
Interview of Chairman of the Investigative Committee to Rossiyskaya Gazeta



Why have investigators lately been motioning the court to punish defendants by sending them to a colony less often than before? What agencies have the highest rate of corruption today? Why are banking crimes so dangerous? How is the damage from criminals reimbursed? These and other questions have been answered by Alexander Bastrykin, the Chairman of the Investigative Committee of Russia, in the interview with Rossiyskaya Gazeta.

Alexander Ivanovich, your agency gets the blame for blind spots, put-up job, incompetence, et cetera, as soon as the Investigative Committee starts questioning high-profile suspects of embezzlement - functionaries or businessmen. There are no exceptions. How do you live and work in such an environment?

Alexander Bastrykin: We need to keep developing resistance to corruption in both officials and

entrepreneurs. This is an integrated work of many entities and public institutions. But one of its most essential components is our work to prevent offences and to investigate criminal cases. Everyone needs to understand: when this is about budgetary funds, the stakes are very high. Modern opportunities enable us to efficiently investigate almost any offences.

A person can get a fine instead of time if the offence is no grave, was committed for the first time, and the damage has been reimbursed.

The main task of the Investigative Committee of Russia is to investigate criminal cases. How many cases has your agency investigated since the beginning of the year, and what are they?

Alexander Bastrykin: Our investigators have been working over more than 131,000 probes. 67,014 cases have been finished - it's a slight increase year-on-year. The quality of investigation has been improved too: the number of probes turned down by the Prosecutor for additional investigation - 1545 - has decreased by 1.5%. At that, we have sent to the Prosecutor 53,681 probes with indictment, which is 3.4% less than last year.

What caused the decrease?

Alexander Bastrykin: It has been partly caused by implementation of a new preliminary investigation completion form. This requires sending the probe to the court with a motion to close the criminal prosecution and to subject the defendant to a criminal law measure of a court fine.

This measure applies in case if a person commits a mild or medium offence for the first time and reimburses or otherwise make amends to the damage they inflicted. In total, we have sent 3,174 such probes to the court in six months of 2018. This criminal procedure novel has been actively applied in the Udmurt Republic, Chelyabinsk Region, Arkhangelsk Region, and Nenets Autonomous Region. At the same time, our analysis shows that there are regions not covered with it almost at all.

Lately, there have been a lot of reports on corruption probes being launched in the South of Russia. What probes into embezzlement of budgetary funds have been already finished?

Alexander Bastrykin: Recently, a criminal case has been sent to the court into one of the facts, when budgetary funds of the Russian Federation were allocated for restoration and reconstruction of gas distribution networks in South Ossetia. The money is good, the conditions provided - simply perform the contract and get your income. However, it must be that to simply get the payment is of no interest to some participants of such contracts, who intend to get unlawfully and excessively enriched.

The defendants intentionally changed the records by exaggerating the data on provided works. They misled the Ministry for Construction of South Ossetia and its federal colleagues. They stole about 40 million roubles.

The perpetrators were arrested and put into custody; the investigation took measures to arrest their property to reimburse the damage. The probe was sent to court.

That's a typical ending for attempts to get enriched through the Treasury...

Alexander Bastrykin: Absolutely. And sometimes it comes many years after the crime was committed. That is the principle of inevitability of punishment in effect. In total, the Investigative Committee has opened 10,529 criminal investigations into corruption in six months of 2018. 5,880 such probes have been finished.

When we talk about embezzlement, we usually mean the damage to the state. However, entrepreneurs are likely to have quarrels as well. Let's say, Telman Ismailov...

Alexander Bastrykin: Their problem-solving methods incite fear, the claims themselves - not so much. For instance, businessman Telman Ismailov was declared wanted internationally as an organiser of a murder of two entrepreneurs, committed by his brother and other individuals. The divisive issue is trivial - a \$2 million debt that his brother did not want to repay to one of the victims. Now, the case of Rafik Ismailov is being considered by the court; and one of the accomplices who signed an immunity agreement has already been convicted. But, to be impartial, I must note that such cases get less common for our society today. These are relics of the period of transition in our country that become history.

In the six months of 2018, the Investigative Committee of Russia has opened 10,529 criminal investigations into corruption and finished 5,880 said investigations.

Lately, one of the most popular crimes has been the vanishing of funds from troubled banks. How does your professional expertise assess the danger of crimes in banking?

Alexander Bastrykin: Usually, such crimes are associated with bank funds' embezzlements and, therefore, inflict damage to depositors, ordinary citizens. Given the scale of some episodes of embezzlement, with billions of damage, the danger is obvious. Furthermore, those who commit such crimes have expertise in economics, law and IT. The criminals are meticulously planning unlawful acts, using straw people, so it is often very difficult to establish the real organisers of these schemes, but there are successful examples. In these six months, our investigators filed a motion to the court against Agustin Morales-Escamilia, the Chairman of the Board of Taurus Bank Podgornov, and six of their accomplices. They are accused of bank funds' embezzlement amounting to over 234 million roubles by issuing fictitious loan agreements.

Also, the court continues criminal trial against the First Deputy Chairman of the Board of Bank Rossiysky Kredit OJSC Paramonov. Under the instruction of the president of the bank Motylev, he ordered subordinate staff to prepare corrupt report on banks reserves' amount and submitted it to the Central Bank of Russia. There are many other cases that are currently under investigation.

It is widely stated that demand from subordinates to investigate probes in a limited time. Is it efficient?

Alexander Bastrykin: Speaking about time limit on an investigation, it is important to understand what kind of probes we are talking about. The law limits the preliminary investigation period to two months, and then it is prolonged in a certain order. Year by year, our probes don't become easier. On the contrary, large, as we say, multi-episode cases that require an enormous amount of work and time, and simply complex components of crime are being investigated.

In such probes, examinations alone are conducted for months. For example, probes in which we give a legal assessment of doctors' actions, or the above-mentioned banking cases fall into this category. The analysis of this half year data shows that 23,607 probes have been investigated over a period of two months – that is 4% more than in the same period last year. Taking into account situation in reality, we can predict that by the end of the year, the trend will continue at the same level.

- After loud reports of embezzlement investigations, the question arises inevitably – who will compensate this damage to the country or citizens.

Alexander Bastrykin: Compared to last year, the amount of repaid damage has increased from 29.5 to 34.7 billion roubles. The value of property arrested by the investigators also has increased from 16 to 18.6 billion roubles.

The Investigative Committee of Russia invests a lot of efforts and money into the development of the Forensic Centre. Why is the work of forensic experts so important?

Alexander Bastrykin: Forensic investigators participation is often critical in solving complex and, as we say, unobvious crimes. In Moscow Region, there was a probe when a local resident killed his acquaintance because of a conflict. Many circumstantial evidence pointed to him. But only with the assistance of forensic experts, in a matter of days, traces were found, the genetic examination of which allowed to confirm the man's complicity in the murder. And there are a many such examples. Forensic experts regularly leave to participate in investigative activities and assist investigators throughout the country.

You have already told that the Investigative Committee has unique imported equipment in service; do you also have Russian-made forensic science equipment?

Alexander Bastrykin: It is a good question, and we have already put it before ourselves. The work of forensics units is very important at the initial stage of the investigation, especially during the inspection of the scene, whether it is a murder, a terror attack, a plane crash, any man-made accident. During an examination, a search and exemption of traces, crime instruments and material evidence are conducted.

It is already the case, that Russian-made science equipment is being used. These are magnetometers, metal detectors and explosive vapour detectors. With their help, it is possible to detect metal fragments of explosive devices, firearms, microparticles of a certain explosive remaining on various objects after the explosion.

By the way, Russian-made vapour detectors can detect microparticles of more than a dozen known explosives to a high precision. In the future we plan to fully re-equip our laboratories with Russian-made forensic science equipment.

Aren't you afraid that the refuse to use foreign technology will affect the quality of work?

Alexander Bastrykin: Our specialists have been examining the equipment very thoroughly, talked to the developers. Its specifications are on the level with its foreign competitors, and in some cases even higher. The domestically-produced equipment is more compact and its interface is adapted to the needs of Russian users. This includes informative menus in Russian, various settings that take into consideration the geographical, climatic and chemical particularities of different regions of our country. What is very important is that we will order various pieces of equipment directly and we are confident that the decision to switch to Russian-made hardware would increase the effectiveness of the forensic units' work.

Alexander Ivanovich, you celebrate your jubilee today. Your name is associated with the establishment of the modern investigative system of Russia. You are the one and yet only Chairman of the major investigative agency of our country. Rossiyskaya Gazeta sends you our best wishes.

Alexander Bastrykin: Thank you.

Key Question

Where do they steal more often?

Bastrykin: According to probes sent to the court, over 3,000 offences were commissioned in law enforcement; 1,500 in education and science; 814 in financial entities; about as much, 718, in healthcare and social welfare; over 400 in transport operation.

Among those is the case of lawyer Ivlev charged with swindling of more than 195 million tonnes of oil worth over 924 billion roubles from a range of oil-producing enterprises in 2001-2003. He committed the crime being a member of an organised group under the leadership of Mikhail Khodorkovsky.

Also, the court is considering the probes into Deputy Governor of Vladimir Region Khvostov and former police officer Zakharchenko, both charged with bribery, as well as many other cases.

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