



M. MEHREZ BOUSSAYENE

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PROFESSIONAL EXPERIENCE

1983 – 1988 : Judge

- Judge at the Appellate Court of Tunis
- Judge reporter at the Real Estate Court
- Judge reporter at the Commercial Chamber of the First Instance Court
- Investigating judge in Tunis.

1986-1988

Former elected member of the High Council of the Judiciary and the Disciplinary Council of Magistrates

1988

Former member of the Superior Council of Magistracy

1989 until now

Lawyer at the Court of Cassation and the Council of General State and founder of a major international law firm "Boussayene - Knani & Associés", "BK".

1989 – 2000

Obtaining several training certificates in international conciliation and arbitration "ICC".

Former member of the Executive Committee of the International Association of Young Lawyers (IAYL).

2005

- Member of the International Union of Lawyers (IUL).
- International arbitrator in business and sports law.
- Arbitrator for the National Sports Arbitration Committee of Tunisia.

2018

Founder of the first Tunisian-German consulting firm " CLYSTON – BK " , mainly dedicated to Africa.

2021

Member of the London Court Of International Arbitration "LCIA"

EDUCATIONAL BACKGROUND

- **June 1983** : Master's Degree in Private Law at Faculté de Droit, des Sciences Politiques et Economiques of Tunisia.
- **August 1983** : National Magistracy examination
- **April 1984** : National Bar exam

FUNCTIONS

- Lawyer at the Supreme Court
- Member of The London Court of Arbitration
- President of the Tunisian National Olympic Committee since 2013.
- Arbitrator for the National Sports Arbitration Committee of Tunisia

LANGUAGES

Arabic, French, English

RESEARCH AND PUBLICATION

Several publications including

- **“Competition Law and Consumer Law”**, article published in the RJL (1996).
- **“Emergency procedures”**, collective book published by the International Association of Young Lawyers in 2000.
- **« My vision for Tunisia »**, socio-political work , published by the publishing house « Cérés Production » 2014
- **« Covid-19 and adaptation of labor law»**, published in Infos Juridiques, April 2020.
- **« Covid 19 and the postponement of bank credit maturities »**, published in Infos Juridiques , June 2020.

Sports & Activities

- **1986–1990** : President of the Legal and Institutional Commission of the largest tennis club in Tunisia "Tennis Club de Tunis".
- **1990–2001**: General secretary of the "Tennis Club de Tunis".
- **2003–2009** : President of the Tennis Club of Tunis for three consecutive mandates.
- **2005** : Starting the major tournament of Tennis in Tunisia : The "Tunis Open" (ATP).
- **2009–2013** : President of Tunisian Tennis Federation for two consecutive mandates (Historic consecration to the Roland Garros Juniors tournament of the player Ons Jaber in 2011, Accession of the first Tunisian player Malek Jaziri to the Top 100 of the ATP world ranking in 2012).
- **2012 – 2016** : Elected as vice-president of the Arab Union of Tennis.
- **March 2013** – First elected President of the Tunisian National Olympic Committee "T.N.O.C".
- **July 2013 –2018** : Member of the Executive Committee of the Association of National Olympic Committees of Africa "ANOCA" :
 - **President of Zone I of ANOCA** (creation of the Zone I Athletes' Commission in 2015).
 - **President of the legal commission of ANOCA** (Contribution to the development of the Contract with Jeunes Afrique for the African village in Rio, elaboration of the statutes of ANOCA).
 - **Member of the Rio 2016 Commission** for the preparation of the best African athletes.
- **2014–2018** : Member of the International Relations Commission of the Association of the National Olympic Committees "ANOC".
- **2015**: Creation of REMMOS (Mediterranean network of the Olympic and sports movement grouping Tunisia, Algeria, Morocco, and the PACA region of France).
- **2016 until now**: Member of the International Olympic Committee « IOC », of Culture and Heritage and member of the working group **“A cultural attaché”**.
- **March 2017 – December 2021**: Re-election to the Presidency of the Tunisian National Olympic Committee "T.N.O.C" for a second mandate.
- **Since September 2021** : President of Legal Commission of the Association of National Olympic Committees of Africa "ANOCA"
- **Since October 2021**: First Vice-President of the International Committee of Mediterranean Games "ICMG".
- **Since December 2021 until now**: Re-election to the Presidency of the Tunisian National Olympic Committee "T.N.O.C" for a third mandate.

FIELD EXPERIENCE

1. Practicing as attorney

- Registration at the Tunis Bar: 1989
- Trial lawyer: Since 1989
- Magistrate: 1983-1988

2. Domestic and international arbitration

Me Mehrez Boussayene is active in domestic and international arbitration. He acts both as counsel and as arbitrator of the arbitral tribunal (ICC, CCAT and ad hoc).

Sample of cases handled by Boussayene Knani & Associates:

- **ICC International Arbitration** n°16395/ND: Hirvalon Finance LTD (British Virgin Islands) and Gladinan Invest LTD (British Virgin Islands) C/ Julien Sprecher (France) Alex Berrier (France) Sprecher Berrier & Partners FZCO (Dubai).
- **ICSID Arbitration:** Tunisian State C/ A major player in the banking sector.
- **International Arbitration:** This dispute which opposed a Tunisian Group operating in the public works sector to a Spanish Group concerned the compensation of the damage resulting from the wrongful interruption of the negotiations relating to the construction of an Olympic stadium.
- **International arbitration:** A Tunisian hotel group C/ Chaîne SOL (Spain)
- **Ad hoc arbitration:** Entreprises des travaux pub du sahel C/ Hôtel thalasso
- **Ad hoc arbitration:** Tunisian leading Group in farming sector C/ A foreign company which carried out the construction works of the breeding ponds. This dispute concerned the compensation of the damage due to faults at the end of the construction works.
- **Ad hoc arbitration:** This dispute opposes a French oil and gas company to company producing, distributing and marketing petroleum products. This dispute concerns the violation of a pre-emption clause included in the shareholders' agreement
- **ICC International arbitration :** Tunisie Télécom C/ COMATEL & BSA. This is a dispute between shareholders concerning the capital structure
- **Ad hoc arbitration:** Venus Hotel Management C/ Société d'Etudes et de Promotion Touristique de Hammamet
- **ICC arbitration:** ECUMED PETROLEUM ZARZIS LTD. (EPZ) C/ ENTREPRISE TUNISIENNE D'ACTIVITES PETROLIERE (ETAP), Tunisie.
- **Arbitrage interne ad hoc :** Société Diar Gammarth C/ Abdelhamid Ben Abderrazek

3. Litigation

- Monoprix defence against Andor (compensation action) 2021
- Monoprix defense against Givenchy (Compensation / unfair competition) 2016
- SITEX defence against Lamwel (bankruptcy) 2022
- Defense of the company Condor against SDE Touristic group orange trees (aircraft seizure following court decisions in Tunisia against Thomas Cook) 2022
- Defense of the Bank of Tunisia (Recovery / Paulian share) 2020

4. Banking and stock exchange Law

- Legal advice to several banks in Tunis on issues of documentary credit, first demand guarantee, money laundering and others.
- Elaboration of models of banking contracts for a large bank of the place.
- Legal advice to the Central Bank of Tunisia.
- Banque fédérative du Crédit mutuel (BFCM-CIC): advising CIC in the acquisition of the 13% shareholding of the Banque de Tunisie held by the Tunisian State
- Union Internationale des Banques (UIB): Due diligence on behalf of Crédit Lyonnais for the privatization of UIB 2003
- Banque Franco Tunisienne (BFT): privatization 2007 - Sahel-Saharan Bank for Investment and Commerce (BSIC): advice and study in connection with the change of its vocation from development bank to universal bank
- BNP Paribas : - Capital increase - Studies on the legal regime of foreign investments in Tunisia
- Union Bancaire pour le Commerce et l'Industrie (UBCI) : Merger by absorption of subsidiaries
- Société Tunisienne de Banque (STB) 1999 : Merger of the Banque Nationale de développement Touristique (BNDT) and the Banque de Développement Economique de Tunisie (BDET)
- Banque Populaire-Caisses d'Epargne (BPCE) : studies on the status of the managers
- BIAT: advising the bank in the framework of various operations (the activity of the board of directors, status of the executives, revision and reorganization of the bank's contracts)
- Tuniso Saoudienne Company of Investment and Development (STUSID BANK): modification of the statutes
- Banque Nationale Agricole (BNA): Assistance in pre-litigation and litigation matters - Banque de Tunisie (BT): Assistance in pre-litigation and litigation - International arbitration in banking matters ICSID and ICC
- Introduction on the stock exchange (of several companies, in particular those operating in the cement and food-processing sectors)
- Assistance to the Financial Market Council.

5. Competition law

- Legal advice and assistance to companies in matters of free competition, cartels and abuse of dominant position;
- Counsel to several companies in cases brought before the Competition Council;
- Defense before the Competition Council of the company Tunisia Duty Free Sa (consortium composed of three German, Turkish and Tunisian companies: Heinemann, Atu and Hamila) in a dispute relating to a concentration following an international call for tenders organized by the OACA in 2014
- Representation of the French pharmaceutical company Laboratoire SVR in a major case of unfair competition and abuse of economic dependence before the Administrative Court.
- Representation of the telecommunications operator OOREDOO Tunisia before the Competition Council in a case of illicit agreement on billing levels. (Other party involved: Orange Tunisia). (The judgment which was rendered in December 2020 is in favor of the client) ;
- Representation of the Tunisian pharmaceutical company "Théra" before the courts and the Competition Council in litigation relating to drug patent and abuse of dominant position (other party involved: Servier). (case pending);

- Representation of Kellogg's before the Tunisian courts in a major dispute with a Tunisian distributor (2020);
- Representing the Spanish company ACESUR before the Tunisian courts in a major dispute with a Tunisian supplier (2020).
- Counsel to the leading retailer MONOPRIX for the acquisition of the SAHARA distribution network
- Representing the Turkish bank Arab Türk Bankası A.Ş. before the Tunisian courts in a major dispute with a Tunisian company. (2020)

6. Corporate law and companies in difficulty

Legal advice and assistance to companies (memoranda of understanding between shareholders, mergers, acquisitions, capital increases, relations with managers).

Corporate litigation (judicial administration, dismissal of directors, abuse of corporate assets, presentation of false balance sheets, abuse of majority, abuse of minority and others).

Bankruptcy litigation. Judicial settlement. Action for payment of liabilities. Criminal liability of directors.

7.African component

Assistance of foreign banks such as the Sahel Investment and Trade Bank (BSIC) for advice and litigation. (2019-2020-2021) ;

Assistance of the African governments in various types of investment and in the modernization of their legislation. For example, assistance from the Togolese government in drafting the law on national biometric identification in collaboration with E&Y. (2019)

Assistance and advise the Bank of Central African States in revising foreign exchange regulations and their application to oil and mining companies operating in the region.