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1999 Country Reports on Human Rights Practices

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BULGARIA

Bulgaria is a parliamentary republic ruled by a democratically elected government. President Petar Stoyanov of the Union of Democratic Forces (UDF) began a 5-year term of office in January 1997 following his election in late 1996. UDF leader Ivan Kostov currently serves as Prime Minister. The judiciary is independent but suffers from corruption and continues to struggle with structural and staffing problems.

Most internal security services are the responsibility of the Ministry of the Interior, including the Central Service for Combating Organized Crime, the National Security Service (civilian intelligence), internal security troops, border guards, and special forces. Although government control over the police is improving, it still is not sufficient to ensure full accountability. The Special Investigative Service (SIS), reduced in size by a recent reorganization, is a judicial branch agency and therefore not under direct government control. Some members of the police committed serious human rights abuses.

The post-Communist transition economy continued to be heavily dependent on state enterprises, many of them unprofitable, although the growing private sector now accounts for over 60 percent of economic activity. Most persons are employed in the industrial and service sectors; key industries include food processing, chemical and oil processing, metallurgy, and energy. Principal exports are agricultural products, cigarettes and tobacco, chemicals, and metal products. Following a severe financial, economic, and political crisis in 1996 and early 1997, a reformist government introduced a successful macroeconomic stabilization program. The program quickly stabilized the economy and cut the triple digit inflation of 1996-97 to less than 1 percent in 1998. Inflation grew to 6.2 percent in 1999. The economy grew by 3.5 percent in 1998 and by 2.5 percent in 1999. The Government has placed a great deal of emphasis on attracting foreign investment and has promised far-reaching structural reforms, although the privatization process has not moved forward as quickly as hoped. The annual per capita gross domestic product of \$1,500 provides a relatively low standard of living.

The Government generally respected the human rights of its citizens; however, problems remained in some areas, while there were improvements in a few others. Police used questionable lethal force against five suspects. Security forces beat suspects and inmates and often arbitrarily arrested and detained persons. Reforms designed to increase accountability have improved the Government's control over the security forces; however, its control remains incomplete. Problems of accountability persist and inhibit government attempts to end police abuses. Conditions in some prisons were harsh, and pretrial detention often is prolonged, although this situation improved somewhat during the year. The judiciary is underpaid, understaffed, and has a heavy case backlog; corruption is a serious problem. The Government infringed on citizens' privacy rights. There were reports of police abuse of journalists. Constitutional restrictions on political parties formed on ethnic, racial, or religious lines effectively limit participation for some groups. Police, local government authorities, and private citizens continued to obstruct the activities of some nontraditional religious groups, although there was some improvement in their treatment by central government authorities. Violence and discrimination against women remained serious problems. Discrimination against the disabled and religious minorities is a problem. Discrimination and societal violence against Roma were serious problems, resulting in two deaths. Because of a lack of funds, the social service system did not assist homeless and other vulnerable children adequately, notably Romani children. Security forces harassed, physically abused, and arbitrarily arrested and detained Romani street children. Child labor was a problem. Trafficking in women and girls is a serious problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political killings; however, in five cases, police officers used questionable lethal force against citizens, one of whom was a member of the Romani minority. There was one report of a death in custody.

The Ministry of Interior Act regarding the use of firearms by law enforcement officials permits them to use firearms to apprehend persons committing crimes or who have committed crimes, even if the crimes are only minor. Law enforcement officers also may use firearms to stop the escape of a person who has been arrested for any crime.

On January 29, Tencho Vasev was shot and killed by border police near Novo Selo while trying to cross the Bulgarian-Greek border illegally. An investigation into the case was completed on May 28. On June 14, the Military Prosecutor's office prepared an indictment against the officer responsible for the shooting. The case was ongoing at year's end.

On May 13, Nikolai Filipov was shot and killed by police officers during an attempted car theft near Pravets. Filipov died from a gunshot wound to the head. The use of lethal force in this instance was ruled legal self defense by the Military Prosecutor's office after an investigation.

On June 6, a 28-year-old criminal suspect, Gancho Vuchkov, was shot and killed while trying to escape police in Sofia. Police were carrying out a warrant for Vuchkov's arrest in connection with a series of car thefts. Following a car chase and an exchange of gunfire

with police, Vuchkov was shot in the temple. A relative of Vuchkov who reportedly arrived on the scene soon after the shooting and saw the body, alleges that Vuchkov was killed after police apprehended him and not while in pursuit. The case was under investigation at year's end.

On June 14, Oleg Georgiev was shot and killed by border police during an attempt to cross the border near the town of Kulata in the southwest.

On September 21, Kostadin Sherbetov was found dead in his cell in a district police station in Sofia. Earlier that day, guards from a private security firm that protects schools in Sofia detained Sherbetov on suspicion of pedophilia and turned him over to police. An ambulance was called to the police station, and doctors established that Sherbetov had died. According to his forensic medical certificate, he suffered from several broken ribs and numerous bruises. The chief secretary of the Ministry of Interior admitted that Sherbetov was a victim of violence but contended that the policemen and guards deny any involvement in the abuse. The Military Prosecutor's Office launched a preliminary investigation into four police officers.

The investigation into the 1998 shooting death case of Tsvetan Kovatchev was reopened in June after legal wrangling resulted in a repeal of the Military Prosecution's initial ruling in January that the use of force was justified.

In July charges were brought against the police officer involved in the 1998 fatal shooting of Yordan Yankov. The police officer was sentenced to a term of 15 years in prison and fined approximately \$6,000 (Lev 11,000) to be paid to Yankov's family. An appeal to reduce the sentence is likely.

The 1998 case of Staniela Bugova was on appeal following sentencing in the fall of the police officer involved in the shooting to 21/2 years. The sentence was upheld in one appeal; this was the last opportunity for appeal in the case.

There were no further developments in the 1997 beating death case of Mincho Simeonov Surtmachev. The case was still under appeal at year's end. Pending appeal, the two police officers involved remain in custody serving sentences of 7 years and 4 years. The case also resulted in the firing of the chief of the Dobrech police precinct.

Two 1997 cases were dismissed. The Military Prosecutor's office dismissed the Georgi Biandov case in 1998 and ruled that police acted within their authority. The 1997 death of Elin Karamanov also was dismissed by the Military Prosecutor's office in June 1997, and the dismissal was confirmed on review by the Chief Military Prosecutor in September 1997 on the grounds that the use of lethal force was legal.

The Military Prosecutor's office sentenced in February 1998 the police officer involved in the 1997 death-in-custody case of Stefan Stanev to 21/2 years. The case is pending appeal.

The 1996 murder case of former Prime Minister Andrei Lukanov remains unsolved. The investigation was ongoing at year's end, with several suspects arrested and released during the year. On June 1, authorities arrested Yurii Lenev in connection with the murder of Lukanov and reportedly beat him before he was taken to the SIS detention facility. Lenev's family members reported that when they were permitted to see him finally on

June 12, his bruises from the beating still were visible. The Military Prosecutor's Office opened an investigation into this case, but no progress was made by year's end. Angel Vasiliev was extradited from the Czech Republic in September. According to press reports, Vasiliev is suspected of having paid \$100,000 for the murder of Lukanov. Before his death, Lukanov criticized the Socialist Party's special treatment of the Orion group, to which Vasiliev's construction company belongs and which is suspected of misappropriating funds from several banks.

There were two instances of members of the Romani ethnic minority being killed by private citizens. An incident of racial violence resulted in the beating death of a Romani woman at the hands of teenage boys. In another incident, a trespassing Romani boy was shot by a private citizen (see Section 5).

The 1996 case of Anguel Zabchikov, a 17-year-old Romani boy who died in police custody, was still ongoing at year's end, pending a hearing before the European Court of Human Rights in Strasbourg.

In February four policemen were convicted of murdering an ethnic Turk during a protest against the forced assimilation campaign in May 1989; the highest sentence meted out was 21/2 years.

There was no progress in the trial concerning the notorious death camps set up by the Communists after they took power in 1944.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution expressly prohibits torture and cruel, inhuman, or degrading treatment; however, despite this prohibition, police commonly beat criminal suspects and members of minorities, at times to extract false testimony. In particular, security forces physically abuse street children, the majority of whom are Roma.

The Human Rights Project (HRP) reported that on January 17, a police officer in Pleven harassed and beat Stefka Madjarova. After ordering her to leave the market where she was selling her goods, the police officer demanded her identification. He then ordered Madjarova to follow him to a police station at the market where she was beaten with a club. Madjarova was struck on the legs and has forensic evidence (a medical certificate) for the injuries that she sustained. There were three witnesses on the scene. A complaint has been filed with the Regional Military Prosecutor's Office in Pleven.

In January two policemen beat Rom Kiril Nikolov Spasov from Russe and forced him to give false testimony.

On July 22, police officers in Pavlinkeni reportedly beat two Roma, Atanas Assenov and Assen Assenov, who had been detained and left a third Rom, Anton Assenov, who had been shot earlier by a private security guard without medical attention for several hours. The private security guard accused the Roma and their companions of stealing fruit and

reportedly shot at them when they tried to escape, wounding one Rom in the back of his head. When police arrived and called an ambulance, the emergency medical technicians reportedly refused to