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CONSTANTIN ACHILLAS

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BIOGRAPHY

Constantin Achillas has more than 30 years' experience as commercial trial lawyer and in corporate risks.

He leads BCLP's Business & Corporate litigation team in Paris. His cross-border and multi-jurisdictional litigation practice encompasses a wide range of complex civil and commercial cases before state courts and also arbitration courts. He also regularly practices ADR, including mediation. He has been mostly handling complex, cross-border plain commercial and corporate litigation as well as those with a white-collar crime dimension (fraud, tax evasion, embezzlement, forgery) and/or with an assets recovery angle. Since 2017, he is also helping companies to put in place from scratch- Sapin II compliance programs or to adapt and complete pre-existing US or UK compliance

internal rules. He was frequently appointed as expert by the French anti-corruption agency (AFA) to assist them in their investigations as well as in their prosecutor-assigned missions. He is familiar with E.U. trade sanctions and their interaction with U.S. sanctions.

He primarily acts for mid-size and large domestic and international corporations in various sectors (food, healthcare & life sciences, cosmetic beauty, hospitality, retail and tech companies) as well as a number of financial institutions (banks and insurance carriers).

Finally, Constantin Achillas is an active Pro Bono contributor. Since 2016, he seats at the Board of the France-based NGO Solidarités International.

CIVIC INVOLVEMENT & HONORS

- Member of the Board of Solidarités International

PROFESSIONAL AFFILIATIONS

- International Association of Restructuring, Insolvency & Bankruptcy Professionals (INSOL) Europe, Member
- Association pour le Management des Risques et des Assurances de l'Entreprise (AMRAE), Member
- International Bar Association

SPOKEN LANGUAGES

- English
- French

ADMISSIONS

- Paris
- England & Wales (Registered Foreign Lawyer)
- DIFC Courts' Registered Legal Practitioner (Part I)

EDUCATION

Armédis, Mediator Certification, 2007

ESSEC Business School, Mastère Techniques Financières, 1988

Institut d'Etudes Politiques de Paris, 1987

Université de Paris II-Assas, M.A., Business Law and Tax, with honors, 1985

Université de Paris II-Assas, M.A., Public Law, with honors, 1985

RELATED PRACTICE AREAS

- Business & Commercial Disputes
- UK & EU Class Actions
- Restructuring & Insolvency/Special Situations
- Finance
- Retail & Consumer Products
- Anti-Bribery & Corruption
- Financial Institutions
- Regulation, Compliance & Advisory
- Litigation & Dispute Resolution
- Anti-Money Laundering Compliance
- Securities Litigation and Enforcement

EXPERIENCE

- Advising a leading insurance carrier on coverage in relation to a USD 20 million fidelity claim resulting from a fraud perpetrated in France against the subsidiary of a large U.S. insured.
- Advising a leading insurance carrier on coverage in relation to a EUR 15 million fidelity claim results from a fraud perpetrated against a French bank.
- Advising a U.K. run-off managing company on coverage determination relating to claim filed by an insured French accounting firm under a French PI policy further to the tax rectification of one of the insured's clients.
- Representing before criminal courts of Metz a certified public accountant prosecuted for tax fraud in relation with VAT rectification by the French revenue in property rental transactions.
- Representing before the criminal courts of Paris the CEO of a large brokerage firm prosecuted for fraud and forgery in connection with transaction on the bond market.

- Representing a leading U.S. insurance carrier against a major French reinsurance company in relation to the gap financing by a Canadian Bank of the products of a motion picture.
- Representing a French shipyard in an ICC arbitration against an Algerian company specialized in the maritime transport of gas and chemical products. The dispute concerns defects in repairs of tanks made by the shipyard.
- Advising a Lloyd's syndicate in relation to a third party's claim against a French investment bank in relation to a breach of fiduciary duties.
- Representing a major UK bank before the Commercial Court of Paris in summary proceedings against a large French power generation and transport infrastructure manufacturer in connection with the requested stay on the enforcement of a bank guarantee to the benefit of a large German energy company.
- Representing a US chemical specialty products manufacturer before the Commercial court of Nanterre in a multi-million product liability dispute against a French luxury sailboat manufacturer. Assistance provided in this case also includes acting as the client's intermediary towards its brokers, insurers and reinsurers.
- Advising a major UK bank in relation with the default of a Czechoslovakian Airline company under bankruptcy proceedings in an aircraft financing.
- Advising the court-appointed Cayman Islands liquidators of an investment fund in connection with the recovery of a €15 million claim against the ex-director of the French distressed luxury shoe manufacturer, including the seeking of interim remedies in various jurisdictions (Switzerland, France, Mauritius).
- Representing the US and French subsidiaries of a leading Swedish medical device manufacturer before several French Courts in product liability actions brought by French implantologists in connection with alleged defective dental implants.
- Advising a leading German insurance carrier, as co-insurer, concerning a £80 million coverage claim in relation to a product liability dispute between a large French power generation and transport infrastructure manufacturer and a South-African client.
- Member of a multitask team (legal, finance, engineering) advising the government of a West-African country on a large combined iron ore mining and rail and port infrastructure project.

RESOURCES

PUBLICATIONS

- "Let them go nicely: French Supreme Courts upholds conditions of termination and compensation for an abrupt break-off of an established business relationship", *International Bar Association Legal Practice Division*, April 2015
- “The French Blocking Statute: Effective Protection Against Cross-Border Discovery?”, July 2014
- "Introducing the class action à la française,” co-written with Brian J. Recor in California’s legal news provider www.dailyjournal.com, December 2013
- "Impact of Banking and Financial Law on Insolvency Proceedings," International Law Office, November 2010
- "Mediation: Mastering the Option," CMAP, April 28, 2010
- "Developments in the French Law of Fiducie," International Law Office, October 2009
- "Insolvency Law Reform: Three Years On," International Law Office, June 2009
- "Management of Investments in Distressed Companies: Do the Funds Have Any Real Say?," Capital Finance, January 2009
- "The Role of IPs in France," Recovery, July 2007
- "Conciliation: The Right Route for Investing in Distressed Business?," International Law Office, June 2007
- "Restructuring and Insolvency. Cross Border Country Q&A," France, *Global Counsel Handbook*, 2002

SPEAKING ENGAGEMENTS

- Captives: Partners or Adversaries?," AMRAE, Deauville, February 2012

RELATED INSIGHTS

Insights
Jul 17, 2024
Webinar on demand: Corporate Hospitality- Avoiding The Corruption Trap

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Adoption of Directive (UE) 2024/1226 on criminalisation of violations of EU sanctions

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The European Union against deforestation: the companies concerned still have 8 months to take action

On December 30, 2024, the European [1] regulation of May 31, 2023 on deforestation will come into force in all EU countries. The aim of these new rules, which are designed to combat the phenomenon of imported deforestation, is to require operators to implement a strict traceability system for the products they make available on the European market or export from this market

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