

# Private Security Guards as a Socio-Professional Group in Bulgaria

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## 1 Introduction

Under the process of democratization and development of a market economy in Bulgaria after 1989 the private security sector has grown up rapidly and covered many spheres of security services provision, which used to be exclusively dominated by the public security forces (police or militia before 1989). Some authors have described this process as the privatization of security and raised the question about the implications of this practice for state building and good governance (Schreier/Caparini 2005). These are extremely important questions particularly in the context of the transformation of Bulgarian society and general security sector reform.

The aim of this paper is to analyze the recent developments in the privatization of security in Bulgaria and the emerging new socio-professional group of private security guards. For achieving this goal we shall present, firstly, a brief historical review covering the surge of private guard activities after 1990. After that we shall analyze the existing legal framework regulating the operations of private security companies and the private security sector as a whole. Next, we shall examine some basic demographic and psychological characteristics of the private security guards, which are indicative with respect to the development of a new socio-professional group. Following that we shall look at some evaluations of the leaders of private security companies regarding current problems and prospects of the profession. In conclusion, we shall summarize some tendencies in the development of private security guard as a socio-paraprofessional group in Bulgaria.

## 2 Background

The first private security companies (PSCs) have been established in Bulgaria during the early 1990s. For almost a decade the expression private security guard had a negative connotation, because of a public perception that such companies were involved in extortion, racketeering, and organized crime. This negative image has gradually changed after 1998, when legitimate companies started to dominate the sector. The change was partly due to the

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<sup>1</sup> The opinions expressed in this paper are solely those of the authors and do not necessary reflect the official position of the Bulgarian Ministry of Defense.

unprecedented reduction in the Bulgarian Armed Forces (BAF)<sup>2</sup> as well as the dissolution of some structures of the Ministry of the Interior (MoI). As a result thousands of former professional military and MoI officers started working in or set up their own private security firms.

According to a recently published study, the history of private security provision in Bulgaria can be divided into four periods. The first, between 1990 and 1994, was marked by the engagement of PSCs in racketeering and extortion activities, as well as various other organized crime businesses. During the second period when regulation was first introduced, between 1994 and 1998, criminal PSCs were denied private security licenses and consequently registered as insurance companies, through which they were able to continue racketeering and extortion activities. During the third period from 1998 to 2000, the majority of these 'former-PSCs-turned-insurance-companies' had their insurance company licenses revoked and gradually turned to other activities. (SEESAC 2005). The fourth period starting in 2001 has been marked by the increased legitimacy of PSCs and the growth of public confidence in their operations.

The industry is now extremely well developed with both nationally and internationally owned companies operating in Bulgaria. The vast majority of PSCs are, however, nationally owned. There are more than 1,000 firms working in Bulgaria providing some form of security coverage, employing around 130,000 people (SEESAC 2005). The number of staff employed by each PSC varies greatly from company to company, depending on the company's range of activities and area of operation. The larger PSCs generally employ between 1,000 and 3,000 people, the mid-range companies between 300 and 700, while the small companies generally have fewer than 200 employees (a large number of small private security companies have less than 100 employees). The percentage of those staff that actually works as security guards varies depending on the amount of static-security or close protection services offered by the firm. One should add to these figures the fact that about 90,000 light weapons have been distributed among the servicemen in PSCs for implementing private security services (Ivanov 2000).

Having in mind these facts, it is obvious that PSCs have become an essential pillar of the security sector with a broad spectrum of activities and influence in Bulgarian society. Therefore, there was an immediate need for regulation and for the establishment of a legislative framework for PSC

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2 For the period 1990–2004 the manpower of the Bulgarian armed forces has been reduced 2.3 times. In 1990 the strength of the Bulgarian military according to the Treaty on Conventional Armed Forces in Europe was 104,000. The current peacetime strength of the armed forces is 45,000 while the wartime strength amounts to 100,000.

operations. An important step forward in this direction was the approval by the Parliament of the Law for the private guarding activities in 2004.

Another illustration of the process of professionalization of PSCs in Bulgaria after 2001 is the introduction of elements of self-regulation. One has to mention here the establishment of professional organizations like the National Association of Persons and Associations Performing Protective Activities and the National Association of Industrial Security Companies. Both associations were established to undertake lobbying and public relations work on behalf of an industry whose image had been seriously damaged during 1990–1994 by accusations of their involvement with organized criminal structures. Both associations are members of larger trade associations, such as the Employers Association of Bulgaria.

The National Association of Industrial Security Companies unites 29 members employing 13,000 individuals. The National Association of Persons and Associations Performing Protective Activities was established in 2001 and unites 47 big and medium-sized firms with more than 70,000 personnel and more than 25 mio. Leva (about 12,5 mio. Euro) annual turnover (Declaration 2005). The associations accepted a Code of Ethical Conduct in which members pledge to adhere to all the rules and norms set by the existing laws in the country. They pledge to sign contracts that are in accordance with such laws, to cooperate with the police, to provide only those security services for which they have been licensed by the police, to provide the highest quality service to their clients, to ensure that their employees are exemplary citizens and to report to the managing board or to the media unethical or unlawful conduct by other security companies (Code of Ethical Conduct 2003).

### **3 The Legal Framework for Private Security Sector Activities**

The first attempt of the state to regulate private security sector activities was made in 1994 when under the Ordinance I-14 of the Ministry of the Interior the licensing of PSCs began (MoI 1994). As a result, most of the firms suspected of being involved in criminal actions lost their right to carry out security activities. In our view this first attempt for regulation was not successful because many firms rearranged their activities by registering as insurance companies and continued to operate on the edge of the law. The next step in the process of improving the administrative oversight of PSC operations was made six years later, in 2000, when the MoI issued the new Ordinance I-79, which was to be further amended in 2001. The document regulates the conditions and the procedure for licensing for private security services as well as the control on the part of the National Police Service (MoI 2000).

The dynamics of the private security sector development in Bulgaria as well as the unprecedented growth in the number and coverage of PSCs made the regulation of their activities by specific law foreseeable. Therefore the National Assembly adopted the Law on Private Guarding Activities (LPGA) and it is in operation since 24 February 2004.

The law governs the activities of PSCs in Bulgaria, requiring those companies that want to carry out private security services to register with the police. According to the LPGA, “private guarding activity shall be carried out only upon obtaining a license or registration by the order of this law” and “licenses for carrying out private guarding activity shall be issued by the Director of National Police Service or by persons authorized by him”. The Director (or those authorized by him) has the right to issue or refuse a license within one month from the date of application. When applying for a license, the owners of the PSC – “individuals registered as sole entrepreneurs, the members of the management body of the trade company, as well as the unlimited liable partners of a limited joint stock company or general partnership” – need to provide the following information: a certificate issued by the National Investigation Service certifying that the applicants are not subject to any criminal proceedings “for a deliberate crime of a general nature”, and a declaration by the persons stating the same (Law on Private Guarding Activities 2005: Art. 15 § 3).

Art. 40 of the LPGA foresees the creation of a Single Automatic Central Register for all licenses and registrations issued to PSCs, which will also contain data on the number of weapons used in guarding activities as well as the number of guards used to guard each site. Companies licensed under the preceding Ordinance I-79 of the MoI (revoked with the entry into force of LPGA on 24 February 2004), usually for a 3-year period, need to register in accordance with the new law when their present license expires. According to the LPGA the individuals who apply for private security guards must be Bulgarian citizens having high school education (for the leaders) and secondary school for the guards. In addition, they have to have clear police and investigation service records. Moreover, the applicants must not be registered in any psychiatric register and to be psychologically fit proven by specialized institution (Institute of Psychology of the Ministry of Interior or authorized MoI firm).

Although PSCs need to be licensed in order to operate. Art. 5.1.5 of the LPGA allows private companies to establish in-house self guarding security departments for the protection of company facilities. In order to set up a protection unit, the applicant company (a bank, or a company that has a few factories) needs to notify the Director of the Regional Police Department in writing of the location of the proposed site and the names of the guards, pro-

viding: (1) a description of the self-guarding activity; (2) the type of guarding activity (armed or unarmed); (3) a list of all personnel that would be carrying out the guarding activity, and in the cases of armed guards copies of their firearm permits; and (4) samples of their badges or company ID cards and uniforms (Law on Private Guarding Activities 2005).

According to some experts Art. 5.1.5 is considered to be a loophole in the law. It is exploited by a number of organized crime bosses that are said to move bodyguards between locations by registering a company, and then a self-guarding unit for that company, with the police, instead of obtaining a license for “close protection” as required by Art. 5.1 and Art. 13 of the LPGA. Some big companies and banks also avoid the licensing process or hiring PSCs by registering self-guarding units. (SEESAC 2005).

According to the LPGA the main tasks in the implementation of the mission of the private security guards are the following: (1) implementation of a complex of activities aimed at prevention of crimes and violations of the law; (2) control over the internal rules in the guarded property, the pass regime in the buildings and the guarded area as well as the rules of taking cargo and other property out of the guarded area; and (3) guarding public events in cooperation with the police and the local authorities as well as support of the state institutions in case of an emergency and natural disasters.

Two basic methods of implementing Private Guarding Activities (PGAs) are defined in the LPGA: (1) preventive: by creating the impression of a reliable and robust guarding regime. This is the basic priority in the PGA’s provision; and (2) analytical: collection of information about organized crime and the own regime of the private security guard. Under this situation the need for cooperation and information sharing between state institutions, public security services and private security guard services is obvious.

The PGAs is being implemented according to the following basic principles: (1) respect to the rights, freedoms and the dignity of the citizens; and (2) collaboration with the MoI in combating crime and public order guaranteeing. It is important to underline that the principle of collaboration is based on internal, not external coordination. The basic characteristic of the cooperation between public and private security structures is reciprocal mutual help. One should mention here that according to some publications the practical implementation of the first principle in some regions of the country was related with social, cultural, ethnic and language differences of the private security guards. There were some cases of excessive use of force by private security guards against Roma people in the period before 1998 (Bulgarian Helsinki Committee 1994).

The LPGA regulates the right of private security guards to use force, as well as the situations when the use of force is prohibited. Specifically, it states that: (1) guards shall have the right to use physical force and auxiliary devices – handcuffs, rubber and plastic truncheons – where it is impossible to fulfill their official duties in any other way, taking into account the concrete situation, the nature of the violation and the personality of the offender; (2) physical force and auxiliary devices may be used after an obligatory warning, with exception in cases of sudden attack; (3) in using physical force and auxiliary devices guards are obliged to protect the life and the health of the persons against whom they are directed; (4) the use of physical force and auxiliary devices should cease immediately after the achievement of the objective of the applied measure; and (5) the use of physical force and auxiliary devices against minors and pregnant women is prohibited (Law on Private Guarding Activities 2005: Art. 34).

It is important to underline that the use of firearms by PSC staff is regulated under the separate Law for Control over Explosives, Firearms, and Munitions (LCEFM 1998). In order to use firearms at work legally, guards must obtain two permits, one to own and one to carry a weapon. Many private security guards are not licensed to carry firearms and do not do so. However, the law also allows guards to use their privately owned weapons at work, provided that records of the weapons in use are kept at the site being guarded, and many apparently do so, with companies relying heavily on this. The LCEFM generally restricts self-defense weapons to pistols and revolvers, the types of weapons used by most private guards.

According to the LPGA the subjects providing PGAs are obliged to organize education and training of their personnel. Individual guards may only take up employment with PSCs on successful completion of a basic training program (the Minimum Program), organized by the Academy of the MoI and approved by the Director of the National Police Service. The training program lasts six days and consists of lectures and practical sessions. There is no legal requirement for background checks to be carried out either by the police or companies themselves. (Law on Private Guarding Activities 2005: Art. 28) The curriculum must cover: (1) The legal regulations of private security activities; (2) legal training on how to handle different critical circumstances; (3) the rights and obligations of the guards; (4) relations with the citizens; (5) self-defense techniques (including non-lethal restraint); and (6) medical assistance. (Minimum Program 2004). Firearm handling is not covered in the Minimum Program, and those guards wishing to carry firearms at work must first pass through a standard Firearm Training Program, which applies to all citizens, and they must obtain permits to own and carry weapons. According to the law, at the end of the training program, practical training has to be

organized for a period of no less than five days for those security guards who do not have any professional experience.

One of the most important issues regarding PSS development in Bulgaria is related to the oversight of the PSCs activities. Under the present regulatory system, the MoI and its agencies provide the only real external oversight of PSCs in Bulgaria. Other institutions such as the National Parliament and the Office of the Ombudsman have legal oversight powers, but no real capacity to do so. Although all the necessary provisions and penalties for effective regulation of the private security sector by the MoI are presently in place, these provisions have not been applied fully by the relevant government authorities. Obviously there exists an underestimation of PSS oversight. Having in mind the growing importance of PGAs provision and the influence of PSCs in the society, there is an urgent need to improve the civilian control on the part of all state institutions as well as civil society. A good attempt regarding internal oversight is the establishment and the operation of professional trade associations: the National Association of Industrial Security Companies and the National Association of the Persons and Associations Performing Protective Activities.

#### **4 The Emergence of a New Socio-Professional Group**

In this paragraph we shall start with an analysis of some basic socio-demographic and individual psychological characteristics of the applicants for private security guards on the basis of empirical data obtained in the framework of a psychological survey carried out by the authors in the period January 2004–January 2005 among 400 applicants for private security guards. The goal of this survey was to identify the psychological capabilities of the applicants, which is a mandatory requirement according to the LPGA. In addition, it had to identify some specific qualities of private security guards needed for effective duty performance such as the interpersonal, social competences, high levels of stress endurance and internalized specific cultural behavioral norms.

During the first stage of the study the applicants filled in a psychological questionnaire and at the second stage they participated in a psychological interview. The aim of the questionnaire was to identify possible psychological pathologies, which could lead to unrealistic perceptions such as depression, hypochondrias, hysterias, psychopathic, hippomanias, schizoidism, etc. The aim of the psychological interview was to collect data regarding the motivation, value system, and social status, past professional experience of the applicants as well as some possible situation in which they would react aggressively. In addition to the data from our survey we analyzed published

data from a survey carried out among 117 representatives of PSCs, participating in the first national meeting on 'Private Security Guard Services in Bulgaria' organized on 1 December 2005 in Sofia (<http://www.naftso.org>).

The first thing to underline when analyzing the empirical data is that the profession is totally dominated by men – 99% of the surveyed applicants. Obviously this activity is not yet common among the women in Bulgaria, which is quite obvious having in mind the fact that this is the situation also in the public security services, the police and the armed forces. The analysis of the age distribution of the applicants shows a broad range. The youngest applicant was 20 years old while the oldest was 66 years of age. The average age of the applicants was 40 years. The previous work/professional experience of the applicants for private security guards is important from the viewpoint of the development of a socio-professional group. According to the survey data, the predominant part of the respondents had experience in defense and security sector structures. Half of the applicants had been serving in the Bulgarian Armed Forces as commissioned officers (COs) and non-commissioned officers (NCOs). In addition, 10% had been serving in the MoI as officers or sergeants. There is a small part of 3% of the respondents who had previous experience as private security guards. These figures comply with the figures of the number of pensioners that are 50% of the respondents.

The significant and unprecedented manpower reduction of the BAF (2.3 times) is one of the explanations why the military COs and NCOs dominate the sample of potential applicants for private security guards. Their experience in the defense and security domain is one of the factors that made them suitable for the new role of private security guard. Regarding the motivation of the surveyed people, there are two leading motives. A clear majority of 68% states, "there is no other opportunity to find a job". The remaining 32% think that this job is as close as possible to their previous one. Having in mind the fact that more than half of the respondents come from the military and the MoI, the explanation of these figures is that the resettlement and social adaptation programs for redundant military officers have not been successful. The failure caused difficulties in the social reintegration of dismissed military personnel and therefore they were unable to find a better job.

The analysis of the data about the value system of the surveyed applicants shows a match with the average adult population of the country. The family is the leading value according to 90% of the respondents. This is understandable since 85% of them are married. The most value is attached to children, health, security and public recognition. Having in mind the domination of the former military and MoI personnel among the private security guards today, obviously the new emerging socio-professional group displays



close characteristics and values similar to the people working in public security forces.

The predominant part of the applicants (95%) declares that they would react aggressively only in case of danger imposed to their life or the life of their relatives. A small portion of 3% would use physical aggression only as the last resort when all other means have been tried and 2% declare that they would not react aggressively in any situation. These figures give us ground to certify that the predominant part of the surveyed people demonstrates adequate self-evaluation and realistic perception of their job as private security guards.

Now we shall analyze some of the results from the survey among the leaders of PSCs carried out in December 2005 during the first national meeting of PSCs. In our view the results illustrate the gradual emergence of the socio-professional group of private security guards. The first result that deserves attention is the fact that the overwhelming part of the leaders of PSCs (98.9%) considers as much desirable the further development and improvement of the legal basis for regulating private guard activities. In addition, 85.1% support the introduction of new legal and administrative acts to regulate more precisely the activities of the private security guard industry. Moreover, almost all of the surveyed leaders (96.7%) support the idea to change the National Thesaurus of Professions by adding a new item 'private security guard'. Next, the leaders of PSCs are unanimous regarding the necessity of private security sector professional trade organizations to establish common standards for providing guard services in Bulgaria (93.6%) as well as to introduce a Code of Ethical Conduct in the industry (88.3%). To guarantee the implementation of these common standards, improvement of professional selection, education and training of the private guards is needed.

Regarding the relationships with the public security services, the evaluations of the leaders of PSCs are predominantly positive. About one fourth (23.4%) consider the relations and cooperation with the National Police Service as positive. In addition, 43.6% evaluate the relationships as satisfactory. Less than one third of the people (28.7%) consider the relations between PSCs and the police as unsatisfactorily and the rest of 4.3% think that there is no cooperation at all. Completely different is the situation when the leaders evaluate the cooperation among PSCs themselves. Most of the respondents consider this cooperation as unsatisfactory (45.7%) or think that there is no cooperation at all (17%). About one third evaluate the relationships among PSCs as satisfactorily (29.8%) or positive (7.4%). These results are indicative about the strong competition existing among PSCs in Bulgaria today.

## 5 Conclusions

In the immediate post-Communist period, the PSC industry was unregulated and some companies had close connections to organized criminal groups. Over the past decade, the sector as a whole has been professionalized as the government has introduced legislative and administrative oversight. Salaries in some big companies are also reported to be on the rise, which may have additional benefits in terms of professionalism and the quality of staff recruited.

Problems remain, however, ranging from cases of improper criminal, political or paramilitary affiliations to the misuse of force in individual cases. Yet, despite the implications of this, the private security sector is neglected in most analyses of security sector reform, even though it constitutes a significant segment of the sector. The current practice to employ retired/ dismissed military and MoI personnel as private security guards is good as far as most of these people have a broad experience in such kind of activities and specific personal characteristics that made them suitable for the service. Most of the surveyed applicants demonstrate responsibility, loyalty, self-control, discipline, professionalism, etc. Having in mind the necessity to improve the cooperation and trust between private and public guard services as well as the citizens, one should say that the first most important step has been undertaken.

Regarding the future of the PSS and the PSC contribution to the public order and security of the citizens, it is important to continue this process of professionalization based on a clear legislative framework, improvement of the oversight as well as cooperation with public security sector structures. In addition to the establishment of effective legal and administrative oversight, it is important to further develop the system of selection, education and training of private security guards. In this way the public image of the profession 'private security guard' will become much better.