

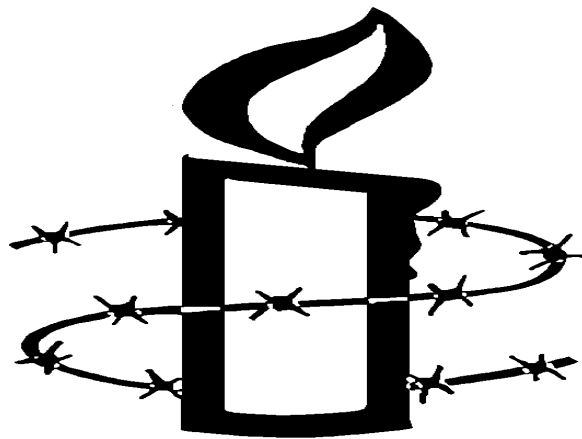
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## **BULGARIA**

**Death in Suspicious  
Circumstances of Mincho  
Sartmachev and Reported**



**Torture of Stanimir Georgiev**

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# BULGARIA

## Death in Suspicious Circumstances of Mincho Sartmachev and Reported Torture of Stanimir Georgiev

Amnesty International is concerned about the death in custody of Mincho Simeonov Sartmachev and reported torture of Stanimir Velinov Georgiev by police officers in Dobrich in November 1997.

On the evening of 13 November 1997, 26-year-old Mincho Simeonov Sartmachev was arrested at his home in Riltsi and taken to the First Regional Police Directorate in Dobrich. Together with Stelian Vichev Dragnev and Stanimir Velinov Georgiev, who had been arrested the previous day, he was suspected of committing a robbery in October, in which a nightwatchman had been assaulted and injured. According to police reports published in the Bulgarian press, on 14 November 1997 Mincho Sartmachev and Stanimir Georgiev tried to escape while being escorted from their cell to an office on the second floor of the police station. They were pursued by Chief Sergeant P<sup>1</sup>, who resorted to force in order to apprehend and restrain Mincho Sartmachev. The police claimed that any injury suffered by Mincho Sartmachev while in detention would have resulted from this incident.

Later the same day Mincho Sartmachev was taken to the investigation service lock-up<sup>2</sup>. Dragostin Baychev, Director of the Dobrich Regional Investigation Service, stated that on admission Mincho Sartmachev was examined by a medical assistant. "He came to report to me. I then saw the detainee myself and, suspecting a cranial trauma (his head was all in blood), refused to have him admitted. I returned the detainee to the police officers who brought him and called the director of the Regional Police Department and the County Prosecutor. I instructed the police officers to take the detainee to the emergency medical service. I am experienced and know that a person can die from a brain injury on the second, third or fourteenth day. The police officers returned with a medical certificate stating that the detainee was fit to be kept in detention."<sup>3</sup> Subsequently Mincho Sartmachev was reportedly examined daily and treated in the lock-up by a

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<sup>1</sup>The full name of the officer is known to Amnesty International.

<sup>2</sup>People who are deprived of their liberty pending an investigation or a trial are held in lock-ups at the police stations (regional police directorates), in facilities operated by the National Investigation Service (which has regional branches) or in penitentiaries.

<sup>3</sup>168 \_\_\_\_ (168 Hours) of 5 December.

medical assistant. He was allegedly interrogated on one occasion by an investigator but refused to testify without a lawyer being present.

In the evening of 19 November Mincho Sartmachev reportedly complained again that he was not feeling well. The following day he was taken to a hospital and was returned with a certificate stating that he could remain in the investigation service lock-up. On the evening of 21 November his health further deteriorated and he was admitted to a hospital intensive care unit for treatment of kidney and lung problems. His family was notified of his condition on 23 November but was not allowed to visit him. Mincho Sartmachev died on 26 November.

On 25 November, Bogomil Bonev, the Minister of the Interior, disciplined Colonel Argil Spasov, director of the Dobrich Regional Department of Internal Affairs, and Major Atanas Ivanov, acting Chief of the First Regional Police Directorate, who submitted his resignation later that day. He also ordered the unconditional dismissal from the force of Chief Sergeant P, whose case has been referred to the Varna Military Prosecutor.<sup>4</sup>

Colonel Argil Spasov, speaking at a press conference following Mincho Sartmachev's death, said the following: "I stress that the deceased tried to escape. In such cases officers have even the right to use their firearms"<sup>5</sup>. He also reported that a police investigation unit began an inquiry to establish whether Mincho Sartmachev's death had been caused by an electricity black-out in the hospital at the time of his death which might have affected life-support systems in the intensive care unit.<sup>6</sup>

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<sup>4</sup> \_\_\_\_\_ (Continent) and \_\_\_\_\_ (Democracy) of 26 November 1997.

<sup>5</sup> \_\_\_\_\_ (Democracy) of 27 November 1997.

<sup>6</sup> \_\_\_\_\_ (Continent) of 27 November 1997.

Responding to allegations that Mincho Sartmachev died because of the electricity failure Dr Mirchev, chief of the hospital, stated that “They are trying to blame the hospital for the death of a detainee who was beaten in the lock-up. The electricity black-out did not affect the equipment in the intensive care unit. Seven physicians cared for the deceased during his last hours”. Dr Pavlov and Dr Stankulov, members of the forensic medical team that carried out the autopsy, stated: “Not even God could have saved him. From shoulders down to his feet, not a single part of his body was unharmed. It was all a pulp and there were massive bruises.”<sup>7</sup>

Following Mincho Sartmachev’s death, Dragostin Baychev, Director of the Dobrich Regional Investigation Service, reported that Stanimir Georgiev had also been beaten by police officers. According to undisclosed sources in the Ministry of the Interior four or five officers participated in the beating<sup>8</sup>. Stanimir Georgiev also claimed that he witnessed the beating of Mincho Sartmachev.

On 10 December 1997, the daily newspaper \_\_\_\_\_ (*Labour*) published a copy of Stanimir Georgiev’s statement given to the investigators:

“It was 12 November 1997. At around 10am officers from the First Regional Police Directorate came to our house and conducted a search. They took me to the police station. The interrogation was conducted by a gentleman who was well built and about 185 centimetres tall, with chestnut coloured hair, slightly balding on the forehead. For a while he kept me in his office and shouted at me that I should confess to the thefts which I had allegedly committed. This gentleman was not alone, four other officers were present. I replied to their questions that I did not commit any thefts. The balding man then said to another officer: ‘Give me the tape, he is acting stupid!’. He took some tape and covered my mouth, and then forced me onto the ground and beat me with clubs and kicked me. The four other officers shouted that I should hit my head against the ground. After a while I could not stand it any longer and I started to bang my head. They then stopped the beating and took the tape off my mouth. I asked them why they were beating me?. .. The big one then said that I was acting stupid and would have to die. He ordered the others to put the tape back and to resume the beating. They then started to beat me again. After a while I passed-out.

“I came to in the corridor of the toilets after they had splashed me with water. This was sometime around lunch time. They then took two sets of handcuffs and tied me to the radiator in the corridor. They took my shoes off so that my feet would not swell. The same thing happened in the afternoon... The man with

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<sup>7</sup> 24 \_\_\_\_\_ (24 Hours) of 28 November 1997.

<sup>8</sup> 24 \_\_\_\_\_ (24 Hours) of 27 November 1997.

chestnut hair asked me if I had not understood yet, as he said, what would happen to me. They beat me and beat me. In the evening they tied me to the radiator on the first floor. The beating continued the following day. The same two officers continued to beat me although occasionally other officers would also take part. I don't know how many times I fainted and had to be revived. In the evening they tied me up to a railing. At around 2am the man with the chestnut hair came with another officer. When they saw me lying on the floor they kicked me. He shouted at me that I should reflect on what was happening as he was about to kill me and would then dump me in the forest so that no one would find the body. Then they left me alone and took Mincho (Simeonov Sartmachev) and started to beat him. After about an hour they came and took me away to a room. The man with chestnut hair started to beat me again. He took a paper and told me to sign it. I signed it three times. He told me that the following day I would be questioned by his colleague and that I should repeat everything [that had been in the paper I signed] or he would really kill me... The following day I was taken out and I did as instructed... They then left me in peace.... I don't know what exactly happened later to Mincho."

A medical certificate issued on 14 November states that the detained 27-year-old Stanimir Georgiev complained of pains in the back, abdomen, buttocks, diaphragm, had difficulties breathing and massive bruising on the body. "The observed swellings, bruises, lesions and inability to move normally conform to the detainee's allegations about how he had suffered these injuries".

#### **Amnesty International's Concerns:**

Amnesty International is concerned that the investigation into the death in suspicious circumstances of Mincho Sartmachev and the torture of Stanimir Georgiev should be prompt and impartial as required by Article 12 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, that the results should be made public and that those responsible for human rights violations should be brought to justice. The organization is particularly concerned that the investigation should thoroughly clarify the following points:

- All circumstances regarding the alleged torture of Mincho Sartmachev and Stanimir Georgiev, including the identity of all officers who took part in the beatings;
- Measures taken by the Director of the Regional Police Department and the County Prosecutor, and the time when they were initiated, in order to establish the cause of bodily injuries which Dragostin Baychev observed on Mincho Sartmachev upon his admission to the investigation lock-up on 14 November and subsequently reported to them.

- The identity of the medical staff, the procedure which they followed and the circumstances in which they examined Mincho Sartmachev on 14 and 20 November establishing that he was fit to be detained in the investigation service lock-up.
- The reasons for informing Mincho Sartmachev's family about his state of health two days after he was admitted to the hospital, as well as the grounds for refusing his family members the right to visit him.

In June 1996 Amnesty International published a report, *Bulgaria: Shootings, deaths in custody, torture and ill-treatment* (AI Index: EUR15/07/97) and made extensive recommendations to the Bulgarian Government. An appendix to this report described seven deaths in custody in suspicious circumstances. Amnesty International has still not received information from the Bulgarian authorities about the results of investigations into these cases. In 1997 further deaths in custody have been reported (see *Concerns in Europe: January to June 1997*, AI Index: EUR 01/06/97). This underlines the urgency with which the Bulgarian Government should implement all recommendations in the organization's report.