

AFRICAN UNION OF BAILLIFS AND JUDICIAL OFFICERS



In partnership with



ERSUMA

PAN-AFRICAN COLLOQUIUM

THEME:

"DEBTS RECOVERY AND ENFORCEMENT MEASURES IN AFRICA: STATE OF PLAY AND FUTURE PROSPECTS".

NIAMEY (NIGER), 10 & 11 JUNE 2021

With the support of



PROGRAMM

THURSDAY 10 JUNE 2021	
8 :00 – 9 :00	Welcome and installation of participants and guests / Opening of the virtual room
9 :00 – 9 :30	Opening ceremony: <ul style="list-style-type: none"> ▪ Welcoming remarks by the President of CNHJN ▪ Address by the President of UAHJ ▪ Address by the President of UIHJ ▪ Opening address by the Minister of Justice, Keeper of the Seals of the Republic of Niger ▪ Family photograph
9 :30 – 9 :45	<i>Health Break</i>
OPENING OF THE CONFERENCE	
PART ONE - DEBT RECOVERY IN AFRICA: STRENGTHS, ACQUIS, AND IMPROVEMENT	
9 :45 am – 10 :00 am	Scientific program presentation and introduction of speakers
PANEL 1 REVIEW AND PROSPECTS OF EXTRA-JUDICIAL RECOVERY PROCEDURES IN OHADA AREA.	
10 :00 am – 11 :00 am	<p><i>Moderated by: Mr. Samuel ENAME, Judicial Officer, President of the Chamber of Judicial Officers of Cameroon, Secretary General of the UFOHJA</i></p> <ul style="list-style-type: none"> ▪ "Voluntary enforcement regarding debt recovery in the OHADA area". <i>Speaker: Mr Amadou RABANI, Doctor of Law, Lecturer, University of Tahoua & Abdou Moumouni University of Niamey, Niger</i> ▪ "Negotiation, mediation and conciliation effectiveness in debt recovery in the OHADA area" <i>Speaker: Mr Abdrahmane SABI GAYAKOYE, President of the Court of Appeal of Niamey, Niger</i> <p><i>Discussion – Experiences sharing</i></p>
PANEL 2 REVIEW AND PROSPECTS OF JUDICIAL RECOVERY PROCEDURES IN OHADA AREA	
11 :10 am – 12 :40 pm	<p><i>Moderated by: Prof. Ndèye Coumba Madeleine NDIAYE, Associate Professor of Law, Cheikh Anta Diop University, Dakar, Senegal</i></p> <ul style="list-style-type: none"> ▪ "The order for payment and its incidents in OHADA area." <i>Speaker: Mrs Emilie Monique THIARE, Court Bailiff, Senegal (UAHJ)</i>

	<ul style="list-style-type: none"> ▪ “Delivery or restitution order and its incidents in OHADA area” <i>Speaker: Mr Raoul DA BEBE, Court Bailiff, Burkina Faso (UAHJ)</i> <p><i>Discussion – Experiences sharing</i></p>
12 :40 pm – 2 :00 pm	Lunch & Prayer Break
PANEL 3 REVIEW AND PROSPECTS OF DEBTS RECOVERY OUTSIDE OHADA AREA ;	
2 :00 pm – 3 :30 pm	<p><i>Moderated by: Mr Alain Ngongang SIME, Judicial officer, President of the UAHJ & Mr. Abdel Aziz FOUGNANI, judicial officer, Vice-President of the UAHJ.</i></p> <ul style="list-style-type: none"> ▪ “Review and prospects of debts recovery in the Arab Maghreb.” <i>Speaker: Mr Mohammed BOUSMAHA, Judicial officer, Algeria (UAHJ)</i> ▪ “Review and prospects of debts recovery in South Africa.” <i>Speaker: Mr June Anne THOMAS, Court Bailiff, South Africa (UAHJ)</i> ▪ “Review and prospects of debts recovery in the Indian Ocean.” <i>Speaker:</i> <ul style="list-style-type: none"> - <i>Mr Ravindranath SEEWONARAIN ANIL, Liberal Bailiff, Mauritius (UAHJ)</i> - <i>Mr Jean BOSCO NSENGIYUMVA, former Bailiff, Lawyer, Rwanda (UAHJ)</i> ▪ “Debt recovery and AfCFTA” <p><i>Speaker: Prof. Bachir Idrissa TALFI, Associate Professor of Law, Abdou Moumouni University of Niamey, Niger</i></p> <p><i>Discussion – Experiences sharing</i></p>
Round Table 1 THE JUDICIAL OFFICER AND DEBT RECOVERY MEASURES IN AFRICA: HOW TO REINFORCE PROFESSIONAL PRACTICES?	
3 :30 pm – 4 :45 pm	<p><i>Moderated by: Mr César Apollinaire ONDO MVE, High judge, President of CCJA, OHADA</i></p> <ul style="list-style-type: none"> ▪ “The bailiff as debt collector: tips, keeping money, service-fees, liabilities.” <p><i>Speaker: Mr Simplicie DAKO, Bailiff, Acting President of Benin’s Order of judicial officers/Bailiffs of Benin (UFOHJA)</i></p> <ul style="list-style-type: none"> ▪ « The bailiff as mediator or conciliator: tips, pitfalls to avoid (conflict of interest)

	<p><i>Speaker: Mr Édouard KITIO, Doctor of Law, High Judge, Director of Research and Documentation at ERSUMA, OHADA</i></p> <ul style="list-style-type: none"> ▪ « The bailiff: drafting and serving documents (precautions, risks, use of digital technology, liabilities) <p><i>Speaker: Mr Soumana MASSAOUDOU, Baillif, Niger (UAHJ)</i></p> <p><i>Discussion – Experiences sharing</i></p>
4 :45 pm	Suspension – End of Day 1
Friday 11 June 2021	
PART TWO - FORCED EXECUTION IN AFRICA: STATE OF PLAY AND EVOLUTION	
PANEL 1	
REVIEW AND PROSPECTS OF FORCED EXECUTION OUTSIDE OHADA AREA	
<p>08 :30 am – 10 :30 am</p>	<p><i>Moderated by: Prof. Ndèye Coumba Madeleine NDIAYE, Associate Professor of Law, Cheikh Anta Diop University of Dakar</i></p> <ul style="list-style-type: none"> ▪ “Review and prospects of forced execution in the Arab Maghreb” <i>Speaker: Mr Mohammed EL HAINI, former judge, lawyer, Morocco (UAHJ)</i> ▪ “Review and prospects of forced execution in South Africa” <i>Speaker: Mr June Anne THOMAS, Court Bailiff, South Africa (UAHJ)</i> ▪ “Review and prospects of forced execution in East Africa and Indian Ocean” <i>Speakers :</i> <ul style="list-style-type: none"> - <i>Mr Ravindranath SEEWONARAIN ANIL, Liberal judicial officer, Mauritius (UAHJ)</i> - <i>Mr Jean BOSCO NSENGIYUMVA, former Bailiff, Lawyer, Rwanda (UAHJ)</i> ▪ “Forward-looking view on forced execution in AfCFTA region” <i>Speaker: Prof. Bachir Idrissa TALFI, Associate Professor of Law, Abdou Moumouni University of Niamey, Niger</i> ▪ “Review and prospects of forced execution in Russian Federation ” <i>Speaker: Mr Pavel KHUTORENKO, Bailiff, personal representative of the Director of the Federal Department of the bailiffs' service of the Russian Federation (UAHJ)</i> <p><i>Discussion – Experiences sharing</i></p>
<p>10 :30 am – 10 :45 am</p>	Health break
PANEL 2	

REVIEW AND PROSPECTS OF MOVABLE PROPERTY ATTACHMENTS IN OHADA AREA

10 :45 am -
12 :00

Moderated by: Mr Jean Baptiste KAMATE, Bailiff, Honorary President of the Senegalese Order of Bailiffs/Judicial officers, Secretary General of UAHJ

“Review and prospects of preventive attachments in OHADA area.”

Speaker: Mr Luc SOWAH, Bailiff, President of Togo Order of Bailiffs/Judicial officers (UAHJ)

- **“Review and prospects of Bank accounts/monies attachment”**

Speakers :

- *Mr Aloyse NDONG, Bailiff, Honorary President of Senegal Order of the Bailiffs of (UAHJ)*
- *M. Wendinda Charles RIBGOALINGA, Judge, Legal Secretary to CCJA, OHADA*

- **“Review and prospects of seizure for sale in OHADA area”**

Speaker: Mr Amadou TANIMOUDDARI, Bailiff, Honorary President of the National Chamber of Bailiffs, Niger (UAHJ))

- **Seizure of digital assets**

Speaker: Mr Marc SCHMITZ, Bailiff, President of the UIHJ

Discussion – Experiences sharing

12 :00 – 2 :00
pm

Lunch & Prayer Break

PANEL 3

REVIEW AND PROSPECTS OF IMMOVABLE PROPERTY SEIZURE IN OHADA AREA.

2 :00 pm – 3 :15
pm

Moderated by: Mr RABANI AMADOU, Doctor of Law, Lecturer, University of Tahoua & Abdou Moumouni University of Niamey, Niger

- **“Review and prospects of immovable property seizure in OHADA area”**

Speaker: Mr Édouard KITIO, Doctor of Law, High Judge, Director of Research and Documentation at ERSUMA, OHADA

- **“Experience and guidelines for dealing with incidents of property seizure in OHADA area”.**

Speaker: Mr César Apollinaire ONDO MVE, High Judge, President of CCJA, OHADA

“Price auction and distribution in OHADA area”

Speakers :

- *Mr Abdrahmane SABI GAYAKOYE, President of the Court of Appeal of Niamey, Niger*
- *Mr Robert SIAKA BAKARY, Bailiff, Côte d'Ivoire (UAHJ)*

Discussion – Experiences sharing

ROUND TABLE 2 THE JUDICIAL OFFICER/BAILIFF AND THE FORCED EXECUTION IN AFRICA: FROM ADAPTATION TO EVOLUTION.	
3 :15 – 4 :00	<p>Moderated by: Mr Jean Didier BIDIÉ, <i>Judicial Officer, President of the National Chamber of Judicial Officers of Congo, Vice-President of the UIHJ</i></p> <ul style="list-style-type: none"> ▪ “Bailiff as enforcement agent: assistance of police force and management of enforcement difficulties (considering COVID 19, etc)” <p><i>Speaker: Mr Wendinda Charles RIBGOALINGA, Judge, Legal Secretary to CCJA, OHADA</i></p> <ul style="list-style-type: none"> ▪ “Funds custodian bailiff: representation of funds and liabilities, services fees, (conflict of interest)” <p><i>Speaker: Mr Mohammed EL HAINI, former judge, lawyer, Morocco (UAHJ)</i></p> <p><i>Discussion – Experiences sharing</i></p>
Closing ceremony	
4 :00 pm – 4 :40 pm	<ul style="list-style-type: none"> ▪ Presentation of the summary report: <i>Prof Mayatta Ndiaye MBAYE, Associate Professor of Law, Director General of ERSUMA</i> ▪ Presentation of recommendations: <i>Mr Florent MOUNGUENGUI, Bailiff, President of Gabon Order of Bailiffs, UAHJ; Mr Samuel ENAME, Bailiff, President of the Chamber of Judicial Officers/bailiffs of Cameroon, Secretary General of the UFOHJA & Mrs Émilie Monique THIARE, Bailiff, Senegal</i> ▪ votes of thanks by CNHJN, the President of the UAHJ and the President of the UIHJ ▪ Closing speech by the Minister of Justice, Keeper of the Seals of the Republic of Niger, or his representative
4 :40 pm	END OF THE CONFERENCE & CLOSING COCKTAIL