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



Bastrykin: Putin is regularly reported about corruption in the highest echelons of power

On December 9, the whole world celebrates the International Anti-Corruption Day, within the framework of which the states parties to the UN Convention inform the public about the measures taken in this area. In the interview to RIA Novosti the Chairman of the Investigative Committee of Russia Alexander Bastrykin told about the work of the Investigative Committee of Russia in combating corruption, equality of officials at all levels before the law and recognition of cryptocurrency as property

- Alexander Ivanovich, today we celebrated the International Anti-Corruption Day Why is



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corruption internationally recognized as a dangerous crime?

- Corruption is a transnational problem which undermines social and economic development of any country. It entails the undermining of confidence in government bodies, reduces the investment attractiveness of the state, and, consequently, hinders the development of business. This phenomenon has long gone beyond the borders of individual countries, and its danger is recognized at the international level. Thus, on December 9, 2003, the UN Convention against Corruption was opened for signing in Mexico. It was joined by the most world countries including Russia. In this relation, since 2004, the International Anti-Corruption Day is celebrated annually on December 9. On this day, the UN member states inform the public about the measures taken to counter corruption-related offenses.

Representatives of the Investigative Committee regularly participate in the work of international organizations whose activities are related to the development of measures aimed at combating corruption. This year, employees of the Committee took part in the meeting of the second preparatory conference of the 28th OSCE Economic and Environmental Forum, dedicated to the prevention and combating of corruption, including in a virtual format through video conference calls. The IC of Russia also took part in plenary sessions, meetings of working groups and seminars of the Financial Action Task Force on Money Laundering (FATF), the Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL), the Eurasian Group on Combating Money Laundering and Financing Terrorism (EAG).

All this significantly expands our capabilities in combating corruption crimes and laundering of criminal proceeds, allowing us to exchange experience with foreign colleagues.

- As you have noted, Russia became a member of the Convention, and how did the anti-corruption legislation in our country develop in our country?

- At present there are several base documents that provide foundation for development of the anti-corruption legislation. First of all, these include the Decree of the President of the Russian Federation dated May 19, 2008 No. 815 "On Anti-Corruption Measures", as well as Federal Law No. 273-FZ dated December 25, 2008 "On Combating Corruption" with subsequent amendments and additions. The latter contains the determination of corruption.

In addition, the most important special anti-corruption acts are federal laws dated December 25, 2008 No. 274-FZ "On Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Adoption of the Federal Law "On Combating Corruption", dated December 25, 2008 No. 280 -FZ "On Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Ratification of the UN Convention against Corruption of 31.10.2003 and the Convention on Criminal Liability for Corruption of 27.01.1999 and the adoption of the aforementioned Federal Law" On Combating Corruption".



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The most serious consequences of corruption occur in cases when it comes to illegal actions of officials, therefore control over their expenses is one of the most effective tools for combating corruption. As you know, the Federal Law of 03.12.2012 No. 230-FZ entrusted them with the obligation not only to provide information about their expenses, expenses of their spouses and minor children, but also to indicate the sources of receipt of funds that are used to purchase property.

Thus, at present, a single anti-corruption mechanism has been created, before which officials at all levels are equal.

- Compensation of the inflicted damage is the most important component of the investigation of such crimes. What amount of compensation has been achieved over the past 10 years since the establishment of the Committee?

- From the very first days of its formation, the Investigative Committee promptly suppresses the embezzlement of budget funds allocated for federal targeted programs, priority national projects, for strengthening the country's defense-industrial complex. Thanks to the specialization of investigators, we are achieving concrete results - in the period from 2011 to the present, over 90 thousand criminal cases of corruption have been sent to court, almost 34 billion rubles have been reimbursed to the state and victims of crimes, and the property of the accused has been seized in the amount of 76.8 billion rubles. This year, 15,217 criminal cases have been initiated on the facts of committing corruption crimes, which is 4% more than last year. 15,861 corruption offenses committed by 7,420 perpetrators have been solved. In the course of the investigation, damage was compensated for more than 2.3 billion rubles and the property of the accused was seized in the amount of 8 billion 137 million rubles (in criminal cases, the investigation of which has been completed). The amount of voluntarily compensated, seized funds and property covers almost 80% of the amount of damage inflicted by corruption offenses.

Due to the difficult economic situation, it is important for us to ensure that targeted social support from the state reaches large families, disabled people, and pensioners. In the course of work to curb corruption, special attention is paid to the protection of social guarantees for children, especially orphans and children left without parental care, including the provision of housing for them at the expense of budget funds. It will be sufficient to say that this year investigators have initiated over 130 criminal cases on crimes related to violation of the housing rights of orphans, including the allocation of substandard living quarters to orphans and abuse of budget funds. Perpetrators of these criminal cases include officials and entrepreneurs from Altai and Krasnoyarsk Territories, Orel and Sakhalin Regions and other constituent entities. All these probes are under special supervision, and upon my instructions in all regions we, together with the prosecutor's offices, continuously monitor the quality of housing provided to orphans.

- What other measures, in your opinion, are necessary to increase the size of the compensated damage?



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- An analysis of the anti-corruption law enforcement practice showed that the theft of budget funds is usually carried out in the form of fraud, misappropriation or embezzlement. Regarding compensation for property damage, the Investigative Committee has always supported the idea that a person recognized as a civil plaintiff in a criminal case was exempted from participating in court proceedings twice - first in a criminal case and then in a civil case. Our proposals were taken into account - the Plenum of the Supreme Court of the Russian Federation in its resolution dated 13.10.2020 No. 23 "On the practice of considering by courts a civil claim in a criminal case" obliged the courts to take exhaustive measures to resolve a civil claim and not to allow an unjustified transfer of issue of the amount of compensation in terms of the civil claim for consideration in civil proceedings when deciding upon a guilty verdict.

In addition, we propose to supplement Article 115 of the Criminal Procedure Code with a provision on the preservation of the seizure of property imposed in the course of criminal proceedings until the actual execution is levied upon it after the entry into force of the conviction, in which the civil plaintiff's claims have been satisfied by the court, or he is recognized as having the right to satisfy a civil claim, and the issue of the amount of his compensation is submitted for consideration in civil proceedings.

- How many high-ranking officials stood trial under criminal cases into corruption?

- Since 2011 over 5,700 persons with a special legal status have stood trial. For example, the investigation of a criminal case against Anatoly Popkov, head of the Belgorodsky district of the Belgorod Region, has been recently completed. During the investigation, it was established that in 2018-2019 he received bribes from entrepreneurs in the amount of more than 30 million rubles. It was not only money, but also property services to relieve Belinvest from the obligation to pay for the construction of a shopping and office center. For his part, Popkov issued construction permits and commissioning of capital construction facilities. He was detained red-handed while receiving another bribe in the amount of 6 million rubles in his office. The bills were marked with a forensic identifier, which was found on the hands of the official. By the way, he never admitted guilt, but the investigation has already collected enough evidence.

Cases of corruption are also revealed among governors and their deputies. In some of them there was their affiliation with business entities. For example, among those convicted of corruption are former governors of the Bryansk, Tula, Sakhalin and Kirov Regions, former heads of the republics of Karelia, Komi, deputy governors of the Altai Territory, Vologda and Chelyabinsk Regions and other high-ranking officials. The court is hearing the case of the Deputy Governor of the Vladimir Region Elena Mazanko, who is accused of accepting bribes for assisting certain legal entities in winning auctions for building repairs and supplying equipment, as well as for commissioning and priority payments for the performed works. Last month, a criminal case was initiated against Mikhail Men, an auditor of the Accounts Chamber of the Russian Federation. He is accused of embezzlement, committed together with accomplices, of 700 million rubles from the budget of the Ivanovo Region



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during the period when he was the governor of the region (in 2011).

The head of the state is regularly reported on the results of detection of corruption among the senior officials.

- Please tell about combating the organized crime in the current year.

- In the general array, the number of these cases is insignificant. During 9 months of this year, 66 criminal cases against organized groups have been sent to the court (the number of cases increased by 25% compared to last year, then it was 53 cases) on charges of 235 persons (in 2019 - 135 persons). Also, six criminal cases against criminal communities (criminal organizations) into 11 persons have been sent to court; in 2019 there were three such cases.

Recently, investigative actions were completed on a criminal case of embezzlement of funds of PJSC Promsvyazbank. Among the accused there are five former bank employees accused of embezzlement. As a result of the activities of the criminal group created by the Ananiev brothers, which included the accused, in 2017, funds in the total amount of 87.2 billion rubles were withdrawn from the financial circulation of the Russian Federation to the Republic of Cyprus, and then legalized. Ananyev brothers are on the international wanted list. Four other accomplices of the offense were put on the federal wanted list. In cooperation with the FSB, the Ministry of Internal Affairs of Russia, Rosfinmonitoring, our department managed to establish the property of the Ananyev brothers and their accomplices totally worth 90 billion rubles, which was seized. In the near future, five persons involved in the criminal case and their defenders will begin the procedure for familiarizing themselves with the materials of the criminal case.

It's unpleasant to talk about it, but in some cases, such groups include law enforcement officers. But we see that the internal security services of these departments work very intensively and record such actions.

- What is the geography of such offenses?

- In the North Caucasus, criminal cases are being investigated against employees of the Main Directorate of the Ministry of Internal Affairs of Russia for the Krasnodar Territory, accused of creating a criminal community and taking bribes. These crimes were detected due to the Main Directorate of Internal Security of the Ministry of the Internal Affairs of Russia and the investigation is processed by the experienced investigators of the Main Investigative Department of the Investigative Committee of Russia over the North-Caucasian Federal District.

According to the investigation, from 2016 to 2020, community members received bribes in the amount of at least 54 million rubles - the police did not prosecute citizens and legal entities for committing both administrative offenses and criminal offenses, including those related to illegal



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transportation of goods and alcoholic beverages in the territory of the Krasnodar Territory. 15 officials are being brought to criminal liability. The investigation is still ongoing, but the investigation already has a significant body of evidence of the involvement of the accused in these crimes. In that four of them signed pre-trial immune agreements under which they gave testimonies, including those incriminating other members of the criminal community.

A similar probe is investigated into officers of the Ministry of Internal Affairs of the Kabardino-Balkar Republic. In 2017-2018 they received 42 million rubles as bribes from persons that illegally transported alcoholic products. 16 perpetrators have been brought to criminal responsibility.

Military investigators investigated a criminal case against an organized group, which included General Director of OJSC Oboronenergo Mikhail Fomin, Deputy General Director of OJSC Oboronenergosbyt Evgeny Yudinsky, former director of a department of the same company Igor Bykov, former General Director of LLC Energobalans-Region, as well as the former head of OJSC 28 Electric Network and other persons. In 2010-2013, Oboronenergo received money for the electricity consumed by the Ministry of Defense, and employees of 28 Electric Network OJSC took meter readings and completed accounting documents. The accomplices organized the conclusion of fictitious contracts for the provision of similar services and thus stole funds from the Ministry of Defense in the amount of more than 2.9 billion rubles.

It's the third day of announcement of the verdict to the accused. Obviously, the already announced results of the trial speak about the consistency of the version of the investigation.

Recently, the Investigative Committee completed investigative actions in the criminal case into the Deputy General Director of Aeroflot PJSC Vladimir Alexandrov, the former director of the legal department of the said organization Tatyana Davydova, as well as lawyers Alexander Slivko and Dina Kibets. According to the investigation, in 2016-2017, Aleksandrov ensured that Aeroflot concluded contracts for the provision of legal services with these lawyers. At the same time, the tender procedures were not carried out, and the price of the contracts turned out to be significantly higher than the market price. The services of lawyers were paid at a rate of 400 euros per hour, while they were involved in cases that were not difficult, when the procedural opponents had already recognized the claims of Aeroflot PJSC. In addition, the lawyers also included works and services that were not actually provided in the acts of performed works. In total the accomplices stole 250 million rubles. This is double the annual payroll of the airline's 50-person legal department. Currently, the accused and their defenders are getting acquainted with the materials of the criminal case.

- How difficult is it to track the legality of spending funds allocated for the construction or repair of large facilities?

- Many corrupt officials come up with complicated schemes, often misleading government officials,



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and go unpunished for a long time. But the work of law enforcement bodies makes it possible to detect and intercept various violations. For example, at present, a number of defendants are getting acquainted with the materials of the criminal case, including entrepreneurs and their accomplices Sergey Belyaev, Andrey Sobolev, Alexander Polovko, Dmitry Sbruev and Valery Moroz. They are accused of embezzling budgetary funds during the construction of a football stadium in St. Petersburg. To carry out the supply of equipment for video surveillance systems, the company that performed the work attracted OOO GK Okhrana as a subcontractor. The founder of this company is Alexey Kobyscha, who is currently on the wanted list. The accomplices agreed on the delivery with representatives of the German company, and then, in order to artificially inflate the cost of the goods, they formalized a number of sham deals through familiar intermediaries. As a result of the fraudulent actions of the accused, the equipment was purchased for almost 180 million rubles more. During the investigation the cash funds and real estate property of some perpetrators was arrested. Other possible episodes of theft are being verified.

- In connection with the adoption of the Federal Law on Digital Financial Assets and Digital Currency, in your opinion, could there be additional risks of using digital currency for illegal or criminal purposes?

- Despite the adoption of this federal law which will enter into force on January 1, 2021, a number of aspects requires further regulation. In particular, the recognition of digital currency as property for the purposes of criminal and criminal procedural legislation is a prerequisite for the investigation of criminal cases in which digital currency acts, for example, as the subject of bribes or theft.

Simultaneously with the participation of Rosfinmonitoring, it is necessary to develop a mechanism for detecting and investigating crimes in which digital currency can be used: corruption and economic, money laundering, terrorist financing and others.

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