



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

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ICJ calls on Russian authorities to cease harassment of ICJ Commissioner and other defence lawyers of Mikhail Khodorkovsky

The International Commission of Jurists (ICJ) today expressed its concern at the public harassment of the legal defence team of Mikhail Khodorkovsky, including leading Russian lawyer and ICJ Commissioner, Karinna Moskalenko, on the evening of 4 February 2007 at Domodedovo airport in Moscow.

"The search and harassment of ICJ Commissioner Moskalenko and four other defence lawyers is unacceptable and it breaches the European Convention on Human Rights and United Nations Basic Principles on the Role of Lawyers", said Nicholas Howen, ICJ Secretary General.

The incident comes only four days after a high-level panel of jurists, established by the ICJ, the Eminent Jurists Panel on Terrorism, Counter-Terrorism and Human Rights, concluded its visit to the Russian Federation and expressed grave concern over the active hindrance of lawyers, including those representing their clients at the European Court of Human Rights (see the Panel's website at <http://ejp.icj.org>).

The incident occurred when five members of Mr Khodorkovsky's legal defence team were intending to take a flight to visit their client in Chita in Siberia on the evening of 4 February 2007. The ICJ has received information that upon check-in in Domodedovo airport their passports were taken away and they were instructed to proceed to a special police room in the airport without any further explanation. Later, they were allowed to register for the flight, but were singled out and subjected to a 'special security check', in which personal items, including confidential legal documents were scrutinized. The 'security check' was conducted with heavy police presence and was filmed. Finally, the five lawyers were allowed to board the plane, which had to be delayed for 40 minutes, without any further explanation or apologies.

The lawyers included well-known Russian defence lawyers Jury Shmidt, Yevgeny Baru, Leonid Saykin and Konstantin Riskin. The 'security check' was reportedly conducted by the 'Linear Department of the Ministry of Interior in Domodedovo Airport'.

The ICJ calls on the Russian authorities to carry out a prompt and thorough investigation of the incident and to fully respect the United Nations Basic Principles on the Role of Lawyers (Basic Principles). It recalls that governments have the obligation to ensure that lawyers are able to perform all their professional functions without hindrance and intimidation, including that they are able to travel to consult with their clients. States must also ensure that all professional communications between lawyers and clients remain confidential. The Basic Principles require that lawyers shall not be identified with their clients as a result of discharging their functions. The ICJ is particularly concerned about reports of repeated interference by the Russian Government with the right to complain to the European Convention on Human Rights, as members of the team are also

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representing Mikail Khodorkovsky in his complaint to the European Court of Human Rights.

The incident is the latest in a number of repeated harassments targeting ICJ Commissioner, Karinna Moskalenko, the founder of ICJ's Russian affiliate, the International Protection Centre, including attempts to disbar her, and a series of intrusive tax inspections. Only two weeks ago lawyers of the Centre were called in for questioning by the authorities related to cases submitted to the European Court of Human Rights.

For further information, please contact the ICJ at + 41 22 979 3830.