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## Interview of the Chairman of the Investigative Committee of Russia to RIA Novosti informational agency



### **Alexander Bastrykin: neo-Nazism and revanchism so far, apparently, do not frighten Europe**

*In September, a subdivision was created in the Investigative Committee of the Russian Federation to investigate crimes related to rehabilitation of Nazism and falsification of history. In this interview the Chairman of the Investigative Committee of Russia Alexander Bastrykin explained RIA Novosti, why a separate unit was needed, what is the difficulty of investigating such cases, what knowledge investigators should have, and why Russia is obliged to respond to the desecration of symbols of military glory abroad.*

**- Alexander Ivanovich, recently a new subdivision for investigation of crimes related to rehabilitation of Nazism and falsification of the history of the Fatherland was created in the Investigative Committee of Russia. This news was very actively discussed in mass media and**

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**social networks. Would you tell us what caused the need to create such subdivision?**

- As you know, the verdict of the Nuremberg military tribunal was the most important stage in assessing the causes of the Second World War. Everyone should remember that the acts of the main Nazi criminals responsible for the outbreak and conduct of World War II were recognized as criminal. Nevertheless, today, in the context of the ongoing information war, the number of attempts to rehabilitate Nazism, both within our country and from abroad, is increasing, and we also see false assessments of the role of our country in the victory over fascism. In order to restore justice, it is necessary to intensify activities to counter such phenomena. In addition, the desire of our society to honor the memory of the defenders of the Fatherland and to protect the historical truth has been legislatively formalized and is now enshrined in the Constitution of the Russian Federation.

**- What punishment is provided for such actions?**

- The norms of the Criminal Code of Russia on the rehabilitation of Nazism (Article 354.1 of the Criminal Code of Russia) are already being applied to those who are trying to spread Nazi symbols and the ideology of fascism. The latest examples are our reaction to what is happening online during the Immortal Regiment action - residents of several constituent entities of the Russian Federation posted photos of Nazis and traitors to the Motherland on the Internet site. Some of the criminal cases are in their final stages, some of the defendants have appeared before the court, one of them, a resident of Perm, Daniil Simanov, has already been convicted and sentenced to a punishment of 200 hours of compulsory labor. I believe that the punishment imposed by the court fully meets the social danger of the crime, as evidenced by the verdict announced to Simanov. Therefore, individual statements about the application of this provision of the criminal law as a kind of punitive instrument and not entirely intelligible parallels with concentration camps cause only bewilderment.

**- What is the complexity of investigation of such offenses?**

- It seems like the corpus delicti in this case is obvious and simple. However, this is not entirely true; this simplicity hides its own specificity. In establishing the circumstances of the crime, it is not simply a matter of stating the fact that this or that statement does not correspond to historical events. The point is precisely to establish the motive and purposefulness of the unlawful actions of the person, as well as the objective side of the corpus delicti, which in this case may be expressed in the dissemination of knowingly false information about the activities of the USSR.

In this regard, some features of the preliminary investigation under the article on the rehabilitation of Nazism, its specificity, as well as the accumulated investigative experience, led to the need for the formation of a separate subdivision in the structure of the Investigative Committee. Again, the international nature of the separately investigated facts also requires concentration of skills and knowledge. Especially due to the fact that the relevance of this issue, unfortunately, is progressive.

**- But there can be more complex offenses requiring deeper analysis of history. Will your**

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### **investigators be able to investigate this?**

- The new subdivision will consist of investigators of the Investigative Committee of Russia experienced in investigation of such offenses. These are employees who, in particular, have extensive knowledge not only in jurisprudence, in international law, but also in history. They analyzed a large number of archival documents from the war and post-war periods, investigating other criminal cases of Nazi crimes, if necessary, using assistance of scientists.

In addition, in such cases, we provide the necessary forensic examinations, including historical. Particular attention is paid to the assessment of lexical structures in relation to historical facts, established and recognized at the world level. The entire volume of this work is aimed at establishing the qualifying signs of a crime, without which it is impossible to bring to criminal responsibility.

The investigator is guided, among other things, by the existing norms of international law, which are based on the decision of the Nuremberg military tribunal. And, of course, the work in this direction cannot in any way affect scientific and historical work carried out by citizens. It is one thing to make heroes of the Nazis, to approve of their crimes against humanity, to desecrate the memory of our people, which is a criminal offense, and quite another to conduct sound scientific activities.

In addition to directly investigating crimes, the new unit will act as a focal point, providing methodological and analytical assistance to regional investigative bodies in investigation of criminal cases. In addition, we will generalize the existing experience of investigators in this area of activity and provide a consolidated legal approach in assessing such facts. Let me emphasize that along with this area of work, our priorities related to the investigation of other crimes remain the focus of attention.

### **- Are there criminal prosecutions in other countries for similar crimes or related to the spread of Nazi ideology?**

- The Criminal Code of the Federal Republic of Germany provides for liability for the dissemination of propaganda materials by anti-constitutional organizations, while the qualifying attribute establishes increased responsibility for the dissemination of materials "whose content is associated with the ideology of National Socialism." In Israel, Holocaust denial is criminalized. The Republic of Belarus also has criminal responsibility for rehabilitation of Nazism. By the way, we are currently establishing cooperation with the Central Department of Justice of the Lands of the Federal Republic of Germany to investigate the crimes of National Socialism in Ludwigsburg. Of course, this cooperation will give an additional impetus to investigation of such crimes.

At the same time, we see how Lithuania, Latvia and Estonia encourage the organization of former members of the SS units, whose activities were recognized as criminal by the Nuremberg Tribunal. In Ukraine, schoolchildren are taken to lay flowers on the graves of the Nazis involved in the massacres of civilians, and they heroize those who collaborated with Nazi Germany. Revanchists and

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neo-Nazis in Europe are raising their heads, in particular, they are becoming more active in Austria, Italy, Spain. So far, such phenomena, apparently, do not frighten the leadership of these countries, but in the future they can adversely affect their public consciousness.

**- Do foreign events somehow affect Russia?**

- Attempts to rehabilitate Nazism and desecrate symbols of the Russia military glory are also registered abroad. The acting criminal law obliges us to respond to such offenses. The Investigative Committee continues to investigate the criminal case against the chairman of the Ukrainian Institute of National Remembrance (UINP) Volodymyr Vyatrovich. He is accused of systematic denial of the facts established by the verdict of the International Military Tribunal for the trial and punishment of the main war criminals of the European Axis countries, by denying the awareness of the soldiers of the SS Galicia division about the commission of war crimes and crimes against humanity by the SS troops or the very belonging of the division to the SS troops.

Preliminary investigation is being carried out into citizen of the Latvian Republic, veteran of the "Latvian SS Legion" Visvaldis Latsis. It was established that in November 2017 in Riga under his authorship the book "The Latvian Legion in the Light of Truth" was published, in the text of which Latsis approved the war crimes committed by the police battalions of the "Latvian SS Legion" against the civilian population. In April 2020, Latsis died, however, the termination of the criminal case in connection with the death of the defendant is possible only with the consent of close relatives, that is, on non-rehabilitating grounds. That is why the criminal investigation continues.

This year, a criminal case was initiated and is being investigated into the demolition in the Czech Republic of the monument to Marshal of the Soviet Union Ivan Konev, which is a symbol of Russia's military glory.

Just recently, another fact of desecration in the city of Zhezhmariai of the Republic of Lithuania of the monument to the soldiers of the Red Army, located in the cemetery near the common grave of the Red Army soldiers who died during the liberation of the city, was registered. Of course, these circumstances also became the basis for the reaction of the investigators of the Investigative Committee of Russia - at present, a procedural check is being carried out into this fact.

**- What do you ultimately want to achieve?**

- Our duty is to protect the good name of the living and fallen Soldiers-Liberators, civilians, victims of the Nazis. To know and remember the lessons of the war - is to have an opportunity to prevent tragedies and mistakes in present. With this in mind, we recently established the Headquarters for the Coordination of Search and Archival Work of the Investigative Committee, which includes representatives from other departments and public organizations, managers and employees of departments of the central office and investigative agencies of the Investigative Committee of Russia, in whose territory are planned archival, historical and prospecting work on the project

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"Without a Statute of Limitations".

Any attempts to impose equal responsibility for unleashing a war on Nazi criminals and on the countries of the anti-Hitler coalition, to justify Nazi criminals and their accomplices are not just a falsification of history. They are illegitimate and immoral in nature, blasphemous in relation to the memory of the liberators of the world from obvious and legally established evil. That is why we must prevent the distortion of the historical truth, including by means of criminal law measures.

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