NEW YORK
CITY BAR

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President George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Bush:

I write on behalf of the Association of the Bar of the City of New York to express our deep concern about our colleague, lawyer Mikhail Trepashkin, of the Russian bar. The Association is an independent non-governmental organization of more than 23,000 lawyers, judges, law professors and government officials. Founded in 1870, the Association has a long history of dedication to human rights, notably through its Committee on International Human Rights, which investigates and reports on human rights conditions around the world, including within the United States.

Mr. Trepashkin, an officer for many years in the Federal Security Services (FSB), was convicted in May 2004 of "divulging state secrets" and sentenced to four years imprisonment. We have reason to question the procedures by which he was charged and tried in closed court proceedings, including interference by the executive in the judicial process.

We are concerned that 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 Moscow apartment 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 appealing and he was not able to disclose his findings. His subsequent conviction on the weapons charge was overturned on appeal in June 2005 for lack of evidence. Last Fall, Mr. Trepashkin was released from prison but then rearrested after an appeals court retroactively granted the government additional time to appeal the order granting him parole two days after the decline to appeal had expired.

As noted in the March 8, 2006, U.S. State Department's annual human rights report on Russia, "[the] May 2004 conviction of Mikhail Trepashkin, who had been a consultant to a parliamentary commission investigating possible [Russian intelligence service] involvement in a series of 1999 apartment bombings, gave further cause for concern about the undue influence of the [Russian intelligence service] and arbitrary use of the judicial system."

Our primary worry at this moment is the substandard physical conditions in the penal colony in Nizhny Tagil in the Sverdlovsk region, where Mr. Trepashkin is being held. He was put for several days in so-called punishment cells this past winter and given very little food and water. He was forced to remain in cells that were inadequately heated for the subzero outside temperatures.

Mikhail Trepashkin suffers from severe respiratory ailments, including bronchial asthma, for which he is not receiving adequate and appropriate care.
In fact, at his recent hearing on May 29, 2006, requesting a transfer from the colony settlement to a higher security prison where he might get medical attention, he suffered an asthma attack and had to be taken to a hospital. After a few hours at the hospital he was removed and returned to the penal colony.

We urge you to raise Mikhail Trepashkin's case in your discussions with President Putin at the upcoming G-8 Summit meeting in St. Petersburg. We hope you will call attention to the human rights concerns in his case, namely the absence of due process in his conviction and his current medical condition.

Sincerely,

Barry Kamins

cc: Secretary Condoleezza Rice, United States Department of State
William Joseph Burns U.S. Ambassador to the Russian Federation
Assistant Secretary Barry F. Lowenkron, Bureau of Democracy, Human Rights and Labor, United States Department of State
Mary Warlick, Director, Office of Russian Affairs, Bureau of European and Eurasian Affairs, United States Department of State
H.E. Yuri V. Ushakov, Ambassador Extraordinary & Plenipotentiary, Embassy of the Russian Federation