



Mauritius: Modernization of the Supreme Court Project

The challenge:

The settlement process for commercial cases in Mauritius is long and costly. All procedures, from lodging of cases to recording of judgements, are done manually. The registry system is paper based and requires a significant amount of physical storage space. Any queries on cases involve time consuming searches of physical files. The manual system makes court statistics unreliable as it requires



manual counting, a slow and tedious process which leaves room for errors. There is also no uniform standard of service as duration of the settlement process varies from judge to judge – it can take anywhere from three months to three years to settle cases.

Legal fees for commercial cases are very high – lawyers charge anywhere from \$1,500 to \$5,000 per court appearance – making access to justice for only those who can afford it.

The solution:

ICF is working with the Government of Mauritius to modernise the Mauritius Supreme Court. The project aims to simplify and automate the settlement process and reduce the time and costs for commercial cases lodged in the Supreme Court of Mauritius. It will set up a Mediation Division in the Supreme Court, making mediation a compulsory first step to resolve any commercial case. It will also set up an e-filing system that will significantly reduce time and processes to lodge a case, streamline the trial settlement process and review the court fee structure to ensure access to justice is affordable. The project will cost a total of US\$ 3.6m. Of this, ICF is providing US\$ 2.7m and the Government of Mauritius is providing US\$ 900,000.

Expected impact:

The project is expected to limit the time taken from the day a commercial case is filed to the day the judgement is given in a full trial to a maximum of 100 days if the case is filed in the Commercial Division of the Supreme Court, and 36 days if the case is filed in the Fast Track of the Commercial Division of the Supreme Court. The project is also expected to reduce the number of procedures in a full trial from 13 to 9.

Project duration: February 2010 – March 2014

The Investment Climate Facility for Africa is a grant providing organisation that works with African Governments to improve the environment in which businesses operate. ICF engages closely with implementing Government bodies throughout the life of the project. For more information about ICF please visit www.icfafrica.org