
Vice-Chairman of Investigative Committee takes part in round table discussing introduction of criminal liability for legal entities in Russia



Round table: Criminal Liability for Legal Entities: Objective Conditionality and Prospect of Introduction was held today at O.Y. Kutafin University (Moscow State Law Academy).

The round table was attended by: Vice-Chairman of the Russia's Investigative Committee, Honored Lawyer of Russia Alexander Fyodorov; deputies of the State Duma: Mikhail Starshinov, Alexander Remezkov; Chancellor of Kutafin University, Chairman of the Association of Lawyers, Honored Lawyer of Russia Viktor Blazheyev; a number of professors of the criminal law department of Kutafin University; members of the Federation Council, representatives of the Prosecutor General's Office, and a number of experts and professors of various universities of Moscow and their students.

During the meeting Mr. Fyodorov made a report: On the prospect of introducing criminal liability of legal entities in the Russian Federation. In addition, the participants of the round table noted that the

institution of a legal entity which initially fell under civil legislation, became of an inter-branch nature. This can be seen in the fact that the activity of some kinds of legal entities is controlled by the state, that some of legal entities are given functions of public legal institutions (state corporations, companies managing territories with advance social and economic development and the Skolkovo innovation center and others), that there is an institution of administrative liability of legal entities and other aspects.

However, many countries know not only administrative, but criminal liability of legal entities as well (Australia, Austria, Great Britain, Italy, China, Canada, USA, Switzerland, France and others). Criminal liability of legal entities is explained by the fact that a lot of crimes are committed for organizations which get illegal benefits from that. When economic, environmental, public security, corruption and other crimes that entail considerable socially dangerous impact are committed, with no criminal liability, legal entities are not punished at all.

This way, introduction of legal liability of legal entities, will allow avoiding two processes that duplicate each other: criminal proceedings against a physical person and administrative proceedings against the firm when the crime is committed for the benefit of organizations (for example, article 291 of the Russian Penal Code - bribery). At the same time, it is obvious that a legal entity cannot be prosecuted for most of the crimes listed in the Russian Penal Code. Therefore, participants of the round table discussed necessity of considerable revision of the current penal code in case criminal liability is introduced for legal entities.

At the end of the round table, the participants came to conclusion that it was necessary to further discuss the issue of introducing criminal liability for legal entities in Russia, first of all concerning certain economic, corruption, environmental crimes and crimes aimed at financing and support terrorism and extremism.

Изображения



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