



# The Association of the Bar of the City of New York

Office of the President

**PRESIDENT**

Bettina B. Plevan  
(212) 382-6700  
Fax: (212) 768-8116  
bplevan@abcny.org  
www.abcny.org

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Mr. V. Yustinov  
General Procurator of the Russian Federation  
Bolshaya Dmitrovka Street, 15A  
Moscow 1259993  
Russian Federation

Fax: 7-095-2927790, 7-095-2659117

Dear Sir:

I write on behalf of the Association of the Bar of the City of New York to express our concern over the continued detention of Ms Svetlana Bakhmina, Deputy General Counsel to YUCOS.

The Association is an independent non-governmental organization of more than 22,000 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.

It has been brought to our attention that Ms Bakhmina was arrested without warning on December 7, 2004. During the subsequent thirteen hours of detention and interrogation, it is alleged that Ms Bakhmina was denied access to an attorney or to information about her family, including about her son who was extremely sick at that time. At approximately 10 PM, while being interrogated, Ms Bakhmina lost consciousness. Although Ms Bakhmina suffers from a serious heart condition and one of the doctors at the facility recommended she be rushed to the hospital, she was not permitted to leave to seek further medical attention.

In the early morning of December 8, between 3 AM and 5 AM, Ms Bakhmina was again interrogated, this time by four policemen from a subdivision of the Ministry of the Interior. It is alleged that Ms Bakhmina was pressured to provide inappropriate information in order to be released from detention and that she was questioned about the criminal case against YUKOS as well as her private family life. During the course of this interrogation, Ms Bakhmina lost consciousness for a second time and was again denied hospitalization.


The Association would like to remind the General Procurator of the obligations of the Russian Federation under several international agreements. First, Article 10(1) of the International Covenant on Civil and Political Rights requires that: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person." The

treatment of Ms Bahkmina does not adhere to this standard since she was denied basic due process rights and was forbidden to seek critical medical treatment.

Second, the United Nations Standard Minimum Rules for the Treatment of Prisoners and the Body of Principles for the Protection of All Persons under any form of Detention provides that prisoners must have access to legal representation (Principle 93, 17) and prohibits the interrogator from using the situation of a detained person to compel him to confess, to incriminate himself or to otherwise testify against another person (Principle 21(1)). The interrogation of Ms Bakhmina clearly did not meet these fundamental principles.

Finally, under the Convention Against Torture and Other Inhuman or Degrading Treatment or Punishment the Russian Federation is obliged to refrain from any form of torture, which is defined in Article 1 as: "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or confession..." The treatment of Ms Bakhmina, particularly the denial of medical treatment and the continued interrogation violate the Russian Federation's obligations. In light of the Russian Federation's international obligations as well as the concerns over Ms Bakmina's health, I respectfully request on behalf of the Association that you release Ms Bahmina and refrain from future interrogation under inhumane conditions.

Very truly yours,

A handwritten signature in cursive script that reads "Bettina B. Plevan".

Bettina B. Plevan  
President