

PUBLIC

AI Index: EUR 46/027/2006

31 May 2006

UA 154/06

Health concern/Denial of medical treatment

RUSSIAN FEDERATION

Mikhail Ivanovich Trepashkin (m), lawyer

Lawyer Mikhail Trepashkin has been imprisoned since May 2005 on charges which appear to have been politically motivated. He suffers from chronic asthma, which has worsened in custody. On 29 May a judge ordered that he be hospitalized, but that evening he was forcibly removed from hospital by prison warders. Without adequate medical treatment his life may be in danger.

A former KGB and Federal Security Services (FSB) officer, Mikhail Trepashkin had been assisting the independent commission investigating a series of explosions that took place in apartment buildings in Moscow and other cities in 1999. The authorities had blamed the explosions on Chechen separatists, but there are allegations that the FSB had been complicit in the explosions, which the Russian government had used as a pretext for military action in Chechnya.

He was arrested in October 2003, one week before he had been due to appear in court to represent the family of one of the people killed in the 1999 explosions. He was eventually convicted of "divulging state secrets" and "illegal possession of ammunition" by a Russian military court in May 2005, and sentenced to four years' imprisonment. Amnesty International is concerned that he may have been prosecuted in order to prevent him continuing his investigations, and his work as a lawyer, around the bombings.

In detention he had repeatedly complained about not receiving adequate medical treatment for his asthma. Some of the cells he was placed in were reportedly infested with lice and bugs.

On 29 May the district court in Nizhnii Tagil, Sverdlosk region, was to decide on Mikhail Trepashkin's appeal for access to adequate medical treatment. However, during the hearing he suffered a severe asthma attack, and the judge called an ambulance. The ambulance crew found that Mikhail Trepashkin had developed a severe form of bronchial asthma and needed urgent treatment, so the judge postponed the hearing and ordered that Mikhail Trepashkin be taken to hospital immediately. At the hospital, in Nizhnii Tagil, he was given oxygen and put on a drip.

At about 10pm that day, the deputy head of the prison colony apparently came to the hospital with five warders, and took Mikhail Trepashkin back to the prison colony where he was serving his sentence. His lawyer called the police, but a senior officer apparently ordered them to leave the hospital. The deputy head of the prison colony told staff at the hospital that Mikhail Trepashkin would be brought to the hospital for treatment twice a week. When Amnesty International spoke to his lawyer the following day, she had not been able to visit him and the prison authorities had not provided her with any information about the state of his health. The hospital had told her that he had a severe form of bronchial asthma, a serious medical condition which would entitle him to be released from prison under a February 2004 government decree.

BACKGROUND INFORMATION

As a consultant to an independent commission set up to investigate the 1999 apartment block bombings, Mikhail Trepashkin investigated the actions of the FSB. In particular, he was asked to investigate allegations that the security services had been complicit in the bombings. Since mid-2002, Mikhail Trepashkin had been acting as a legal representative for the family of one of the victims of the bombings.

In August 2005 Mikhail Trepashkin had been released on parole from prison, but on 18 September he was detained in his flat in Moscow without a court order and eventually taken back to the prison colony in Nizhnii Tagil.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian or your own language:

- expressing concern at reports that Mikhail Ivanovich Trepashkin was forcibly removed from hospital by prison colony staff on 29 May, while he was on a drip and receiving oxygen;
- urging the Russian authorities to provide him with medical treatment immediately, in line with the recommendation of qualified medical staff at the hospital in Nizhnii Tagil;
- calling on the authorities to ensure that Mikhail Ivanovich Trepashkin is returned to hospital and discharged only on the recommendation of qualified medical staff at the hospital;
- calling on the authorities to release Mikhail Trepashkin immediately pending a full review of the case.

APPEALS TO:

Head of the Federal Service for the Execution of Punishments of the Russian Federation

Yury Ivanovich KALININ

Director

Federal Service for the Execution of Punishments

Ul. Zhitnaia 14

119991 g. Moskva

GSP - 1

Russian Federation

Fax: +7 495 982 1930

Salutation: Dear Director

COPIES TO:

Minister of Justice of the Russian Federation

Yurii CHAIKA

Minister

Ministry of Justice of the Russian Federation

Ul. Zhitnaia 14

GSP -1

119 991 g. Moskva

Russian Federation

Fax: +7 495 955 5779

E-Mail: cos@minjust.ru
(via website) <http://www.minjust.ru>

Ombudsperson of the Russian Federation

Vladimir LUKIN

107084, Moscow, ul. Miasnitskaia, 47

Fax: +7 495 207 39 69

E-mail: press-sl@ropnet.ru

and to diplomatic representatives of the Russian Federation accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 12 July 2006.