

CRIME AND PUNISHMENT SAMOKOV

Why is the Roma-Bulgarian antagonism in Samokov not abating?

In the heat of the summer, several new dark pages were added to the already rich history of Samokov's ethnic tensions. This time, unlike the numerous previous cases, the intolerance burst into violence, and a human life was lost in a conflict. Although the official sources of information (the Sofia Regional Directorate of the Interior and the central printed media) did not make any link between the murder of the 29-year-old Romani man Boris Mihailov by a policeman and the battering of forestry guards by Roma the previous day, there are several details in the case, which lead to this conclusion. *Obektiv* carried out its own investigation, which yielded results of no lesser authenticity than the police version, which can be arbitrated only by the court.

Sometime before noon on 3 August, five forest guards were beaten near Samokov. The victims were attacked by a group of Roma with metal pipes. Two of them were hospitalised in Samokov. One of them, Krassimir Nenchev, is quoted as saying (*Trud* daily, 4 August 2004): "This is war, a sheer war! The Gypsies attacked us because we are here to guard the woods of Samokov. They hit me with an iron pipe. I hardly saved my head."

Svetoslav Nikolov, the head of the group, who suffered a brain concussion and haematoma after the beating, is quoted in the same article: "Our jeep was blocked in the middle of the road by a car full of Gypsies. They started beating us with metal pipes. They were saying that they were looking for their power-saw... The next day they came to beat us and to look for their pipe. What I want to say is that the situation is uncontrollable. The Samokov police don't give a damn about our national resources. They don't take part in the skirmish with the Gypsies."

A day after the attack, on 4 August, an incident happened in Samokov, which just like the killing of the Romani man Kiril Stoyanov by a policeman at the end of March 2004 in Plovdiv, was registered as "inevitable self-defence". A little after 10 p.m., a sergeant from the District Police Directorate in Samokov shot in the head and killed Boris Mihailov, a man of Romani origin.

According to information from the Sofia Regional Directorate of the Interior, a police patrol was called to Tsar Boris III Blvd. to attend an attempted theft of a car audio from a truck. At the shouts of the officers: "Freeze! Police! I will shoot!", the man reportedly "resisted recklessly and attacked the officer with a knife", attempted to disarm the policeman, as a result of which the young man was fatally shot in the head.

Almost 40 days after his death, irrespective of the fact that the Sofia Prosecutor's Office started an investigation, no interrogations have been made of either the two Roma witnesses of the incident, the police officers or the victim's relatives. This fact just reproduces the "investigation" of the murder of another Romani man from Samokov: 28-year-old Angel Simeonov, who was shot in the woods near the town by an unknown perpetrator in March 2003*. Afterwards, the detectives failed to interrogate the only witness of the incident, a Romani man called Yuri, who was with the murdered in the woods and said that he had recognised the shooter. As a result, the Sofia Regional Prosecutor's Office terminated the investigative activities.

One of Boris Mihailov's friends, who spent the entire day with him before he was shot, stated before *Obektiv*: "It isn't true that we were about to steal a car audio. We stopped our car downtown. As we were walking on the sidewalk, a patrol police car, beams and siren off, blocked our way. Policemen with guns in their hands came out, surrounded us, and, hiding their faces, headed straight for Bobby without touching us, then they pushed him and he jumped to run in the opposite direction. We also ran. Then we heard two shots. Later we called Bobby's mobile. A policeman answered and said that he was OK, he was arrested and they would set him free in two days. And it isn't true that Bobby had pulled a knife. He never carries a knife and that day he was wearing a thin silk sports outfit and I would see if he had a knife. The paramedics, who came at the site, also said that there was no knife."

Boris's relatives were also unaware of any investigation being undertaken on the case. They were banished from both the local hospital and the police station.

On the very day of the assault on the forest guards, the institutions in Samokov started working "at full throttle". The town mayor called the case "civil unrest" and announced that he would send a protest letter to Interior Minister Petkanov.

At a special meeting with the team of the Samokov State Forestry Department, with the town mayor and the Chief of the Samokov District Police Department, Deputy Agricultural Minister Meglena Plugchieva stated: "The situation of illegal wood cutting in the area of Samokov is critical, therefore, parallel to looking for opportunities of dialogue and integration of the Roma, se-

* See *Obektiv* no. 106, of January, 2004, pp. 10-11, "Samokov investigation authorities refuse to investigate".

13-year-old girl shot with an air-gun in Velingrad

rious measures will be applied for terminating theft from the woods." Everyone at the meeting agreed that the high unemployment rate among the Roma and the lack of funds for their daily needs, together with the numerous sawmills processing the timber illegally harvested by them are in the root of the tense situation in the town.

The sawmills can hardly be the reason for the confrontation and tension.

It is much more likely that the situation results from the permanent rejection of adequate investigation and fair trial for the death casualties among the Roma. As a counterbalance to such rejection, it took the police only three days to find the Roma responsible for the battering of the five Bulgarian forest guards, interrogate them and instigate proceedings for bodily injuries against them. It is clear that the Roma offenders will be sentenced. There can hardly be any doubt that the "inevitable self-defence" version of the policeman who shot the recidivist Boris Mihailov, who had just served his prison sentence for theft, will be of much greater weight than the Roma testimonies.

If we overlook the stereotypes imposed by the media and the public that the Roma are thieves, the logical link between the crime committed by the Roma and the punishment, of the said Roma again, is quite direct. Moreover, the mayor Angel Nikolov, the head of the Sofia Regional Forestry Administration Milko Hristov and the director of Eco Rila Vladimir Topchyiski claim that the Roma are unpunishable and they impose terror. So, what could serve as a better punishment, though illegal and untraditional, than enforcing law and order by a corpse?

It is possible that this version does not correspond to the truth. To avoid any doubt, however, the military investigators have to do their job with better precision than usually, which, definitely, would lead to the actual extinction of the tension in the town. ■

By Rositsa STOYKOVA

A 60-year-old man shot Elena Chuleva, 13, from Velingrad with an air-gun. On 12 August, the girl was walking with a friend along the Bratya Delibaitovi street. As she bent down to take an apple from the pavement, she was shot in the neck. Elena lost consciousness and was rushed to the Velingrad hospital. She was later transferred to the one in Pazardjik, where she was hospitalised until 16 August. The pellet was not removed from the girl's neck as it was too close to the carotid artery and the operation involved a great risk. The lead will be removed in case of complications. Elena, who is in the fourth grade and speaks Bulgarian with difficulty, says she doesn't want to leave the Roma neighbourhood Anezitsa. She is afraid to walk in the streets and prefers to stay home. She takes pills to prevent the pellet in her neck from inflammation and hides her scar.

The response of the state institutions to the case is not surprising: a police investigation has been instigated and an operative group visited the crime site; the shooter Alexander Valkov was detained for 24 hours. His air-gun was confiscated and he was issued a Statement of Warning.

The official opinion of a competent person from the hospital in Velingrad is expected, who would determine whether the injury is light or medium. If it is a light injury, Elena's relatives will have to proceed with a private litigation. According to Article 45, para. 2 of Code of Criminal Procedure, there is an option that the prosecutor in the case would insist that the state maintains the charges, which applies for instance to cases, when the victim "due to his/her helpless situation" is unable to defend his/her rights and interests. However, the construal of such "helpless situation" is only within the capacity of the prosecutor.

Two facts need special emphasis in this case. Firstly, Elena is Romani and it can be assumed that the shooting was motivated by ethnic intolerance. Moreover, in recent years there have been a number of cases of Roma shot in Velingrad, some of them fatal. Secondly, Elena's parents are unemployed, they have five other children and they can afford neither the medications required for the girl's treatment, nor the costs for a trial against the shooter. ■

