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International Conference on
Strengthening Intelligence Oversight in Western Balkans

*Venue: Netherlands Institute of International Relations Clingendael,
Clingendael 7, The Hague, The Netherlands*

2 December 2011

(By invitation only)

Background and objectives

Since 9/11, intelligence and security services have been granted broader mandates, increased powers and greater resources to tackle the threats posed by international terrorism. The expansion of intelligence services' competencies and capacities has created new challenges for accountability and for ensuring that their counter-terrorism activities respect the rule of law and human rights. Intelligence services engaged in counter-terrorism are increasingly difficult to monitor, as they cooperate extensively across state boundaries, make use of enhanced powers and technologies, and operate with increasingly large budgets. For this reason, the best practices employed by oversight bodies to keep pace with rapidly evolving intelligence services are of vital concern to anyone interested in effective oversight. The lessons learned about effective oversight are particularly important in transition states, where on the one hand, intelligence agencies are often on the frontline in the fight against terrorism and other threats, and on the other hand, oversight bodies lack mandate, powers and resources to scrutinise the work of intelligence services.

In this context, the Dutch Ministry of Foreign Affairs commissioned DCAF to undertake a project aimed at strengthening parliamentary and independent expert oversight of security and intelligence services in the Western Balkans. This conference is an integral part of this project and aims at contributing to cross-national learning between states as well as to the identification of good practices of intelligence oversight. While the focus of this conference and the project more generally is on the Western Balkans, its outputs and findings will have broader resonance with transition states throughout the EU neighbourhood area. In addition, this project on strengthening intelligence governance is relevant to wider processes of security sector reform in transition and post-conflict states.

The objective of the workshop is to discuss the main issues, challenges and options for strengthening democratic and civilian oversight of security and intelligence services in the Western Balkans. This should, in turn, contribute to ensuring accountability, and respect for the rule of law and human rights in the work of these services. Participants will be asked to reflect on:

- Relevant international standards and good practices on intelligence governance;
- Progress and pitfalls in adopting and adapting such standards in the Western Balkans and transition states more generally;
- Strategies for overcoming ongoing challenges to the development and consolidation of legal and institutional frameworks for intelligence governance in this region and beyond.

Conference participants will include selected independent experts and overseers from the Western Balkans, members of several parliamentary and expert oversight bodies in EU states and a number of leading international scholars.

This conference is co-hosted by Netherlands' Institute of International Relations Clingendael, The Geneva Centre for the Democratic Control of Armed Forces and the Dutch Review Committee on the Intelligence and Security Services, and has been made possible by the generous support of the Netherlands' Ministry of Foreign Affairs.

Contact Information

Address conference venue:

Netherlands Institute for International Relations Clingendael

Clingendael 7 (street)

2597 VH The Hague, The Netherlands

Map and directions: <http://www.clingendael.nl/contact/index.html?p=map#map>

Address hotel:

Park Hotel

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2513 BJ The Hague

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Programme

	Thursday, 1 December 2011
Afternoon	Arrival of participants
19:00	Welcome reception and dinner, Humphrey's Restaurant, Molenstraat 8-10, The Hague, phone +31 (0)70-3648118
	Friday, 2 December 2011
8:00	Transportation from Park Hotel to Clingendael
8:30 – 9.00	Registration
9:00 – 9:15	Welcome and introductory remarks Speakers: Hans Born, Bert van Delden, and Jan Melissen
9:15 – 10:30	Panel 1: Intelligence governance in transition states Chair: Luc van de Goor Panellists: Andreja Bogdanovski, Saša Jankovic, Nebojsa Medojevic, Questions for discussion: <ul style="list-style-type: none"> ➤ Why is the strengthening of intelligence governance important for the broader processes of security sector reform in the Western Balkans? ➤ What have been the principal challenges to intelligence governance in the Western Balkans? ➤ What have been the main accomplishments in the development of: (a) the legal and institutional frameworks for intelligence governance and (b) the implementation/functioning of such frameworks?
10:30 – 11:00	Break
11:00 – 12:15	Panel 2: Reconciling transparency and secrecy in intelligence governance Chair: Vlatko Cvrtila Panellists: Arjan Dyrnishi, Jens Singer, Ivon Velickovski Questions for discussion: <ul style="list-style-type: none"> ➤ From the perspective of oversight bodies, what are the demands of secrecy and transparency and how can they be reconciled? ➤ What has been the experience of reconciling secrecy and transparency in intelligence governance in the Western Balkans? ➤ What measures can oversight bodies take to ensure that there is an appropriate level of transparency in their work, as a means of promoting public confidence in oversight processes?
12:15 – 13:15	Lunch at Clingendael
13:15 – 14:15	Panel 3: Establishing effective intelligence oversight bodies Chair: Edip Šerifov Panellists: Vlatko Cvrtila, Stuart Farson, Rajko Radevic Questions for discussion: <ul style="list-style-type: none"> ➤ What are the main advantages and disadvantages of different types of intelligence oversight bodies (parliamentary committees, expert oversight bodies, inspectors general, ombuds institutions)?

	<ul style="list-style-type: none"> ➤ What is required to make an intelligence oversight body effective? ➤ How can the performance of intelligence oversight bodies be evaluated and improved?
14:15 – 15:15	<p>Panel 4: Overseeing the collection and use of personal data Chair: Wim van Eekelen Panellists: Krunoslav Anatalis, Wouter De Ridder, Ian Leigh</p> <p>Questions for discussion:</p> <ul style="list-style-type: none"> ➤ Why is it important to oversee the collection and use of personal data by intelligence services? ➤ What is the role of parliaments, non-parliamentary expert oversight bodies, the executive and judicial bodies in this regard? ➤ What are the main challenges to the oversight of the collection and use of personal data by intelligence services, and how can oversight be strengthened?
15:15 – 15:45	Break
15:45 – 16:45	<p>Panel 5: Conducting Intelligence Oversight Chair: Monica den Boer Panellists: Piro Lutaj (tbc), Predag Petrovic, Bert van Delden</p> <p>Questions discussion:</p> <ul style="list-style-type: none"> ➤ What are the most effective methods for conducting oversight (e.g. hearings, inspections, access to databases, interviews) ➤ What are the minimum powers (including access to information) required for conducting effective oversight? ➤ What are the main challenges to conducting oversight and are there strategies for overcoming these challenges?
16:45 - 18:00	<p>Roundtable discussion: the way forward in the Western Balkans Chair: Gregor Zore Panellists: Krunoslav Anatalis, Donka Banovic, Vladimir Gjorcev, Denis Hadzovic, Nebojsa Medojevic (tbc), Osman Metalla, Florian Qehaja,</p> <p>Questions for discussion:</p> <ul style="list-style-type: none"> ➤ Are you satisfied with the current legal and institutional framework for intelligence oversight in your state? ➤ What needs to be done to further strengthen intelligence oversight in the Western Balkans? ➤ What are the main lessons learned from establishing intelligence oversight bodies in the Western Balkans for other transition states e.g. in the Middle East and North Africa?
18:00 onwards	Departure of participants