



14 July 2024



16 CJIPs signed in the last twelve months (versus 20 the previous year)

58 agreements have been signed since this alternative to prosecution was introduced in 2016.

Offenses & fines

Initially implemented to combat major financial crimes, particularly corruption and tax fraud offenses, the CJIP has also become, since the law of 24 December 2020, the preferred tool to address environmental violations, with 9 CJIPs concluded over the past 12 months.



Offenses

Over the past 12 months

Related fines



in environmental matters

56%
of CJIPs

from 0 € to 90 000€

(SCA Les Maitres Laitiers du Cotentin,
SA SNCF Réseau)



in cases of breach of probity
(i.e. influence peddling, corruption)

38%
of CJIPs

from 1 200 000€ to 14 600 000€

(SAS Acieries Hachette and Driout,
ADP Ingenierie)



in tax matters

6%
of CJIPs

50 000€

(SARL GUDNO)

Dissuasive fines



1 200 000 €

SAS Acieries Hachette and Driout



13 373 000 €

SEVES GROUP et SEDIVER SAS



14 600 000 €

ADP Ingenierie

“Golden clause“ **first use**

Option implemented under the new PNF guidelines of January 2023

Constitutes an exception to the principle that public prosecution is extinguished only in respect of the facts described in the CJIP

Used in the context of the SEDIVER CJIP on 4 December 2023,
for bribery of a foreign public official

This clause provides that the CJIP also covers acts of a similar nature that may have been committed by SEDIVER in a list of nineteen countries between 2009 and 2015.
(This clause will only apply if such acts were not concealed during the procedure and if their existence was immediately reported when applicable.)

Key points

1

Non-specialized public prosecutors are increasingly utilizing the CJIP tool

Mainly in the context of criminal environmental law

Only 2 of the 16 CJIPs in the last 12 months were signed by the PNF

2

AFA controls are not required for the ADPI CJIPs

No compliance measures were required by the PNF due to oversight on the implementation of their compliance program by an independent expert for two years as part of a settlement agreement signed with a development bank.

3

Environmental Violation CJIP without a Public Interest Fine

To prioritize compensation for damages suffered, no public interest fines were imposed on SCA Les Maitres Laitiers du Cotentin. Only obligations for reparation, indemnification of the civil parties and compliance measures were imposed.