

OMO “Ilinden”-PIRIN
DEMOCRATIC MOVEMENT OF THE HUMAN AND MINORITY RIGHTS IN BULGARIA
PARTY FOR INTEGRATION, DEVELOPMENT, AND ECONOMIC ADVANSMENT

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REPORT

***Concerning the Latest Actions by the Bulgarian Police and
the Bulgarian Public Prosecutor’s office Against OMO “Ilinden”-PIRIN’s Members***

Concerning the latest campaign of the Bulgarian police to “check” all members of OMO “Ilinden”-PIRIN, the party’s Central Council concluded at its meeting on December 10, 2006, that it should prepare a Preliminary Report. The Report was to summarize and present the preliminary report of the actions by the Bulgarian police and public prosecutor’s office to the public. After the still ongoing “checking” by the police and prosecutor’s office, OMO “Ilinden”-PIRIN reserves the right to come up with a comprehensive report which it will present to all appropriate institutions and bodies.

Neither OMO Ilinden-PIRIN has received, nor any of its members have been shown, an order for the authorities’ undertaken activities. Therefore we can only suspect the motives and draw conclusions from the authorities’ statements in the media.

According to the statements of police officers and based on the texts of some summonses, the order was given by the prosecutor Il. Slavevska at the Sofia City Prosecutor’s Office on November 10, 2006 under seal N:ч1392 (correspondence N: 17879/2006 (according to the summons of Slavinka Atanasova Ligova from Sandanski); or 6P1979 (according to the statement of Manol Manolov of the Bulgarian State Security expressed to the OMO “Ilinden”-PIRIN coordinator in Dolni Dabnik) on November 9, 2006.

The authorities fulfilled the order rather late and began at the city of Shumen. According to information in the newspaper “24 Hours” of November 24, page 4, tens of OMO-“Ilinden”-PIRIN members have been summoned to report to the city’s police stations – a fact later confirmed by the Ministry of Internal Affairs.

After November 29, the authorities’ actions spread to other cities. First, in Dolni Dabnik the aforementioned State Security employee, Manol Manolov, visited Goce Terziev of OMO “Ilinden”-PIRIN and tried to acquire the party’s membership applications in order to copy them. Mr. Manolov did not show any legal order nor states the legal basis for his request. After being refused, Mr. Manolov threatened Mr. Terziev that he would be taken to the police. At the same time, the authorities called the other OMO “Ilinden”-PIRIN members in that city for questioning.

The police activities spread the following day to Plovdiv, Razlog, and Sofia. On November 30 and December 1, the police action covered the whole Blagoevgrad region.

It is interesting that the police actions correspond with the activities of the coalition European Free Alliance (EFA) and the Green Party regarding the changes to the European Union report for Bulgaria by Mr. Jeffrey van Orden; the changes concerned the registration of our party. The change to the EU report was proposed on November 13, and the External Commission of the European Parliament at its session on November 23 did not accept the proposed change. This period corresponds to the delay in the police enforcing the Bulgarian prosecutor’s order. The

police action began rather carefully on November 23 only in one city, and it gained ground on November 29 when the proposal for changes by the Greens and the EFA was taken into consideration in the European Parliament (but knowing that it will not be voted for by the majority parliamentarians). The police action especially gained ground on November 30 to include the whole territory of Bulgaria when the proposed change concerning our party and another one concerning increased monitoring of Bulgarian treatment of minorities, did not pass in the European parliament.

The beginning of the correspondence (November 9, 2006) corresponds with the day which after a week of delays, the Sofia city court's ruling was given to OMO Ilinden-PIRIN's attorney, and he immediately appeals to the Supreme Court. Similarly, during this period the Bulgarian Supreme Court did not answer our party's appeal, even though the legally required deadline (November 23) passed.

Regarding the Sofia Prosecutor Office motive to start an unprecedented action in the practice of registering political parties in Bulgaria by conducting mass "verifications" and subjecting all the party members to such a "verification".

1. Mistaken Personal Identification Numbers (or EGN), enrollment of minors, members of other parties

The number of incomplete EGN's is 11, lacking EGN -8, i.e. 19 out of almost 6000. All EGN's are handwritten once on the membership declarations and then transcribed into the membership list. That means that about 120000 numbers had to be transcribed, so the above omissions are symbolic and normal.

The number of minors are 3 (a fact hidden from the media) and surely not basis for mass verification, since the age can be easily determined by the EGN's.

Errors in addresses. According to the Blagoevgrad branch of the Interior Ministry there are 55. Half of them cannot be considered errors as they consist of missing accent marks, addresses with shortened names (Iv. Mihailov instead of Ivan Mihailov), using diphthongs and similar. The other cases are addresses in which the block, entrance number exist but the apartment is missing, or addresses of villages where there are no streets.

During completing the forms the members declare that they are not members of another party. This question is asked also by the party founders and the activists. Hence, all member candidates undertook personal responsibility for this declaration. It can be also construed that by signing our membership declarations the members relinquished other party's membership, if there was such.

It is therefore impossible to consider these errors and omission, a truly negligent number, are basis for mass interrogations of all party members.

2. "Purchasing" of votes

This allegation is based on unconfirmed media reports. The only two cases, cited by the media, where there are names of persons claiming purchasing were obviously non serious. In one case an ethnic Roma from the town Gotse Delchev claimed he was offered 50 levas which he declined. The second case was again involving Romas. The person claimed that he collected 100 Roma members and paid them 30 levas each. The party, however, has only 2 Roma members from that place. Despite the obviously groundless allegations, the Prosecutor ordered investigations into the matter (widely publicized by the media) under order N:1928/2006 which was subsequently abrogated because of "lack of evidence of any wrongdoing," (a fact hidden from the media). Despite that the police used the orders for execution of the unsuccessful interrogation in the court and ordered verification on a part of the members (mainly outside of Blagoevgrad area) between 14 and 16 of October 2006. Although all methods of intimidation were used no existing evidence

was established regarding the purchasing of votes. Thus, the Prosecutor had no basis to use this as an excuse for the mass verification.

3. People included without “their knowledge or agreement”

This is a case of about 20 people which signed declarations at the police in which they say they did not give their agreement to become members of the party or they did not fill in any membership documents. These declarations were obtained under heavy pressure and intimidation. The party has reacted because of these cases and has written to the Prosecutor General, to the Interior Ministry and the Justice Ministry but has not received any reply. The party has proposed during the proceedings at the Sofia City Court on 18 October to include the membership declarations of these people. This way it could be established that the police declarations were untrue and the violent and illegal method used in obtaining them could be established. The Prosecutor Slavevska, however, insisted that the declarations are not included. It should be pointed that all these data are a result of extraordinary methods, never used toward political parties: graphological and criminal expertise, Interior Ministry examinations, declarations collected by undemocratic methods as intimidation, deceit and coercion upon a part of the members, or citing of false and manipulated media reports.

This is why the Central Committee of the Party can't find any basis for the Prosecutor's order to interrogate all the party members.

On the procedure to become a party member.

Concordant with the Political Parties Act from the moment of the establishing of the Initiative Committee for the Party Formation (26 March 2006) until the Founding meeting (25 June 2006) the membership is automatically done through the completing of the Membership Statement in which one express agreement with the Founding Declaration of the Initiative Committee, desire to become member and lack of membership in other parties.

The way to become member of the party is detailed in the Constitution and is as follows:

Art 9 Member of OMO Ilinden PIRIN can be every citizen of the Republic of Bulgaria that is not a member of another party on the territory of the Republic and outside, accepts the Constitution and the Program of the Party and declares readiness to work for the fulfillment of its goals.

Art 10 The acceptance of members is at the General meeting of the local section, in which territory the member resides, on the basis of his submitted application.

The application for membership in the approved membership form is called Statement, to be different from the Membership Declaration, which according to art 11 of the Political Parties Act the founding members complete in the months before the creation. In the Constitution the term Application is used as a explanatory significance. In the Membership Statement the candidate underscores desire to become member of the OMO Ilinden PIRIN party, accepts the Party Constitution and declares not being member of other political parties.

The party has 558 Membership Declarations and 5302 Membership Statements of its members submitted to the Party before 20 September 2006. Using these Statements and Declarations the membership list was constituted according to art 15 (3) 7 of the Political Parties Act. The Party did not organize membership drives nor collected signatures as told by the media, the police and the prosecutor office.

The prosecutor did not legally request to review the Statements in the disputed cases upon which it based the mass verification. Even more, as already mentioned, when on the 18th of October the Party representatives during the Sofia City Court proceedings insisted to have the opportunity to submit the Statements the Prosecutor Slavevska objected thus removing the only and easiest way to clarify the “misunderstandings” caused by the illegal behavior of the state officials. The Party leadership is convinced that all that is due to the Prosecutors' wish not to have taken away the

“basis” for the start of the mass intimidation campaign of the Party members and hence the possibility to prevent the Party’s registration using the states repressive potential.

About the way the mass verification has been conducted by the Interior Ministry.

- The verification is done to all and not only to the “suspicious” cases of wrong EGN’s, addresses and similar.

- The procedure varies – part of the members are called through verbal invitations, others through summons and still others were visited in their homes and places of work.

- The verification is not executed by chance. First the verification is done to new Party members, old and ill persons, youths, state employees. In some cases the Police insists on interrogating the wife (new member) and not the husband (Party activist) or to allow his presence during the wife interrogation. Up to this moment long time activists are not summoned.

- The interrogations are executed by the Police with many violations: lack of identification by state officials, lack of showing orders, visiting members homes late at night, taking/visiting members from their place of work, waiting for members at bus stops after work and similar.

Example of Martin Asenov from Sandanski (Polenaski Pqt 14): he was taken by a squad car from his place of work (a pizzeria in the city center) and taken to the Police station to give written explanations. Same with Milka Borisova Ivanova from Blagoevgrad, working in a Building - Constriction High Schooin Blagoevgrad. She was visited and interrogated in front of her colleagues and pupils.

The local Policeman Valentin declared to Damian Rizakov, member of the Central Council of the Party, that they are working against a verbal order and have not seen a written one.

- Members were summoned to the Police, visited in their homes more then once when the Police did not like the written replies, as they insisted on detailed information on to whom and what date the Membership Statement was given.

- To those unable to read (old age, illness or other) an already completed document ready for signature was given, after the members were informed what was written (case of Nada Iovcheva Petrova in Petrich). At the question by Petrova why is she interrogated and all that, the policeman who did not identify himself, declared he doesn’t know.

- In the Police forms there is a question whether the person permanently resided abroad, whether he/she gave personal data to Party leadership and similar.

- No member was advised that they could use an attorney. In two cases when members appeared with attorneys, the responsible Policeman was “absent” or explanation was given that the summons was about some unrelated matter happened years ago (case of Emil Evtimov from Blageovgrad). Also from other cases (Milka Borisova Ivanova and Petar Ivanov) it is apparent that the Police avoided the presence of attorney during the interrogation.

- The Police has never advised anybody that they could refuse to fill in the questionnaire. In some cases when members did refuse they were intimidated and told they would be taken to the Prosecutor General’s office in Sofia (case in Plovdiv).

- Members are not explained why the verification is held and are left with impression that they participated in something illegal or a transgression was committed. This attitude is underscored by the interrogators behavior and their questions.

- A normal atmosphere is not created during the information process and the police do nothing to alleviate the atmosphere of fear and insecurity, on the contrary, very often they increase it.

- Different forms are used with different questions. In some there are fields that require nationality, place of work, profession and education (the form used in Sofia). In Sofia there are 8 questions, in Blagoevgrad district mostly 9 but in Sandanski another form was used with 10 questions. Dimitar Ivanov in Shumen was supposed to reply to 14 questions.

- Although on most forms it's indicated that the person has filled them in personally, in many cases that police did that and asked for a signature only. All the members from the village of Polenica (Sandanski) gave their replies orally and the police filled the forms after which they were told to sign them. In some cases when because of old age some couldn't read they couldn't even see what they were signing. Similar cases there were in Petrich area and elsewhere.

- In some cases members were given filled forms with replies damaging the party.

- Questions were made with no relation to the verification or with intimidating undertone: where and what do you do, why did you join the party, do you know what actually this party represents etc.

In forms used by the police in Sofia there are fields like "place of work" and "nationality" (the last field is strange since in documents in Bulgaria there is no such thing). Similar is also the question whether the person has been absent from Bulgaria in the period from July 1 to September 25. Not only it is badly formulated (one month absence could give a reply) but it also negates the right of citizens to submit applications using modern methods (fax, e-mail, etc).

- Forms used by the police contain misleading questions

Example: is the member familiar with the party program (the party does not have one yet); is he a sympathizer (the party according to its constitution has members and sympathizers but the way the questions are formulated in one of the forms is confusing). The questions whether the person applied for membership and whether he is a sympathizer are the first and the last and although the constitution is quoted in the questionnaire the word "sympathizer" can be broadly understood whether the person sympathizes with the party ideas. (The party has not admitted sympathizers up to that moment.) If the person indicates he is a sympathizer (in the normal sense of the word) that declaration can be used by the prosecutor in the sense that he is not a member and to deny the presence in the party roster. The form used in Sandanski lists twice a question if the person is a member in another party, the first under number 7 and the second under number 9. The second time it is given in the complex with the following questions: whether the person filled in the form and declaration and whether he knows if he is registered as a sympathizer. A positive and a negative answer to that are both damaging to the party (yes – means he is not a member but a sympathizer and member of another party; no – means that he did not fill the form). There is not enough space to better explain the questions in the form. Similar duplications are many (the questions 2 and 9 in the same form ask if a form was filled in (2) or a form and a declaration (9)). Georgi Nikolov Hristov indicates that on December 11 at Sandanski police station a similar form was used but with 10 questions. The relative ones about membership in other parties are in questions 7 and 10. When he protested for the many misleading and repetitive questions the police replied that that's the way they were received by the prosecutor.

- Showing of lists with data and signatures of members, not founders of the party, lists that the party never made. Asking questions if the signature belongs to the person and after receiving a negative reply noting that that the person in question did not sign the list of party members.

- Cases of manipulation of members.

According to Kiril Pecev from the village of Gabrene, Petrich area, the police questioned members if they submitted member applications and when received a reply that they filled in declarations the police retorted that they are not interested in membership declarations but only in applications (membership is commenced with “declaration” and not “application”). When a reply was received that applications were not filled in the police filled the forms themselves in the sense that the person did not submit any membership documents and then pressed for the form to be signed.

- Requesting, unnecessary for verification, information as: was the person present to the party meeting where he was accepted as member (being present is not necessary according to the Constitution), on what date was the acceptance voted, is he a member of another party (question clarified in the declaration form where the person declares he is not); is he familiar with the constitution (another question clarified in the declaration form); to whom did he give the membership application, who was a guarantee for his acceptance, was he abroad during the period of membership drive (a question totally unrelated to the right to become membership); did they give personal data to party executives (question clarified with the fact that they filled in the declaration for membership where they indicate the EGN number and address.)

- All used forms contain question whether the person received compensation or were promised such (or in some cases whether intimidation was used). As both investigations regarding the “vote purchase” and the prosecutor’s verification made during October had negative results the inclusion of the question is totally unjustified. It also creates unpleasant impression among the members for the existence of misuse in the party, and in the society that these “purchases” really happened. It is still unexplained why is the party still under investigation for “purchasing” when there is no evidence for it.

- Intimidation of members, that because of the membership could have problems with the police in the future, or with the law, that they could be jailed, that their children could have problems, that they could lose their pension or job, that the party leadership could misuse the given personal data to obtain loans that the members have to repay.

- Party member Stoycho Teoharov from Petrich testifies that police told party members from this town that since the party leadership has their personal data they could obtain loans that the members must repay (the declarations contain only name, address and EGN number – totally insufficient data for any kind of transaction in anybody’s name).

- 17 Party members from the village of Lilyanovo, Sandaski area, were summoned to the Sandanski Police station where the clerk told them that the Party is illegal and separatist and that they have to find a way to renounce their membership.

Coarse and inhuman behavior to some of the members

Blaga Atanasova Staneva, 74, was held and intimidated for half a day at the Police station in the town of Antonovo.

Valeri Stoyanov Chobrev from Sandanski, 91 Pirin St. The Police visited his home without knocking but started to yell and use the car horn in front of the house. After Chobanov went out and complained a verbal exchange occurred where one of the Policeman (did not identify himself) said that from now on they will make his life a hell.

Attempts to copy Party documents without having orders about it.

State employee Manol Manolov from Dolni Dabnik attempted to take Party documents and to copy them.

It is very characteristic that despite all protests through the media by the Party activists the Police did not express any interest to obtain cooperation from them. To the contrary, in Struma daily of 12 December 2006 on p. 3 in an article signed by Svetla Ilieva one can see that in the Police station in city of Gotse Deltchev is preparing materials against OMO Ilinden PIRIN members to be presented to the Court. The article alleges that with offensive qualifications and lies the Party members are attempting to tarnish the image of the Police and the State.

About the atmosphere in which the interrogations are held.

1. The Police “verification” is held in conditions of several months media campaign against the Party and after series of threats and incitements by mayors, MP’s, politicians, candidates for President and former justices against the Party members. Here are some of them: the authorities should undertake energetic measures against the Party since it is anti Bulgarian, seditious, separatist, extremist, illegal, anti constitutional and enemy of national interest, that it works against Bulgaria, falsely accuses it in the world, hinders its European integration, the Party is founded illegally, enrolls its members through vote purchasing and deception, violates the law and is investigated by the Prosecutor, the leadership are foreign intelligence agents, they are financed by enemy forces, members should be jailed, to be shot in the streets, their citizenship should be removed, that Macedonians (including the Party members) should be expelled from Bulgaria and many more, all in this spirit, published in the print and electronic media .

This media campaign continues along with the Police actions.

No state employee (or institution) ever came out to protect the Party and its members from this mass hysteria. On the contrary, with the tendentious declarations the Prosecutor Slaveska and other state employees only increased the hostile atmosphere against the Party and its members.

2. The Police is a organ of repression. In the collective memory of the population there is still present the fear of it (inherited from the fascist and then communist totalitarian past and from the line of excesses executed against the Macedonian organizations in the recent past) and also by the prejudice that if one is summoned to the Police then one is probably a criminal. Because of that all the Police visits, the summons and the driving to the Police station, the interrogation of neighbors and colleagues where and how Party members could be discovered represents a powerful psychological abuse, compromising them in front of their neighbors, colleagues and friends.

About the atmosphere of fear and intimidation among the Party members speaks the fact that members that submitted Statements after the Party submitted documents for registration and therefore would not be summoned for verification asked for the Statements to be returned to them (case in Gotse Deltchev, names are kept anonymous by request of the former members). Confirming this are the cases in which people signed the Membership Statements but later also sign declarations that they did not want to become members.

Concrete examples of the fear from the Police action are as follows; on 11 December in the village of Polet, Simitli area, women which signed Membership Statements were told to report to City Office the next day at 11 AM. As a result they started calling the local Party leadership about what to do and declared they are very scared and would like to renounce the memberships. Lora Maksimova from Shumen had an increase of her blood sugar after a Police phone call. Filip Kotev almost fainted after a similar call. Reports of scared members to the Party leadership were daily.

Conclusion:

As a result of all these we conclude that the mass verification had not a legal scope nor was it legally based. The only scope is to intimidate and confuse our members in order to decrease below the required by law minimum of 5000 members and to collect information that could be

used to deny the Party registration. It is simply an extension of the illegal and undemocratic actions and orders of the Sofia City Prosecutors Office, specifically the Prosecutor Slavovska as well as the completion of the political mission to impede by any cost the registration of a democratic political party. We have to conclude that our Party is subject to special treatment by the state organs and that treatment is hostile and deliberate. No other party had to endure graphological and criminal investigations. No other party's members were summoned in mass to the Police, no other party had to endure a prolonged media campaign and endure similar threats and intimidation by politicians and state employees.

The effects of the Police and Prosecutor's actions are:

1. Compromising the Party among its members, since they are humiliated by the Police summons for just being members.
2. Compromise the Party and the members in front of the citizens, creating an impression that the Party is investigated because of law transgressions.

Under these conditions the eventual attempt to reregister anew (in case of final registration rejection) is made extremely difficult and the Party is being compromised before even taking part in the political life of the country.

The most unpleasant impression, however, is the totalitarian harmony and indifference of the authorities, the media, political parties and intellectuals regarding the repression against our Party, against thousands of Bulgarian citizens.

Central Council of OMO Ilinden PIRIN.

Blagoevgrad, 12 December 2006