



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

## COMMUNIQUE DE PRESSE - COMUNICADO DE PRENSA

17 December 2003

IMMEDIATE

### **Russian Federation: Lawyer Tried by Military Court**

Ongoing criminal proceedings against a Russian lawyer violate fair trial standards, said the Centre for the Independence of Judges and Lawyers (CIJL) of the International Commission of Jurists (ICJ). The ICJ/CIJL condemns the closed hearing by a Military Court in which Mr. Mikhail Ivanovich Trepashkin is being tried for allegedly "disclosing state secrets."

"International standards, as well as Jurisprudence, establish that military tribunals cannot judge civilians", said Linda Besharaty-Movaed, ICJ/CIJL Legal Advisor. "This case should be immediately transferred to an ordinary court, where international observers should be allowed to monitor the proceedings."

The ICJ/CIJL wrote to the Russian authorities on 12 December requesting permission for an international observer to be allowed to monitor the proceedings. However, no response has been received to date.

Mr. Trepashkin was arrested on 24 October by members of the Federal Security Service (FSB), who allegedly threw a firearm into his car. The lawyer was later charged with "possession and transportation of an unlicensed firearm." Mr. Trepashkin's arrest took place one week before he was due to appear as an attorney representing the relatives of one of the victims of the bombing of an apartment building in Moscow in 1999. Mr. Trepashkin had previously acted as a consultant for a Commission that investigated this bombing. Immediately thereafter, he was charged with "disclosure of classified information." Mr. Trepashkin was indicted, but the Office of the Prosecutor did not advance his case until September 2003, when Mr. Trepashkin's findings were quoted in a book that suggested that Russian officials and not Chechen insurgents were behind the bombings.

The ICJ/CIJL addressed a letter to the Russian Government on 11 November denouncing Mr. Trepashkin's detention as arbitrary and demanding that he be released.

The ICJ/CIJL recalls that Resolution 2002/37 of the UN Commission on Human Rights, which was sponsored by the Russian Government, reiterates that "Everyone has the right to be tried by ordinary courts or tribunals." We urge the Russian Government to act in accordance with international standards.

*For further information, please contact José Zeitune, Lawyer, at +41 22 979 3812.*

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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