**Are the Courts in your jurisdiction open and functioning as per normal?**

**By virtue of an Executive Order of the Ministry of Justice, in order to avoid promiscuity and preserve social distancing, ordinary courts activities have been suspended until further notice.**

 **Exceptionnaly, urgent criminal cases can still be tried, but out of the presence of the public.**

**A few of civil & commercial cases can exceptionally be submitted to the courts through written pleadings. This could be the case of an arrest of vessel or any case where there is an imminent threat over one party’s interest. As we can see, courts have a huge power of discretion to decide about what is *urgent or what is an imminent threat* .**

**2. If not, are there any exceptions to the arrest of ships and / or are other injunctive or enforcement procedures available?**

**As indicated above , arrest of a ship on the departure could be considered as an urgent matter and/or as constitutive of a threat on the vessel creditor’s interest.**

**In any case, Senegal Merchant Marine Code allows any party to submit a request for arrest of a vessel to the President of the Tribunal of the place where the port is located ( the main Port is in Dakar). The request can be submitted to the President’s domicile at any time. The President would sign the request and set a date for urgent hearings to take place.**

**I have, in the past, personnally experienced the implementation of this legal provision and Presidents are familiar with the legal practice.**

**In these days of COVID 19 pandemic, I believe that creditors such as charterers or bunker suppliers would resort to this exceptional avenue.**

**3. Can Judicial Sale of Ships still take place?**

**No,neither judicial sales of ships nor auction of seized real estate properties .**

**However, one could try to convince a Senegalese court that the sale of a ship is an urgent matter and presents an imminent threat, especially for the crew members who might need to be paid for the arrears of their wages and related benefits such as repatriation tickets etc.**

**4. Do you know how long the Courts in your jurisdiction will be closed for?**

 **The tentative date for reopening the courts to their normal activities was scheduled to mid- April. But the current evolution of the pandemic has proven this date too optimistic. As for other economic activities, the reopening date will probably be extended to May 2020 with the hope that thesituation improves by then.**

**5. Is the flag registry in your jurisdiction (if applicable) operating as per normal in terms of the registration of ships and registration of mortgages and deletion of same. ?**

**The National Agency for Maritime Affairs (the french acronym is ANAM) is in charge of registration of ships and registration of mortgages and deletion of the same is still operating.**

**However, as other governmental institutions, it operates on a reduced or slowdown pace. The personnel’s working hours have been reduced to 5 hours instead of the normal 8hours.**

**6. Has your flag administration issued any special exemptions for the period of the Pandemic ?**

**Not to my knowledge , except for the reduced working hours.**