

International Law Section Letter to Russian President Vladimir Putin

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.*

November 30, 2005

His Excellency President Vladimir V. Putin
President of Russia
4, Staraya Square
Moscow 103132
Russia

Dear President Putin:

The International Law Section of the District of Columbia Bar wishes to express its grave concern over the renewed detention of our colleague, Russian defense lawyer Mikhail Trepashkin. The International Law Section consists of over 1700 lawyers, judges, academics, and other professionals who are members of the District of Columbia Bar and involved in the field of international law. 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.

We understand that Mr. Trepashkin was arrested on September 18, 2005 by Russian Federal Security Service agents without a warrant for his arrest and without a court order to detain him. Mr. Trepashkin had been released from prison on August 29, 2005 after the government failed to appeal within the allotted ten-day period a local court order granting him parole on August 19, an order to which the local prosecutor did not object. On September 2, however, an appeals court retroactively granted the government additional time to appeal after the regional prosecutor appealed the parole two days after the deadline to appeal had expired on August 29. The appeals court overturned the parole and remanded the case back to the local court on September 16, and two days later, Mr. Trepashkin was arrested. We understand that Mr. Trepashkin has had the rehearing on his parole request postponed and is still incarcerated.

We understand that, at the time of his release on parole, Mr. Trepashkin was serving a four-year sentence in prison after being convicted during closed military court proceedings in May 2004 of disclosing state secrets. We likewise understand that the trial was related to his work on another case in which he had been scheduled to appear in court on behalf of a client 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.

We have two concerns:

- (1) that Russian authorities have failed to follow the rule of law in prosecuting Mr. Trepashkin's case and appear to have arrested and imprisoned Mr. Trepashkin on a pretextual basis to discourage his work on behalf of a client; and
- (2) that Mr. Trepashkin is presently in very poor health and not receiving proper medical care for acute asthma while in prison.

If due process has not been or is not followed in the future or if Mr. Trepashkin's medical concerns are not readily addressed, we urge Russian authorities to release Mr. Trepashkin from prison immediately.

Very truly yours,

Nancy L. Perkins
Chair
International Law Section

cc:

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

H.E. William J. Burns, Ambassador Extraordinary & Plenipotentiary, Embassy of the United States of America