
Interview of the Chairman of the Investigative Committee of Russia to TASS informational agency



Bastrykin: The Investigative Committee of Russia annually solves 5 000 crimes of past years.

More than ten years ago an independent Investigative Committee appeared in Russia. The Chairman of the Investigative Committee of Russia Alexander Bastrykin told in the interview with TASS whether the reform justified itself, whether it improved the quality of criminal investigations, whether it is necessary to return to the prosecutor's office some of the former power to control the investigation and what the Investigative Committee seeks.

- Alexander Ivanovich, interaction between the law enforcement agencies of Russia and Italy is strategic, partnership-based, and based on mutual trust and respect. But from time to time in the public space there is an opinion about the need to return to prosecutors some of the former authority to supervise the investigation and even the investigation of criminal cases. How do you feel about such proposals?

- The results of the work of the Investigative Committee for more than a decade confirm that the separation of the functions of preliminary investigation and oversight of the legality of investigative actions was correct. Experts and practitioners also support the established and effective mechanism, understanding that it is well balanced and allows to ensure the objectivity of control over the work of the investigation. It is important that the current model of the bodies of investigation allows to protect the rights and legitimate interests of citizens from unlawful infringements, to prevent and prevent crimes effectively. Talking about new reforms is obviously pointless.

- What has your agency achieved over the years?

- Over the past decade, investigators of the Investigative Committee of Russia have sent more than a million criminal cases to the courts. Of these, 99,805 concerned crimes of a corrupt nature, 98,799 concerned acts committed against minors, 7,495 concerned failures to pay wages, 3,541 concerned crimes of an extremist nature and 1,335 concerned terrorisms. Victims received compensation for damages totaling about 500 billion rubles and the rights of tens of thousands of victims, including socially vulnerable categories of citizens, were restored.

Since the creation of the Investigative Committee in 2011, the investigation of tax crimes is also under the jurisdiction of the department. Over more than ten years, investigators have brought 9,791 criminal cases involving tax crimes to court. At the stage of preliminary investigation damage in the amount of more than 258 billion rubles was compensated, the property of those accused of committing tax crimes in the amount of more than 95 billion rubles was seized.

Thanks to the initiatives of the Investigative Committee, the scope of the rights of victims, primarily children, has been significantly increased in criminal proceedings. Illegal actions constituting the so-called gray raiding schemes have been criminalized, and the scope of property confiscation has been expanded. With the active participation of the Investigative Committee, a federal law has been developed and adopted that establishes additional guarantees for the realization of the housing rights of orphans and children left without parental care.

Taking into account the active work of the Investigative Committee of Russia to protect children's rights, the legislator also referred to our jurisdiction the crimes of small and medium gravity revealed during the investigation of grave and especially grave crimes committed against minors - crimes against personality and sexual inviolability. We are talking about leaving a minor in danger, involvement of a minor in antisocial actions, failure to fulfil child-rearing duties, as well as materials of pre-investigation checks and criminal cases transferred to the investigative bodies of the Investigative Committee of Russia from the bodies of the Ministry of Internal Affairs.

- At the same time, we hear that prosecutors have fewer opportunities to control the investigation. Wouldn't this lead to a lack of control and bias, and ultimately to a decrease in the quality of the investigation?

- Such judgments are highly subjective. Let's look at the situation as a whole. At the initial stage of the preliminary investigation, the prosecutor can overturn the decision to initiate criminal proceedings if he believes that it was initiated illegally. That is, he has effective leverage to prevent unlawful criminal prosecution. If he agrees with the position of the investigation, the investigation begins. In the course of the investigation, the prosecutor may make a submission to eliminate the violations committed by the investigator. At the final stage, the prosecutor decides whether to approve the indictment for submission to the court, which is also a serious tool for quality control of the investigation. He may also not approve the indictment and return the criminal case for further investigation. When the case is considered in court, the representative of the prosecutor's office as a public prosecutor may also refuse to maintain the charges. All of this speaks of the prosecutor's very considerable ability to ensure respect for human and civil rights and freedoms, the established procedure for conducting an investigation, as well as the legality of the procedural decisions taken by the investigating authorities.

- The Investigative Committee of Russia takes a very active position on incidents discussed in society and often takes over high-profile cases that fall under the jurisdiction of the Ministry of Internal Affairs. What is the reason for this?

- Here it should be clarified at once that the decision to transfer such cases falls within the competence of the prosecutor's office.

Usually, the transfer of criminal cases to the Investigative Committee is due to the special importance, complexity of the investigation, the possible involvement of special subjects in the crime committed, as well as the identification of episodes of crime within the exclusive jurisdiction of the Investigative Committee of Russia.

- There are crimes, the investigative jurisdiction of which is blurred, that is, the one who detected the crime investigates it. Do you think the CPC needs to be improved in this regard? Do you think it is necessary to expand the corpus delicti of crimes, which could fall under the jurisdiction of the Investigative Committee of Russia?

- I think that at the moment the CPC regulates the issues of so-called alternative jurisdiction very clearly and reasonably, so there is no need to change the articles regulating these issues. In addition, the CPC clearly and unambiguously states that the prosecutor decides all disputable issues of jurisdiction.

- Has the quality of investigations improved as a result of the separation of investigative and supervisory functions?

- Yes, absolutely. Judge for yourself: the number of criminal cases that were returned to the courts for revision decreased more than fourfold compared to 2006, that is, before the reform (from 5,047 cases to 1,143). The number of acquitted by courts for lack of event or corpus delicti decreased

threefold (from 1,885 to 513). These data show an increase in the quality of investigations.

- The IC took over criminal cases that were investigated by the prosecutor's office, including unsolved so-called cold cases. How effective are you in solving the crimes of past years that you inherited?

- Judge for yourself. When the Investigative Committee was formed in 2007, more than 208 thousand criminal cases of unsolved crimes of previous years were transferred to us from the bodies of the Prosecutor's Office. But if in 2006 the investigators of prosecutor's office solved 1,454 crimes of past years, now each year the investigators of the Investigative Committee of Russia uncover more than 5 thousand of such crimes of past years.

In total, during the existence of the Investigative Committee it managed to solve more than 90 thousand crimes of the past years, of which more than 9 thousand are murders.

This is a common merit of our investigators, forensic specialists, experts, employees of operational services of the Ministry of Internal Affairs and the Federal Security Service of Russia.

- How would you characterize the interaction between the investigative bodies of the Investigative Committee of Russia and the prosecutor's office?

- We have a good working relationship with the Prosecutor General's Office. For example, in the fight against corruption, the evidence gathered by investigators from the Investigative Committee of Russia is used to justify prosecutors' claims for the recovery of illegally acquired property from corrupt officials. In 2020 alone, almost 60 billion rubles were confiscated in criminal cases against former Minister of the Russian Federation Abyzov and the heads of the Serpukhov and Klinsk districts of the Moscow Region on the basis of investigative materials.

- In these ten years, has the IC become an independent investigative body? Is there still room for improvement?

- If you are referring to new reforms, I will repeat once again and say that, in my opinion, they are unnecessary. At the same time, it is necessary to be sensitive to new criminal challenges. In case of new types or ways of committing a crime, new methodologies should be immediately developed for their disclosure and investigation as the ways of counteracting crime need continuous improvement due to the changes in the forms of criminal manifestations. The Investigative Committee is also actively involved in the improvement of existing legislation. In general, within the existing powers the Investigative Committee always has something to strive for - to improve the quality of investigation, to reduce the time of investigation of criminal cases, to respond promptly to violations of the law.

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