
Time of studying the criminal files limited for one of the suspects under investigation over accident at Sayano-Shushenskaya hydro power plant



The Main Investigations Directorate of the Russia's Investigative Committee is taking measures aimed at the fastest studying by the accused and their defenders of materials of investigation into the accident which happened in August 2009 at Sayano-Shushenskaya hydro power plant.

We remind that several staffers of P.S. Neporozhny Sayano-Shushenskaya hydro power plant being responsible for safe operation of hydraulic equipment at Sayano-Shushenskaya hydro power plant by negligence during a long period of time allowed work of hydraulic unit No. 2 in unsatisfactory vibration state. Employees of the plant did nothing and did not take any measures to eliminate the technical failure, including during planned repair works in January-March 2009. As a result on 17 August 2009, when the amplitude of vibration of turbine bearing increased to 840 micron, with the

maximum allowed of 160 micron, a mount of turbine roof started distracting which resulted in its breakaway, the turbine half annex was flooded, distraction of and damage to buildings, technical facilities and technological equipment of Sayano-Shushenskaya hydropower plant and death of 75 people of staff and contractors.

After the investigating operations were completed, the accused and their defenders have finished studying materials of the case, which is 1,213 volumes since 7 August 2012. Despite the fact that the Investigative Committee has created all possible conditions for free availability of the materials – in working hours, after them and at the weekend, - the speed and amount of studying by the lawyer Igor Klimov defending the accused Gennady Nikitenko are showing obvious deliberate dragging out the process. Though Klimov is the defender in this case, he still takes part in other investigations instead of concentrating on studying the materials of investigation against Nikitenko. However, according to paragraph 5 of part 1 of article 9 of Lawyer's Professional Ethics Code the defender has no right to accept more orders to render legal assistance than they can manage. Deliberate delay in the process of reading the materials infringes the right of other accused to access the justice in reasonable time limits, prevents realization of rights of the victims for the judicial protection and compensation of the damage and leads to general delay in the time of investigation.

This way the lawyer's abuse of his procedural rights has caused investigators to go to court and request to limit Klimov's time to study the files. The court granted the petition, agreed with the arguments of investigators and limited the time - the lawyer has to finish studying the materials of the case before 15 May 2013.

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