



# **NATIONAL SPECIAL INTELLIGENCE DEVICES CONTROL BUREAU**

**2020  
ACTIVITY  
REPORT**

## ABBREVIATIONS USED

APIA	Access to Public Information Act
APO	Appellate Prosecutor's Office
c.c.	Civil case
CA	Court of appeal
CC at the SJC	Civil Council at the Supreme Judicial Council
CC of RB	Constitutional Court of the Republic of Bulgaria
CCP	Code of Criminal Procedure
CCUAAF	Counter-Corruption and Unlawfully Acquired Assets Forfeiture Commission
DC	District Court
DPO	District Prosecutor's Office
ECHR	Convention for the Protection of Human Rights and Fundamental Freedoms
ECtHR	European Court of Human Rights
EU	European Union
GDBP	General Directorate Border Police
GDCOC	General Directorate Combating Organized Crime
GDNP	General Directorate National Police
ISD	Internal Security Directorate
MAPO	Military Appellate Prosecutor's Office
MC	Military Court
MCA	Military Court of Appeal
MD	Ministry of Defence
MDPO	Military District Prosecutor's Office
ME	Material evidence
MINS	Military Intelligence Service at the Minister of Defence
MIS	<b>Military Information Service at the Minister of Defence</b>
MJ	Ministry of Justice
MoI	Ministry of Interior
MPS	Military Police Service
NA	National Assembly
NIJ	National Institute of Justice
NSIDCB, The Bureau, the National Bureau	National Special Intelligence Devices Control Bureau
OCG	Organized criminal group
PC	Penal Code
PCC	Private criminal case
PORB	Prosecutor's Office of the Republic of Bulgaria
PPA	Public Procurement Act
RAC	Rules for the administration in the courts
RAPORB	Rules for the administration of the Prosecutor's Office of the Republic of Bulgaria
RC	Regional Court
RDMoI	Regional Directorate of the Ministry of Interior
RPO	Regional Prosecutor's Office
SANS	State agency for National Security
SAPO	Specialised appellate prosecutor's office
SATO	State Agency "Technical Operations"
SCC	Supreme Court of Cassation
SCCA	Specialised Criminal Court of Appeal
SCIS	State Commission on Information Security
SCPO	Supreme Cassation Prosecutor's Office
SCPO	Sofia City Prosecutor's Office
SIA	State Intelligence Agency
SIM	Special intelligence means
SIMA	Special Intelligence Means Act
SJC	Supreme Judicial Council

SMDI  
SMLDA  
Sofia CC  
SpCC  
SpPO

Sofia Metropolitan Directorate of Interior  
State and Municipalities Liability for Damages Act  
Sofia City Court  
Specialized criminal court  
Specialized prosecutor's office

## INTRODUCTION

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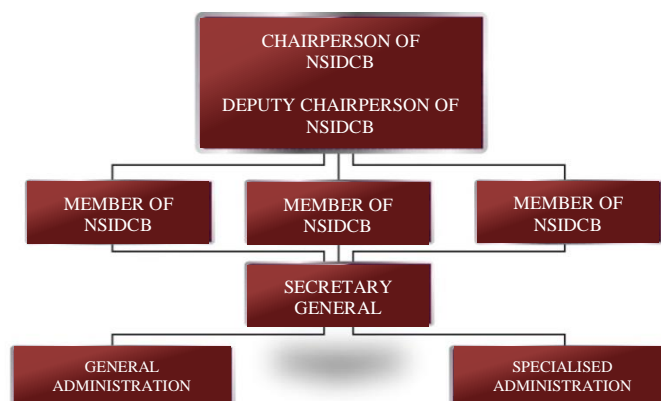
This report presents the activities of the National Special Intelligence Devices Control Bureau in 2020. It is prepared pursuant to Article 34b (7) of the SIMA for submission to the National Assembly and contains summary data on the authorisation, application and use of SIM, the retention and destruction of information obtained through them, and the protection of citizens' rights and freedoms against their unlawful use. The report acknowledges the achievements made in the second year of the mandate of the current National Bureau's composition with a view to its intention to ensure continuity of good practice, build on the results achieved and formulate new short- and long-term objectives.

## COMPOSITION OF NSIDCB. MEETINGS AND ADOPTED DECISIONS

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The National Bureau is an independent state authority that oversees the procedures for requesting, authorising and enforcing special intelligence means, as well as the storage and destruction of information obtained through them. The Bureau's task is to protect the rights and freedoms of citizens against the unlawful use of special investigative means. The activities are regulated in the part of Articles 34b to 34h of the SIMA.

On 21.12.2018, by decision of the 44th National Assembly, the Chairperson of the NSIDCB, Deputy Chairperson and three members were elected for a term of 5 years. The members of the National Bureau are assisted by fourteen officials in the administration.



During the year, 45 meetings were held, of which 12 were videoconferencing (on the basis of Article 6a (1) of the Act on Measures and Actions during the State of Emergency, announced by a decision of the National Assembly of 13 March 2020 and overcoming the consequences).

For the period 2020, NSIDCB adopted a total of 313 decisions. By comparison, in 2018 NSIDCB met 32 times and in 2019 the number of meetings was 44 (Figure. 1).

Figure 1



*Fig. 1. NSIDCB meetings for the period 2018-2020*

## ORGANISATION OF ADMINISTRATIVE WORK

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In order to facilitate citizens' access, NSIDCB carried out a complete update of its website in 2020. The new page is integrated, adapted to various mobile devices and user-friendly.

### STRUCTURE OF THE ADMINISTRATION

Pursuant to Article 34b (1) (3) and (4) of the SIMA, the National Bureau is a permanent independent state authority, a primary budgetary authorising officer. NSIDCB is an institution established by law and is a legal entity financed by the State – Article 34b (2) of the SIMA. The National Bureau operates on the basis of the principles of legality and political neutrality. The total number of NSIDCB is 21 full-time positions.

#### General administration

The general administration supports the performance of the NSIDCB's powers, enables the activities of the specialised administration to be carried out and carries out the technical activities related to the administrative services. The General Administration has set up the Finance and Accounting Sector, which carries out the planning, management and control of financial resources, the financial provision of the activities of NSIDCB and its administration.

#### Specialised administration

The specialised administration assists in the performance of the NSIDCB's powers by taking part in audits carried out by the authorities referred to in Articles 13, 15 and 20 of the SIMA regarding compliance with the law with regard to activities relating to the authorisation, use and enforcement of the SIM or the storage or destruction of the information acquired through them, by analysing, systematizing and summarising information and drawing up expert opinions and proposals.

### ORGANISATION OF WORK IN A STATE OF EMERGENCY

In the exercise of its statutory functions in order to ensure the proper functioning of the National Bureau and to protect the life and health of employees in accordance with the provisions of the Act on Measures and Actions during the State of Emergency, proclaimed by a decision of the National Assembly of 13 March 2020 and to remedy the consequences (in force since 13.03.2020), the NSIDCB has set up the necessary organisation of work in the context of a state of emergency and an extraordinary epidemic situation. During the period of a state of emergency and an extraordinary epidemic situation in the country, part of the meetings of the National Bureau were held via videoconference.

In order to actively monitor the procedures for requesting, authorising and application of SIM, and the organisation for storing and destroying information obtained through the use of SIM, NSIDCB has changed the form of audits carried out on the bodies referred to in Articles 13, 15 and 20 of the SIMA. By decision of the NSIDCB, the Methodology for monitoring and controlling the procedures for authorising, applying and using SIM, storing and destroying the information acquired through them and protecting the rights and freedoms of citizens against their unlawful use was amended, so that monitoring and control of procedures in an extraordinary epidemic situation may also be carried out by requesting information from the authorities referred to in Articles 13, 15 and 20 of the SIMA aiming at systematising, summarising and analysing the the data obtained and, if necessary, copies of documents may be required.

## **FINANCIAL AND ECONOMIC ACTIVITIES**

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### **BUDGET AND FINANCIAL CONTROL**

The National Bureau applies a programme budget format implementing a budget programme 'Control of Special Intelligence Means' in the functional area 'Monitoring of authorisation, application and use of special intelligence means'.

The State Budget Act of the Republic of Bulgaria for 2020 approved expenditure amounting to BGN 1 584 200 for the NSIDCB.

In 2020, a financial audit was carried out by the Court of Auditors of the RB on the 2019 annual financial statements of NSIDCB. The final audit report issued is of the opinion that the financial statements of the National Bureau give a true and fair view of its financial position, its results and its cash flows as at 31.12.2019.

### **NSIDCB ACTIVITY RELATED TO SIMA**

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In 2020, SIM was used for 3042 persons. 5368 requests for the use of SIM were made, for which the judges issued 5003 authorisations and 365 refusals. Procedures were 10.45 % lower than in 2019 and requests decreased by 11.11 %. As a result of the applied SIM, 1089 ME were prepared.

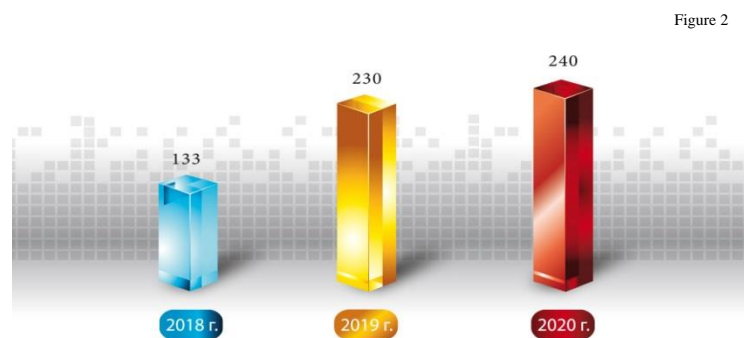
### **PERFORMANCE OF AUDITS, ANALYSIS OF THE RESULTS OF THE AUDITS CARRIED OUT**

In 2020, NSIDCB continued to fulfil its legal obligations under Article 34b (1) of the SIMA, and in accordance with its powers, carried out monitoring on the procedures for the authorisation, application and use of SIM, as well as the storage and destruction of information obtained through them.

The monitoring of the procedures was carried out by carrying out audits of the bodies referred to in Articles 13, 15 and 20 of the SIMA in order to ensure the protection of citizens' rights and freedoms against the unlawful use of SIM.

The audits in 2020 were carried out under the amended and supplemented Methodology for the monitoring and control of the procedures under which the institution's core business is carried out.

NSIDCB's decisions resulted in carrying out 240 audits of the bodies referred to in Articles 13, 15 and 20 of the SIMA (230 audits were carried out in 2019 and 133 in 2018) (Fig. 2), of which 207 due diligence audits for the SIMA activity, 31 occasional audits upon alerts from citizens concerning the unlawful use of SIM and two thematic audits on cases arising from the application of SIMA procedures.



*Fig. 2. Audits carried out for the period 2018–2020*

In carrying out its activities in 2020, the National Bureau found that judicial control over the use and application of SIM was significantly increased. Every year, judges authorised to grant SIM authorisations tend to raise their standards when dealing with SIM. Good organisation and uniform criteria have been established when dealing with requests and authorising the application of SIM. The timely destruction of information which has not been used to produce ME and the preparation of the reports referred to in Article 29 (7) of the SIMA is subject to monitoring. This ensures strict compliance with the law and that citizens' constitutional rights and freedoms are not unduly violated.

In connection with the findings of the inspections, on the basis of Article 34f (1) (3) of the SIMA, in order to improve the regime for the use and application of SIM, NSIDCB has issued 2 binding instructions to the authorities referred to in Articles 13 and 20 of the SIMA. 34 opinions, recommendations and instructions on the application of the law were sent in relation to various practices and omissions identified by the authorities referred to in Articles 13, 15 and 20 of the SIMA, which resulted in improving the procedures for requesting, authorising and applying SIM and storing and destroying the information obtained through them.

In 2020, it was found that the authorities referred to in Article 15 of SIMA issued the most refusals on the basis of requests, the reasons for which were lacking sufficient facts and circumstances to suggest that the person in respect of whom the use of this extraordinary means was requested was involved in the criminal activity described. Refusals were imposed on requests for the detection of offences for which the law precluded the use of SIM, the lodging of applications before a court lacking jurisdiction, and the submission of requests by a non-competent applicant.

#### OPINIONS AND INSTRUCTIONS TO THE AUTHORITIES REFERRED TO IN ARTICLE 13, ARTICLE 15 AND ARTICLE 20 OF SIMA

✓ In response to an alert by the Vice-President of Sofia CC requesting binding instructions on how to destroy information collected through the use of SIM, in which it was asked whether the pre-trial authorities – the Public Prosecutor's Office and the investigating authorities, had an obligation to request, through the public prosecutor's office, an order from the competent authority – a court, before destroying the information obtained through the use of SIM, NSIDCB carried out inspections in accordance with its statutory powers.

The National Bureau found that these problems are the result of the various non-aligned legal procedures laid down in Article 175 (7) of the CCP and Article 31 (3) of the SIMA, which concern the storage and destruction of information obtained through the use of SIM.

The inspections revealed cases in which the authorities referred to in Article 13 (2) of SIMA destroyed information obtained through the use of the SIM after the expiry of the 10-day period following its termination.

The main reason for the delay was the late receipt of the relevant order by the judge who authorised the application of the SIM. This is due to a delay on the part of the supervising prosecutor for notification of termination of the application of SIM due to the technological time for receiving all the information under Article 25 of SIMA, as well as the non-binding issuance of an order for destruction of the information by the competent judge, according to Article 175 (7) of the CCP.

Material evidence shall be prepared from the information referred to in Article 24 of the SIMA held by the body referred to in Article 20 (1) of the SIMA, obtained as a result of the application of SIM in accordance with the procedure and within the time limits referred to in Article 27 of the SIMA. The applying body destroys the information referred to in Article 24 of the SIMA which is not used to produce ME, under the conditions and in accordance with the procedure laid down in Article 31 (3) of the SIMA. The information referred to in Article 25 of the SIMA from the application of SIM, although identical in content to the information referred to in Article 24 of the SIMA, is not used to produce ME.

The National Bureau, as an independent state body monitoring the procedures for the authorisation, application and use of SIM, closely monitors compliance with the law as regards the storage and destruction of information obtained through SIM.

In order not to infringe the law, NSIDCB has issued an opinion to the authorities referred to in Articles 13 and 15 of the SIMA with an instruction for strict compliance with SIMA and CCP and the establishment of an organisation for application, and that the information referred to in Article 25 of the SIMA shall be destroyed under the conditions and in accordance with the procedure laid down in Article 31 (3) of the SIMA, following an order pursuant to Article 175 (7) of the CCP.

The National Bureau has expressed the view that, in order to strengthen the judicial review of the use of SIM, the content and scope of the report under Article 29 (7) of the SIMA should be extended.

The National Bureau has sent a request to the authorities referred to in Article 15 of the SIMA seeking an opinion on the problem raised with a view to preventing infringements of CCP and SIMA.

The opinions are systematised and analysed. Specific proposals have been sent to the NA committee, which we believe will solve the problem.

✓ When monitoring SIMA procedures in 2020, NSIDCB noted the existence of prepared ME, the information from which was not used for the purposes of criminal proceedings, and was stored in the operating structures referred to in Article 13 (1) of the SIMA. According to NSIDCB, the storage of those ME indefinitely is a prerequisite for the unauthorised use of information by SIM, which would result in a violation of citizens' constitutionally guaranteed rights and freedoms.

In order to improve the regime for the use of SIM and its consequences related to the storage and destruction of the information acquired through the application of SIM, the NSIDCB asked all the authorities referred to in Articles 13, 15, 34n and 20 of the SIMA, the Supreme Judicial Council, the Supreme Court of Cassation and the Prosecutor General to express their opinion on the need to establish terms and conditions and procedures for the storage and destruction of ME, which are prepared by applied SIM.

The summary opinions and proposals of the authorities using and applying the SIM for amendment and supplementing the current legislation were submitted to the Commission for Control over Security Services, Application and Use of Special Intelligence Means and Access to Data under the Electronic Communications Act to discuss and submit draft amendments to the procedural laws.

✓ The present composition of the NSIDCB, in the exercise of its functions under Article 34f (1) of the SIMA, has carried out audits of the bodies referred to in Articles 13, 15, 34n and 20 of the SIMA, which have identified certain difficulties in



the application of the prescribed legal procedures for the use and application of SIM, as well as in the storage and destruction of the information acquired through them.

In order to overcome them, the NSIDCB requested from the authorities referred to in Articles 13, 15 and 20 of the SIMA proposals for amendments to the existing legal acts, which would improve the procedures laid down in the CCP and the SIMA.

Proposals were received concerning the amendment of the ten-day period referred to in Article 31 (3) of SIMA for the destruction of the information referred to in Article 24 of SIMA, which will not be used for the preparation of the ME and the information referred to in Article 25 of the SIMA; the removal of the mandatory textual reproduction of the content of the ME in the minutes of its preparation; removal of the requirement concerning the issuing of an order by the authority referred to in Article 174 of the CCP to destroy the information collected using the SIM and which has not been used for the preparation of ME and for destruction to be carried out in accordance with the procedure laid down in the SIMA, etc.

✓ On 18.06.2020, pursuant to Article 34f (1) (3) of the SIMA, NSIDCB issued binding instructions to the authorities referred to in Article 13 (1) and Article 20 of the SIMA with a view to improving the use and application of SIM and storing and destroying the information acquired through them. The opinion of NSIDCB on the issues raised was agreed and supported by the SCC, which expressed a fully positive view of the need to issue binding instructions on the problems raised in the application of the SIM. NSIDCB gave two binding instructions concerning the time limit for destroying the information obtained as a result of the application of SIM in pre-trial proceedings and the extension of the period for the application of the SIM.

The administrative heads of the authorities referred to in Article 13 of the SIMA, SCC and the implementing bodies were informed of the binding instructions given. The instructions were published on the NSIDCB website.

The National Bureau confirms the position expressed in the previous report on the need of adoption amendments to SIMA and CCP. To date, a significant application practice has been developed from which many conclusions can be drawn on the most urgent amendments. When discussing the amendments with the legislator, NSIDCB will contribute with expert proposals.

#### COOPERATION WITH GOVERNMENT BODIES AND NON-GOVERNMENTAL ORGANISATIONS CONCERNED WITH SIMA AND PROTECTING CITIZENS' RIGHTS AND FREEDOMS

✓ Again in 2020, NSIDCB continued its policy of improving communication and cooperation with other government bodies and structures, as well as non-governmental organisations, in order to maintain a good inter-institutional dialogue to promote good practices in the use of SIM and to protect citizens' constitutional rights and freedoms.

The case law of the ECtHR on increasing the effectiveness of the implementation of SIM in order to protect the rights and freedoms of citizens to whom they apply was examined and analysed.

In this regard, at the request of MJ, Directorate for Procedural Representation of the Republic of Bulgaria before the ECtHR, an opinion was drawn up by NSIDCB in the case of lawyer Mihail Ekimdziev and the Association for European Integration and Human Rights Foundation against the Republic of Bulgaria on the admissibility and substance of ECtHR application No 70078/2012, lodged with the court on 20.02.2020. The application to the court alleged infringements of Article 8 of the ECHR as a supplement to the original application of the same persons, in which case No 70078/2012 was initiated and admitted. The new application describes cases of infringements and legislative omissions that were identified after the original complaint of 19.10.2012 was lodged.

In its opinion to the MJ the National Bureau set out in detail the grounds for the application and these were accepted positively by the representatives of the Republic of Bulgaria before the ECtHR. This view is fully reproduced in MJ's objection and the final judgement in the case by the court is pending.

✓ In order to enhance the protection of the rights and freedoms guaranteed by the Constitution of the Republic of Bulgaria, NSIDCB continued its joint work with the CC at the SJC on certain problems related to the application of SIM. On 11.03.2020, a meeting took place between NSIDCB and the Chairperson of the CC at the SJC on specific and up-to-date legal cases arising from the work of NSIDCB for their public consultation.

✓ The Constitutional Court of the Republic of Bulgaria has asked for the opinion of NSIDCB in constitutional case No 4/2020, initiated at the request of sixty-three members of the 44<sup>th</sup> National Assembly for a declaration of unconstitutionality of the cited provisions of the Electronic Communications Act.

✓ Following its beneficial work with MJ, the National Bureau was invited and participated in an inter-departmental working group to prepare a draft Roadmap for the application of ECtHR judgements against Bulgaria in the part relevant to the use of SIM for the prevention of crimes against national security, as well as to give an opinion on legislative amendments in these parts of SIMA and PC.

✓ Upon invitation by the National Institute of Justice, within the project "NIJ – Modern Institution for Judicial Training", funded by the "Good Governance" Operational Programme, Mr. Ognyan Stoichkov – Member of the Bureau, was elected on behalf of the NSIDCB as a participant in research community, which will prepare an analysis on "Use of special intelligence means upon request by the prosecutor's office"

Judges from the Supreme Court of Cassation, prosecutors from the Supreme Cassation Prosecutor's Office, the Appellate Specialised Prosecutor's Office and the Sofia Appellate Prosecutor's Office are also invited to the research community.

The activity of the research community started in July 2020 and continues in the current 2021, and the analysis of the procedures relating to the request, authorisation, application and control of the special intelligence means used, as requested by the Prosecutor's Office, covers the period from 2015 to 2020.

In the course of the study, a review of foreign national law, international law and Union law on the relevant subject is also carried out.

The objective of the analysis is to improve the work of the Prosecutor's Office, as the SIM applicant, to precisely formulate the problem areas, to make proposals to address specific systemic law enforcement gaps and, if necessary, proposals to improve the organisation and the regulatory framework.

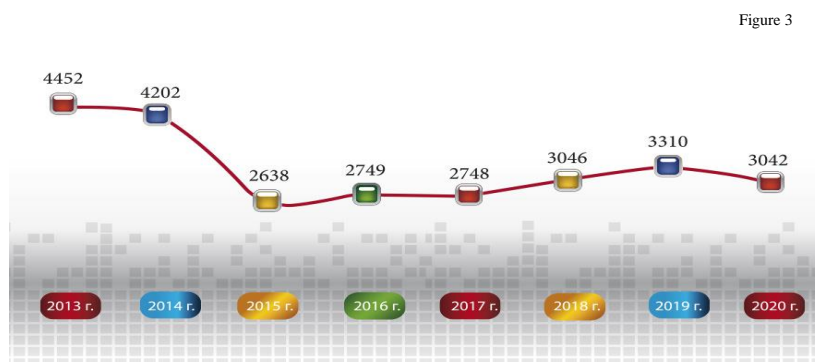
## PROCEDURES PUSRUANT TO SIMA

### 1. BODIES ACCORDING TO ARTICLE 13 OF SIMA

The authorities referred to in Article 13 (1) to (4) and Article 34n of SIMA shall be entitled to use SIM in accordance with their competence.

#### 1.1. REQUESTS

In 2020, SIM was used for 3042 persons<sup>1</sup> compared to 3310 in 2019 and 3046 in 2018 (Fig. 3).



The analysis of the statistics and the findings of the NSIDCB audits leads to the conclusion that over the last few years the number of persons against whom SIM is used has remained approximately the same and that the authorities referred to in Article 15 of the SIMA have increased their criteria when issuing authorisations for SIM application and continue the adopted practice to require all the materials on which the request is based. There has been an increase in the internal control of the bodies referred to in Article 13 of the SIMA in the preparation of requests for the use of SIM.

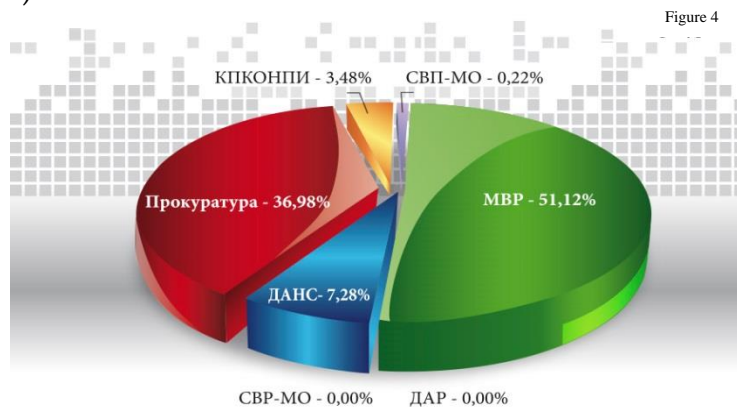
<sup>1</sup> According to data of bodies under Article 20 of SIMA.

In 2020, the applicants requested the use of operational means<sup>2</sup> as follows: pursuant to Article 5 – 4255; Article 6 – 4644; Article 7 – 4262; Article 8 – 456; Article 9 – 257; Article 10 – 478; Article 10a – 3; Article 10b – 42 and Article 10c – 42, i.e. a total of 14 439. (2019 – 15 719, 2018 – 16 002).

In the same year, the relative share of applicants in the total number of procedures initiated was:

- MoI – 51,12% (at 53,73% in 2019, 60,78% in 2018);
- PORB – 36,98 % (at 37,95 % in 2019, 34,27 % in 2018);
- SANS – 7,28% (at 5,69% in 2019, 4,82% in 2018);
- CCUAAF – 3,48 % (at 2,43 % in 2019, 0,53 % in 2018);
- MPS – MD – 0,22 % (at 0,20 % in 2019, 0,13 % in 2018);
- MNS – MD – 0,00%;
- SIA – 0,00 %.

(Fig. 4)



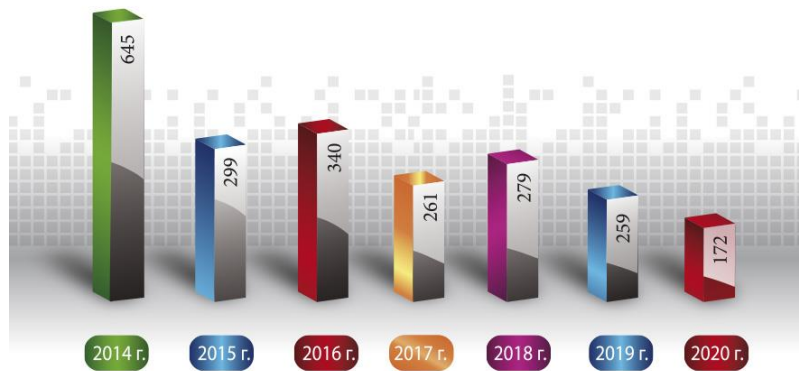
A comparison of the data shows that the procedures initiated by the MoI authorities and the Prosecutor's Office account for more than 88 % of the total.

In 172 cases<sup>3</sup>, SIM was used in respect of subjects for the identification of persons for whom there was evidence and reason to believe that they were preparing, committing or having committed a serious intentional crime as listed in the Act (Article 12 (1) (4) of the SIMA) (Fig. 5).

<sup>2</sup> According to data of the bodies under Article 20 of SIMA.

<sup>3</sup> According to data of the bodies referred to in Article 20 of SIMA.

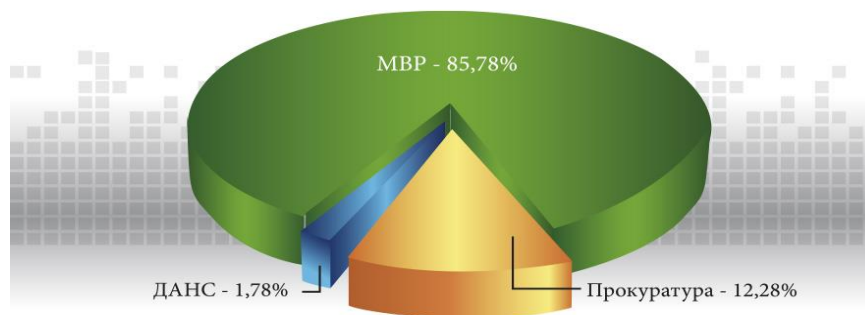
Figure 5



Comparing the data over the last few years, since 2015 there has been relative stability in the use of these operational means.

The procedures referred to in Article 12 (1) (4) of the SIMA are distributed among the bodies referred to in Article 13 of the SIMA in the following proportion: MoI – 85.78 % (at 85.82 % in 2019, 79.21 % in 2018); Public Prosecutor’s Office – 12.28 % (at 13.70 % in 2019, 20.07 % in 2018); SANS – 1.78 % (at 0.48 % in 2019, 0.72 % toin 2018) (Fig. 6).

Figure 6

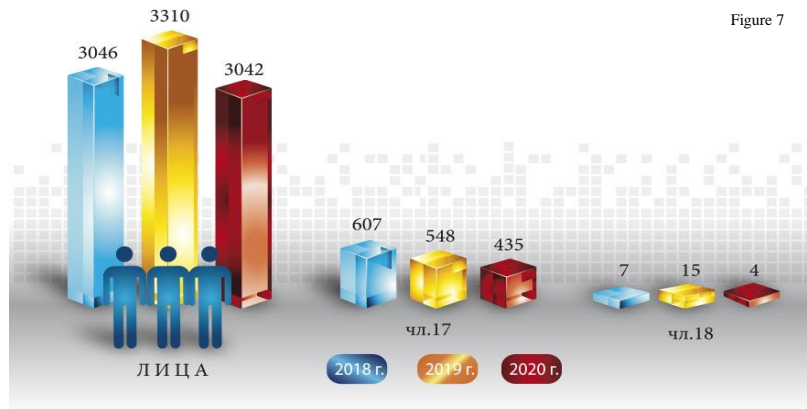


As evident from the chart, it is the MoI authorities which use SIM most frequently in order to identify persons and detect offenders.

For 435 procedures (14.38 % of the total) application of SIM started under the terms and conditions of Article 17 of the SIMA<sup>4</sup> (54816.56 % in 2019 and 60719.93 % respectively in 2018) and for 4 procedures (0.13 % of the total) – pursuant to Article 18 of the SIMA<sup>5</sup> (150.45 % in 2019 and 70.23 % in 2018) (Fig. 7).

<sup>4</sup> Application in urgent cases starting immediately after the authorisation by a judge.

<sup>5</sup> Application without prior authorisation by a judge in case of imminent danger of committing serious intentional crime or threat to national security.



In individual cases, it was found that the assumption of Article 17 of the SIMA was used to speed up the launch of the SIM application procedure.

The National Bureau considers that the legislature has rather provided for that legal possibility as an exception to the general procedure for initiating the application of the SIM and that it should apply only in urgent cases.

On that occasion, instructions were given to clarify the use of this special provision of the law.

As a result of the instructions given, the cases in which the application of the SIM is requested in the assumption of Article 17 of the SIMA have been reduced to a minimum and the grounds for immediate initiation are expressly stated.

In 2020, 5368 requests (6039 – 2019, 6099 – 2018) were prepared in 3196 procedures in respect of persons and subjects (3569 – 2019, 3325 – 2018)<sup>6</sup>.

As evident from the data, in 2020, the procedures and requests decreased in comparison with 2019, respectively procedures by 373 and requests by 671, which shows that the internal control of the use of SIM introduced in some bodies led to a more precise planning and preparation for the use of that specific means of proof.

## 1.2. SUBSTANTIVE LEGAL BASES FOR THE USE OF SIM

The use of SIM is admissible to detect only serious intentional offences expressly referred to in Article 172 (2) of the CCP and in Article 3 (1) of the SIMA.

In 2020, SIM was used most frequently in connection with acts under Article 321 (OCG) – 2551 (51,11% of total); Article 354a (narcotic drugs) – 692 (13,86%); Article 234 (excise goods) – 273 (5,47%); Article 195 (theft) – 141 (2,83%); Article 301 (bribery) – 123 (2,46%); under Chapter One of the Special Part of the PC – 188<sup>7</sup>, etc.

<sup>6</sup> According to the authorities referred to in Articles 15 and 20 of the SIMA. The number of requests is higher than the number of persons and subjects because for one person there is more than one request (upon appearance of new communicator, address, vehicle, etc.).

<sup>7</sup> According to data of the bodies under Article 15 of SIMA.

The comparison shows that in 2019 SIM were used most frequently in connection with acts under Article 321 (OCG) – 2617. (48,78% of total); Article 354a (narcotic drugs) – 803 (14,91%); Article 234 (excise goods) – 279 (5,21%); Article 195 (theft) – 213 (3,97%); Article 301 (bribery) – 178 (3,32%); Article 209 (fraud) – 145 (2,71%); under Chapter One of the Special Part of the PC – 181<sup>8</sup>, etc.

In 2018<sup>9</sup>, SIM was used most frequently in connection with acts under Article 321 (OCG) – 2741 (53,17% of total); Article 354a (narcotic drugs) – 736 (14,28%); Article 234 (excise goods) – 321 (6,23%); Article 209 (fraud) – 223 (4,33%); Article 195 (theft) – 163 (3,16%); Article 301 (bribery) – 154 (2,99 %), etc. (Fig. 8).

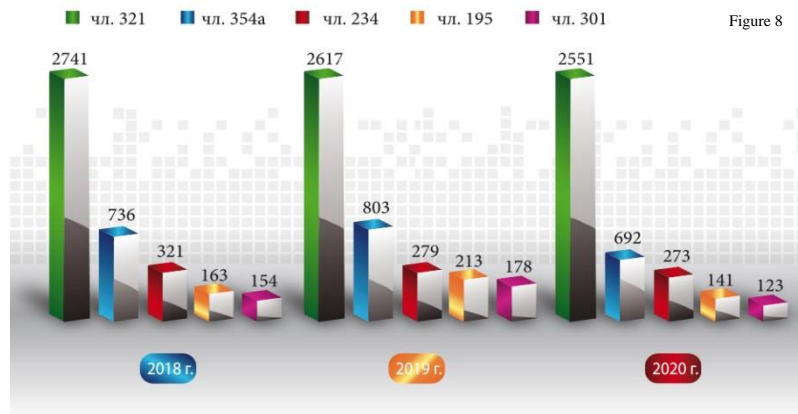


Fig. 8. The use of SIM to detect violent intentional crime for the period 2018-2020

It seems that in 2020 the authorities referred to in Article 13 of the SIMA continue to use SIM most frequently to detect offences under Articles 321, 354a, 234 and 195 of the PC.

### 1.3. RESULTS OF THE AUDITS CARRIED OUT

The Constitution of the Republic of Bulgaria guarantees the privacy, home, freedom and secrecy of citizens' correspondence and communications, except in the cases provided for by law (Articles 32, 33 and 34). The limitation of these fundamental rights shall be permissible only temporarily where this is necessary for the prevention and detection of serious intentional offences expressly referred to in Article 3 (1) of the SIMA or in respect of activities related to the protection of national security (Article 4 of the SIMA).

In 2020, NSIDCB enforced supervision by auditing the bodies referred to in Article 13 of SIMA in accordance with its powers under Article 34b (1) of the SIMA to monitor the procedures for the authorisation, application and use of SIM, the storage and destruction of information obtained through them, in order to protect the rights and freedoms of citizens against their unlawful use.

The findings of the audits are that, as a result of increased control by the heads of the bodies referred to in Article 13 of the SIMA, requests for the use of SIM meet, for the most part, the requirements of the law.

<sup>8</sup> According to data of the bodies under Article 15 of SIMA.

<sup>9</sup> See the 2018 and 2019 activity reports of the National Special Intelligence Devices Control Bureau.

In carrying out the audits, the National Bureau found that the authorities referred to in Article 15 of the SIMA had issued refusals due to:

✓ *Requests by a non-competent authority*

Requests for the use of SIM may be made only by bodies referred to in Article 13 of the SIMA and within the limits of their competence. Failure to comply with this requirement leads to a breach of procedures.

For example, where data are available on so-called 'electoral offences' under Article 167 (2) to (4) of the PC, prior to the initiation of pre-trial proceedings, the request for use of the SIM shall be the sole competence of the relevant district prosecutor's office and not of any other body referred to in Article 13 of the SIMA (arg. Article 13 (1) (6) SIMA).

✓ *Requests submitted for a decision before a non-competent authority*

Requests from bodies referred to in Article 13 of the SIMA must be submitted only to the chairpersons or the deputy-chairpersons of the relevant courts authorised by them, as referred to in Article 15 of the SIMA. The jurisdiction (powers) of each court is defined in law by the rules on jurisdiction and their infringement vitiates the procedure.

Cases were identified where applicants, in breach of the jurisdictional rules, filed applications for the use of SIM before a court that has no jurisdiction.

✓ *Requests for the detection of offences for which the law precludes the use of SIM*

It is a general requirement of the Act that SIM be used to detect only serious intentional offences, exhaustively listed in Article 172 (2) of the CCP and Article 3 (1) of the SIMA. This basic rule is not always complied with, which has been established in connection with prepared requests under Article 172b (2), Article 252 (1); Article 255 (1); Article 279 (1), etc. of the Penal Code.

According to NSIDCB, such practices lead to a violation of the law and create a precondition for the wrongful application of the SIM, thereby violating citizens' constitutionally guaranteed rights and freedoms.

In the cases identified during the audits, while monitoring the legality of the procedures, the judges issued refusals and the SIM had not been applied.

In order to prevent such cases, NSIDCB issued binding instructions to the authorities referred to in Article 13 of the SIMA to comply strictly with the provisions of the Act and to take specific actions for its enforcement.

Following these guidelines, the applicants provided training for staff carrying out SIMA activities and strengthened the enforcement of the law.



When carrying out audits, NSIDCB will analyse the effectiveness of the measures taken.

✓ *Requests for the application of SIM in relation to international cooperation in criminal matters*

The provisions of Chapter Four 'b' of SIMA govern cross-border surveillance in accordance with the European Convention on Mutual Assistance in Criminal Matters and Article 40 of the Convention implementing the Schengen Agreement into Bulgarian law. It should be noted that they do not cover all cases where SIM is required to be applied to foreign law enforcement bodies' applications. The regulation of cross-border surveillance under Chapter Four 'a' of SIMA focuses only on the situation where the SIMA methods authorised by the court are applied on Bulgarian territory by the competent officials of the requesting State which so request.

The relatively small case law and the specificity of each of the cases of cross-border surveillance of persons and subjects, the different legislation in this area in the EU countries, as well as the heterogeneous offences for which SIM is intended to be used, create difficulties in authorising the application of the SIM by a Bulgarian court.

The audits revealed that the Public Prosecutor's Office had difficulty justifying the request for use of the SIM and could not comply with the provisions of Article 34n (2) SIMA, given the limited information received from the competent authority of the foreign country. If the offence for which the use of SIM is requested does not fall within the scope of Article 3 or Article 34i of the SIMA, notwithstanding the existence of an authorisation from the relevant national competent authority of the requesting State, this is not a sufficient ground for the Bulgarian court to authorise the application of SIM on the territory of the Republic of Bulgaria, including in cases where this will be carried out by officers of the State concerned.

In this respect, it is necessary to improve the legislation and to provide a clear and precise procedure for the application of SIM on the territory of the country upon receipt of a request from the relevant foreign state entities, in order to avoid violating national legislation and at the same time not obstruct the investigation of a crime.

## 2. BODIES ACCORDING TO ARTICLE 15 OF SIMA

Requests from the competent authorities shall be submitted to the chairpersons of Sofia CC, the relevant district or military courts, the SpCC or a vice-president authorised by them, who shall decide within 48 hours by means of a reasoned instrument (Article 15 (1) of the SIMA).

For offences committed by judges, prosecutors and investigators, their associates and witnesses, authorisation shall be granted by the Chairperson of AC – Sofia or a deputy chairperson authorised by him/her, if Sofia CC has jurisdiction over the case and, in other cases, the Chairperson of the MCA or the SCCA, or their authorised

deputy. On this basis, in accordance with its competence under Article 15 (4) of the SIMA, the SCCA issued 63 authorisations in respect of 36 persons.

Requests to the Chairperson of AC – Sofia, the MCA and the SCCA, or their deputy, are decided by the Deputy Chairperson of the SCC, in charge of the Criminal Chamber. No requests were received in 2020 or issued decision .

## 2.1. AUTHORISATIONS

In 2020, the authorities referred to in Article 13 of SIMA exercised their right to request the use of SIM by submitting a total of 5368 requests for persons and subjects to the authorities referred to in Article 15 of the SIMA. Of these, 5003 were granted (3318 initial requests and 1987 extension)<sup>10</sup>.

Out of a total of 6039 requests for persons and sites, 5396 were authorised in 2019 (3799 initial requests and 1597 extension requests).

In 2018, 5328 requests for persons and sites were authorised (3909 for initial requests and 1419 for extension). (Fig. 9).



In 2020, authorisations decreased by 393 compared to 2019, allowing to conclude on the relative stability of this indicator after 2016.

In the course of the year, 4 authorisations were granted on the applications of the Prosecutor General in respect of 2 persons and 4 authorisations were granted on the SCPO's requests under Article 34n of the SIMA – 4 authorisations for 3 persons (also 1 refusal).

Data shows that 71.36 % of all authorisations are granted by: SpCC (2798), DC-Plovdiv (422), DC – Stara Zagora (206) and DC – Blagoevgrad (144).

Again in 2020, the SpCC ruled on the highest number of requests (55.74 % of all received by courts). This leads, on the one hand, to an increase in the specific competence of judges but, on the other hand, to an excessive burden on the court, which is a prerequisite for errors.

## 2.2. REFUSALS

<sup>10</sup> According to data of bodies under Article 15 of SIMA.

In 2020 judges issued refusals in 365 cases<sup>11</sup> (2019 refusals in 643, 771 in 2018, 1315 in 2017 and 1209 in 2016). (Fig. 10)

Figure 10



In 2020 again, there is still a tendency for the courts with the highest number of requests to issue the largest relative number of refusals.

In the course of the year, the SpCC received 2992 requests and issued 194 refusals, representing 6.48 % of the applications submitted to the court, DC – Plovdiv (466 requests/44 refusals – 9.44 %) and Sofia CC (153 requests/33 refusals – 21.57 %).

In 2020, refusals were issued on the requests of SANS 7.16% (14.75% in 2019, 2018 – 18.73%; 2017 – 25.77%; 2016 – 30.57 %); of the Ministry of Interior 7.87% (10.33%, 13.40%; 25.03%; 18.86%); 6.05% of the prosecutor's office (9.90%, 11.66%; 19.84%; 15.76%) and 2.67% of CCUAAFC (20.69% in 2019).

The main reasons for refusal are due to the lack or insufficiency of the data on the person's involvement in the criminal activity described; lack of evidence of the existence of an OCG (non-compliance with its legal definition in Article 93 (20) of the PC); lack of reasons for impossibility or exceptional difficulties to collect the necessary data without the use of SIM; failure to indicate the results achieved in the requests for extension, etc.

In the course of the year, the judges, exercising their power to review the legality of SIMA procedures, also issued 153 decisions in which they partially refused operative means, *corpus delicti* or reduced the requested time limits for the application of SIM.

SpCC issued 58 such decisions during the year, representing 37.91 % of the total, in DC – Plovdiv (44 decisions – 28.76 %) and Sofia CC (16 decisions – 10.46 %).

### 2.3. RESULTS OF THE AUDITS CARRIED OUT

<sup>11</sup> According to data of the bodies under Article 15 of SIMA.

The 2020 data allow the conclusion to be drawn that the review of the procedures is appreciably overstated by carrying out an in-depth analysis of all the material submitted before the decision was delivered.

✓ When monitoring the procedures, the NSIDCB identified individual cases in which an authority referred to in Article 15 of the SIMA had not complied with the statutory time limit for deciding on requests for the use of SIM, and that it considered that there was no need to rule in the case referred to in Article 175 (7) of the CCP.

In order to overcome this temporary difficulty in applying the law, the NSIDCB requested opinions from the competent judges and issued instructions to comply with the law. Additional audits have shown that these issues have been remedied.

✓ The audits carried out revealed that, in many cases, the authorisations (or applications) for offences under Article 321 of the PC did not specify the precise nature of the offences in respect of which the application of the SIM was sought, which is necessary because the precise wording of the specific legal provision is an essential element of the authorisation (request), since this is the basis on which a reasonable conclusion has been drawn that a *corpus delicti* has been committed. The reference to the specific criminal text is also essential in relation to the question of which court has jurisdiction to rule.

✓ Three cases were identified in which SIM authorisations were granted, which were subsequently revoked because the applications for the use of SIM concerned criminal offences classified as 'minor offences' within the meaning of PC. In this regard, NSIDCB instructed the relevant authorities referred to in Articles 13 and 15 of the SIMA to strictly comply with the law and to exercise greater control when preparing applications and granting authorisations for the use of SIM.

✓ In extremely rare cases, it is found that the authorities referred to in Article 15 of the SIMA receive requests from different applicants against the same person to detect the same offence. The judges issued refusals, thus preventing a breach of the law as regards the maximum time limits for the application of the SIM.

This fact in itself points to the important role of judicial review as a guarantee of safeguarding the rights and freedoms of citizens in this sensitive for the society area.

✓ Cases have been identified in which the authority referred to in Article 15 of the SIMA, guided by the statement of reasons for the request, changes the legal classification of the offence for the detection of which use of the SIM is sought.

According to NSIDCB, such a practice is unacceptable and judges should refuse SIM application (arg. Article 15 (1) of the SIMA — judges give written authorisation for using SIM or refuse to use such, giving reasons for their decisions).

### 3. BODIES ACCORDING TO ARTICLE 20 OF SIMA

In 2020, NSIDCB carried out 40 audits of SATO’s activities, of which: 3 due diligence (SIM applying structures), 1 thematic (on a case study) and 36 occasional (upon citizens’ alerts). In the Specialised Technical Operations Directorate – SANS, 37 audits were carried out – 1 due diligence and 36 occasional checks.

#### 3.1. OPERATIONAL MEANS

The total number of operational means authorised for 2020 is 14439. (in 2019 these are 15 719, 2018 – 16 002).

The number of operational means (authorised/applied) by type is as follows<sup>12</sup>:

- Article 5 of SIMA (surveillance) – 4255 (4585 for 2019; 4622 for 2018), and 1372 were applied. (1628 for 2019; 1669 for 2018);
- Article 6 of SIMA (tapping) – 4644 (5112 for 2019; 5154 for 2018 r.), and 4594 are applied (5076 for 2019; 5124 for 2018);
- Article 7 of SIMA (surveillance) – 4262 (4593 for 2019; 4609 for 2018 r.), and 1363 are applied (1621 for 2019; 1638 for 2018);
- Article 8 of SIMA (penetration) – 456 (578 for 2019; 712 for 2018 r.), and 71 are applied (68 for 2019; 60 for 2018);
- Article 9 of SIMA (marking) – 257 (227 for 2019; 231 for 2018 r.), and 26 are applied (22 for 2019; 29 for 2018);
- Article 10 of the SIMA (interception of mail) – 478 (546 for 2019; 615 for 2018 r.), and 39 are applied (28 for 2019; 47 for 2018);
- Article 10a of SIMA (controlled delivery) – 3 (2 for 2019; 7 for 2018 r.), and none are applied (0 for 2019; 2 for 2018);
- Article 10b of the SIMA (trusted transaction) – 42 (38 for 2019; 25 for 2018 r.), and 16 are applied (11 for 2019; 16 for 2018);
- Article 10c SIMA (undercover officer) – 42 (38 for 2019; 27 for 2018 r.), and 27 are applied (18 for 2019; 22 for 2018);

(Fig. 11 and Fig. 12)

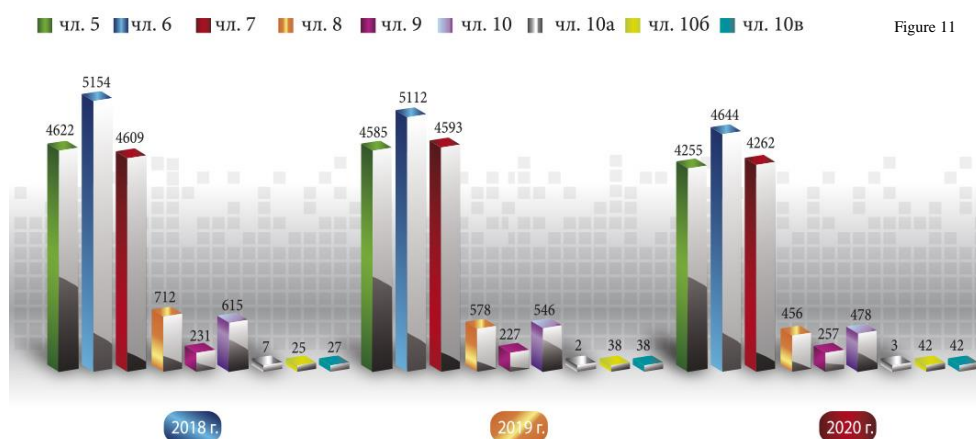


Fig. 11. Operational means requested and authorised for the period 2018-2020

<sup>12</sup> According to data of the bodies under Article 20 of SIMA.

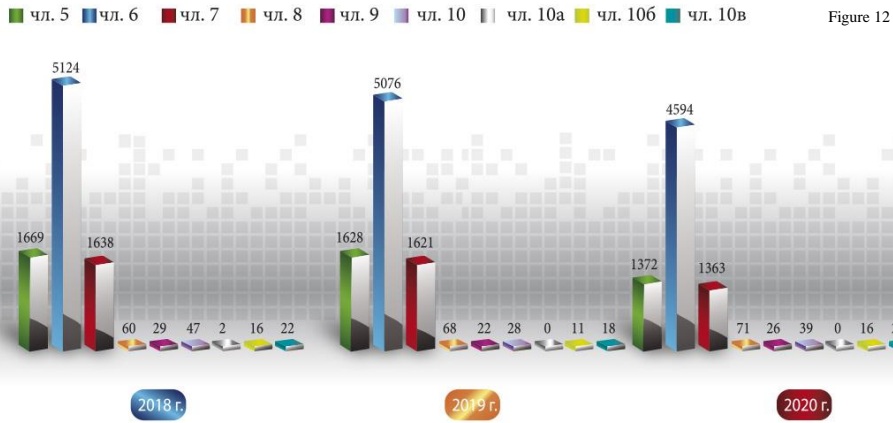


Fig. 12. Operational means applied for the period 2018-2020

In total, 7465 were applied in 2020 (8472 in 2019; 8607 in 2018)<sup>13</sup>, which represents 51.70 % of the authorised operating means. This compares to 53.90 % in 2019 and 53.79 % in 2018.

The trend continues in 2020 for specific operational means to be applied when operational needs arise and conditions are created for their implementation.

### 3.2. RESULTS OF THE AUDITS CARRIED OUT

#### Refusal to apply the SIM under Article 22 (3) of the SIMA

In the course of the year, the authorities referred to in Article 20 of the SIMA applied the assumption of Article 22 (3) (1) and (2) of the SIMA in 7 cases, with notifications of non-application of SIM most often due to manifest and factual errors in the requests and authorisations for using SIM.

The on-the-spot audits found that SIM had not been applied in these cases and the bodies referred to in Article 20 of the SIMA had fulfilled their obligations under SIMA.

#### Procedures where there is an interruption between the initial request and its continuation

Individual cases of interruption of the procedures have been identified, in which the implementing body has notified the authorities referred to in Articles 13 and 15 of the SIMA of these circumstances and the late requests for extension of the deadline for implementation of the SIM were considered to be new, initial requests, within the remaining statutory deadline, in accordance with the binding instructions given by the NSIDCB during the year.

#### Procedures in which the statutory permissible application period of the SIM is exceeded

Cases have been identified in which SATO received authorisations for SIM application for a period longer than the statutory six months, in accordance with

<sup>13</sup> According to data of the bodies under Article 20 of SIMA.

Article 21 (2) (3) of the SIMA. These cases arose from different ways of calculating time limits (in months and days). In all these cases, SATO informed the authorities referred to in Articles 13 and 15 of the SIMA that the deadline had been exceeded and applied the SIM, in accordance with the statutory provision of Article 21 of the SIMA.

## RESULTS OF SIM APPLICATION, STORAGE AND DESTRUCTION OF ACQUIRED INFORMATION

### MATERIAL EVIDENCE

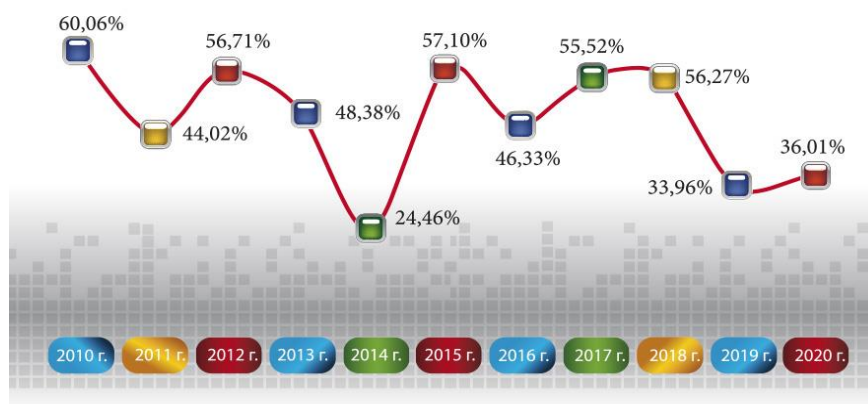
As a result of the SIM application, 1089 ME were prepared in 2020<sup>14</sup> (1124 in 2019, 2018: 1714; 2017 – 1670; 2016 – 1431; 2015 – 1677; 2014 – 1084; 2013 – 1602; 2012 – 3347; 2011 – 3603). (Fig. 13).

Figure 13



The ratio between the number of ME produced and the number of persons temporarily restricted by SIM basic rights is 36.01 %. For comparison, in 2019 this ratio is 33.96%, in 2018 – 56.27%; in 2017– 55.52%; in 2016 – 46.33%; in 2015 – 57.10%; in 2014 – 24.46%; in 2013 – 48.38%; in 2012 – 56.71%; in 2011 – 44.02% and in 2010 – 60.06%. (Fig. 14).

Figure 14



<sup>14</sup> According to data of the bodies under Article 20 of SIMA.

The problem identified in previous years concerning the production of ME on a large amount of information, which in individual cases significantly delayed their production, has been overcome.

The analysis shows that, as a result of the actions taken by NSIDCB and the instructions and recommendations issued in the course of the inspections carried out, the applicants have refined the information they wish to use for the preparation of ME.

Thus, the prepared ME is involved in a timely manner in criminal proceedings and is used for the purpose of proof in the trial.

#### DESTRUCTION OF INFORMATION, NOT USED FOR PREPARATION OF ME AND PREPARING A REPORT TO THE BODY REFERRED TO IN ARTICLE 15 OF SIMA

✓ The information referred to in Article 24 of the SIMA, which is not used to produce ME, and the information referred to in Article 25 of the SIMA, whether or not it constitutes classified information, is destroyed by the entities referred to in Articles 13 and 20 (1) of the SIMA within 10 days of termination of application of the SIM. Destruction is carried out by a committee of three members in a composition determined by the head of the entity for which a report is drawn up.

Failure to comply with these requirements creates conditions and prerequisites for the use of data collected through SIM outside the purpose of preventing, detecting and proving crimes (Article 32 of the SIMA).

In 2020, as a result of increased monitoring by the heads of the bodies referred to in Articles 13 and 20 of the SIMA, information which was not used to produce ME was destroyed within the statutory time limit, and only in individual cases a delay was found.

This problem has been mentioned in the reports of previous years, the main reasons for its occurrence being the different procedures set out in Article 175 (7) of the CCP and Article 31 (3) of the SIMA.

✓ Within one month of termination of the application of the SIM, the authority which prepared the request is obliged to submit a report to the judge with details of the type, start and end of application of the SIM, the ME produced and the destruction of the information collected (Article 29 (7) of the SIMA).

This obligation is not always fulfilled in time. On the basis of Articles 34b and 34f (1) (3) of the SIMA, NSIDCB issued binding instructions to remedy the infringements in this part of the SIM procedures.

#### PROTECTION OF CITIZENS' RIGHTS AND FREEDOMS AGAINST THE UNLAWFUL APPLICATION OF SIM

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## ALERTS OF UNLAWFUL APPLICATION OF SIM

In 2020, the Bureau initiated 45 files on citizens' alerts to verify the legality of the application of SIM. NSIDCB carried out audit on 31 of these. Fourteen of the alerts did not meet the requirements of the NSIDCB Internal Regulations for handling citizens' alerts and the National Bureau did not carry out audits on them. Citizens are informed that they should remedy the irregularities but have not taken the necessary follow-up action.

For comparison: in 2014, 29 files were initiated, in 2015 – 123, in 2016 – 88, in 2017 – 146, in 2018 – 115, in 2019 – 46. (Fig. 15).

Figure 15



In 2020, the Bureau did not find any cases of illegal application of SIM (in 2014 4 citizens were notified; in 2015 – 10; in 2016 – 5, in 2017 – 1, in 2018 – no cases found, in 2019 – 2), which is a good attestation for the activity of the bodies that request, authorize and apply SIM.

## CASES PURSUANT TO SMLDA BROUGHT BY CITIZENS ON NSIDCB FILES

In 2020, a case was completed concerning a claim based on Article 2 (1) (3) and (7) of SMLDA initiated by a citizen for non-pecuniary damage suffered as a result of his being accused of having committed a crime and the unlawful use of SIM.

Following a review of the legality of the procedure, NSIDCB found and, in accordance with Article 34 g (1) of the SIMA, informed the citizen that a SIM had been applied for, authorised and applied unlawfully against him, consisting of the lack of justification of the requests for use of the SIM and exceeding the maximum permissible time limit referred to in Article 21 of the SIMA.

The Court found and confirmed the findings of NSIDCB that, in the course of the criminal proceedings against the citizen, SIM had been misused over the period allowed.

It is apparent from SCC's decisions on actions for damages by the investigating authorities, the Public Prosecutor's Office or the court, in the event of unlawful use of the SIM, that a uniform and well-established case-law has been created.

In 2020, NSIDCB continued to exercise objective and independent supervision, creating an environment for enhancing trust in security services, law enforcement and judiciary bodies.

As a result of the increased control by NSIDCB by improving the methodology for monitoring and control over the procedures for the authorisation, application and use of SIM, the storage and destruction of the information obtained through them, and the numerous audits carried out by the authorities referred to in Articles 13, 15 and 20 of the SIMA, have contributed to the protection against violations of citizens' rights and freedoms against the unlawful use of SIM.

The developed and published Model Alert of Unlawful Application of SIM in the Alerts pursuant to SIMA section, Subsection "Documents" – "Alerts Handling" on the institution's website, has increased the transparency of the work of NSIDCB on citizens' alerts. The alert allows firstly citizens to effectively seek protection for violations of constitutional rights, and then assists NSIDCB in clarifying the facts and circumstances referred to in the specific alert.

NSIDCB continues with its main strategic priority objectives, which aim to improve the procedures for requesting, authorising and application of SIM, storing and destroying the information acquired by them, namely by:

- ✓ unifying the request under Article 14 of the SIMA;
- ✓ providing methodological assistance and organising training to the bodies referred to in Article 13 of the SIMA in order to improve the form and content of the request for the use of SIM, in accordance with the provisions of Article 14 of the SIMA;
- ✓ precise control of the reasons for the duration of the application of the SIM;
- ✓ improving the procedure for drawing up and storing ME and further developing the legal framework by establishing a procedure for the destruction of ME;
- ✓ carrying out workshops and seminars with non-governmental organisations in the field of protection of citizens' rights and freedoms against the unlawful use of SIM.

With a view to reducing the risk of duplication of requests for use of the SIM, the process of setting up an electronic register at the authorities referred to in Articles 13, 15 and 20 if SIMA continues, taking into account all aspects relating to the technical implementation, the available database, its storage, the provision of continuous technical and administrative support to the register, ensuring the highest level of protection against external interference and disruption in the system, as well

as the financing of the processes for its establishment, maintenance and continuous operation.

In 2020, no significant breaches of procedures by the SIMA bodies and unlawful use of SIM were identified which led to a violation of the citizens' constitutionally guaranteed rights. This is an indicator of the good performance of NSIDCB, ensuring timely and objective oversight of SIMA procedures. The increased criteria and standards of the bodies referred to in Article 20 of the SIMA when issuing authorisations for the application of SIM, and least but not the last the strict control exercised by the implementing bodies referred to in Article 20 of the SIMA. This will achieve NSIDCB's main objective of preventing the misuse of SIM and increasing the confidence of Bulgarian citizens in the institutions called upon to protect their security.

There is a need to work towards upgrading standards in the performance of controls by administrative managers in the preparation and use of SIM.

The National Bureau will continue to drive the processes to further develop the legal framework of the terms, conditions and deadlines for the destruction of ME in order to improve the legislation related to the use and application of SIM.

In 2021, the NSIDCB planned to hold working meetings with the authorities referred to in Articles 13, 15 and 20 of the SIMA with a view to establishing a uniform practice of using and applying special intelligence techniques, as well as storing and destroying the information acquired through them.

The National Bureau will launch future joint initiatives with all stakeholders to achieve an in-depth analysis, including the development of proposals for changes related to improving the authorisation, application and use of SIM, storing and destroying the information acquired through them.

The Annual Report on the Activities of the National Bureau for the Control of Special Intelligence Means on the work carried out in 2020 was adopted by decision of a meeting held on 07.05.2021.

07 May 2021

City of Sofia