

The Article of the Chairman of the Investigative Committee of Russia Alexander Bastrykin in the Finansovaya Bezopasnost magazine



On cooperation between the Investigative Committee of Russia and Rosfinmonitoring

The main aspects of ensuring state and public security include combating corruption, legalization of proceeds from crime, as well as terrorism and extremism. All these crimes are global threats, and their suppression is one of the priority areas of activity of the Investigative Committee of Russia.

The effectiveness of combating these crimes largely depends on the coordinated work of government and law enforcement agencies. Interaction with the bodies of the Federal Financial Monitoring Service, which has information relevant to the investigation, is of great importance in the investigation of criminal cases into offenses of an economic or terrorist nature.

Such interaction is regulated by an interdepartmental agreement on cooperation, interaction and exchange of information, which, in particular, provides for measures to increase information exchange between investigative bodies and Rosfinmonitoring bodies, as well as improve the professional level of investigators in detection and investigation of the above crimes.

The basic rules, as well as procedures for information interaction between the investigative bodies of the Investigative Committee and Rosfinmonitoring, are stipulated in the Instruction on the organization of information interaction in the field of combating the legalization (laundering) of money or other property obtained by criminal means.

According to the Instruction, interaction takes place by sending written requests by the investigating authorities, in response to which the Rosfinmonitoring bodies provide materials necessary for the investigation of complex corruption crimes, including the embezzlement of budget funds in the course of public procurement, in the areas of housing and communal services, health care, education, other important spheres of the country's life.

All this allows us to focus our efforts on combating corruption and assessing the material damage inflicted on the state, and also significantly expands our capabilities to counter money laundering.

The use of the international relations of the Russian financial intelligence service in the interests of the investigating authorities contributes to more effective work to identify transnational crimes. This approach makes it possible to detect not only cases of legalization (laundering) of criminal proceeds, but also other related offenses.

It should be emphasized that the Concept for the Development of the National System of Counteracting the Legalization (Laundering) of Criminally Obtained Incomes and the Financing of Terrorism, approved by the President of the Russian Federation on May 30, 2018, provides, among other goals, for reduction of the level of terrorist threat and extremist manifestations in society, ensuring the rule of law and transparency of the activities of non-profit organizations.

In this regard, the Investigative Committee pays increased attention to detection, prevention and suppression of terrorist threats and extremist manifestations.

Together with the Ministry of Internal Affairs of Russia, the FSB of Russia, the Federal Tax Service, the Accounts Chamber of the Russian Federation, the Bank of Russia, Rosfinmonitoring, measures are promptly applied to counter the financing of terrorism, which is carried out, as a rule, through individuals. Moreover, for this, active attempts are being made to raise funds via the Internet.

Thus, in 2020, 226 criminal cases were sent to the court on crimes of a terrorist nature against 251 accused, including 60 cases on crimes related to the financing of terrorism, and 78 - committed using the Internet. On the facts of extremist manifestations, 117 cases into 181 persons were sent to courts.

At present, in connection with the adoption of the Federal Law of July 31, 2020 No. 259-FZ "On digital financial assets, digital currency and on amendments to certain legislative acts of the Russian Federation", the risks of money laundering, as well as the use of digital currency for illegal or criminal purposes may arise, for example, when converting digital currency.

In this regard, it is necessary to establish clear criteria for transactions for the commission of which criminal liability for the illegal use of digital currencies may occur, including if the digital currency acts as a means of payment for the illegal circulation of weapons, drugs or other items for the circulation of which criminal liability has been established, as well as in the organization of illegal gambling, illegal banking. At the same time, according to the FATF, illegal use of digital currency can lead to anonymous financing of terrorism. With this in mind, there is a need to introduce criminal liability for illegal circulation of digital currency and violation of the rules for making transactions with it.

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05 July 2021

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