

Burkina Faso: Establishment of Commercial Courts Project

The challenge:

Resolving commercial disputes in Burkina Faso used to be a lengthy process – resolving a commercial dispute could take an average of 446 days. This was caused by a number of factors, including the lack of dedicated commercial courts for resolving commercial disputes, magistrates' poor understanding of business practices and specialised legal matters such as banking and insurance, and a manual case management system.



The Government of Burkina Faso (GoBF) and the private sector both recognized that the modernization of the commercial justice system was crucial to enhancing the speed and efficiency of commercial litigation in Burkina Faso and improving the country's business environment.

The solution:

ICF worked with the Government of Burkina Faso and the Chamber of Commerce of Burkina Faso to increase the quality and speed of commercial dispute resolution. This included establishing commercial courts in the two large cities of Ouagadougou and Bobo-Dioulasso, specialization of judges and magistrates on commercial issues, and introducing a legal framework for transparent, streamlined and modernized judicial procedures.

The total cost of the project was US\$ 4,213,080; of this ICF contributed US\$ 2,246,260, the Government of Burkina Faso contributed US\$ 1,819,350 and the Chamber of Commerce of Burkina Faso contributed US\$ 147,470.

Impact:

- Two commercial courts were established, one in Ouagadougou and one in Bobo Dioulasso, making commercial justice more accessible
- The Business and Movable Collateral Registry has been digitised and made available at the Commercial Courts, which increases the speed at which contracts can be enforced.
- 11 Judges and 20 consultant judges have received specialisation in commercial matters.
- A digital case management system has been set up and 5 clerks have been trained on its use to facilitate secure case filing and retrieval.
- 20 stenographers have been trained on stentura machines and work in support of the judges, increasing speed of availability of court proceedings.
- Commercial dispute resolution time is going down, from 446 days in 2009 to 302 days in 2011 and 174 days in 2012.

Project duration: May 2009 – March 2013

ICF is a grant giving 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 and its work please visit www.icfafrica.org