

IN LIEU OF A CONCLUSION

Legal norms are made in order to be effected so as to influence individuals' conduct in society. The execution of the law is based on two types of political activity in order to ensure accurate implementation of regulations and achievement of targeted results. However, real life shows that sometimes it is possible for law implementation authorities to be guided by personal attitude.

That was the case with my father's murderers. I think that the sentence was not fair. The unquestionable evidences and facts were not taken into consideration at the trial. The sentence for murder under the Criminal Act that was in force at that time stipulated not less than 15 years of incarceration; the sentence for extraordinary cases was death. Why were then the sentences for the murder of a civil servant related to the performance of his duties so mild! In my opinion, the sentence for such a crime should be as severe as possible so that it may have an effect on the perpetrators as well as on the attitude of all other community members, who should know indeed that the court is not inactive when it comes to depriving a person of his life.

The sentence of the corrupted court jury was appealed before the Supreme Court. Their ruling was even more absurd as they reduced Stoyan Barbukov's sentence to 12 years' incarceration. The other two defendants: Niko Baharov and Tsoni Baharov – were released under an order of Ruse County Court. Their sentence was three months' incarceration; however, since they had been under arrest for such period in the course of the trial, the court released them against a bail of 200 leva for Niko Baharov and probation for Tsoni Baharov (in other words, the court applied Art. 217 of the Criminal Procedure Code).

To my opinion, all the three persons were parties to the crime the scenario of which had been skilfully plotted by the prosecutor Milan Baltazhiev. Not only had he organised the crime as far as hiring people to commit it, but his position in the Supreme Prosecution Office had enabled him to conceal evidences and also to present incorrect and inconsistent testimony (a fact that has not, unfortunately, been noticed by anyone), and to influence the jury by "persuasion" instruments so typical of that time: lavish dinners and wads of banknotes. Stoyan Barbukov had been put up to admit he was the only one who was guilty. In return, he was given a substantial amount of money extorted from our relative Todor Naydenov. Niko and Tsoni Baharov should have also been given a fair punishment as parties in a civil servant's murder and Art. 127 of the Criminal Code should have been applied accordingly. Unfortunately, justice was crooked. Obviously, nomenclature senior officials had

considerable experience in concealing crime traces and evidences indicating actual perpetrators and abettors. Thus, instead of serving to community interests, the lawmakers and the institutions served to the interests of a limited number of political ruling top representatives; they did not reveal and punish crimes, they covered crimes performed by that same circle of people or by relatives and friends of theirs.

In addition to the fact that it did not rule a fair punishment, the court gave an unsatisfactory response to the civil claim. The total amount of 20 000 levs was in no way sufficient to meet our family's needs. Tsoni Baharov and Niko Baharov were not sentenced to pay any money at all for tangible or intangible damage.

Another biased action in the run of the trial was the claim of the Public Prosecutor from the Supreme Prosecution against the Supreme Court ruling. He withdrew his claim at the court session, probably because he had been "convinced" in the justice of the court by his colleague Milan Baltazhiev.

That is how the actual truth has never been revealed. My family and myself, along with many other people who were giving us information on the crime preparation and performance, know that truth. Regrettably, it remained outside the cover of the lawsuit file papers.

Since my youth, my life has been spent in courtrooms. I have faced a lot of injustice and formalism generated either by the then effective regulations or by judges, public prosecutors or lawyers. I am already an aged man today, who still feels the pain of orphaned adolescence. I would not like to see the generations after me facing any comparable doom. My hope is that the story of my father's absurd death will leave a trace on the mind of everyone who reads it and will be a warning and an appeal for justice and unbiased attitude of those striving at careers in the court system in order to evade ruined lives or dissatisfaction with phoney justice.

Bulgaria is now coming to a decisive step: membership in the European Union. One of the preconditions is that the country's legislation is harmonised to the Union's regulations and directives. This is necessary indeed, as Bulgaria may not have a promising future if the state lacks perfect legislation and unbiased institutions.

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