

Mahutodji Jimmy Vital KODO, FCI Arb

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Date of birth	November 8 th , 1978	Years of Experience	17
Nationalities	Beninese & French	Languages	English, French
Education	Bar Exam: Bar School of Paris, France: 01/2010 – 10/2011 PhD. in Law (OHADA) , University Paris-Est Creteil, France: 02/2005 – 10/2008 LLM , University of Lille 2, Lille France: 10/2004 – 09/2005 Bachelor of Laws (Maîtrise) , National University of Benin: 10/1997 – 05/2002		

Bar Admission and Professional Memberships

- Member of the Bar Association of Hauts-de-Seine - France (former member of Paris Bar)
- Member of the Bar Association of Kinshasa Matete, Democratic Republic of Congo
- [Member of the Permanent Court of Arbitration, The Hague, Netherlands](#)
- [Member of the Africa Commission of the ICC Arbitration Court, Paris, France](#)
- Arbitrator of the Arbitration Center of the OHADA Court, with jurisdiction over 17 African States
- Member of the Lagos Court of Arbitration (Nigeria) & the Mauritius Arbitration Center (MIAC)
- Member of the Kigali International Arbitration Center (KIAC), Kigali Rwanda
- [Fellow of the Chartered Institute of Arbitrators \(FCI Arb\), London, United Kingdom](#)
- Member of the International Arbitration Institute (IAI), Paris France
- Member of the African Users' Council of the Singapore International Arbitration Center (SIAC)
- Member of the Panel of Arbitrators of the Shanghai Arbitration Commission (SHAC)

Areas of expertise

- Strong expertise of African Business law (OHADA) applicable in 17 African States
- Dispute resolution: Litigation & Arbitration (Commercial & Investor-State)
- Company/corporation, construction, Energy & Natural Resources, Mining, Oil & Gas, Sales, Transport
- Contracts – Intellectual Property – International Law & Public International Law, Distribution

Relevant Work Experience

Selection of Recent Arbitration Appointments and Arbitration Work:

- 2020: Sole Arbitrator, in an international arbitration proceedings in English – claim worth \$17.765 204,64
- 2019-2020: co-arbitrator in an investor-State arbitration worth \$40,385.073.37 involving an African State

In 2021, as a Consultant for the Investment Climate Reform (ICR) Facility (co-funded by the European Union, the Organization of African, Caribbean and Pacific States and implemented by Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH - GIZ, the British Council - BC, Expertise France - EF, and Stichting Nederlandse Ontwikkelingsorganisatie - Netherlands Development Organisation, SNV), I revised the Arbitration Rules of the National Centre for Arbitration, Conciliation and Mediation (CENACOM) of Kinshasa, Democratic Republic of Congo; and also trained more than eighty arbitrators of the center.

Senior Legal Counsel: Technical Advisor to the President of the OHADA Common Court of Justice and Arbitration, Abidjan, Côte d'Ivoire, 01/2014 - 11/2016

- Advised the President of the Court on all Legal matters
- Provided technical advice and recommendations to litigation and arbitration cases submitted to the Court
- Drafted Court rulings on a wide range of complex legal issues including challenges to arbitral awards
- Handled country requests of advisory opinion of the OHADA Court and drafted opinions of the Court
- Compiled precedents of the Court and designed a Legal Gazette for their publication
- Translated legal documents into and from English to French
- Designed continuing legal education training material for judges and law practitioners
- Represented the Court and its President at conferences and undertook various other assignments

Legal Consultant (E-consultant), The World Bank Group, Abidjan, Côte d'Ivoire, 02/2015 – 05/2015

- Served as E consultant for the World Bank on the *Enabling the Business of Agriculture Project in Côte d'Ivoire 2016: Comparing Regulatory Good Practices* - Gathered and analyzed relevant legislation of Côte d'Ivoire

Law Offices of Jimmy KODO, Paris and Nanterre, France, 11/2011-12/2014; and since 10/2017

- Successfully defended a client in avoiding contractual liability worth \$2.475.290,60
- Represented a client in a post arbitration litigation for the enforcement of a €414.463.586 award
- Represented another client in an ICC Arbitration worth \$50.000.000
- Avoided the enforcement of a \$359.753,85 foreign judgement against a client

OHADA Law training expert to Magistrates, Ecole Régionale Supérieure de la Magistrature (OHADA Magistracy School), Porto-Novo, Benin, 05/2012 – 05/2014

- Designed and delivered continuing legal training for practitioners from various African countries

OHADA law training expert, Cameroon, 01/2013-02/2013

- Designed and delivered training modules for law practitioners
- Engaged in public awareness campaign for OHADA-related issues

Director of the Annotated OHADA Code, published by Editions Francis Lefebvre, France, since 2005

- Selected and analyzed of decisions rendered in application of the Uniform Acts of OHADA
- Drafted and edited *the Annotated OHADA Code* for practitioners and legal scholars
- Presented OHADA legal system worldwide (Togo, Nigeria, Ghana, Ethiopia, Egypt, Morocco, Luxemburg, United Kingdom, United States of America, Canada, China, and Israel)

Adjunct professor, University Paris-Est Creteil, Creteil, France, 09/2009 – 08/2011

- Designed, prepared teaching materials, and delivered courses in French Law (social security and welfare)
- Supervised students' dissertations

Research Assistant, “PHLaw Flu” Project, funded by the EU, University of Hertfordshire, Hatfield, Hertfordshire, United Kingdom, 10/2007 – 10/2009

In partnership with the London School of Hygiene and Tropical Medicine (LSHTM):

- Helped on a comparative study of the Public Health legislation of 32 European States
- Drafted Project Glossary and a scenario to assess legal preparedness for Pandemic Influenza in Europe
- Spoke at conferences, drafted, and published research papers and Project interim report

Selected publications

- “*Arbitration in Africa under OHADA Rules*”: Kluwer Law International, 2020, 348 pages. ISBN: 9789403509426: <https://irus.wolterskluwer.com/store/product/arbitration-in-africa-under-ohada-rules/>
- “*Sur un conflit inédit de juridictions entre la Cour Commune de Justice et d'Arbitrage de l'OHADA et la Cour suprême du Congo*”, *Revue trimestrielle LexisNexis JurisClasseur*, Juil.-août 2017, pp 855-876.
- Chapter on ‘The CCJA as a Regional Arbitration Institution’. In *The Transformation of Arbitration in Africa: The Role of Arbitral Institutions*, edited by Emilia Onyema. London, United Kingdom: Kluwer Law International, 2016, pp. 47-60. ISBN-13: 978-90411-6729-3.
- “*Can OHADA Increase Legal Certainty in Africa?*”, Renaud Beauchard and Mahutodji Jimmy Vital Kodo, Legal Vice Presidency, *The World Bank, Justice & Development Working Paper Series*, 17/2011, pp. 45.
- KODO Mahutodji Jimmy Vital (dir) et al., *Code Pratique Francis Lefebvre OHADA: Traité, Actes uniformes et Règlements annotés* (Levallois-Perret, France, Editions Francis Lefebvre, October 2019, 1800 pages. <http://boutique.efl.fr/code-pratique-ohada.html> - 5th Edition forthcoming in October 2022

Selected speeches

- Keynote Speech at the Golden Gate University Annual Symposium of International Law, San Francisco, California, USA, April 7th, 2016
- “*Harmonization of Business Law in Africa: Contemporary Achievements and Challenges of OHADA Institutions*”, The World Bank Group, Washington, DC, March 9th, 2011.
- “*A Primer on the Organization for the Harmonization of Business Laws in Africa (OHADA)*”, organized by the American Society of International Law (ASIL), Washington, DC, October 13th, 2010.

Academic Visitor

Centre for Comparative Law in Africa (CCLA), University of Cape Town, South Africa, 22-24/10/2012
George Washington and Howard Universities Law School, Washington, DC, USA (2010 - 2021)

References available upon request.