

REPUBLIC OF BULGARIA
GRAND NATIONAL ASSEMBLY

POLITICAL AND CIVIL VINDICATION ACT
FOR INDIVIDUALS WHO HAVE UNDERGONE
REPRESSIVE ACTIONS

Promulgated State Gazette No. 50/25.06.1991

Amended SG No. 52/28.06.1994

Article 1

A political and civil vindication shall be declared for the individuals against whom illegal repressive actions have been taken, because of their origin, political and religious ideas, during the period between September 12, 1944 and November 10, 1989 and if they have been:

1. condemned in criminal action with the exception of those condemned by the People's Court 1944 - 1945;
2. illegally arrested in the units of the Ministry of the Interior and in other places
3. interned into labour boarding houses, labour camps and other similar places;
4. interned to other places, moved to and from settlements in administrative order;
5. condemned in court actions for imported contributions in kind of agricultural output to the State;
6. expelled students from schools and universities;
7. repressed in connection with the forced changing of names;
8. missing without trace

Article 2

The individuals from the categories stated above shall have the right to a onetime compensation for property and non-property damages as follows:

1. those condemned by virtue of the Law on Protection of People's Power, Chapter I and II of the Penalty Act in force till March 12, 1951; Chapter I - Crimes against the People's Republic of the Penalty Code in force from May 1, 1968, and whose deeds have been amnestied;

2. the individuals condemned for crimes, amnestied by virtue of Art. 1 of the Law on the Amnesty and for the release from prison and from serving the punishment (SG 6/1990)
3. those condemned to imprisonment for not imported contributions in kind of agricultural output to the State, who had served their punishment;
4. those interned into labour boarding houses, labour camps and other similar places;
5. those interned to other places, moved to and from settlements in administrative order;
6. the expelled students from schools and universities, who were not permitted to graduate.

Article 3

- (1) When the persons under Art. 2, p. 2-5 have not received compensation for property damages and have died, the compensation shall be paid to their inheritors - dependents, spouse, parents.
- (2) The inheritors - children, spouse and parents, of those condemned to death and whose sentences have been executed and to those missing without trace after September 12, 1944, as well as to the dead in connection with the forced change of names shall receive one-time compensation for non-property damages.

Article 4

- (1) The amount and the order to pay the compensation shall be determined by the Council of Ministers.
- (2) The title to compensation shall be established through corresponding evidence in writing.
- (3) When written evidence for the terms under the preceding provisions are not available, the establishment shall be done by a Central commission, and regional commissions, in compliance with regulations adopted by, and with staff appointed by the Council of Ministers.

Article 5

- (1) The claim for the compensation shall be presented to the Ministry of Finance within 5 years after the entry into force of this Act.;
- (2) The compensation shall be paid out of the State Budget.

Article 6

Compensation shall not be paid to the persons who have already received compensation under the existing Law.

Article 7

The following shall be accepted as a length of service:

1. the time during which the persons under Art. 1, p. 1 and 2 have been in prison, Labour boarding houses or camps and in custody;
2. the time during which the adults have not worked when interned or moved to and from settlements.

Article 8

The inheritors to those killed, or who have committed suicide or are missing in connection with the violate change of names shall receive hereditary pension until there is a legal reason for its suspension.

SUPPLEMENTARY AND CONCLUDING PROVISIONS

§ 1 Shall be replaced:

1. P. 1 of the Decision for the political and civil vindication of individuals condemned and undergone repressive actions from March 30, 1990 (SG 30/1990).
2. P. 5 of the Decision of the Parliamentary Commission for the Investigating and Solving of some urgent problems, connected to the deformations and offenses of the Law in the sphere of the State, public and economic life (sectors) (SG 44/1990).

§ 2 The Enactment's under Art. 4, shall be issued no later than 6 months after this Act enters into force.

§ 3 This Act is hereby referred for enforcement to the Council of Ministers.

This Act was submitted to a vote and duly adopted by the Grand National Assembly on 5-th, 1991, and the State Seal was affixed hereto.

Chairman of the Grand National Assembly: Nikolai Todorov

DECREE No. 139
of 21 July 1992

On the Application of Article 7
of the Political and Civil Vindication Act for Individuals
who have Undergone Repressive Actions

Promulgated State Gazette No 62/31.07.1992

THE COUNCIL OF MINISTERS
HAS DECREED:

Article 1

The duration of service accepted in accordance with article 7, paragraph 1 of the Political and Civil Vindication Act for Individuals who have undergone repressive actions shall be recognised as service of Category I for retirement purposes.

Article 2

(1) Pursuant to article 1 of the Political and Civil Vindication Act for individual who have undergone repressive actions, the fact that persons have been convicted in criminal action because of their origin, political or religious conviction shall be certified through a document issued by the Ministry of Justice. This procedure shall also be applied where such persons have been convicted for several crimes and a total punishment has been convicted for several crimes and a total punishment has been awarded accordingly.

(2) Within the meaning of article 1 of the Political and Civil Vindication Act for individuals who have undergone repressive actions, the fact that persons have undergone illegal repressive actions, without having been convicted in criminal actions, shall be certified through a document issued by the Ministry of the Interior.

CONCLUDING PROVISION

Sole § This Decree is issued pursuant to § 3 of the Additional and Final provisions of the Political and Civil Vindication Act for individuals who have undergone repressive actions.

Chairman of the Council of Ministers: Philip Dimitrov

Chief Secretary of the Council of Ministers: Konstantin Mihovski

DECREE No. 249
of 9 December 1992

Amended State Gazette No. 102/18.12.1992

on the Adoption of the Regulation to Implement Article 4
of the Political and Civil Vindication Act for Individuals
who have Undergone Repressive Actions

THE COUNCIL OF MINISTERS
HAS DECREED:

Sole Article

Hereby adopts the Regulation to Implement Article 4 of the Political and Civil Vindication Act for Individuals who have Undergone Repressive Actions.

Sole § This Decree is issued pursuant to § 2 of the Additional and Final provisions of the Political and Civil Vindication Act for individuals who have undergone repressive actions.

Chairman of the Council of Ministers: Philip Dimitrov

Chief Secretary of the Council of Ministers: Konstantin Muhovski

Regulation
to Implement Article 4
of the Political and Civil Vindication Act for Individuals
who have Undergone Repressive Actions

Article 1

The amount and the procedures for compensation of the vindicated persons under Articles 1, 2 and 3 of the Political and Civil Vindication Act for Individuals who have Undergone Repressive Actions shall be determined pursuant to this Regulation.

Article 2

(1) The right to a one-time compensation for suffered property and non-property damages shall arise for persons who have not received compensation pursuant to existing procedures and who have undergone repressive actions as follows:

1. those condemned by virtue of the Law on Protection of People's Power, Chapters I and II of the Penalty Act in force till March 13, 1951; Chapter I - Crimes against the People's Republic of the Penalty Code in force from March 13, 1951 and Chapter I - Crimes against the People's Republic of the Penalty Code in force from 1 May 1968, and whose deeds have been amnestied;
2. those condemned for crimes, amnestied by virtue of Art. 1 of the Law on the Amnesty and for the Release from Prison and from Serving the Punishment;
3. those condemned to imprisonment for not imported contributions in kind of agricultural output to the State, who have served their punishment;

4. those interned into labour boarding houses, labour camps and other similar places;
5. those interned to other places, moved to and from settlements in administrative order;
6. the expelled students from schools and universities, who were not permitted to graduate.

(2) The heirs by operation of law - children, spouse and parents - of the persons under items 1-5 of paragraph 1 shall be entitled to compensation pursuant to this Regulation when the decedent has not received compensation for property damages.

(3) The heirs by operation of law - children, spouse and parents - of those sentenced to death whose sentences have been carried out, of the missing after September 12, 1944 and of persons who have died in connection with the forced change of names shall be entitled to a one-time compensation for non-property damages pursuant to this Regulation.

(4) The persons under the previous paragraph shall receive compensation only on one of the grounds of their choice.

Article 3

For those imprisoned and for those interned in labour boarding houses, labour camps and other similar places, as well as for those interned to other places, moved to and from settlements in administrative order the amount of the property and non-property damages shall be determined on the basis of a monthly sum in accordance with the length of imprisonment or other measure of administrative constraint, as follows:

1. for imprisonment and for internment into labour boarding houses, labour camps and other similar places - up to 1,500 levs per month, but not more than 50,000 levs total;
2. for internment to other places, moving to and from settlements in administrative order - 800 levs per month, but not more than 25,000 levs total.

Article 4

The amount of the compensation for non-property damages of the heirs of persons sentenced to death whose sentences have been carried out, of missing persons and of persons who have died in connection with the forced change of names shall be 60,000 levs.

Article 5

The amount of the compensation for property and non-property damages of the expelled students from schools and universities, who were not permitted to graduate shall be 10,000 levs.

Article 6

- (1) Applications for payment of the compensation shall be filed in writing before the organs of the Ministry of Finance.
- (2) Attached to the application shall be documents which shall certify the type of suffered political repression and its length (where applicable) as follows:
 1. for the circumstances under Article 2, paragraph 1, items 1 and 3 - a certificate for the grounds and period of imprisonment, and for those sentenced to death whose sentences have been carried out, a document certifying the grounds and the carrying out of the sentence issued by the Chief Directorate of Prisons with the Ministry of Justice;
 2. for the circumstances under Article 2, paragraph 1, items 4 and 5 - a certificate for the grounds and actual length of the compulsory administrative measure issued by the Ministry of Internal Affairs or by the municipality;
 3. for the circumstances under Article 2, paragraph 1, item 6 - a certificate for the time and grounds of expulsion issued by the respective educational institution or ministry;
 4. the circumstances under Article 2, paragraph 1, item 2 and paragraph 3, second and third clause shall be certified by a decision of the respective regional commission for political and civil vindication which shall rule on the political nature of the repression.
- (3) Heirs shall present a certificate on heirs.
- (4) When the documentary evidence under paragraph 2 is missing wholly or partially the respective authority shall issue a document attesting to the respective fact and such document shall be a mandatory requirement for seizing the commissions under Article 10.
- (5) In issuing the certificates the respective authorities shall specify the certified facts exhaustively and in accordance with the provisions of Articles 1 and 2 of the Political and Civil Vindication Act for Individuals who have Undergone Repressive Actions.

Article 7

- (1) Compensation shall be paid upon request of the interested party either in cash or in compensation vouchers with which stocks, shares and other facilities subject to privatisation may be purchased.
- (2) Where compensation is in the form of compensation vouchers it shall be due in an amount double the amount provided for in Articles 3, 4 and 5.

(3) The specific amount of the compensation shall be determined and paid by the organs of the Ministry of Finance on the basis of the certificate or decision pursuant to Article 6 and the wish of the interested party.

Article 8

(1) A Central Commission on Political and Civil Vindication and regional commissions having their respective seat in the former district centres and Sofia City are hereby set up for establishing the circumstances under Article 2, paragraph 1, item 2 and paragraph 3, second and third clause, as well as in all other cases when documentary evidence is missing wholly or partially.

(2) The composition by name of the Central Commission shall be determined with an order of the Prime Minister.

(3) The composition by name of the regional commissions shall be determined with an order of the Central Commission.

(4) The members of the Central Commission and the regional commissions shall receive compensation for their service under a procedure and in amounts to be determined by the Minister of Finance.

Article 9

The Central Commission shall consist of nine members as follows:

1. Chairman - the Chief Secretary of the Council of Ministers;
2. a secretary of the Ministry of Internal Affairs;
3. a deputy minister of finance;
4. a deputy minister of labour and social services;
5. five representatives of the Union or Repressed in Bulgaria one of whom shall be appointed as secretary of the Commission.

Article 10

(1) The regional commissions shall consist of five members as follows:

1. Chairman - the mayor of the municipality;
2. a representative of the regional directorate of the Ministry of Internal Affairs;
3. three representatives of the Union or Repressed in Bulgaria one of whom shall be appointed as secretary of the Commission.

(2) The commissions under Article 1 may engage for participation in their activities experts and specialists.

(3) The regional commissions shall have a territorial scope corresponding with the jurisdiction of the respective regional directorate of the Ministry of Internal Affairs.

Article 11

The representatives of the Union or Repressed in the Central Commission and the regional commissions shall be determined by the National leadership of the Union.

Article 12

(1) Requests for establishing facts pursuant to Article 2 shall be addressed in writing to the regional commission of last residence of the vindicated person.

(2) All types of evidence, including witness testimony before the commission, shall be admissible.

(3) The regional commissions shall rule with a decision stating reasons, prepared in accordance with a form endorsed by the Central Commission.

(4) Commission sittings may be held if at least three members are present.

(5) Decisions shall be adopted with a majority vote of all members of the commission.

Article 13

(1) Decisions of the regional commissions may be appealed before the Central Commission within two months of receiving the notification.

(2) Only the party to the application may appeal.

Article 14

(1) The Central Commission shall have the following powers: to uphold the appealed decision, to reverse it and to decide the dispute on its merits. It may gather evidence in either case.

(2) The decisions of the Central Commission shall be adopted with the majority vote of all members of the Commission. They shall state reasons and shall be prepared in accordance with a form endorsed by the Chairman of the Commission.

(3) The decisions of the Central Commission shall be final and may not be subject to appeal or review pursuant to extraordinary procedures for reversal.

ADDITIONAL PROVISIONS

§ 1 For the purposes of this Regulation intended "to other places" shall include the persons mobilised on political grounds pursuant to the Labour Mobilization of Idlers and Loiterers Act (State Gazette NO.. 198 of 1946, amended No. 104 of 1949).

§ 2 The Central Commission on Political and Civil Vindication shall be established within one month from the entry into force of this Regulation.

§ 3 Not later than one month after its establishment the Central Commission shall designate the members of the regional commissions.

§ 4 Upon payment of the compensation a declaration shall be requested from the interested party that it has not been compensated pursuant to the present procedure.

§ 5 The documents pursuant to Article 6, paragraph 2 and the decisions pursuant to Article 12, paragraph 3 and Article 14 shall also serve to attest the length of service provided for in Article 7 of the Political and Civil Vindication Act for Individuals who have Undergone Repressive Actions.