

NOTE VERBALE

No. 0494

Die Kanadische Botschaft begrüsst das Auswärtiges Amt und beehrt sich, ... to refer to the proposed extradition of Mr. Michael Kapoustin to Bulgaria (Az. 931GS1208/90).

The Embassy of Canada has followed closely the extradition trial of Mr. M. Kapoustin, a Canadian citizen. Mr. Kapoustin's lawyers have raised with the Embassy a number of issues with respect to the procedures used in the trial and the quality of the information provided by the Bulgarian authorities. The lawyers have further indicated that they have raised these issues with the appropriate German authorities. The Embassy of Canada hopes that they receive careful and complete consideration, including the assertion by Mr. Kapoustin's defence lawyer that the request for his extradition might have been made improperly.

The Embassy of Canada notes that this could be the first extradition of a non-Bulgarian national from Germany to Bulgaria. As such, doubts have been expressed to the Canadian authorities by Mr. Kapoustin, members of his family in Canada and his lawyers in Germany with respect to his well being and safety upon his transfer to Bulgaria. At the same time, concern has been expressed with respect to the legal procedures that he could be subjected to in Bulgaria during his trial for the various charges. The Embassy of Canada would appreciate being informed of the assurances on these matters which the Government of Germany might have sought or will be seeking prior to the proposed extradition of Mr. Kapoustin. The Embassy of Canada would appreciate learning whether or not the

German authorities have sought assurances from the Bulgarian authorities that the legal processes in Bulgaria will conform to those normally associated with the requirements of the European Convention on the Protection of Human Rights.

Die Kanadische Botschaft benutzt diesen Anlass, das Auswärtiges Amt erneut ihrer ausgezeichneten Hochachtung zu versichern.

Bonn, den 26 Juli 1996