
Interview of Chairman of the Investigative Committee of Russia Alexander Bastrykin to Rossiyskaya Gazeta



Who is outlawed? Nobody.

Alexander Bastrykin suggested to limit rights of people with special status

The Chairman of the Investigative Committee of Russia Alexander Bastrykin told the readers of Rossiyskaya Gazeta about investigation of the most high-profile recent offenses.

Alexander Ivanovich, the murder of investigator of internal affairs bodies Evgeniya Shishkina became one of the most audacious crimes of recent times. It was never reported about the progress of investigation. Can you tell us how the work is going?

Alexander Bastrykin: Over 1500 investigative actions have been carried out. Two perpetrators of

the crime were identified and detained in cooperation with criminal intelligence officers and the Federal Security Service of Russia. The investigation into them was completed; the probe was referred to the General Prosecutor's Office of the Russian Federation.

If the perpetrators were caught, who ordered the murder?

Alexander Bastrykin: According to the investigative data, Yaroslav Sumbaev, the probe into whom was investigated by Evgeniya Shishkina, was involved in organization of the murder.

It is related to organization of a criminal community engaged in swindling using advanced computer technologies.

Investigation supposes that the murder was motivated by Sumbaev's revenge for criminal prosecution. He was detained in Georgia under the said probe (investigated by the Ministry of Internal Affairs) and is now kept in custody in Russia.

Under the acting legislation we have to obtain Georgia's consent for bringing Sumbaev to justice under the probe into Shishkina's murder.

That's why the Investigative Committee of Russia sent the required documents to the General Prosecutor's Office of the Russian Federation to obtain the consent.

Sumbaev's accomplice Ivan Kochetkov was charged with intentional destruction of Shishkina's car, murder threats and encroachment on a life of investigators, he is on the wanted list.

Several months ago the Investigative Committee of Russia disclosed a video of an attack against a perpetrator of a probe investigated by Evgeniya Shishkina. Have you found the attackers? Is it somehow connected with the probe into her murder?

Alexander Bastrykin: In terms of the probe investigated by Shishkina, one of the perpetrators started to cooperate with the investigation and gave testimony incriminating Sumbayev. In 2015 he was attacked, however, the suspects were not detained. The video published in mass media sources coupled with other data available for investigation made it possible to identify persons involved in the offence. The attack turned out to be not connected with the murder of the investigator and was committed by two St. Petersburg citizens because of a personal conflict.

The conflict occurred earlier with one of them and the victim. Thus, one more last years crime was solved. The two accomplices were charged and placed into custody.

Alexander Ivanovich, how do you generally assess the results of the past year?

Alexander Bastrykin: In 2019 the Investigative Committee of Russia has done significant work to

suppress the most dangerous criminal manifestations.

Suffice it to say that last year investigators sent 88,719 criminal cases to court, of which over 6,500 were about corruption offenses. 299 crimes of terrorist nature, 151 extremist crimes and 14,863 crimes committed against minors were solved. 8,379 cases were sent to court against 8,952 perpetrators of crimes against children.

Which of these investigations would you say were the most difficult?

Alexander Bastrykin: Any investigation is an intense process, but I always orient my staff to the fact that there is no crime that cannot be solved. We approach the investigation of any crime with high responsibility and full commitment. Thanks in no small part to this, as well as to the rapid measures taken in response to appeals from citizens, last year we were able to achieve a solvability rate of over 90 percent for murders, crimes of intentional infliction of grievous bodily harm, and rapes.

We should also note the difficult work of law enforcement agencies in the decriminalization of the North Caucasus region, which has been going on for the past few years. Many officials at various levels have already been held criminally liable.

There are many high-ranking officials among them.

Alexander Bastrykin: Last year, Abdusamad Gamidov, acting chairman of the government of the Republic of Dagestan, his deputy Rayudin Yusuf, and former head of the regional FAS department Kubasay Kubasayev were convicted of corruption crimes. The court considers criminal cases against former acting deputy prime minister of Dagestan Shamil Isayev and the head of Derbent district of the Republic of Dagestan Magomed Dzhelilov. A number of probes is still being processed.

There are law enforcement officers among the perpetrators. For example, a criminal case against former and current employees of the Interior Ministry of the Balkar Republic, accused of participating in a criminal association, is currently being investigated. According to the investigation, they systematically received bribes to enable the illegal transportation of alcohol-containing products through the territory of the Republic. These crimes were detected by the Main Department of Internal Security of the Ministry of Internal Affairs of Russia. In one day 12 people were detained on the territory of KBR, more than 40 searches were conducted in their offices and homes of suspects and other persons who were checked for involvement in crimes. At present, 15 defendants, who are or were officials of the republican Ministry of Internal Affairs, are being prosecuted; another is on the wanted list. One of the leaders of the criminal community was previously the head of the operational and investigative unit.

Alexander Ivanovich, you have always emphasized that reparation is one of the most

important criteria for a quality investigation. What is the situation with compensation for damages?

Alexander Bastrykin: During the preliminary investigation, the victims and the state were compensated for the damage caused by the crimes in the amount of 34 billion 722 million rubles. The value of property seized during the investigation for the purpose of subsequent compensation to victims almost doubled - 46 billion rubles (in 2018 - 24.3 billion rubles).

In total, over nine years of work by the investigators of the agency compensated the state and the injured citizens more than 300 billion rubles.

DNA of a serial rapist

How are modern technologies used by investigators in their daily work?

Alexander Bastrykin: The introduction of the latest digital technologies into the investigative practice is one of the fundamental directions of development of the Committee. Currently, the Investigative Committee has seven DNA laboratories, including district DNA laboratories. The following example can help to understand how they work.

Last year in the Irkutsk region molecular genetic expertise helped to solve a series of crimes against sexual inviolability and sexual freedom of the individual. As well as attempted murder of a minor committed by a local citizen. The offenses were committed against 25 women in 1992-2019 in the town of Tuluna. The perpetrator took the victims at knifepoint to deserted places, where he committed violent acts, after which he stole gold jewelry and other valuables of the victims.

But how to structure the work so that the successful investigation of this crime is not an exception?

Alexander Bastrykin: I will say that we have formed an electronic database on the investigation of serial murders with a sexual motive and serial sexual offenses. A methodology was developed for situational modeling at the scene of the accident on the facts of the use of firearms. In addition, work is underway to create a group of web analysts whose tasks will include the establishment of information about suspects on a minimum set of input data, the accumulation and consolidation of disparate information into a single database.

As for the organizational component, taking into account the positive results of the work of the departments of forensic support of the investigation, stationed in St. Petersburg and Yekaterinburg, in October of last year another unit of the Main Forensics Department - Forensic Center was opened in Nizhny Novgorod.

The new department includes experienced members of the investigative divisions of the constituent

entities of the Russian Federation, including those in the Volga Federal District. Currently, they conduct on-site visits to high-profile incidents using high-tech forensic techniques and are actively working to solve grave and especially grave offenses, including those of previous years.

Why did the Investigative Committee need its own expert units?

Alexander Bastrykin: The expert opinion is still one of the most important pieces of evidence that help establish the truth in a criminal case. The experts of the Investigative Committee also make a significant contribution. Currently, their number is over 600. Annually they carry out over 30,000 forensic examinations.

Last July, amendments were made to the legislation that established the rules for the creation and functioning of the Committee's own forensic expert institution, as well as the procedure for conducting forensic examinations by our experts for a transitional period. The legislator created optimal conditions for the development of the expert potential of the Committee, which is necessary to counteract the crimes investigated by the Investigative Committee of Russia. Experts now have the opportunity to use the well-proven mechanisms in the state forensic institutions for the appointment and production of forensic examinations.

Pick up a scent trail

Recently you have often said that the investigation of past crimes is one of the tasks of your subordinates. Can you manage?

Alexander Bastrykin: Last year, 4,543 previously unsolved crimes were investigated. This includes 411 murders, 209 episodes of intentional infliction of severe bodily harm, entailing death of the victim, 252 rapes and acts of sexual violence.

Two brothers were sentenced in Kaluga in a 5-year-old murder case. Their victim was a student. This crime was solved with the help of a number of expert studies, including olfactory examination. It revealed odor traces on the victim's clothing and the murder weapon, and identified them as belonging to one of the accused.

In the Leningrad region, thanks to the targeted work of the analytical group, which included in addition to investigators and forensic specialists of the Committee employees of the Ministry of Internal Affairs of St. Petersburg and the Leningrad region, detained a suspect in the murder of a ten-year-old girl, committed in 2011. In Moscow the murder of an elderly woman was solved that was committed because her acquaintance wanted to take over her apartment. In the Sverdlovsk region in December 2019, a local resident was charged with the murder of two girls committed in August 2018 on the slope of Uktus Mountain in Yekaterinburg.

Thus, the Investigative Committee has not for the first year proved the ability to quickly and

efficiently investigate crimes of any complexity.

Face to face

Are you sure that the practice of personal reception of citizens is still effective?

Alexander Bastrykin: If people come to you, that indicates that they trust you. The number of citizens received in person last year increased by 14 percent to 118,977 (104,321 in 2018). This included 80,086 applicants received by heads and deputy heads of investigative agencies, an increase of 18 percent over last year (67,945 in 2018). I emphasize that not just formal meetings, but real help to people is important.

Often it is the personal reception that allows you to make the necessary decisions and subsequently move the investigation of some cases or incidents that have not been properly responded to. For example, in St. Petersburg I held a reception for elderly citizens who, apparently, were not heard in other law enforcement agencies. Among them were veterans of the Great Patriotic War, residents of besieged Leningrad, and veterans of labor, who lost their homes as a result of fraudulent actions. The Investigative Committee immediately opened a criminal case. Our investigators found out that an organized group had been operating in St. Petersburg for a long time. Its participants by deception deprived at least 27 elderly people of their housing rights. At the moment five people - the organizer and leader of the group, his mother, the cohabitant, as well as two accomplices - are criminally prosecuted. In order to ensure compensation for damages, the property of the accused with a total value of more than 50 million rubles was seized and the victims were provided with assistance in contesting the contracts of sale of residential premises in civil proceedings - until the verdict of the court. The investigation is in its final stages.

But in reality, how can such a large array of complaints and appeals be covered? Do you have enough resources for that?

Alexander Bastrykin: Today, virtually all channels of communication are available to the public: personal reception, the round-the-clock hotline, and the ability to send appeals via the Internet. The official account "Reception of the Chairman of the Investigative Committee of Russia" in the VKontakte social network, where more than 10 thousand messages were received last year, is well organized. At the same time, our well-established system of monitoring the operational situation allows us to respond promptly and sensitively to all significant incidents, especially in relation to socially vulnerable populations.

What importance does the Investigative Committee attach to international cooperation in combating crime?

Alexander Bastrykin: The Investigative Committee engages in international cooperation in a number of ways. In particular, last July Russia hosted the fourth joint meeting of the boards of

investigative committees of the Russian Federation, the Republic of Armenia and the Republic of Belarus, and the event was also attended by representatives of the General Prosecutor's Office of the Republic of Kazakhstan. This format has proven to be extremely effective for collaborative work.

I would like to note that by now the Investigative Committee has developed the practice of direct communication on issues of legal assistance with the competent authorities of foreign states - parties to the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases of January 22, 1993 and its Protocol of March 28, 1997. Previously, such interaction was carried out exclusively through the Prosecutor General's Office of Russia. The agency is authorized to carry out such direct interaction in accordance with Presidential Decree No. 170 of 17.04.2017, which identifies central, territorial and other bodies for direct communication in the field of legal assistance under the mentioned Convention and its Protocol.

Thus, in 2019, we directly received 839 requests (the largest number came from the competent authorities of the Republic of Belarus (806) and the Republic of Kazakhstan (28). 349 inquiries were sent to authorized foreign bodies.

It must be mentioned that, as competent authority, the Investigative Committee of Russia is empowered to cooperate internationally on issues of law enforcement assistance under over 60 interstate and intergovernmental multilateral and bilateral international treaties of the Russian Federation in the area of combating crime.

All of this has led to a significant increase in the investigation of crimes related to international terrorism, including those in Syria. Constructive cooperation with the competent authorities of this country has made it possible not only to begin investigating crimes committed by Russian citizens who have joined international terrorist organizations on the territory of Syria, but also to prevent the spread of their illegal activities in Russia.

In addition, on January 1, the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters entered into force for Russia, which gives the ICR the authority to cooperate directly with the competent authorities of foreign states on legal assistance in criminal cases involving crimes within their jurisdiction and also provides for the creation of joint investigative teams.

Often, when talking about suspects, citizens hear the catch phrase "wanted". Explain the mechanism - how does the Investigative Committee conduct a search for citizens who have fled from the investigation?

Alexander Bastrykin: In 2019, a special unit was created in the IC system - the department of interaction on international and federal search for persons of the Main Investigative Directorate. It is responsible for a wide range of issues of interaction with Russian ministries and departments, competent authorities of foreign states and international organizations in order to improve the

effectiveness and coordination of measures aimed at establishing the whereabouts of all categories of persons wanted in criminal cases pending before the Investigative Committee of Russia.

In particular, we actively use the channels of the International Criminal Police Organization (Interpol) in order to promptly locate the accused persons who have fled from investigation agencies abroad, as well as the missing persons (including minors) presumed to be outside the territory of Russia. Such interaction is carried out through the National Central Bureau of Interpol of the Ministry of Internal Affairs of Russia.

For example, Yu. Guiva, who in 2017, as part of an organized group, committed a robbery and murder of the general director of FSUE Repair and Construction Department of the Russian Interior Ministry, N. Volkov, was extradited to Russia from the Republic of Poland. In October of last year, A. Kovalev, who murdered a businessman in Ryazan in 2018, was extradited from Poland on the basis of materials from the Investigative Committee of Russia.

Last October, during my meeting with Alexander Prokopchuk, Head of the National Central Bureau of Interpol of the Ministry of Internal Affairs of Russia, agreements were reached on the use of Interpol databases and information resources of interest to the investigation as part of the operation of the Situation Center of the Investigative Committee of Russia.

"The Laundries" are closing

In your last interview, you talked about the participation of the Investigative Committee in the development of measures to combat money laundering at the international level. Can you elaborate on what it did?

Alexander Bastrykin: In terms of preparation for the 4th round of the Financial Action Task Force on Money Laundering (FATF), the Investigative Committee has accumulated considerable experience that will be used in the future. The systemic activities are based on a risk-based approach, applied on the basis of the analysis of existing risks of criminal manifestations in the most vulnerable sectors of the economy. As well as the development of measures and the resolution of problems through specific organizational solutions.

On this basis, an annual thematic analysis of the practice of investigating criminal cases involving money laundering, terrorist financing, and other related crimes was introduced into the planned work of the Investigative Committee of Russia. A number of internal documents aimed at improving the work were issued. For example, when investigating corruption crimes, the heads of investigative bodies are instructed to check for money laundering.

Another direction of information and methodological support was related to the need to improve the level of knowledge of investigators in the use of financial information in the process of evidence. We have also significantly strengthened information exchange with Rosfinmonitoring.

Alexander Ivanovich, we are hearing more and more about the disclosure of corruption schemes carried out by high-ranking officials, the discovery of their property abroad and the tightening of anti-corruption laws. What is the impact of Russia's international anti-corruption commitments on the development of such trends?

Alexander Bastrykin: Today, there are several key international anti-corruption formats at the regional and global levels for developing both preventive standards and criminal law remedies against corruption. Undoubtedly, they have an impact on domestic law enforcement practice, including because the Russian Federation is not the last place in their formation. This is not the first year the agency has been actively involved in the creation and implementation of national anti-corruption plans. Many of our legislative proposals are born out of our experience in criminal corruption cases, so they have a practical focus.

You mentioned Russia's international anti-corruption treaties, but what is the situation with the implementation of the Convention on Combating Foreign Bribery? Are there any practical examples of its implementation?

Alexander Bastrykin: Yes, Russia joined this convention in 2012. For us, the danger of not only domestic corruption, but also transnational corruption is obvious, so the agency is fully focused on combating this type of bribery. The Investigative Committee also played a significant role in the formation of anti-corruption legislation. For example, the Committee participated in adoption of laws that expanded the range of people who can act on the side of the bribe-taker, established the possibility of confiscation of money equivalent to the amount of the bribe. It regulates the procedure for recognition and execution of sentences and other decisions of courts of foreign states in the part relating to confiscation of proceeds of crime. Many other legislative proposals have been implemented.

It is known that many OECD member countries have criminal liability of legal persons for corruption. At the same time, the Investigative Committee has long advocated the introduction of a similar measure. Hasn't that approach changed?

Alexander Bastrykin: We consider administrative responsibility for legal entities insufficient, especially in the fight against corruption. The most complex corruption schemes are implemented in the interests of legal persons or using them as a "tool", an intermediary, in the transfer and extraction of criminal benefits. In our opinion, a compromise solution is possible. It is possible to investigate a crime committed by an individual and an associated administrative offense committed by a legal entity in a single case and record in the verdict on this case the decision on the guilt or innocence of the defendants and the imposition of punishment on them (to an individual - in accordance with the Criminal Code, to a legal entity - in accordance with the Code of Administrative Offenses of the Russian Federation).

Let me congratulate you and the entire staff of the Investigative Committee on the ninth

anniversary of the agency. To wish success in a difficult and very necessary job.

Alexander Bastrykin: Thank you for your kind words. I would like to take this opportunity to congratulate our employees and veterans on their professional holiday. I sincerely wish everyone good health, success, and prosperity! I am confident that our professionalism and responsible attitude will help us to continue to maintain the authority of the law at the highest level.

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