



D I S T R I C T O F C O L U M B I A B A R
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**One Page Summary of the Proposed Public Statement
by the International Law Section Regarding the Arrest and Detention of
Russian Defense Lawyer Mikhail Trepashkin**

On May 4, 2006, a majority of the Steering Committee Members of the International Law Section endorsed sending a letter to I.A. Grubiy, Senior Division Military Prosecutor in the General Procuracy of the Russian Federation (with copies to H.E. Vladimir V. Putin, President of Russia, and H.E. Yuri V. Ushakov, Ambassador to the United States for the Russian Federation). The letter was prepared and reviewed by members of the Section's Standing Committee on Immigration and Human Rights, including Penny Wakefield and Co-Chair Elizabeth Graybill.

The letter to I.A. Grubiy is a reply to a letter sent to the Section in response to the Section's November 2005 letter to President Putin about Mr. Trepashkin's incarceration. In the letter to I.A. Grubiy, the Section reiterates its concerns that (1) Mr. Trepashkin and his inmates are living in substandard prison conditions, (2) Mr. Trepashkin's health is endangered as he is not receiving proper medical care for skin and respiratory ailments, and (3) his arrest and imprisonment were pretextual to prevent him from representing a client in court and presenting controversial evidence about two 1999 Moscow bombings blamed on Chechen rebels.

To offer a brief summary of Mr. Trepashkin's case, he is presently serving a four-year sentence in a prison in Nizhny Tagil in the Sverdlovsk region of Russia. He was convicted in closed court proceedings in May 2004 of "divulging state secrets." It appears, however, that Mr. Trepashkin was arrested and imprisoned to discourage his work for a client on whose behalf he had been scheduled to appear in court to discuss controversial evidence suggesting possible government involvement in two 1999 Moscow bombings blamed on Chechen rebels. Mr. Trepashkin was initially arrested on a separate weapons charge in October 2003 only a few days before he was to appear in court on behalf of his client. The arrest prevented him from representing his client in court and disclosing his findings. His later conviction on the same weapons charge was overturned on appeal in June 2005 for lack of evidence. In August 2005, Mr. Trepashkin was released from prison but then rearrested a few weeks later after an appeals court retroactively granted the government additional time to appeal the order granting him parole two days after the deadline to appeal had expired.

The Section urges that Mr. Trepashkin receive prompt medical attention and that his case receive a thorough and impartial investigation to ensure that due process and rule of law have been followed.

Nancy L. Perkins
Chair
International Law Section

International Law Section Response to Letter from Russian Military Prosecutor About Detention and Condition of Russian Defense Lawyer Mikhail Trepashkin

Note: *The views expressed herein represent only those of the International Law Section and not those of the D.C. Bar or of its Board of Governors.*

June 26, 2006

Senior Division Military Prosecutor
General Procuracy of the Russian Federation
Main Military Procuracy
Kholzunova 14
Moscow K-160
Russia

Dear I.A. Grubiy:

The International Law Section of the District of Columbia Bar received your letter on February 9, 2006 and appreciates your consideration of our letter dated November 30, 2005 regarding the renewed detention of our colleague Mikhail Trepashkin. We appreciate the import of your response, yet we are still concerned about Mr. Trepashkin's detention status and the reported poor state of his health. The views expressed in this letter represent only those of the International Law Section and not those of the District of Columbia Bar at large or of its Board of Governors.

Our primary concern relates to Mr. Trepashkin's reported ill health and lack of proper medical care as well as the substandard detention conditions for him and his fellow inmates. We understand that Mr. Trepashkin spent several stays in "punishment" cells this past winter, during which time he was given very little food and water and forced to remain in cells that were inadequately heated for subzero outside temperatures. We are also concerned that he has not been given adequate medical attention for chronic bronchial asthma and other ailments from which he is suffering such that his health continues to be endangered. We further understand that conditions for his fellow prisoners are likewise extremely poor and that they also suffer from similar skin and respiratory ailments, reportedly due to contaminated drinking water and polluted air from an adjacent industrial site.

We understand that Mr. Trepashkin is still incarcerated and received a visit from a regional human rights ombudsman about prison conditions around April 5. We also understand that he is presently awaiting a hearing to relocate him to a higher security prison, which has been postponed.

We reiterate our concerns to you that (1) Mr. Trepashkin was arrested and convicted on a pretextual basis and in closed court proceedings in order to discourage his work on behalf of a client, (2) Mr. Trepashkin and his fellow inmates are incarcerated in substandard prison conditions, and (3) Mr. Trepashkin is still in very poor health and is not receiving proper medical care from prison authorities for skin and respiratory ailments. We urge Russian authorities to address Mr. Trepashkin's medical concerns promptly and thoroughly and to reconsider their position with respect to Mr. Trepashkin's case.

Very truly yours,
Nancy L. Perkins
Chair
International Law Section

cc:

H.E. President Vladimir V. Putin, President of Russia
H.E. Yuri V. Ushakov, Ambassador Extraordinary & Plenipotentiary, Embassy of the Russian Federation