

CURRICULUM VITAE

Ms. Najet Brahmi
Manager and Sole Partner of the Law Firm BAC

PERSONAL INFORMATION

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I - Lawyer:

Registered with the Tunis Bar since April 1, 1994, I bring over thirty years of experience and have supported diverse categories of clients. The client profiles have evolved along with my career. Three distinct statuses are worth recalling: trainee lawyer, lawyer at the Court of Appeal, and lawyer at the Court of Cassation.

Trainee Lawyer: 1994-2005

The internship period was suspended for academic reasons related to the preparation and defense of my doctoral thesis in law. The suspension lasted nine years (from 1994 to 2003), during which I strengthened my legal skills in economic law through an internship at the IAE of Paris.

Secured upon the proposal and recommendation of the eminent Professor of Commercial Law, Mr. Roger Percerou, the internship particularly allowed me to understand the importance of dual competence that should define a jurist's profile: academic skills and practical (or professional) skills.

Since then, this has not escaped my attention, and I have continued to pursue dual competence, knowing and being able to make it the foundation of my lawyer profile. This has notably benefited the quality of reports prepared for my clients' interests, where the relevance of legal analysis is always complemented by a review of jurisprudence related to the legal issue at hand.

My internship was completed in three major firms: those of Me Ammar Dakhlaoui, Me Samir Annabi, and Me Nouredine Gazhouani.

During my internship period, I advocated for widows and orphans in various courts of justice in Tunisia. I was particularly tasked with defending interests related to disputes in personal status law (divorce, spousal and child support), criminal law (crimes, misdemeanors, and contraventions related to economic law and common law offenses), property divisions, civil and commercial contracts, as well as executable wage garnishments. An inclination toward specialization later marked my career, beginning with my registration as a lawyer at the Court of Appeal.

- Lawyer at the Court of Appeal: 2005-2014

I supported several public and private companies, as well as insurance firms, including notably:

My legal services covered both consulting and court representation. I particularly supported:

- The Société du Magasin Général de Tunisie
- The MAE (Mutual Insurance Company)
- The STAR (Insurance Company)

- Lawyer at the Court of Cassation: Since 2014

I have particularly specialized in disputes related to economic matters. I have supported companies as legal counsel, arbitrator, and lawyer before arbitral tribunals and state courts.

· Legal Counsel for Economic Enterprises:

I have supported lawyers, bankers, international organizations, and the State's litigation officer in several precisely defined fields of expertise:

· National Order of Lawyers of Tunisia: ONAT

Field of Expertise: Contract Drafting

I was selected by the Council of the National Order of Lawyers of Tunisia to provide training for lawyers during the training sessions for the judicial years 2023-2024 and 2024-2025. I specifically served as a trainer for lawyers on "The Lawyer as Contract Drafter."

· State's Litigation:

Field of Expertise: Business Criminal Law

I assisted the State's litigation officer in formulating and drafting a legal opinion on the statute of limitations for public actions related to offenses committed under the regime of former President Ben Ali.

· German Hans Seidel Foundation

Field of Expertise: Financial Law/Crowdfunding

I supported the FHS in conducting an analytical review of the legal and regulatory framework for crowdfunding in Tunisia.

The report was validated and adopted as a reference for the FHS's various crowdfunding initiatives.

· Lawyer Trainer for Economic Enterprises:

I have trained staff, agency heads, and legal directors of several economic enterprises.

· International Arab Bank of Tunisia: BIAT

Fields of Expertise:

Banking Law - Civil and Commercial Procedure Law - Commercial Instruments.

Three training sessions have already been held with very positive feedback. The trainings covered:

· The New Law on Checks Without Funds

The training was dedicated to BIAT agency heads. It took place on September 23 and 24, 2024.

- Banker's Liability

The training was dedicated to BIAT staff.

- Asset Seizure and Freezing Procedures

The training was dedicated to BIAT's litigation services.

- Tunisian Union of Industry, Commerce, and Crafts: UTICA

One training session was dedicated to UTICA staff and managers, focusing on the new check law. The training occurred at UTICA headquarters on October 18, 2024.

- National Enterprise Registry: RNE

I supported the RNE in preparing two international colloquia: the first on the “Beneficial Owner” and the second on the “Social and Solidarity Economy.” This support was provided under two collaboration agreements with the RNE.

Retained as an expert in business law and sustainable development, I particularly assisted the RNE upstream, during, and downstream of the colloquia. Upstream, I prepared the methodological note to define the various work stages. During the colloquia, I presented introductory and summary reports and moderated debates. Downstream, my role was to collect contributions, verify them, and prepare a publication. A first book compiling the colloquium work on the beneficial owner is ready and has been submitted to the National Enterprise Registry for publication. The second book on the social and solidarity economy is currently in preparation.

- German Hans Seidel Foundation: FHS

Field of Expertise: Financial Law: Crowdfunding

Training sessions focused particularly on financial law, especially crowdfunding. I led the training session on October 24, 2023, titled “Crowdfunding in Service of Sustainable Development.”

- Arbitrator Lawyer:

I have been appointed as an arbitrator in several international cases:

- Sole Arbitrator designated by the Cairo Regional Center for Commercial Arbitration.
- President of the Arbitral Tribunal / National Transport Company Litigation
- President of the Arbitral Tribunal
- Lawyer Before an Arbitral Tribunal:

I have supported several national and international companies and argued their cases before national and international arbitral tribunals. Notable arbitral proceedings include those opposing:

- 1- Eddkhila Company to STEH (National Arbitration) (2016-2021)
- 2- Mining Services Company to (2020-2024)
- 3- Sighorta Company to Best RE Limited (International Arbitration) (since 2019).

II - Professor of Higher Education

- Professor at the Faculty of Law and Political Sciences of Tunis (admitted via national professor recruitment competition, July 2014).

- Director of the Comparative Law Research Unit (since 2021)

- Editor-in-Chief of the Arab Journal of ALECSO Chairs (since 2023).

- Expert in Commercial Law accredited by the Council of Europe and the World Bank.

- Head of the Criminal Sciences Department at the Faculty of Law and Political Sciences of Tunis.

- Expert in Criminal Law accredited by the European Union.
 - Member of the National Commission for the Revision of the Penal Code / Ministry of Justice.
 - Expert on the National Commission for the Reform of the Code of Criminal Procedure.
- Scientific Director of Criminal Law Pleadings, Faculty of Law and Political Sciences of Tunis.

· Fields of Expertise:

Civil Law - Criminal Law - Business Criminal Law - Commercial Law - Arbitration Law - Alternative Dispute Resolution Modes - Investment Law.

· Visiting Professor

- Visiting Professor at the Faculty of Law, Aix-en-Provence, academic year 2017-2018. (Associated with Ms. Isabelle Barrière Brousse for a conference cycle on law applicable to international family relations).
- Visiting Professor at the Faculty of Law, Aix-Marseille, 2018/2019. (Associated with Professor Isabelle Brousse to lead the scientific project on international cooperation between Tunisia and France in international family relations).
- Visiting Professor at the Faculty of Law, Aix-Marseille, September 2024: Participation in the colloquium organized by Professor Isabelle Brousse on "Franco-Tunisian Judicial Assistance Conventions in Divorce Matters" and co-author of the forthcoming book on the colloquium proceedings. The book will be published by PUAM.
- Visiting Professor at the Faculty of Law, Besançon, University of Franche-Comté, November 2019.
- Visiting Professor at the Faculty of Law, Toulon, March 2023.
- Visiting Professor at the Faculty of Law, Toulon, February 2024.
- Visiting Professor at the Faculty of Law, Toulon, 2025.

· Degrees

- Doctorate in Private Law, Faculty of Law and Political Sciences of Tunis, Very Honorable Mention with Jury Congratulations, February 2004.
- Diploma of Advanced Studies (DEA), Faculty of Law and Political Sciences of Tunis, November 1993, Very Good Mention, Top of Class.
- Bachelor's Degree in Private Law, Faculty of Law and Political Sciences of Tunis, June 1991, Top of Class, Presidential Award.

· Doctoral Thesis

- Compensation of Connected Debts, Comparative Study of French and Tunisian Law, Faculty of Law and Political Sciences of Tunis, February 2004, Very Honorable Mention with Jury Congratulations and Recommendation for Publication. (Thesis published by Latrach Editions).

· DEA Thesis:

- Debt Remission in the Code of Obligations and Contracts, Thesis for the Diploma of Advanced Studies. Awarded Grade: 17/20, Very Good Mention. 1993.

· Scientific Projects and Research and Collaboration Prospects in the Following Fields:

· CSR and Sustainable Development on a Euro-Mediterranean Scale.

1- Founding Member of the Project on CSR in the Euro-Mediterranean Space, scientific project (conducted among the three Faculties of Law in Tunis, Toulon, and Fes) under the scientific direction of Professors Najet Brahmi, Julien Couard, and Kaoutar Balboul). Launched in 2022, the project reaches its fourth edition this year, to be held on February 25, 2025, in Toulon. The project supports academic and scientific exchanges on CSR and facilitates the hosting of Master's in Business Law students within the faculties under an agreement between the three universities. Tunis has hosted students from Toulon. Toulon will host Tunisian and Moroccan students in February. Two books on CSR, containing contributions from student researchers and professors, have already been published.

2- Head of the Project on Sustainable Development and Extra-Judicial Dispute Resolution Modes: Initiated by the ALECSO Chair for International Commercial Arbitration <https://www.caaci-utm.com>, this project is adopted by ALECSO under the auspices of the League of Arab States. It aims to provide basic and specialized training in sustainable development. It involves international partners, including CERJFC and the Faculty of Law in Toulon. The project will be carried out in collaboration with Professor Filali Osman, proposed as an expert for CAACI - Tunis El Manar. An international colloquium is scheduled in Tunis on April 16, 2024, to launch the aforementioned training sessions.

3- Member of the ODD/Tunis El Manar Project, UTM/ODD Ambassador.

4- Author of a contribution on CSR in the Arab World, published in the proceedings of the round table on "CSR and Duty of Vigilance in International Trade Law and European Union Law" organized by Professor Filali Osman, published in the Business Law Notebooks, December 2024, Lexis Nexis Editions.

5- Co-Scientific Director of the Collective Work on CSR in the Euro-Mediterranean Space, Tunis 2024.

6- Co-Scientific Director of the Book on Incorporating CSR in Financial Law in the Euro-Mediterranean Space, Oujda 2024.

· Professor Responsible for ISO 26000 Certification at FDSPT.

III - International and National Expert: Evaluation, Planning, Analysis, and Reforms: Commercial Law - Alternative Dispute Resolution Modes - Criminal Law - Law

Expert with the World Bank (BIRD) responsible for training magistrates (Training on the new law for companies in economic difficulties. The session occurred on May 22, 23, and 24, 2017).

Expert with the World Bank responsible for reforming the 1997 law on judicial administrators. Expert with the Council of Europe responsible for reforming commercial justice (April 2020, April 2021) (Team Leader).

Expert with the European Union: Budget Support Mission (Expert 3 responsible for prison system reform).

Expert with the European Union: Global Facility Mission - European Union Program to Combat Money Laundering and Terrorism (September 2023 / Section on Beneficial Owner).
Expert with the German Hans Seidel Foundation: Project Leader on Alternative Financing - Crowdfunding (August 2023).

Expert with the National Enterprise Registry on Social and Solidarity Economy.

9- Member of the National Commission for Finalizing the Law on Collective Procedures and Reforming the 1997 Law on Judicial Administrators (Ministry of Justice, Tunis 2017/2018).

10- Expert with the Ministry of Women and Family in Tunisia (1999-2010), Fields of

Expertise: Personal Status Law - Labor Law

10- Author of Leaflets on the Legal Achievements of Tunisian Women (Published by CREDIF in 1999)

11- Author of a Book on Women and Work (Published by CREDIF in 2008).

12- Founder and Director of the Association Women and Solidarity Without Borders (2011-2016).

IV - Legal Author

Doctrinal Works: CSR - Socially Responsible Investment - Crowdfunding - Commercial Law - Civil Law

- Books

1- Incorporating CSR in Financial Law in the Euro-Mediterranean Space (Scientific Co-Direction with Professors Julien Couard and Kaoutar Balboul, Oujda 2024.

2- CSR in the Euro-Mediterranean Space (Scientific Co-Direction with Professor Julien Couard and Professor Kaoutar Balboul), Tunis 2023.

3- Compensation of Connected Claims, Comparative Study of French and Tunisian Law (Preface by Professor Philippe Jestaz).

4- Debt Remission, Tunis 2023.

5- Civil Procedure in Union for the Mediterranean Countries. Comparative MENA and OHADA Approach (Co-Directed by Filali OSMAN, Najet Brahmi, and Vincent Egéa), Bruylant. January 2020.

6- The New Investment Law in Tunisia. Cross Perspectives on Europe and Africa. University Publication Center, Tunis 2018 (Directed by Najet Brahmi). (Preface by Gaston Kenfack Douagni, President of the 49th UNCITRAL Session).

7- Arab States Facing International Arbitration. Assessment and Perspectives. Latrach Edition 2017. (Preface by Professor Filali Osman).

8- Judicial Intervention in Recovery Procedures for Companies in Economic Difficulties, Tunis 2006 (Preface by Professor Hervé Lécuyer).

9- The New Law on Checks Without Funds (Transitional Provisions - Criminal Provisions), Maison du Livre Edition, Tunis 2025.

Other Doctrinal Works: Arbitration - Mediation - Other Legal Disciplines

- Dictionary:

Alternative Dispute Resolution Modes, LGDJ (Co-Author), 2024. (Directed by Professor Vincent Egéa).

- International Publications:

Arbitration and Mediation Law:

- 1- Legal Security and the Role of Tribunals, Lexis Nexis 2016, p. 56.
- 2- The Effectiveness of Arbitration in Tunisia (Review of Judgments by the Tunis Court of Appeal, 2013-2018), Canadian Journal of Arbitration and Mediation, No. 1, 2020.
- 3- Mediation in Tunisian Law: Confusion or Autonomy, in Mediation as a Step to Trial or Alternative to the Judge, Aix-Marseille University Presses, 2018 (Directed by Professor Anne Leborgne).
- 4- Participation of African States in International Arbitration, in The African State in International Arbitration, OHADA Law and Community Laws (Directed by Gaston Kenfack Douajni, PUPPA 2018, p. 143.
- 5- Arab States Facing International Arbitration: Assessment and Perspectives (Summary Report), International Business Law Review, Thomson Reuters, August 2017, No. 4, p. 335.
- 6- Arab States Facing International Arbitration: Assessment and Perspectives, Introductory Report, Law and Business Strategies Review in Morocco, Lexis Nexis, 2016, p. 60 et seq.
- 7- Offer, Acceptance, and Vices of Consent, in The New French Contract Law and International Commercial Arbitration, Directed by Professor Filali OSMAN, International Business Law Review, 2017, No. 1.
- 8- Institutional Arbitration, Cross Perspectives on Europe and Africa, International Business Law Review, 2018, No. 4 (Co-Author with Professor Filali Osman).
- 8- Where Is International Arbitration Heading, in Where Is International Arbitration Heading, Lexis Nexis, 2017 (Directed by Professor Filali Osman and Gemil Yeldrim), Round Table of April 9, 2016, p. 433.
- 9- Investment Under Collective Procedures in Tunisia, The MENA Business Law Review 2019, No. 3, p. 52.
- 10- International Commercial Arbitration Today: Changes and Perspectives, Arab Journal of ALECSO Chairs, No. 1, Latrash Editions, p. 151.

Other Legal Disciplines:

- 11- Filtering of Appeals: The MENA Business Law Review 2021, No. 2.
- 12- Law No. 2016/36 on Collective Procedures (Comparative Study Between Tunisian and French Law) / Law No. 2016/36 of April 2016 on Collective Insolvency Proceedings (A Comparative Study of Tunisian and French Law), International Business Law Review, London, No. 6, December 2016, p. 597.
- 13- Economic Public Order in the New Consumer Sales Law, RDCI 2003.
- 14- Sales Techniques and Commercial Advertising, RDCI / Bruylant 2000.
- 15- Sales with Payment Facilities Under Law No. 98/39, RDCI, Bruylant 2000.
- 16- The Single-Member Limited Liability Company or Limited Technique? RDCI, Bruylant 2003.
- 17- Roman Law: Common Source of French and Tunisian Law, Reading in General Theory of Obligations and Contract, PUAM 2020.

3 - National Publications:

Business Law:

- 1- Reading of the Law on Social and Solidarity Economy in Tunisia, Mélanges Offered to Professor Mohamed Kamel Charfeddine, Latrash Editions, 2023.
- 2- Amnesty Under Decree-Law No. 2022/10 on Checks Without Funds: The Favor That Risks Disadvantaging! Leaders, March 2022, p. 27, Leaders Editions 2022.

- 3- Is the Application of Law No. 2020/37 on Crowdfunding Coming Tomorrow? RTD 2022, CPU (Forthcoming).
- 4- Direct Investment in the Era of Crises, AJT 2021/30, Latrash Editions 2019.
- 5- Civil Procedure Today: From Traditional Procedure to Alternative Dispute Resolution Modes. Toward Standardization of Procedure Rules. RTD 2021, CPU, p. 21.
- 6- Direct Investment Tested by Coronavirus: Right to Health or Health of Law, Mélanges Offered to Professor Farhat Horchani, Maison du Livre 2021, p. 287.
- 7- Commentary on Article 310 of the Commercial Code, in Commercial Instruments Between Mimicry and Innovation, CPU 2019, p. 93.
- 8- Time and Collective Procedures, in Mélanges Offered to Professor Nébila Mezghani, Chaabouni Maison du Livre, Tunis 2019, p. 53 et seq.
- 9- Company Distress Law in the Reform Era, Cross Perspectives Between France, Tunisia, Algeria, and Morocco, Summary Report and Recommendations, in Company Distress Law in the Reform Era, Cross Perspectives Between France, Tunisia, Algeria, and Morocco (Directed by Philippe Roussel Galle, Paola Nabet, and Nabil Rachdi), CEJJ Editions, Tunis 2016.
- 10- Revocation of the Manager of a Company in Judicial Reorganization, AJT No. 24, Latrash Editions 2014.
- 11- Time and Credit, A.J.T. No. 23, Latrash Editions, 2013.
- 12- The January 14, 2011 Revolution: A New Deal for Debt Recovery, Sfax Faculty of Law Colloquium, May 2011, Doctoral School Publications, Sfax Faculty of Law, 2012, No. 4.
- 13- Reading of a Judicial Application of Company Session Conditions in Company Recovery Law for Economic Difficulties (Commentary on Court of Cassation Judgment No. 28282 of August 11, 2008), R.T.D. 2008.
- 14- Legal Publicity in Company Recovery Law for Difficulties, in Legal Publicity Colloquium Organized by the Private Law Department, Faculty of Law of Tunis, April 10-12, 2003, R.T.D. 2002.

Other Legal Disciplines:

- 15- Accumulation of Penalties in the Human Trafficking Law: Reading of Article 26 of Law No. 2016 on Human Trafficking, AJT No. 2021/28, Latrash Editions 2019.
- 16- Reading of Article 369 of the Code of Obligations and Contracts, Forthcoming, Latrash Editions.
- 17- Organic Law No. 2016/58 on Combating Violence Against Women, Summary Report in Violence Against Women, CPU 2018.
- 18- Legal Reparation, in Mélanges Offered to Dean Mohamed Salah Ben Issa, CPU 2020.
- 19- Penal Code Reform: Where Are We Headed? In Law and Righteousness, Mélanges Offered to Professor Mohamed Zine, CPU 2018, p. 209.
- 20- The Legal Regime of Fines, in Penal Code Centennial, Latrash Editions, Tunis 2016, p. 349.
- 21- Physician's Liability, RTD 2008, CPU 2008.

Published Courses:

- 1- Investment Law, M1 International Business Law Course, Faculty of Law and Political Sciences of Tunis (Since 2018).
- 2- Mediation, M1 Private Law Course, Faculty of Law and Political Sciences of Tunis (Since 2018).

3- Arbitration Law, M1 Private Law, Faculty of Law and Political Sciences of Tunis (Since 2021).

4- Commercial Law, 2nd Year Law Bachelor's, FDSPT (Since 2024).

V - Director of the ALECSO Chair for International Commercial Arbitration

For the Chair's various activities, visit our website:

<https://www.caaci-utm.com>
