



11 DEC 2006

Mr. Boris Velchev
General Prosecutor
of the Republic of Bulgaria

**RE: Request for transfer of the Canadian citizen Michael Kapoustin
pursuant to the *Convention on the Transfer of Sentenced Persons***

Dear Mr. Velchev:

I am in receipt of a copy of your recent letter to the Minister of Justice of Canada regarding the above-referenced request. As the Minister responsible for the International Transfer of Offenders Act, I am pleased to respond to your letter regarding the transfer application of Mr. Michael Kapoustin.

On September 8, 2006 I approved Mr. Kapoustin's application for transfer to Canada based on several criteria. It was apparent that Mr. Kapoustin did not leave Canada with the intention of abandoning Canada as his place of permanent residence. It was evident that Mr. Kapoustin had not previously been transferred under the Transfer of Offenders Act or the International Transfer of Offenders Act. There is no evidence to suggest that, after the transfer, Mr. Kapoustin would commit an act of terrorism or a criminal organization offence within the meaning of section 2 of the Criminal Code of Canada. Nor is there evidence to suggest that he would constitute a threat to the security of Canada. The transfer of Mr. Kapoustin will facilitate and enhance his eventual reintegration into the community through appropriate programming and as such, I approved this transfer request in keeping with the humanitarian objective of transfer of offenders' treaties.

Canada is widely held to have one of the most excellent correctional systems in the world. Our approach to dealing with offenders has garnered recognition from countries as diverse as China, Australia and England, to name a few. Canada's penal system requires, by law, that all federal offenders serve their entire sentence under the supervision of the Correctional Service of Canada, an agency with my purview. In the case of Mr. Kapoustin, there would be no exception to this rule. Furthermore, I can assure you that upon his transfer to Canada, Mr. Kapoustin

Canada

would immediately be imprisoned in a federal penal institution to resume serving his sentence.

I trust this information will be satisfactory to your needs and that, as per the transfer information previously forwarded to you and the correspondence of Canada's Prime Minister, this transfer may now proceed.

I look forward to your kind response,

A handwritten signature in cursive script, appearing to read "Stockwell Day". The signature is fluid and somewhat stylized, with a large loop at the end of the last name.

Stockwell Day, M.P., P.C.
Minister of Public Safety