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COMBATING CORRUPTION, PROSECUTOR GENERAL'S OFFICE OF THE
RUSSIAN FEDERATION, AT THE SECOND PREPARATORY MEETING
FOR THE 28th OSCE ECONOMIC AND ENVIRONMENTAL FORUM**

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Promoting security, stability and economic growth in the OSCE area by preventing and combating corruption through innovation, increased transparency and digitalization

Session II: Preventing and combating corruption and money laundering by promoting transparency and accountability

Activities of the Prosecutor General's Office of the Russian Federation to combat corruption: prevention, suppression and elimination of the consequences of corruption offences

Distinguished colleagues,

In my statement, I should like to share with you our experience of combating corruption in Russia.

Looking at the development of anti-corruption legislation in our country as a whole, it should be noted that in the first place anti-corruption standards have been expanded recently and new requirements, restrictions and prohibitions have been added; as a second step, these requirements have gradually been extended to an increasing number of employees and officials.

The basic documents here are the National Anti-Corruption Strategy and the National Anti-Corruption Plans approved by the President of the Russian Federation.

In accordance with these documents, measures are being implemented to provide legal support for combating corruption, to monitor compliance with anti-corruption norms and to involve the public in discussions on fighting corruption, and the work of the prosecution authorities has been strengthened considerably.

Disciplinary action in the form of dismissal on the grounds of loss of trust and confidence is an effective means of combating corruption.

Officials are called to account for serious corruption offences including non-disclosure of income and expenses, failure to take measures to resolve a conflict of interest, and illegal involvement in business activities.

In 2019, 1,150 officials were dismissed solely as a result of the Prosecutor General's Office intervention when cases of loss of trust and confidence came to light.

In 2018, a public register was introduced in Russia of persons dismissed in this way for corruption offences. It can be accessed via the following special website (<http://gossluzhba.gov.ru/reestr>). This register makes it easy for new employers to identify those candidates who disregard anti-corruption requirements and to take this into account when recruiting.

The formation of a high-quality legal and regulatory framework is one of the foundations for combating corruption. Prosecutors have an influence on this through their expert appraisal of draft and existing anti-corruption laws and regulations.

Expert appraisals of anti-corruption laws essentially call for an in-depth analysis of laws and regulations to identify corruption factors in them, i.e. loopholes, peculiarities of legal constructions and other shortcomings in legal regulations that provide unscrupulous officials with opportunities to administer the law according to their own interpretation, creating conditions for corrupt practices.

Work in this area has already had a real positive impact on the rule of law. To give an idea of the extent of this activity, suffice to say that in 2019 prosecutors studied more than 2 million draft and existing laws and regulations, in which over 95,000 corruption factors were identified.

In that connection, prosecutors filed complaints against more than 41,000 unlawful legal instruments.

The prosecutors' efforts were mainly concentrated on eliminating corruption factors from laws and regulations regulating the most important rights of citizens and interests of society and the State.

The Prosecutor General's Office of the Russian Federation enlists major academic institutions and institutions of higher education to conduct expert appraisals of anti-corruption laws and regulations. To that end, co-operation agreements have been concluded with the country's leading academic centres.

I should like to draw particular attention to the introduction of artificial intelligence into the work of prosecutors as a means of examining laws and regulations. Today, this work is being carried out on a trial basis, but it has already produced real results in the form of prosecutorial measures and amendments to laws and regulations.

One of the current areas of activity of the prosecution authorities at the present stage is supervision of the application of laws for monitoring the expenses of officials.

According to the law, if in the course of a year an official or member of his or her family spends an amount exceeding his or her total income for the past three years on the purchase of property, vehicles or securities, it may be decided to monitor that official's expenses.

This monitoring involves a special check, after which, if the funds cannot be shown to have come from a legitimate source, the prosecutor may file a claim for transfer of these assets to the State.

Last year, 440 procedures were initiated by prosecutors for monitoring expenses, and in 59 cases involving more than 25 billion roubles legal action was taken and the claims were sent to court.

Following the court reviews, 33 claims by prosecutors worth 21.4 billion roubles were approved in 2019, and assets worth more than 9 billion roubles have already been transferred to the State.

Agreements with the Federal Tax Service, the Pension Fund, the Federal Service for State Registration, Cadastre and Cartography and other agencies help to increase the effectiveness of prosecutors' checks in this area. Now, if there are grounds for checking, the prosecutor in charge can send an electronic request and quickly obtain a significant amount of the requested information from these authorities.

This work received fresh impetus with the entry into force in August 2019 of Federal Law No. 5 of 6 February 2019 on amendments to certain legislative acts of the Russian Federation to combat corruption, which designated the Prosecutor General's Office of the Russian Federation as the authorized body for co-operation with the competent departments of foreign States in verifying compliance with the restrictions, prohibitions and requirements established for the purposes of combating corruption, including the prohibition on having accounts (deposits) and keeping funds and valuables in foreign banks, and possessing and/or using foreign financial instruments.

Using current legal instruments, in 2019 Russian prosecutors identified violations of this prohibition. However, I should like to draw attention to a number of cases in which the competent authorities of foreign States refused to grant Russian requests for legal assistance.

The refusals were based on specific aspects of the legislation of foreign States and differences between them and the legislation of the Russian Federation.

Often, additional information necessary to grant the request is formally requested by foreign colleagues, which determines the length of time required for fulfilling international requests.

It is therefore also important to further develop operational co-operation in this area.

This will help in the development of fruitful joint international co-operation and could lead to the adoption of more effective measures to combat corruption, as the existing positive practice shows.

Another effective tool for combating corruption employed by prosecutors is that of holding legal entities administratively liable for corruption offences, including unlawful remuneration on behalf of a legal entity (Article 19.28 of the Code of Administrative Offences of the Russian Federation).

Information on holding organizations administratively liable for such acts is reflected in the relevant register, which is posted and continuously updated on the website of the Prosecutor General's Office of the Russian Federation. This register is of enormous importance for public procurement authorities, which with the aid of the information contained in our register can verify compliance by a potential supplier with the specified requirements.

Last year, pursuant to decisions by prosecutors, 343 legal entities were held administratively liable for committing such offences, and fines amounting to more than 613 million roubles were imposed. Furthermore, almost 290 million roubles have already been recovered.

Prosecutors may hold commercial and other organizations administratively liable for violating anti-corruption legislation when recruiting former State and municipal employees (Article 19.29 of the Code of Administrative Offences of the Russian Federation).

The Federal Anti-Corruption Act establishes a special procedure for recruiting former State or municipal service employees and imposes a number of restrictions when concluding an employment contract or a contract for work or services with them.

Thus, for two years following their separation from service, former State or municipal service employees included in the relevant list may obtain employment with an organization – if their official duties included the management of that organization – only with the consent of the relevant commission, which verifies compliance with the requirements for the official conduct of State or municipal employees and the resolution of conflicts of interest.

In turn, the employer is obliged within ten days to report the conclusion of an employment contract or contract for work or services with this category of persons to their last place of service.

In 2019, after consideration by the court of the prosecutors' decisions under this article of the Code of Administrative Offences of the Russian Federation, administrative proceedings were instituted against more than 5,600 people, fines totalling 226 million roubles were imposed and during the past year 177 million roubles went to the federal budget.

Increasing the anti-corruption education of citizens remains a priority task in combating corruption.

In 2019, 50,400 legal education events on combating corruption were held by the prosecution authorities of the Russian Federation.

It should be noted separately that, in accordance with paragraph 33 of United Nations General Assembly resolution 73/190 of 17 December 2018, States Parties to the United Nations Convention against Corruption are invited to recognize the importance of the involvement of young people and children as key actors in strengthening ethical behaviour, beginning with the identification and adoption of values, principles and actions that make it possible to build a fair and corruption-free society.

With that in mind, we have paid particular attention to young people in this area.

For the third year in a row, the Prosecutor General's Office of the Russian Federation is holding the International Youth Social Anti-Corruption Advertising Competition "Together Against Corruption!".

In 2019, Member States of the Interstate Council on Combating Corruption (Armenia, Belarus, Kazakhstan, Kyrgyzstan and Tajikistan) and the BRICS countries (Brazil, China, India and South Africa) took part in it.

For this competition, we have created a special website www.anticorruption.life, which has received over 22,000 anti-corruption posters and videos.

The participants' work is regularly disseminated during educational and awareness-raising events by the prosecution authorities and has been presented on international platforms, in particular last year at the anti-corruption exhibition organized as part of the eighth session of the Conference of the States Parties to the United Nations Convention against Corruption (Abu Dhabi, United Arab Emirates), as well as at a Council of Europe exhibition (Strasbourg, France).

At the exhibition launch, we suggested that all States join the project this year, and in May we announced that the acceptance of works had begun.

We invite you to take part in this project.

I firmly believe that the young people of our countries are representatives of a concerned generation with their own ideas and opinions about how to fight corruption.

There are undoubtedly many areas of work involved in combating corruption and many positive results have already been achieved.

However, a number of problems remain, often requiring joint efforts if they are to be resolved. In that regard, we look forward to continued fruitful co-operation.

For our part, I should like to assure you of our willingness to co-operate and to provide every assistance in preventing instances of transborder corruption.

Thank you for your attention.