

To: Dmitry A. Medvedev  
President of the Russian Federation

Dear Dmitry Anatolyevich,

I am turning to you in connection with an extremely unhealthy situation which has formed at the present time in the Investigation Committee of the Prosecutor's Office (SKP) of the Russian Federation. Essentially, it's a question of the discrediting of the idea of creating an independent investigative body and separating the functions of supervision and investigation in the bodies of the prosecutor's office.

On September 12, 2007, that is, at the outset of the functioning of the Investigative Committee of the Prosecutor's Office, I was appointed director of the Main Investigative Department (GSU) -- the leading division of the SKP.

Thus, the establishment of the SKP took place before my eyes; many key decisions were undertaken by me personally.

I must say that during that period, I was connected through the most trusting relations with A.I. Bastrykin, head of the SKP, under whose direction I worked from 2001 in various executive bodies, and in 2006-2007, I was his assistant for special assignments, as the Russian Federation's Deputy Prosecutor General. It was in fact at the suggestion of A.I. Bastrykin that I took up the post of director of the GSU SKP. Bastrykin saw me as his trusted person and evidently counted on the fact that I would be an obedient executor of his will.

At first, when the Investigative Committee was just getting started in its work, I sincerely believed that A.I. Bastrykin intended in his activity to be guided exclusively by the requirements of the law; however the further unfolding of events indicated otherwise.

Unfortunately, I am forced to state that the Investigative Committee, as an independent body performing its activity on the principle of impartiality and objectivity, has not been established. On the contrary -- its chairman -- A.I. Bastrykin -- has completely fallen under the influence of several heads of intelligence services and the Investigative Committee has virtually turned into a branch of the FSB [Federal Security Service] of Russia.

In particular, the entire personnel policy of the Investigative Committee is determined by V. P. Maksimenko, head of the Main Department for Personal Security, Internal Investigations and Physical Defense (the USB), who previously held the position of deputy head of Department M [counterintelligence] of the FSB. The main backbone of the USB consists of émigrés from the FSB. All of them are appointed to leading posts, both in the CKP staff, as well as locally, in accordance with FSB agencies. Furthermore, A.I. Bastrykin even proposed introducing at the CKP a staff seconded from the FSB which directly contradicts the Law on the Prosecutor's Office of the Russian Federation.

It was at V.P. Maksimenko's insistence that 20% of the investigators of the special cases, who previously worked in the Department for Investigation of Special Cases of the Prosecutor General's Office, were now transferred to the staff of the SKP, despite the fact that each one of them had been working on complicated, high-profile criminal cases (the cases regarding B.A. Berezovsky, Evroset, "Social Initiative" and so on). There were compromising materials on these investigators based on spurious statements by V.P. Maksimenko. A.I. Bastrykin completely supported this decision.

This flawed practice, whereby operations materials [i.e. surveillance reports] from the FSB were perceived by the leadership of the SKP as truth in the final instance, gained wide dissemination not only in the matter of selecting personnel but in the area of preliminary investigation.

Repeatedly, operations materials from the FSB, regardless of the presence of an evidentiary basis, became the main and only basis for opening of criminal cases. In addition, A.I. Bastrykin gave direct orders to open up such cases at any price.

Thus, in September 2007, A.I. Bastrykin handed to me a number of operations materials regarding a group of officials from the Federal Narcotics Service (FSKN) of Russia, which had come from the Department of Personal Security of the FSB. The materials appeared to be operations notices, memoranda notices and reports of activities of wire-tapped telephone conversations (PTP).

A.I. Bastrykin set a specific task to open a criminal case against A.A. Bylbov, head of the Department of Operational Support for the FSKN, Yu.N. Geval, first deputy head of the Department of Personal Security of the FSKN and a number of their subordinates.

Even so, there were no specific data indicating the commission of unlawful acts by the persons named, and the materials provided by the FSB were not reviewed.

I had understood that if a criminal case would be opened only on the basis of operations materials, the Prosecutor General will abolish such a decision as unlawful. In that connection, A.I. Bastrykin ordered to find any criminal case under investigation, in the framework of which these officers of the FSKN could be brought to criminal liability, which I was forced to accept.

A criminal case regarding USTM GUV D officials was chosen as a "launching pad," which accused them of unlawful wiretapping of the telephone conversations of citizens. This case by order of A.I. Bastrykin was requested from the SKP of the Central Administration District of Moscow and transferred to the GSU KSP.

At the same time, operational officers of the FSB of Russia put pressure on one of the suspects in the case, who in exchange for a guarantee of release from criminal liability, gave testimony about how he had supposedly been a middleman between officers of the FSKN and the Department of Special Technical Activities of the Main Department of Interior (USTM GUV D) in placing unlawful "orders" for wiretapping telephone conversations for monetary compensation.

Immediately after this, orders were prepared for searches of four officers of the FSKN, they were detained and arrested. In fact, there was no direct evidence proving they had committed unlawful activity.

For the purpose of preventing the lawful interference on the part of the Prosecutor General, A.I. Bastrykin issued an order that using any excuse, no materials of the criminal case should be given in response to its inquiries.

The main motivation for bringing Bulbov and others to court was the effort of a number of high-ranking officials of the FSB to get suspended the operations side of criminal cases on furniture smuggling (the Tri Kita and Liga-Mars cases) and the smuggling of consumer goods from China, which the FSKN was involved in.

These criminal cases had provoked serious concern on the part of certain FSB leaders since they contained a fair amount of materials proving their protection of the organizers of the crimes cited. All the arrested officers of the FSKN were directly coordinating the operations support of these cases.

As a result of their arrests, the operations support for these cases was transferred from the FSKN to the FSB and Interior Ministry, as a consequence of which, the investigation activity was essentially reduced to nil.

Moreover, A.I. Bastrykin gave the order to remove the case of the furniture contraband by unidentified employees of Liga-Mars, Ltd. from V.V. Loskutov, deputy head of the SKP's Investigative Department for Leningrad Region, who had been assigned to the Prosecutor General's Office since 2002, and then to the GSU SKP, and to transmit the case to S.E. Deptitsky, GSU senior investigator for special cases.

Despite my objections regarding the removal of V.V. Loskutov, who had been brought in to investigate this case by the personal order of V.V. Putin, A.I. Bastrykin announced that the issue of the removal of the criminal case from the investigator had been decided personally by the President of the Russian Federation, and Loskutov himself had taken to drink and was not doing any concrete work.

At the same time, for the purposes of discrediting V.V. Loskutov, FSB officers initiated the writing by those charged with the Tri Kita criminal case, A.Yu. Sayenko and Ye.O. Leladze, of statements in which they accused V.V. Loskutov of covering up the facts of criminal activity by a number of officials, who were supposedly the organizers of the furniture smuggling.

According to available information, the question of opening a criminal case against V.V. Loskutov, on the basis of these statements, is being decided by A.I. Bastrykin, which enables the final disavowing of the results of five years of work of the investigation operations group, and which will enable both criminal cases to fall apart.

In particular, the conflict has been notable for an attempt at an objective investigation at the GSU of a criminal case on the grounds of an attempt on the life of N.N. Aulov, a high-ranking official of the North West Department to Combat Organized Crime (currently he is head of the North West District Interior Ministry Department). During the course of the investigation, serious doubts arose as to

whether the attempt in fact took place, in connection with which a theory about its possible staging was checked. Information about the ties of N.N. Aulov to representatives of the "Tambov" and "Malyshev" organized crime associations was also obtained through the investigation.

After my report of these facts to A.I. Bastrykin, he ordered to immediately send the criminal case to the SKP investigative department for St. Petersburg with the purpose of stopping it. The reason for this decision was A.I. Bastrykin's personal friends with N.N. Aulov. A.I. Bastrykin's instruction was issued, but in connection with publications in the press that appeared on this topic, the criminal case was not sent to St. Petersburg. At the present time on A.I. Bastrykin's orders, it has been stopped.

A serious conflict with A.I. Bastrykin and me arose during the review of materials that came in from the FSB about the alleged illegal activity of S.A. Storchak, RF deputy minister of finance, during negotiations conducted by him regarding the return of the RF state debt to the Government of Kuwait. According to these materials, instructions were repeatedly issued to refuse to open a criminal case, which categorically did not suit A.I. Bastrykin.

As a result, at his insistence, the criminal case was nevertheless opened up and joined to another criminal case under investigation regarding S.A. Storchak. Subsequently, this instruction on the opening of the criminal case was justifiably cancelled by the Prosecutor General's office as unlawful.

Thus, by March 2008, A.I. Bastrykin had developed serious dissatisfaction with my actions. If at first apparently he believed that I will fulfill any of his instructions, after a half-year period of joint work, the chairman of the SPP [Bastrykin] was convinced that I don't wish to be a blind weapon in his hands.

It must be noted that A.I. Bastrykin's dissatisfaction with my non-compliance was artificially "fueled" by the leadership of the SKP USB since V.P. Maksimenko counted on getting appointed to the post of head of the GSU a more management person dependent on him.

On March 20, 2008, I was unexpectedly summoned to the office of A.I. Bastrykin and in the presence of V.P. Maksimenko and A.V. Voronkov, head of the personnel department of the SKP, that I was being removed from performance of my official deputies and in connection with the receipt of reports of SKP investigators Z.Z. Lozhis and S.M. Cheryshov, I was accused of taking bribes for destroying criminal cases.

Despite the lack of evidence and the absurdity of the charges claimed, on the same day, at A.I. Bastrykin's order, an internal inspection began of me by the SKP USB. I do not rule out that my removal was inspired also in order to pin on me a whole number of abuses and mistakes committed by A.I. Bastrykin as chairman of the SKP in conducting criminal cases.

During the course of the inspection by officers of the Main Directorate of the Interior Ministry for the Central Federal District (director, N.N. Aulov) a demonstrative external surveillance was unlawfully placed on me; my movements were openly accompanied by several automobiles; there was surveillance put on the house where I reside. Regarding this matter, I was forced to appeal to Prosecutor General Yu.R. Chaika.

Although no violations by me of my official duties were discovered in the course of the inspection. on April 21, 2008, by decree of the SKP chairman, I was unlawfully relieved of the post I held and dismissed from the SKP on discrediting grounds. In turn, the duties of the GUSB director were placed on S.I. Markelov, the deputy head of the GUSB SKP, which indirectly confirms the fact of the interest of the director of the GUSM in my removal.

A week later, on April 29, 2008, on the same grounds, my former subordinates were fired from the SKP unlawfully on the same grounds; A.G. Novikov, the first deputy director of the GSU; S.S. Glukhikh, director of one of the departments, and Yu.Yu. Yermakov, a special cases investigator, regarding which we all appealed to the court with petitions to be reinstated at work.

I want to emphasize that the Prosecutor General's Office also conducted an inspection of the legality of my actions as director of the GSU regarding the criminal cases being handled by the investigators Z.Z. Lozhis and S.M. Chernyshov. According to the results of the inspection, no violations of the law in my actions were discovered.

At the present time, I have learned that a criminal case has been opened at the GSU SKP regarding I.V. Kligman, accused in one of the criminal cases under investigation by the Main Directorate, who allegedly committing unlawful actions aimed at giving bribes to me and A.G. Novikov. I am convinced that this case was unlawfully opened, with the purpose of my discreditation and putting pressure on the court reviewing the case about my reinstatement at work.

Respected Dmitry Anatolyevich! My appeal to you is dictated not by offense at A.I. Bastrykin or a desire to settle scores, but exclusively by the interests of the cause.

I am convinced that the style of work of the Investigative Committee of the Russian Federation Prosecutor's Office under the direction of A.I. Bastrykin is deeply flawed, and will lead to massive abuses and violations of civil rights and liberties, and therefore I demand your immediate intervention.

Respectfully yours,

D.P. Dovgiy  
State Justice Advisor, 3rd Class  
19 May 2008