

OPEN LETTER FROM FAMILIES OF IMPRISONED HUNGARIAN AND OTHER FOREIGN CITIZENS
TO THE HONORABLE

MR. GEORGE PARVANOV PRESIDENT

AND

MR. SERGE STANISHEV PRIME MINISTER

FOR THE REPUBLIC OF BULGARIA

END CORRUPTION, COERSION, DISCRIMINATION AND INEQUALITY

HONOR BULGARIA'S TREATIES AND ITS COMMITMENTS TO THE EU AND COUNCIL OF EUROPE

IMMEDIATELY TRANSFER OUR HUSBANDS, FATHERS AND SONS TO PRISONS IN OUR COUNTRIES

AMEND ARTICLE 70 OF THE CRIMINAL CODE

GIVE CITIZENS OF THE EU AND OTHER COUNCIL OF EUROPE STATES AN EQUAL RIGHT TO PAROLE

AND

AMEND ARTICLES 415 AND 418 OF THE BULGARIAN CRIMINAL CODE OF PROCEDURE

TO GIVE OFFENDERS A RIGHT OF APPEAL EQUAL TO THAT OF PROSECUTORS

GIVE OFFENDERS A CHANCE TO BRING DECISIONS OF CORRUPT AND BIGOTTED JUDGES BEFORE HIGHER

COURTS

AND

AMEND ART. 442 CRIMINAL CODE OF PROCEDURE

TO MAKE PRISONER TRANSFERS UNDER THE EUROPEAN CONVENTION MANDATORY

Gentlemen, the families of foreign citizens imprisoned at the Sofia Prison petition you to show the same humanity, equality under law and the compassion for the foreign citizens in Bulgarian prisons as you are demanding for Bulgarian citizens imprisoned in Libya or in our countries.

In May of 2005 and again in October 2006 foreign prisoners at the Sofia Prison complained against the discrimination practiced by prison wardens who intentionally obstruct legal rights not restricted by their criminal sentences. These grievances were made public during these hunger strikes. Each ended only on the promise to our embassies that the Government of Bulgaria would end its discrimination against foreign citizens in Bulgarian prisons and stop a practice of arbitrariness and bigotry by Sofia prison administrations and Sofia criminal court justices. Sofia Prison officials are without good, reasonable or lawful cause denying to foreign offenders their right to access a Bulgarian court of law once having served half or more of their sentence. And the Sofia criminal judges have repeatedly violated your national law when refusing to parole foreign nationals solely on grounds of "excessive remainder" and "unpaid money debts".

Gentlemen, the Government of Bulgaria and its courts are not keeping the promises to us or to the EU and Council of Europe. Sofia prison officials continue to exceed their official powers and to conceal the truth from you and the Bulgarian people. Unlawful discrimination and arbitrariness at the Sofia Prison remains unchecked. Its wardens and the collective administrative bodies formed by them are regularly acting like judge and jury. These non-judicial panels of prison employees are arbitrarily deciding when and what Bulgarian law will or will not apply to a foreign citizen under their care. Prison wardens regularly punishing any foreign citizen who complains to his Embassy or demands prison officials observe what they know to be the legal right of a foreign citizen under Bulgarian law. For those Hungarian and other "non-Bulgarians" able to overcome the obstructions of a corrupted correctional system there awaits Sofia District criminal court judges ready to abuse their judicial powers. Discrimination against foreign nationals is systemic among Sofia judges who know their abuses are not subject to higher court control when routinely refusing foreign citizens any chance of parole or probation.

This is legally wrong and morally reprehensible.

You, President Parvanov and You Prime Minister Stanishev must stop Sofia prison wardens from (1) continuing the practice of direct discrimination in prison housing, work and places of worship; (2) the unreasonable, unjustified and often unlawful refusal to submit the names of more than 40 foreign citizens to a judicial panel for review of their possible parole and; (3) denying legal rights solely due to the nationality of more than 110 foreign citizens. It is their legal right to be housed in transitional or intermediate security prisons in Bulgaria and away from repeat criminal offenders; **(4) inhumane and oppressive housing conditions.** 110 foreign prisoners forced to live in a space designed for 40; **(5) denying non-Bulgarian citizens a reduction in their sentences through regular work or education.** Foreign citizens are refused access to regular work and minimum wages as well as to higher education; **(6) unlawfully and unreasonably denying to foreign citizens their right to communicate with prison officials and Bulgarian state agencies in their own languages,** and thereby intentionally obstructing a foreign citizen from exercising his legal right as guaranteed to him under Bulgarian law. **And Your Courts of Criminal law must decide the fate of "non-Bulgarians" impartially and strictly according to international treaties and national laws, and not "personal" prejudices of a judge that results in judicial arbitrariness and injustice.** These facts are concealed from you and the Bulgarian people. You could not know of these perversions of Bulgarian laws or of the injustices or inhumanities committed in the name of the people.

PLEASE do what is necessary to secure for non-Bulgarian citizens their fundamental right to equality under law and an effective mechanism for their protection from the direct and indirect discrimination practiced in your prisons and by your courts. We ask for amends to Bulgaria's Criminal Code, Criminal Code of Procedure and Law on the Execution of Punishments. Limit the administrative powers of prison employees and prosecutors. Set concrete guidelines for criminal court judges when making decisions for prisoner parole. Make decisions subject to appeal. Only then will the practices of arbitrariness end. International transfers should be mandatory and subject to Bulgarian judicial supervision. ACT on our grievances.

We want Libya's Kaddafi to return Bulgaria's daughters. We WANT YOU TO STOP HOLDING our sons hostages for money and to return them to us.

Thank you

Press Release

English Text From
Head of Hungarian families Committee
Mariann Sabo Laszlo Email: sz.mariann@fibermail.hu

It is my pleasure to inform and invite representatives of the international media to comment on a public demonstration to be held against the Government of Bulgaria in the city of Budapest Hungary in front of the Bulgarian Embassy on June 8th 2007, at 14:00 hours.

Thirty (30) or more Hungarian and other citizens of the EU and their families are scheduled to make a public protest against policies of the Government of Bulgaria and the refusals of Bulgaria's Prime Minister Stanishev and President Parvanov to intervene in ending the unreasoned and inhumane refusals of Bulgaria's Supreme Cassation Prosecutors Office to in good faith observe the terms of the European Convention on the Transfer of Sentenced Person. For years EU and other foreign nationals convicted for crimes in Bulgaria have been held hostage by Bulgaria's Prosecutors Office and must serve their sentences only a Bulgarian prison. This Government of Bulgaria policy has as its sole expectation the belief that by doing so the families of these men in Hungary and elsewhere can be coerced into selling their homes and thereby pay the money demanded in exchange for Bulgarian Prosecutors approving the transferred of their loved ones to prisoners in their own countries. The families who cannot pay are then subjected to years of torment, separation and the guilt of not having money to save a member of their family from the discrimination and other abuses they suffer while in Bulgaria.

The demonstrators have published and submitted an OPEN LETTER to Bulgaria's Prime Minister and President asking them to bring an immediate end to the unlawful discriminations, judicial arbitrariness and corruption practiced against citizens of the EU and other foreign nationals found in Bulgaria's prisons. Who according to Bulgarian national laws should be in open or transitional prisons and of which more than half must be paroled **but are not**. Paroles routinely and unlawfully refused to "non-Bulgarians". This despite the fact that their parole will result in an immediate deportation and therefore affords no risk to Bulgarian society. Also citizens of the EU in Bulgarians prisons cannot access social programs necessary to their "rehabilitated" and development of a stable family life. They do speak the Bulgarian language and therefore no future prospects when leaving prison and finally being deported. However, it is well documented that "certain" foreign citizens somehow become "privileged". Only after paying large amounts of money to the Bulgarian state or to a private citizen, do Sofia City Criminal Court judges and prosecutors consider citizens of the EU as "rehabilitated". This same principle is applied by Bulgarian Prosecutors when considering transfer requests from citizens of the EU or other Council of Europe member states. Bulgarian President Parvanov and Prime Minister Stanishev are being asked by demonstrators to immediately end this policy and instruct Bulgaria's Prosecutors Office to immediately and without delay approve the transferring of all EU and other foreign citizens to prisons in their own countries. As for those who **chose** to remain in Bulgaria and have less than 5 years remaining to their criminal sentences. They should be immediately removed from the Sofia Prison as ORDERED by Bulgaria's Supreme Court and remanded to the facilities at the Bulgarian City of Kazichen as was promised by Minister for Justice for Bulgaria in a December 2006 letter to Bulgaria's Commission for Protection against Discrimination. And once moved to have absolutely equal opportunities as Bulgarian citizens except where specifically prohibit by national law. The organizers and the Contacts in Hungary are listed below [and please communicate your questions in English or better in Hungarian]. MORE DEMONSTRATIONS ARE EXPECTED IN OTHER COUNTRIES WHOSE NATIONALS FIND THEMSELVES BEING DISCRIMINATED AGAINST WHEN UNREASONABLY REFUSED TRANSFERS AND UNLAWFULLY DENIED PAROLE ;

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