

YAFRADOU ADAM TAIROU

Préoccupations environnementales et droit de l'entreprise

dans l'espace
OHADA



L'Harmattan

Preacuteoccupations Environnementales Et Droit De Lentreprise Dans Lespace Ohada

Yafradou Adam Tairou



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Préoccupations environnementales et droit de l'entreprise Yafradou Adam Tairou, 2013-02-01

Pr vu pour promouvoir les investissements en Afrique travers la s curisation juridique et judiciaire des activit s conomiques et non pour prot ger l environnement l analyse des instruments que le droit OHADA d veloppe fait ressortir qu ils peuvent favoriser la protection de l environnement tant par l entreprise in bonis que par l entreprise en redressement puis en liquidation judiciaires

La prise en compte des préoccupations environnementales par le droit de l'entreprise dans l'espace O.H.A.D.A. Yafradou Adam Tairou, 2010

Coupler le droit de l entreprise et le droit de l environnement peut para tre contradictoire voire g n rateur d indigestion pour des int r ts oppos s Ces conflits d int r ts peuvent sembler davantage se transformer en t lescopage de l gislations dont les objectifs sont oppos s quand il sera question d analyser la protection de l environnement par le jeune droit des affaires issu de l Organisation pour une Harmonisation en Afrique du Droit des Affaires Et pourtant il fallait que le juriste privatiste s y colle pour ne pas laisser le terrain aux seuls publicistes

Pr vu pour promouvoir les investissements en Afrique travers la s curisation juridique et judiciaire des activit s conomiques et non pour prot ger l environnement l analyse des instruments que le droit O H A D A d veloppe fait ressortir qu ils peuvent favoriser la protection de l environnement tant par l entreprise in bonis que par l entreprise en redressement puis en liquidation judiciaires

Le recours aux m canismes automatiques du droit du march dans un espace o le contr le de l Etat sur les activit s conomiques est mis mal para t une solution alternative et efficace dans la gestion des soci t s commerciales N emp che que dans une soci t mondialis e qui voit se d velopper le verdissement des diff rents droits des affaires internes souvent sous l impulsion des droits communautaires le droit O H A D A ne peut pas s enfermer ses objectifs originels qui dor navant ne sauraient ignorer la donne environnementale au risque de se mettre en porte faux avec le concept du d veloppement durable

La protection de l environnement est alors devenue un objet de r gulation conomique un moment o les ordres juridiques communautaires ont une emprise croissante sur les droits nationaux

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