

SPAS FROM KOCHERINOVO FRAUD CASE

Bulgaria



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Criminal proceedings

By the time the suspected person was arrested, there were four pre-trial proceedings initiated in different towns some of them against an unknown perpetrator.

The first case was initiated after a signal dated back in 2012 when a victim, deceived to pay BGN 330, complained to the Varna authorities. Then, Spas was not found and was declared wanted nationwide. He was arrested in August 2013 in Russe and brought to Varna where he was accused and released under restraining measure of regular bail under which the accused had to sign at the police department on a regular basis. In August 2017, the Ministry of the Interior's General Directorate "Fight against Organized Crime" (GDFOC) received complaints from deceived people and initiated investigation.

There were three more pre-trial proceedings in similar fraud cases, it became clear after Spas' arrest on 13 October 2017 – in Sofia, Blagoevgrad and Dupnitsa and the person had not been found in relation to all of them. The Sofia-based prosecution had announced him wanted in the Schengen Information System. As of October 2017, the Prosecutor's office had the intention to consolidate the four charges,[3] however, at later stage they went to court separately.

On 12 April 2018, the accused signed the first agreement for the frauds he made between 2011 and 2012.[4] He was sentenced to seven months of imprisonment, of which he had served six during the pre-trial phase. On 9 May Spas was released from prison, however, a second indictment act was filed on the previous day, 8 May, and the prosecutor had asked the court Spas to be detained. As a result, at the day of his release, he was moved to the Sofia Regional Court to be left in custody in relation to the second offence.[5]

Later, on 25 September 2019, a second agreement was signed for a fraud against a Bulgarian citizen living in the UK for the amount of £316, committed on 29 July 2017. Spas was then released from prison as he had already served the accumulated punishment. As of 2021, two more cases remain pending.

On 14 January 2021, the Commission for Combating Corruption and Confiscation of Illegally Acquired Assets (KPKONPI) filed a lawsuit at the Kyustendil District Court against Spas Vassilev to confiscate BGN 60,051.88.[6]

Disclosure of information

The first publicly available information about the frauds came from the social networks. Messages about a false profile Twitter and later another one on Facebook used for fraudulent reasons came out by people who wanted to warn others.

On 10 October 2017, the media already published information about the fraud scheme and named the suggested person behind the false profiles.[7] Ministry of the Interior's General Directorate "Fight against Organized Crime" (GDFOC) director who was asked to comment, said that the police was familiar with the personality that stood behind the profile but refused to disclose more as investigation was underway. Asked about if Spas from Kocherinovo was positively Alexander Nikolov, he said: "I cannot comment such facts." (*Не мога да коментирам такива факти.*) [8]

Asked to comment the case, the Minister of the Interior said: "Everyone should be careful what they do. The legal way to buy tickets according to the rules is elsewhere. If someone wants to pay less, sorry for the expression, and to buy cheaper tickets, let them suffer. This is my answer of a Minister. I can't go to great lengths to protect people who recklessly do things that are not

[3] Atanasov, Yulian (2017) *МВР не искало да се хаби заради измамени със самолетни билети*, *Cherno more*, 15 October 2017.

[4] *The full text of the agreement is not publicly available.*

[5] *Патриотичен десант (2018) Пуснаха Спас от Кочериново от затвора, но веднага пак го прибраха*, 9 May 2018

[6] *Commission for Combating Corruption and Confiscation of Illegally Acquired Assets (2021) KPKONPI Files Claims for Confiscation of Property of over BGN 2 Million*, Press release, 14 January 2021.

[7] *Benatova, Miroslava (2017) Измами с оферта за евтини самолетни билети във Facebook*, *Nova TV*, 10 October 2017.

[8] *Factor.bg (2017) МВР: Още се събират доказателства срещу фейсбук измамника Спас Василев*, 12 October 2017.

according to the rules." (Всички да внимават какво правят. Легалният начин да си купиш билети по правилата е на друго място. Това че някой иска да мине метър. Съжалявам за термина и да си купи по-евтини билети, да страдат. Това е моят отговор на министър. Не мога да хвърлям сили и средства допълнително, за да защитавам хора, които неблагоприятно вършат неща, които не са по правилата.).[9]

Asked if the suspect would be placed in the national wanted lists, the Minister added: "Certainly, he is a rascal!" ("Със сигурност, той е калпазанин!").[10] These words provoke serious public reactions against the Minister.

On 12 October 2017, the Prosecutor's Office Spokesperson announced that the institution had learned about the case from the media and it would request information from the Ministry of the Interior's General Directorate "Fight against Organized Crime" (GDFOC). [11] The GDFOC director, as well as the Ministry of the Interior's Secretary General were also asked to comment on the same day stating only that investigation was underway and there would be an arrest at some point. [12]

In a joint press conference of the Ministry of the Interior's General Directorate "Fight against Organized Crime" (GDFOC) the Spokesperson of the Prosecutor General, together with the Sofia Regional Prosecutor held on 13 October 2017, the authorities announced the arrest of a suspect. The Prosecution's spokesperson listed the previous investigations against the suspected person's and the fact that he was declared wanted two times. [13] The GDFOC director admitted that the press-conference was a result the media pressure and that it would most likely negatively affect the investigation due to disclosure of information as the police had not gathered sufficient evidence to claim that the

person they perceived as "suspected" stood behind the false profile in question. [14]

At the GDFOC website, a press statement was published generally repeating the information given at the press conference. [15]

At a later stage, the Ministry of the Interior website published a note in November 2018 when the Prosecutor's Office pressed charges to the suspected person. In the note, also sent to media as a press release, the Ministry informed about the person's age, gave some information about the crime and informed that the official accusation was specified without noting the new Penal Code text to which the indictment was changed. [16] This was the first announcement that the police had made on this case and this fact, together with other details on the case did not match to what was disclosed by the Prosecutor's Office, was criticized by media for misleading the public that a new crime had been committed. [17]

When the first agreement was signed, the Prosecutor on the case was interviewed explaining that this agreement was on older cases from 2012 and that there was no indictment yet for the later cases of 2016 and 2017 for which the accused became famous. Pre-trial proceedings on them had delayed due to their international aspect which required more time. [18]



[9] Kirova, Milena (2017) Прокуратурата и МВР с подробности за задържания измамник от Фейсбук, Bulgarian National Television, 13 October 2017.

[10] Club Z (2017) Валентин Радев: Който иска евтин билет, да страда, 13 October 2017.

[11] Trud (2017) Румяна Арнаудова: Прокуратурата все още не е сезирана по казуса "Александър Николов", 12 October 2017

[12] РИК (2017) Полицейски шефове: МВР е по следите на измамника Спас от Кочериново, 12 October 2017.

[13] Actualno.com (2017) Спас Василев бил обявен за общодържавно издирване още през 2012 г., 13 October 2017.

[14] Bgnes (2017) Спирidonov: Над 40 лица са пострадали по случая Спас Василев, 14 October 2017.

[15] General Directorate "Fight against Organized Crime" (2017) ГДБОП задържа заподозрян за измами в интернет, press statement, 13 October 2017.

[16] Ministry of the Interior (2018) Прецизирано е наложеното на 34-годишен мъж обвинение, мамил клиенти в социалните мрежи с евтини самолетни билети, 28 November 2018.

[17] Dimitrova, Alexandra (2018) Гаф: Половин година след ареста на Спас от Кочериново, МВР го обяви за задържан, Darik News, 28 November 2018

[18] Nikolova, Marina (2018) Осъдиха Спас от Кочериново на 7 месеца затвор, остава му да лежи още един (ВИДЕО), Flashnews, 12 April 2018.

Media coverage

The public reaction against this system of frauds put its beginning in the social networks where users began to warn their contacts about a common contact of theirs who was using his online presence to mislead and deceive people for selling plane tickets at lower prices.

The first media reports directly linked the Facebook profile of the deceiver to the name of Spas from Kocherinovo without becoming clear how such information came up, assumingly again from social media. The media was flooded with the false profile's pictures of a young man traveling all over the world accompanied by the stories of the victims who lost money because they believed he was living in France and working for different big airlines. [19]

Being based on freely retrievable information and extensive interviews of fraud sufferers, the media reports were full of details about how the accused had developed the public image of the false personality commenting on political and social issues during the mass protests in 2013. Thus he gathered a significant circle of contacts and built an image of an influencer. He was even asked to comment the political situation over the phone in a live broadcast in one of the media. [20] He featured as a guest commenter in another online media. [21]

On the same day the story became public, the journalists interviewed his parents and people from his hometown, including the mayor, asking about his childhood, schooldays, his character and habits. [22] Much information came up attributing to him different false Facebook profiles and different communications they had – such as

having a false wife who lived in Switzerland, etc. One media even contacted the French citizen whose pictures were used informing him about the investigation and asking him for interview. [23]

Other media published transcripts and audio files of recorded by victims telephone calls with who was pretending to be Alexander, claiming that the accused made confessions. [24]

While the media was already freely commenting the personality of Spas and many details were already covered, the police was rejecting to clearly link his name to the false profile and this, together with information that Spas has been looked for before, brought up many questions and comments about the investigative authorities' efficiency. [25]

The news were intensively illustrated with the French citizen's travel photos and personal photos of the accused where he was with his family members so that the difference in their appearance and lifestyle became visible. [26]

People who had communicated with the false personality were interviewed saying that he was extremely intelligent and a good analyst of international politics, a good listener and a person with extensive knowledge on various issues. The same people made stereotypical statements of being shocked to see how he looked and having learned that he lived in a small distant village. [27]

The accused was most often referred to as a "fraudster" or the "virtual fraudster". Since the first media announcements about the fraud scheme, Spas Vasilev was referred to with his two names even before he was arrested and before he was officially charged with this set of crimes.

The media often recapped the case when there were procedural developments related to any of the lawsuits and repeated the abovementioned information.

[19] Tsvetkov, Rosen (2017) Александър Николов от Париж се оказва Спас Василев от Кочериново? bTV, 10 October 2017.

[20] bTV, 120 Minutes (2017) Как Спас стана Александър?, 15 October 2017.

[21] Webcafe (2017) От Фейсбук инфлуенсър до ГДБОП: Случаят "Александър Николов", 10 October 2017.

[22] Benatova, Miroslava (2017) Измами с оферта за евтини самолетни билети във Facebook, Nova TV, 10 October 2017

[23] Nova TV (2017) Кой е човекът, от когото Спас-Александър е крал снимки?, 14 October, 2017. and Nikolaeva, Marieta

(2017) Измамникът Спас все още не е обявен за издирване от полицията, bTV News, 12 October 2017.

[24] Tsvetkov, Rosen (2017) bTV Репортерите: Александър/Спас, bTV Reporterite, 22 October 2017. and Benatova, Miroslava

(2017) Измами с оферта за евтини самолетни билети във Facebook, Nova TV, 10 October 2017.

[25] Dimitrov, Samuil (2017) Ако чакахме МВР, Спас щеше да е още Александър, SEGA, 23 October 2017.

[26] Tsvetkov, Rosen (2017) Александър Николов от Париж се оказва Спас Василев от Кочериново? bTV, 10 October 2017.

[27] bTV, 120 Minutes (2017) Как Спас стана Александър?, 15 October 2017.

Impact on the suspect or accused person and on the general public

The case of Spas from Kocherinovo provoked a mix of reactions – some of them comic, other raised the questions about online safety and the trust in the context of online communication.

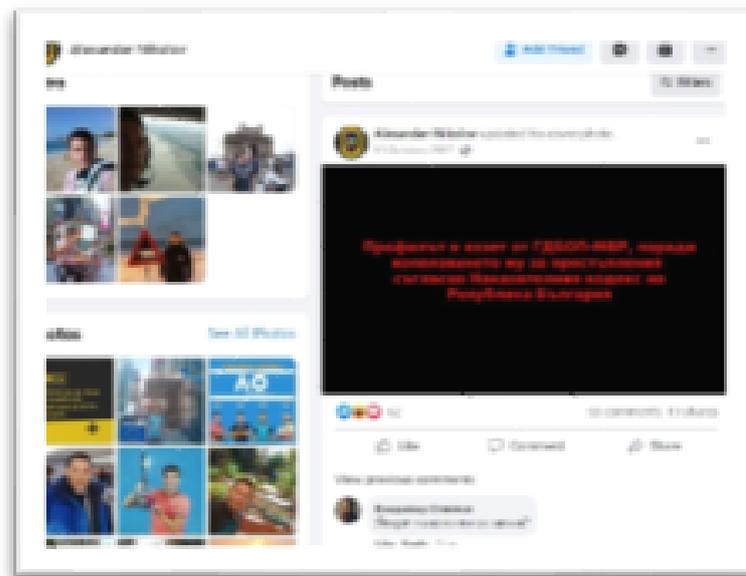
The real owner of the false profile's pictures was interviewed by one of the media which pressed the French person to share more information about himself, which he generally refused to do. [28]

There was no much information about any

significant negative consequences of the publicity over the accused's life. In time and after agreements with court under which he repaid the money taken, his case became more a matter of curiosity rather than a criminal activity.

Upon his release from prison, Spas was again interviewed in his home town. There, he told the story of meeting other famous convicts in prison. He shared his plans once the trials against him were over to open up a blog where to tell all of his story. [29]

As of February 2021, the false Facebook profile of Alexander Nikolov is still active and all of its content is available, including the improperly used photos. On 13 October 2017, the account's profile picture was changed to the Ministry of the Interior's General Directorate "Fight against Organized Crime" (GDFOC) logo and a cover picture with the following text: "This profile has been seized by the GDFOC due to its being used for criminal activities under the Republic of Bulgaria's Penal Code." (*Профилът е иззет от ГДБОП-МВР, поради използването му за престъпления съгласно Наказателния кодекс на Република България.*)



[28] Tsvetkov, Rosen (2017) *Александър Николов от Париж се оказва Спас Василев от Кочериново?* bTV, 10 October 2017.

[29] bTV, 120 Minutes (2017) *Как Спас стана Александър?*, 15 October 2017.