

Togo: Commercial Justice Project

The challenge:

In the recent past, Togo has implemented reforms to modernize its judicial sector. This resulted in the creation of an Appeals Court and three commercial chambers within the Court of First Instance in Lome.

The Chamber of Commerce created an independent Court of Arbitration and Mediation Centre in 2011 with support from ICF. This has helped by offering the business community with an alternative mechanism for resolving commercial disputes.



However, enforcement of contracts in Togo is still unpredictable and slow. The key constraints include the lack of specialized judges and registrars, lack of dedicated commercial chambers in the Appeals Court, lack of transparency and discouraging remuneration rates for judges and registrars. As a result, it is estimated that more than 90% of commercial case judgments are appealed. Of those, more than 30% of the judgments are overturned.

The solution:

ICF is working with the Government of Togo to reduce the time and cost of enforcing contracts in the country. The project will create dedicated commercial chambers at the Appeals Court in Lome, provide specialized commercial justice training for judges and registrars, introduce an integrated commercial justice case management system, and introduce real time court reporting.

The project will cost a total of US\$ 3,700,000. Of this, ICF will contribute US\$ 2,300,000 and the Government of Togo will contribute US\$ 1,400,000.

Expected results:

- The project will establish 2 commercial chambers in the Appeals Court
- The time for trial and judgement in the Court of Appeal is expected to go down from 346 days to 100 days.
- The number of commercial case judgements that are appealed is expected to go down from the current 90% of all judgements to 40%

Project duration: January 2014 – September 2015

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