collection, which had already been broadly discussed during the seminar on the previous day including by the minister of justice Mr Sossa Dorothé.

Africa is awakening to this sector, which is already in the hands of debt collection organisations, and this can only be a good development.

Sossa Dorothé & Jean-Paul Spinelli



In praise of training

Lastly, the final major issue was training, where discussions turned to the operation of the UFOHJA, which is progressively, with the valuable assistance of the National Procedural School, increasing its audience throughout the area, with the result that knowledge of a growing quality is being conveyed, as was in fact obvious during the two days of the seminar preceding the conference.

All the chairmen commended the technical quality and increased importance of the UFOHJA within the UIHJ.

Before adjourning, the assembly appointed two members of the commission on the reform of status and the uniform act project, Mr Somda and Mr Dembele, and decided upon an information conference at the time of the next colloquium, which will be held at Brazzaville on 6 and 7 October 2005.

Les intervenants – The participants

