

Project Summary

Project Title: Monitoring the State Agency for National Security
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Time: 2008-2009
Funding: OSI-Sofia, OSI-NY
<p>Brief Description: Three distinct aspects of the State Agency for National Security (SANS) are examined within the framework of this project: its institution-building, its public image, and the parliamentary control exercised over its activities. This is the first initiative of its kind, which monitors a special service of the security sector.</p> <p>The principal goal of the project is turning SANS into an institutional model for future reforms through improvement of the legislation regulating the Agency, encouragement of accountability and transparency in its activities, and provision of expertise for exercise of democratic control over the security services.</p>
<p>Findings and Conclusions:</p> <p>1. Institutional image of SANS</p> <ul style="list-style-type: none">• The establishment of SANS follows good practices: legislative regulation of the new structure, allocating appropriate resources, focussing on significant problems, aspiring to transparency and public openness.• The absence of a clear definition of the notion of “national security” and the lack of a security strategy present difficulties in the process of institution-building of SANS.• The mandate of SANS is “blurred” between intelligence, investigation and other activities of a technical nature.• The integration of three different services into a single agency, as well as certain domination of the National Security Service, creates difficulties in the institution-building of the new structure.• The issues of interaction with the Ministry of Interior and the Prosecution Office (as well as with other elements of the security sector) are left at the level of joint instructions, which creates uncertainty and insecurity in the work of the Agency. <p>2. Public image of SANS</p> <ul style="list-style-type: none">• During the first year of its existence, the Agency is not perceived as an effective and independent institution. SANS must carefully follow the public response to its activities, explaining openly and clearly its objectives and priorities, observing the rules of constitutional democracy, and avoiding the pressure of populism.• In the narrow field of media relations, the following recommendations could be considered:<ul style="list-style-type: none">✓ Design of an Internet site of SANS;✓ Adoption of public rules for media relations;✓ Development of a methodology for analysis of the media coverage of the SANS activities;

- ✓ Special focus on the public perceptions of SANS as a body vested with powers in the sphere of high-level corruption, because this is a key area in building a positive public image of the Agency.

3. Parliamentary control over SANS

- The organic law on the agency makes provisions, for the first time, for parliamentary control over the security sector and enables Bulgaria to fit into the international tendencies and good practices in this sphere.
- The legislative regulation of the matters concerning accountability and control is too general. The provisions in that part of the State Agency of National Security Act must clearly and unambiguously define what, how, when, how and where reports/controls in the interest of citizens.
- The debate on parliamentary control is conducted chaotically: the key mechanisms for the exercise of oversight should have been clarified first, before specifying the means for its successful application.
- The chairmanship of the SANS Oversight Committee by the ruling majority departs from the world standard and the expected result may not be achieved.
- The Resolution to Amend and Supplement the Rules of Organization and Procedure of the National Assembly provides for minimum powers of the Standing Committee. The lack of real control over the operational activities of the Agency may call into question the effectiveness of parliamentary oversight.