



### Fabien Ganivet

Partner

LOCATION HEAD FOR LITIGATION & REGULATORY, FRANCE

fabien.ganivet@dlapiper.com

Paris

T: +33 (0)1 40 15 24 82

F: +33 (0)1 40 15 24 01

Fabien Ganivet heads DLA Piper's Litigation & Regulatory department in France, which brings together a team of around 40 lawyers.

Within the firm's Paris office, he created a renowned practice that includes compliance (risk prevention and compliance programmes), global investigations and white-collar defense (criminal business law, economic, financial and employment-related criminal law).

Fabien advises and assists different types of corporates, in particular legal, ethics and compliance and human resources departments of major groups, in the implementation, assessment and strengthening of their compliance measures (governance, code of conduct, risk mapping, whistleblowing, internal controls, training, etc.) in the context of both new French legal requirements (Sapin II Law, Duty of care and oversight) and foreign regulations (UKBA, FCPA) they may be subject to.

Providing the firm's clients with advice and litigation assistance, Fabien also represents companies and their executives in the framework of criminal or regulatory investigations and proceedings led by French judicial and regulatory authorities (AFA, AMF, DGCCRF, labour inspectorate, etc.) as well as foreign Government agencies. Fabien's expertise extends more generally to all criminal business litigation (from initial investigations through to trial), risk prevention and crisis management, and he has extensive experience in corporate- and employment-related criminal law.

- Global Governance and Compliance
- Investigations
- White Collar and Corporate Crime

French English

## LANGUAGES SPOKEN

- French
- English

## Professional Qualifications

- Avocat admitted to the Paris Bar, 2012

## Prior Experience

Fabien started his career in the French Judiciary (Deputy Public Prosecutor in Paris and Nanterre) before assuming several responsibilities for the French State (Advisor to the President of the National Assembly, Legal Affairs Advisor to the Minister of Homeland Security and to the Minister of Defense). Having joined the private sector, he has worked within a French and an American law firms, as well as within a group ethics and compliance department of a leading global energy company. In parallel, Fabien has had different teaching activities, in particular at Sciences-Po.

## Education

- French National School for the Judiciary (E.N.M.), Top of class, 2001
- University of Paris I (Panthéon-Sorbonne), D.E.A. (Postgraduate degree), Law
- Graduate of the Paris Institute of Political Sciences (Sciences-Po), Public Service section
- Harvard University (Massachusetts, USA), Harvard Summer School

## Awards

- Best Lawyers – Best lawyer in France – Criminal Defense – 2023
- Chambers Europe – Corporate Compliance & Investigations – Up and Coming – 2021 and 2022
- Legal 500 – Investigations & Compliance – Tier 3 – 2022
- Acritas Star™ Lawyer – Litigation and Regulatory – 2020 and 2021
- Décideurs Leaders League: ranked in Criminal Law (2021) and in Criminal Health Law (2020) as “strong reputation”
- Option Droit & Affaires Litigation ranking (May 2019 - May 2020) in the category law firms in corporate criminal law and AMF sanction cases (2 stars)
- Le Palmarès du Droit 2022: Golden Award in Compliance
- Le Palmarès du Droit 2022: Silver Award in White collar defence
- Le Point, Top Law Firms 2022: Compliance \*\*\*\*

*“Fabien Ganivet has done an excellent work since he joined the firm as a partner. His combination of theoretical knowledge and practical experience are unrivalled within the Paris marketplace”, Legal 500 EMEA, 2022 – France*

## INSIGHTS

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### Publications

#### France strengthens its whistleblowing regime: Focus on 3 key changes

30 June 2022

The law not only transposes the EU whistleblowing directive into French law, strengthening the country's previous regime, but actually goes beyond the directive's requirements.

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#### France - Global bribery offenses guide

11 January 2022

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#### Four years of the Sapin II Law: Lessons learned and what's to come

5 October 2021

On the fourth anniversary of this ground-breaking anti-corruption law, a look at likely coming developments in France's regulatory environment.

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- Article: *De la loi Sapin 2 à Sapin 3*, Supplement to La Lettre des Juristes d'Affaires, 18 July 2022
- Contribution: chapter on France - *Whistleblowing Laws in Europe: An international guide*, DLA Piper, July 2022
- Article: *France strengthens its whistleblowing regime*: Focus on 3 key changes, Lexology, 30 June 2022
- Contribution: chapter on France - *Global bribery offenses guide*, 11 January 2022
- Contribution: chapter on France - *Whistleblowing Laws in Europe: an international guide*, DLA Piper, December 2021
- Article: *Four years of the Sapin II Law: Lessons learned and what's to come*, 5 October 2021
- Video: *10èmes Dialogues de l'Inclusion et de la RSE* (10th Dialogue on Inclusion and CSR), May 2021
- Article: *Revirement de jurisprudence en matière de responsabilité pénale des personnes morales dans le contexte d'une fusion-absorption* (Revision of case law on the criminal liability of legal entities in the context of a merger-absorption) (Cass. crim., 25 November 2020, No 18-86.955), (LJA) Les Echos Executives, Fusions & Acquisitions Magazine, March 2021
- Video: "Compliance et démocratie, Business Légal Forum", 14 October 2021
- Video: "10èmes Dialogues de l'Inclusion et de la RSE", May 2021
- Blog post: "Publication des nouvelles recommandations de l'Agence française anticorruption", DLA Piper Insights, January 2021
- Article: *Revirement de jurisprudence en matière de responsabilité pénale des personnes morales dans le contexte d'une fusion-absorption* (s. Cass. crim., 25 novembre 2020, n° 18-86.955) (LJA), Les Echos Executives, Fusions & Acquisitions Magazine, March 2021
- Article: *COVID19 - Contentieux pénal des affaires : Gestion de l'épidémie de Covid-19 par l'entreprise et responsabilité pénale* (LJA), Les Echos Executives, April 2020
- Vidéo: *Justice négociée : quels impacts pour l'entreprise et le juriste* (LJA), Les Echos Executives, December 2019
- Blog post: "France - Global bribery offenses guide", December 2019
- Article: "Entreprises: les avocats sont au service de leurs clients et non les valets d'une autorité quelconque", Le Monde, December 2018
- Article: "Entre enjeux de puissance et réinvention de la souveraineté - Les autres visages du droit à l'heure de la lutte internationale contre la corruption", Revue Internationale de la Compliance et de l'Ethique des Affaires, October 2018

## Events

- Conference-debate: *Five years after the entry into force of the Sapin II law: assessment, issues and perspectives*, DLA Piper France, 30 June 2022
- Conference: *La compétition internationale en matières juridique et judiciaire* (International competition in legal and judicial matters), Ecole Nationale de la Magistrature, 9 March 2022
- Conference: *Nouvelles Tendances de la Compliance pour 2022 – Révision de la Loi Sapin II, lanceurs d'alertes, enquêtes internes, contrôles AFA* (New Compliance Trends for 2022 – Revision of the Sapin II Law, whistleblowers, internal investigations, AFA investigations) La Sorbonne Institute of Legal Research, 24 February 2022
- Conference: *Compliance, Démocratie & Géopolitique* (Compliance, Democracy & Geopolitics), Business & Legal Forum, 14 October 2021
- Conference: *L'extraterritorialité du droit, vecteur d'influence stratégique ?* (Extraterritorial reach of the law, a vector of strategic influence), Cercle France-Amériques, 14 December 2020
- Conference organized by Business & Legal Forum (speaker at the round table) "Compétitivité à l'heure de la crise. ESG, Compliance, Ethique, concurrence : et si les standards de l'UE devenaient extraterritoriaux ?", October 2020
- Conference organized by DLA Piper in partnership with the AmCham (speaker) "20ème anniversaire du Baromètre AmCham-Bain", February 2020

- Conference organized by Business & Legal Forum (speaker at the round table) “Cérémonie des Plumes et Caméras de l'économie & du droit”, October 2019