



## Recommendations of the 4<sup>th</sup> Africa-Europe Meetings of the Judicial Officers

### Recommendation 1

Whereas the Global Code of Enforcement developed by the International Union of Judicial Officers develops global standards of enforcement and guarantees a right to enforcement to both individuals and businesses;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend that States should incorporate into their national legislation the enforcement standards presented in the Global Code of Enforcement for an inclusive and sustainable development.**

### Recommendation 2

Whereas insolvency proceedings are closely linked to civil enforcement procedures and their implementation by judicial officers;

Whereas the necessary rights of creditors cannot result in the denial of the rights of debtors, especially when insolvent;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend that States should fully involve judicial officers in the reflections relating to the preparation and conduct of insolvency proceedings as well as the realisation of the concept of "shared prosperity".**

### Recommendation 3

Considering that the referral of a case to a court is fully justified to resolve incidents litigation that may arise from enforcement proceedings;

Considering, however, in the interest of efficiency that enforcement proceedings should not automatically take the form of a trial and that the enforcement of executive titles should not necessarily be submitted to prior judicial authorisation;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend that States should engage into limiting the use of the judiciary in the enforcement process and entrust the judicial officers with the conduct of this process.**



#### Recommendation 4

Whereas the Hague Convention of 15 November 1965 on Service of Documents encourages and simplifies the transmission of judicial and extrajudicial documents for service abroad;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend to the Heads of Delegation of the Member States of the International Union of Judicial Officers to promote in their country the adoption of the conventions developed by the Hague Conference on Private International Law and particularly the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters.**

#### Recommendation 5

Whereas the Report on the Efficiency of Enforcement in Africa presented by the International Union of Judicial Officers acts as a barometer for the evaluation of judicial systems;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend to the heads of delegation of the Member States of the International Union of Judicial Officers to use the Report on the Efficiency of Enforcement in Africa to enhance the reforms needed to improve enforcement in their respective countries.**

#### Recommendation 6

Whereas information and communication technologies including Internet simplify business regulations;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend that States should establish or increase the role of the Internet as a global tool to access law.**

#### Recommendation 7

Considering that ongoing education is a mark of the exercise of his responsibility position throughout his professional life by the judicial officer;

*We, the participants in the 4<sup>th</sup> Africa-Europe Meetings of the judicial officers,*

**Recommend that States should introduce compulsory training within the statutes of judicial officers.**

Adopted in Dakar, Senegal, on 29 April 2016 during the 4<sup>th</sup> Africa Europe Meetings of Judicial Officers



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