
Interview of Alexander Bastrykin, Chairman of the Investigative Committee of the Russian Federation, to Izvestia



“New generation of investigators takes shape”

Chairman of the Investigative Committee of Russia Alexander Bastrykin talks about fighting corruption, the results of examination of the remains of Tsar Nicholas II and his family, and responsibility of doctors

Why the Investigative Committee of Russia is certain of the authenticity of the royal remains; what the progress is of the investigation of the tragedy in Zimnyaya Vishnya Mall in Kemerovo; and how officers of the Committee managed to reimburse almost 46 billion roubles to victims of various cases. Ahead of Investigators Day, Chairman of the Investigative Committee of the Russian Federation Alexander Bastrykin answered these and other question in the interview to Izvestia.

— This year, there has been the 100th anniversary of the execution of the Imperial Romanov family. Recently, the Investigative Committee has reported on the results of new examinations that proved the authenticity of the remains. How the recent research was different from the one held in 1990s?

— The Investigative Committee has once again examined all significant circumstances. This case exactly has greatly contributed to the development of the DNA profiling in Russia. While in 1990s they did DNA tests with the mitochondrial DNA alone, that is the maternal DNA, modern genetics provide for testing of the Y chromosome to establish biological relations on the paternal line of several generations.

The comprehensive DNA analyses we ordered confirmed that the discovered remains belong to former Emperor Nicholas, members of his family, and people close to them. At that, 7 of the 11 people whose remains were discovered formed a family group: a mother, a father, four daughters, and a son.

— What genetic samples were compared exactly?

— Investigators undertook all possible comparisons, and examinations were conducted in separate laboratories to ensure objectivity. A DNA test to prove a biological relationship between Emperor Alexander III, who had been exhumed in St. Petersburg's Peter and Paul Cathedral, and the deceased man identified as former Emperor Nicholas II confirmed that they are relatives at the father-and-son level. The Yekaterinburg remains, which were found in 1991, were compared with Nicholas II's DNA profile based on traces of his blood left on a shirt after he was attacked in Japan. Genetic profiles of the bone remains were also compared with samples from both paternal and maternal living relatives of the Romanov family. This is why there can be no doubt that the remains belong to the royal family.

At that, people used to talk about the theory of Emperor Alexander III's possible poisoning. We decided to look into that conclusion by appointing a chemical examination of several of his hairs collected during the exhumation in this case. Modern technology allows the detection of poison or other toxic substances in a person's body through an analysis of hair even a hundred years later. And the results of this examination completely refuted the theory that the emperor was poisoned.

— What else is the investigation supposed to do?

— The final procedural decision can be made following the completion of two repeated commission medical (anthropological) examinations, an authorship examination, and a history-and-archives examination. During these, researchers study and catalogue about 2,000 documentary sources, including those discovered in foreign archives and museums in 2017-2018 and yet not examined. The expert councils comprise of researchers of various ages and schools - those who participated in the remains research back in the 1990s, as well as those who engaged into the topic for the first time.

— **Why is this important to do?**

— Previously, the public discussed different arguments on the events of 1918. That is why the investigation covers all possible scenarios, including a total disposal of the bodies; other people not related to the Romanov family or close to them buried under Yekaterinburg; salvation of the royal family; another date of burial; et cetera. These and other questions will be answered with the results of the examinations and other evidence of the investigation.

An investigative experiment has been made that re-enacted the environment and other circumstances of the execution of the Romanov family and people close to them in a room similar to the basement room of the Ipatiev House. The room's characteristics had been described in an on-site inspection report dated August 1918. The experiment proved wrong the argument of some researchers that the room so small could not have admitted 11 victims and participants of the execution.

For the first time, fragments of the jewellery found near Ganina Yama in 1998 were examined, where search activities had been conducted in 1918-1919 to discover the remains of the Romanov family and evidence of their death. A physical and chemical analysis concluded that the gold grading in the three fragments did not agree with the rates specified at present. That means that the jewellery had been crafted in the Russian Empire long before the modern metric system of fineness was introduced. During the same analysis, nine beads found together with the gold jewellery fragments were examined. Their appearance and size match with the beads on the photos from investigator Nikolay Sokolov's case and the bead stored in the memorial church of Job the Long-Suffering in Brussels. The bead had been discovered among other items during the search activities in 1918-1919 and later presented to the church by Xenia Alexandrovna, the sister of Nicholas II.

Thus, these and other data prove wrong other versions set out by various researchers and additionally prove right the version about the execution of the Romanov family in the Ipatiev House and their burial near Yekaterinburg.

— **Let us cover other issues of concern to citizens. The summer holidays call for especial safety of children. How can it be arranged?**

— Family and upbringing of new generations are the cornerstones of safety in our country. Law enforcement and other state and public institutions must not allow children to be left alone constantly - according to data of the Investigative Committee, over 600 children who was left alone were injured only last year. Unfortunately, they die while swimming in ill-fitted waters, playing at construction sites, along roads and in other dangerous places, and falling victims to perpetrators.

A great deal of such accidents may have been avoided if the children's leisure time was arranged properly. It was done through the system of children's camps in the past but only for a quarter of all the teenagers. The Investigative Committee was among those who initiated the arrangement of conditions for the organised recreation for as many minors as possible. The matter was green-lighted

during the relevant interagency meetings.

— **But even an organised recreation can be dangerous, there are enough examples.**

— Investigators immediately respond to all facts of major violations during the organisation of recreational facilities, when greed overbalances safety of children. Of course, everyone remembers the tragedy at Syamozero in the Republic of Karelia, where 14 children died during the boating tour across the lake. The investigation covered an immense amount of work, dozens of examinations, including thanatological, DNA, chemical and toxicological, psychological and psychiatric, water-transport, and other analyses. Hundreds of regulatory acts, laws and international regulations were studied to provide a legal assessment to the accident. As of today, we have brought to justice the camp director and several employees, the Chief of the Karelia Regional Directorate of the Federal Service for the Oversight of Consumer Protection and Welfare (Rospotrebnadzor), as well as two functionaries who had been organising the tour in Moscow. Now, the case is presented to the court.

— **During the investigation, officers were considering the background of the tragedy which may have obviously been avoided. The same matter was repeatedly referred to by the parents, addressing you personally as well. What conclusions has the investigation come to?**

— Indeed, I was talking to the parents of the deceased and injured children personally, telling them about the progress of the investigation, listening to their opinions. While sorting the circumstances that had led to the tragedy, the investigation found out that the Republic had virtually no functioning public communication system for provision of emergency assistance. It took over a minute to reach an operator by the phone number ‘112’, which could cost a person in an emergency their life. In the end, together with EMERCOM specialists we developed an efficient procedure for the dispatcher service ensuring a call to be taken and processed immediately. Recently, I have got a letter from the people involved in the tragedy who thanked us both for the investigative activities performed and the changes we brought to the regional system.

In addition, upon initiative of the Investigative Committee of Russia, interagency guidelines were developed, “Interaction Algorithm for State Authorities, Volunteer Organisations, and Volunteers at Arrangement and Performance of Search Activities of Missing Persons Including Minors”. It has a response procedure for a missing person report defined clearly, starting with an operator of System-112 to a chief of a crisis centre coordinating activities of law enforcement and volunteer search groups.

— **It has been four months since the tragedy in Kemerovo. How is the progress of the investigation? Who are to be held responsible for it?**

— First and foremost, I would like to again express my condolences to the victims who had lost their loved ones in the tragedy. We are extremely grateful to them for they found the time and opportunity to help our investigators, to testify on the circumstances of the accident, and even to

present their expert opinion on a range of matters. As for our work, a large group of experienced investigators and forensics experts of the Central Office of the Investigative Committee investigates the case. I am certain that the investigative group will succeed in thoroughly figuring out of all the details. As the investigation goes, we gather evidence enabling procedural decisions, including those upon who was involved in the death of the people. Today, the investigation comprises of 11 perpetrators. These are former Chief of the Kemerovo Region Directorate of EMERCOM Alexander Mamontov; his subordinate Grigory Terentyev; Chief of the Fire Service Andrey Bursin; Chief of the Kemerovo Regional Inspection for State Construction Supervision Tanzilia Komkova; persons directly related to the mall's operation - Georgy Sobolev, Nadezhda Suddenok, Yulia Bogdanova; and others. We continue analysing the role in the tragedy of other individuals, including functionaries. We are studying all the aspects of the mall's operation in their entirety.

— How soon can we expect the investigation to be over?

— The victims will start studying the case records in the nearest future. The case records into seven defendants - Georgy Sobolev, Nadezhda Suddenok, Yulia Bogdanova, Igor Polozinenko, Alexander Nikitin, Sergey Antyushin, and Sergey Genin - are to be presented separately; these persons will be charged upon the final text of the indictment. At that, the investigation itself will take as long as needed to clarify even the smallest details of the accident and to bring to justice everyone involved in the death of the people. Another important task is to prevent it from happening again. The Investigative Committee is to make impartial conclusions and to present to relevant authorities recommendations on elimination of the reasons and conditions contributed to the crime. This will strengthen the prevention and improve the safety of citizens visiting public leisure places.

— You have been chairing the Investigative Committee for over a decade now. What changes introduced in this period do you believe to be most significant?

— I'd like to remind that the investigation was separated from the prosecution and the Investigative Committee became the federal state institution following the investigative reform taken in two stages - in 2007 and 2011. We introduced an operational framework in order to arrange the work of the new structure. Notably, many experienced officers from the Prosecutor's Office, Ministry of Internal Affairs and other agencies came to work with us. Their experience was useful to create a balanced structure of the Committee, to develop inner regulations, to establish the cooperation with other law enforcement agencies. The major goal of the Investigative Committee is to investigate offences especially dangerous for the community. And I am certain that, to achieve it, my deputies and I need to participate personally in the coordination of the process, to discuss matters with investigators and citizens on a regular basis. I believe that all managers should arrive to the scene personally, engage in the details and circumstances of the accident, and strictly supervise the progress of investigations.

Moreover, we drastically revised our procedure of communicating with citizens applying for help. Each person should be listened to, and their claims thoroughly checked. And the situation when functionaries avoid the public and show indifference is a relic of the past, which should be

eradicated. And now we continue to develop all possible modern day ways to get feedback from citizens.

These and other principles on which we build Committee's work allow us to deliver the desired results. For example, clearance of serious offences against the person that fall under our jurisdiction has been maintained at a high level for several years. In 2017, murder clearance reached 91.7%, clearance of probes into intentional inflictions of a grave injury entailing death of a victim reached 95.3% and rape clearance reached 97.8%. In H1 of 2018, we achieved even higher clearance: murder clearance – 96.4%, rape clearance – 99.3%, clearance of probes into intentional inflictions of a grave injury entailing death of a victim – 98.3%.

The most important indicator confirming the effectiveness of the investigation is the compensation of damage caused by offences.

In 2017, the investigators of the Investigative Committee compensated almost 46 billion roubles to the victims, which is 35.8% of the total amount of damage caused by offences. Speaking about measures to compensate for damage, our investigators seized the property of suspects and accused in committing offences worth more than 29.5 billion roubles. Therefore, in total, the proportion of injunctions to compensate for damage reached more than 70%. And only in three months of the current year 28 billion roubles of damage were compensated and property was seized to the amount of more than 10 billion roubles.

— In the course of the 2007 reform, the Investigative Committee of Russia received more than 200,000 unsolved probes from the prosecution authorities. Have they remained unsolved?

— We got rid of obsolete stereotypes in this area. Previously, many believed that crime solving was the prerogative of inquest authorities. We have changed this, and now our forensic investigators also solve past years offences and non-obvious offences.

We are constantly moving forward and looking for opportunities to utilize optimally human and technical potential. Measures were taken to strengthen forensic activity of the Investigative Committee, to expand the list of types of forensic examinations and enquiries carried out in our Committee internally. The Forensics Centre has been founded, which helped to increase the timeliness of arrival to crime scenes, as well as to improve the quality of forensic support of investigation in general.

According to the results of 10 years, the Investigative Committee of Russia officers have solved over 70,000 previous years offences, this year – more than 2,000. These are good results, because most of the solved offences are serious and most serious. In general, many offences have been solved after thorough check of already existing information and the consolidation of the obtained data by investigative means. Moreover, a significant part of serious and most serious offences against the

person has been solved and proved with the help of DNA analyses performed by our experts.

For example, a series of murders and rapes of women committed in Sevastopol in 2009–2015 by Pavel Bondarenko, who was sentenced to life imprisonment in December 2017, was solved. A series of rape and sexual assault committed between 1992 and 2014 in Yekaterinburg. 17 episodes of murders and attempted murders of the CIS citizens in the Trans-Baikal Territory were solved.

Investigating the murder of the Head of Sergiev Posad Yevgeny Dushko, the investigators tracked down the gang of Konstantin Piskarev, and by now more than 20 murders have been identified with the involvement of the gang's members. Perpetrators have been taken into custody. At present, the investigative actions in the probe have been completed; the accused and their lawyers are reviewing the case files.

In 2007, in Kaliningrad, businessman Andrey Zhigar was murdered, and until recently the probe remained unsolved. Then this probe was transferred to the Main Directorate on Major Crimes Investigation to one of the experienced investigators. During the investigation, an enormous amount of work was done to collect and consolidate the evidence base. The tactically planned process of obtaining evidence, including psychological contact with witnesses, led to the establishment of all the circumstances of the incident and the subsequent detention of all those involved in the murder. And all this was possible to establish solely by investigative means. One of the perpetrators signed an immunity agreement pre-trial and has already been sentenced to 6 years in prison.

— The society continues to debate a lot the topic of increase criminal liability for medical workers. How is this work going?

— The issues of providing high-quality medical care are not an easy topic due to the specifics of medical practice that affects, on the one hand, the rights of citizens who seek medical care, and, on the other, the rights and obligations of medical workers, who often work in very difficult conditions. In this area, citizens complain mostly about red-tapery of the investigation and the incompleteness of forensic examinations.

Therefore, our goal is, first of all, to respond immediately to such signals, secondly, to conduct a quality investigation, and thirdly, and no less important, to fully inform the health authorities and the public about the causes and conditions of the iatrogenic offences to exclude them from the medical practice.

Statistics show that the number of petitions about inadequate medical care is growing every year: in 2016, we received 4,947 of them, and in 2017 – already 6,050, in H1 2018 – 1,630. At the same time, it is necessary to acknowledge that not in all cases there are criminal actions; we are taken a close look and making a decision. For example, in 2017, despite a large number of reported crimes, only 175 probes were sent to court, and in three months of this year – 47 probes. But you must admit that if the negligence of the doctor has caused serious consequences he should be held responsible.

Now we acknowledge a significant number of law enforcement errors in evaluating various medical incidents. This is due both to the character and variety of medical care provision deficiency and to the lack of necessary explanations of the Supreme Court of the Russian Federation.

In this regard, I regularly conduct personal receptions, listen to people, who very often complain about low-quality of the investigation in this area. And recently I held such a reception together with Leonid Roshal, the President of the Union of the Medical Community “National Medical Chamber” and members of this organization. I am certain that with their help we will be able to seriously improve the quality of the investigation of such cases and in each particular case we will thoroughly investigate the circumstances of the incident. Therefore, we try to provide a balanced approach in making proceeding decision aimed, among other things, at protecting medical workers’ rights from groundless criminal prosecution.

In addition, in order to improve criminal legislation in this area a draft amendment to the Criminal Code of the Russian Federation was developed on my instructions – an introduction of new Article 124.1 “Inadequate provision of medical care (medical services)”, Article 124.2 “Concealment of violations of medical care”, as well as the redraft of Article 235 of the Criminal Code of the Russian Federation “Illegal medical and (or) pharmaceutical practices”. The proposed changes contain a reference to the special subject of the offence – the medical worker, the specification of the assistance type – medical assistance (both provision and failure to provide), including in the form of medical services, and taking into account various consequences.

The amendment to the law will make it possible to more accurately qualify the offense, eliminate possible mistakes in law enforcement, protect, on the one hand, medical workers from groundless criminal prosecution, and on the other, the rights of patients.

— Is it difficult to maintain a high level of anti-corruption work?

— From the very first days of its formation, the Investigative Committee of Russia takes the most active anti-corruption measures, and this is one of the main areas of the agency’s work. As the results of the sociological survey by Saint Petersburg University shown, 40% of respondents believe that the Investigative Committee of Russia fights against corruption most effectively.

Last year alone, more than 17,600 corruption probes were launched and more than 8,000 probes were sent to the courts. In H1 of 2018, 5,000 probes were launched, 2,000 probes were sent to the courts. In completed corruption probes and pre-investigation checks materials in 2017, over 2 billion roubles were returned to the state, and the property of the accused was seized amounting to more than 8 billion roubles. This year, the amount of compensation is more than 500 million roubles, the property in the amount of 2.8 billion roubles was seized.

For all corruption probes, a thorough investigation is underway to identify corrupt systemic connections. In relation to organized criminal groups that committed corruption-related offences, 79

probes were brought against 237 persons and 3 probes related to criminal groups against 21 persons.

— Are there many high-ranking officials among the perpetrators in probes that the Investigation Committee investigated?

— Only in 2017, 581 persons with a special legal status were brought to criminal responsibility for corruption-related offences. A number of governors also were brought to criminal responsibility. The probe of former Head of the Republic of Komi Vyacheslav Gaizer and his accomplices is being heard in court, while one of the perpetrators, who signed an immunity agreement pre-trial, has already been sentenced. Among those already is the imprisonment of the ex-governors of Kirov and Sakhalin regions, the former minister of economic development of the country. By now former member of the Federation Council Tsybko was sentenced for taking bribes amounting to more than 21 million roubles. This is the first case in the modern investigative practice of Russia when at the time an acting senator was brought to criminal responsibility. The investigation of the probe against judge of the Moscow Arbitration Court Igor Korogodov and Moscow lawyer Alexander Mosin accused of mediating bribery and attempted fraud has been completed.

— The public sees the reaction of law enforcement agencies to the so-called petty corruption. Do you detect such crimes in any other specific areas?

— We fight corruption in various areas of the economy. For example, a probe is being investigated on the embezzlement of more than 150 million roubles allocated from the federal budget within the government contract between the Federal Space Agency (now Roscosmos) and the Centre for Advanced Technologies and Equipment CJSC.

The subject of the contract was the research and development work performance for state needs. In 2015, Director General of the Centre for Advanced Technologies and Equipment Raygedas Pocius, his first deputy Oleg Arkhipenkov, Chief Designer and Head of the Design Bureau Semen Shishkin, Commercial Director Alexander Sofinsky provided the state customer with falsified accounting source document and false information on requirement specification development making chemical current sources and creating prototypes of batteries. As the investigators established, in practice none of this was done, but the work was fully paid to the contractor. The investigative actions in the probe have been completed; the accused and their lawyers are reviewing the case files. An additional legal evaluation will be given to actions of Roscosmos employees.

We are also continuing to identify violations related to the construction of the Vostochny Cosmodrome. A probe is being investigated against Alexander Nikitin, the former head of the Federal State Unitary Enterprise “Spetsstroytekhologii” of the Federal Agency for Special Construction. According to the investigation, Nikitin illegally and without compulsory bank guarantees paid a commercial organization in advance more than 774 million roubles of money received from the federal budget under a state contract for the construction of objects of the Vostochny Cosmodrome. In addition, the commercial organization did not complete the works

stipulated in the subcontracts, did not return the money received, using it for other purposes. As a result of abuse of power by Nikitin, a refund of 665 million roubles was not provided.

— The media continues to discuss possible reform of the investigating authorities, the expansion of the powers of the Prosecutor's Office. What do you think about it?

— I have repeatedly said that I consider the current system effective and balanced. Investigation and supervision functions are now clearly separated, which contributes to a more objective work of the employees of each agency. The proposals implementation to expand the Prosecutor's powers with the possibility to initiate and investigate probes will create conditions under which the procedural actions will be carried out by an official who is simultaneously obliged to supervise their legality. It will negatively affect the objectivity and impartiality of the Prosecutor's supervision, as in taking any procedural decision the Prosecutor will be bound in the future by his convictions in legality and validity.

Assessing the existing system of the Investigative Committee, it is important to take into account, first of all, the opinions of the people for whom we work. Moreover, in my opinion, this should be our priority. The data of the above-mentioned independent sociological survey showed: more than 70% of respondents believe that the Investigative Committee of Russia copes with the tasks. We have public support and it is the most objective assessment.

We are already thinking about the prospects. After all, the system is first of all people, human resources. A new generation of investigators is already taking shape – high-minded, qualified, impartial, patriotic, understanding current trends, technologies, and socio-economic conditions in which we operate. Today, we are actually preparing employees from the cadet academy, later they study in our agency universities. Recently Moscow Academy of the Investigative Committee graduates received their diplomas. They are the future of investigation, regardless of the department in which they will serve. When they come to the service, they all need to remember that we are working for a common goal and the contribution of each employee to it is extremely important.

I would like to take this opportunity to congratulate all the officers of the Committee, as well as veterans on the Investigators Day, to thank them for their hard work and wish them professional success.

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