
Chairman of Russia’s Investigative Committee speaks at meeting of Academic Senate of Institute of Legislation and Comparative Jurisprudence under RF Government



The Chairman of the Russia’s Investigative Committee has taken part in the meeting of Academic Senate of Institute of Legislation and Comparative Jurisprudence under RF Government and presented a report on: “Historical prerequisites for conception and modern tendencies of development of criminal liability of legal persons”.

In his Report Chairman Bastrykin noted that “comparison of the amount of funds withdrawn from the Russian Federation with the amount of damage made by corruption and financial crimes allows a conclusion that the so called flight of capital in many ways is explained not only by certain negative factors in Russian economy, but active transnational money-laundering activity. This conclusion is

still more obvious if we look at the list of countries, to which most of Russian money goes. These countries are not world economies attractive for investment, but off-shore jurisdictions with low level of transparency in financial inflows.” The Chairman also named the information from the Bank of Russia, according to which the net flight of capital from Russia last year amounted to almost 57 (56.8) billion US dollars, from which over 35 billion were withdrawn under so called doubtful financial transactions. In this view, the Chairman pointed out that “the problem of repatriation of capital is impossible to be solved without criminal liability of legal persons.”

Speaking about the appropriateness of introducing criminal liability of legal persons, Mr. Bastrykin noted that it would allow efficient fight against using phony organizations in economic activity. There will be conditions for preventive influence on the companies by taking additional measures of corporate control over the activity of their officials (compliance-control). The information on previous convictions of the company will allow honest participant of commercial process to be more cautious in choosing a contractor. This will also eliminate the irrational expenditure of powers and funds of the state connected with the criminal prosecution of a physical person and administrative prosecution of a legal person for being entangled in one and the same crime.

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