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Russian Federation: ICJ concerned over conviction of lawyer

The ICJ expressed concern today over the conviction of Mikhail Ivanovich Trepashkin, a Russian lawyer, to 2 years' imprisonment for the illegal possession of a gun amidst allegations that the gun had been planted in his car.

Mikhail Ivanovich Trepashkin was arrested in October 2003 in controversial circumstances 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 block in Moscow in 1999. He had announced that he would disclose sensitive information about possible involvement of the Federal Security Service (FSB) in the bombing.

"In such a highly controversial case, with a serious allegation that the police planted evidence, there is a heavy burden on the court to ensure that all fair trial standards are rigorously complied with", said Gerald Staberock, Director of ICJ's Global Security and Rule of Law Programme.

The ICJ sent a trial observer to follow the hearings as well as the court verdict on April 15. The ICJ is concerned that certain fair trial standards were not observed, particularly that the accused was not treated equally to the prosecution and had limited access to documents, and that the court refused to call important defence witnesses to be brought officially to the court to testify. Most importantly, the court did not adequately probe allegations that the gun was planted in the car upon arrest.

It is significant that the prosecution even changed its explanation about where the gun was found in the car. "There are inconsistencies and irregularities in this trial that must be carefully examined in the expected appeal", said Gerald Staberock.

The conviction also comes after recent admissions by the Moscow Police Union about incidents of planted evidence in Russia. The verdict follows an earlier conviction of Mikhail Ivanovich Trepashkin in 2004 to four years' imprisonment for disclosure of classified information and the possession of ammunition. The ICJ had expressed serious concerns at the time about the proceedings, including that he had been tied by a military court in violation of international fair trial standards.

For further information, please contact Gerald Staberock, +41 22 9793800.

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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