



FRANCE'S CORPORATE DUTY OF VIGILANCE LAW: WHAT PENALTIES ARE BUSINESSES LIKELY TO FACE?

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Legal Briefings - By **Stéphane Brabant** and **Elsa Savourey**

The French corporate duty of vigilance law is a significant landmark in the Business and Human Rights movement. It stands out from other foreign laws that address similar issues such as the UK Modern Slavery Act that are often viewed as less stringent.

Although the civil fine mechanism was held unconstitutional by the French Constitutional Court, the periodic penalty payments ("astreintes") and civil liability action ("responsabilité civile") remain part of the law. However, these sanctions raise a number of questions, including on their implementation and effectiveness.

In an article initially published in the International Review of Compliance and Business Ethics, [Stéphane Brabant](#) (Partner, Paris, and co-head of the HSF Business and Human Rights practice) and [Elsa Savourey](#) (Business and Human Rights Lawyer, Paris) analyse whether, and the extent to which, these sanctions are likely to be effective in achieving the new law's twofold objective: prevention and remediation.

The full article translated is available to read [here](#) on the Business and Human Rights Resource Centre website. It suggests that it remains uneasy for victims of serious human rights abuses to bring a civil liability action before the courts in France. Nonetheless the sanctions provided by the law are likely to successfully encourage corporate accountability and contribute to a stronger prevention of human rights abuses.

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