

Reform of Security Service of Ukraine

Background

The Security Service of Ukraine (SBU) is state's special purpose law enforcement body. According to acting Law, it is empowered to protect state sovereignty, constitutional order, territorial integrity, economical, scientific and technical, and defence potential of Ukraine, state's legal interests and civil rights from intelligence and subversion activities of foreign special services and from unlawful interference of certain organizations, groups and individuals. It is also tasked with ensuring the protection of state secrets.

Currently, the SBU has a number of functions that overlap with the ones of other institutions, including the fight against corruption. Optimization of the SBU was envisaged in the 2014 Parliamentary Coalition Agreement. In early 2016 a permanent international advisory group on the SBU reform was established with the participation of the representatives of the EU Advisory Mission for Civilian Security Sector Reform Ukraine, the NATO Communication Office in Ukraine, the NATO Centre for information and documentation in Ukraine, and other international organizations. The Concept of the SBU reform, based on NATO standards, was developed and finished in July 2016, and submitted to state institutions for approval. In March 2017 the President Poroshenko announced a comprehensive reform of the SBU, aimed specifically at transferring part of its functions to the other law enforcement institutions – the National Anticorruption Bureau of Ukraine, the State Bureau of Investigations (after its launch) and the National Police. He also claimed that the reform will introduce civil control over the SBU. In addition, according to the President, the National Security and Defense Council of Ukraine was supposed to promptly review and approve the Concept. More information on the planned reform is available [here](#).

However, before the 2019 presidential and parliamentary elections, the SBU reform was never implemented. President Zelenskyi during the campaign also promised that the SBU will be deprived of untypical functions in the spheres of economy and fighting against corruption and will be protecting state security.

Timeline

The Security Committee finalized text of the “SBU reform”: key amendments are postponed until the new draft law

23.09.2021

Yesterday, on September 22, the Verkhovna Rada Committee on National Security, Defense and Intelligence approved for the second reading the final text of draft law 3196-d on the SBU reform. The key indicator of the reform, namely deprivation of the Service of investigative function, remained unimplemented. This can only be changed by a separate law, the draft [...]

The Parliament came up with an alternative plan to return SBU “KGB’s” powers in anti-corruption and economic spheres

01.07.2021

Today, during the extraordinary meeting the Verkhovna Rada adopted draft law No.5219 “On Critical Infrastructure” in the first reading . The latter amends the current law “On the Security Service of Ukraine” and gives the SBU power to protect critical infrastructure. The proposed amendments to the wording before the first reading, in fact, return in veiled form the possibility [...]

The CSOs call on MPs to finalize the parliamentary draft law on reforming the SBU

01.06.2021

CSOs call on the Parliament to finalize the draft law on reforming the Security Service of Ukraine as soon as possible, by eliminating risks of excessive interference of the Service in all spheres of social life, activities of independent state institutions and business, risks of gross human rights violations, and increasing transparency and accountability of the [...]

MPs are securing the KGB'-style SBU. Analysis of amendments to the security service reform

19.05.2021

The pre-final text of the draft law on the reform of the Security Service of Ukraine was announced by the head of the Parliament’s working group and the deputy head of the Verkhovna Rada Committee on National Security Maryana Bezugla. According to her, this version will be taken as basis by the Committee for voting [...]

Anti-reform according to secret instructions of the SBU. Which of Members of Parliament submitted amendments from Bakanov

18.03.2021

Originally published on Ukrainska Pravda At the end of January, the Verkhovna Rada took important step towards the reform of the Security Service of Ukraine. Members of Parliament took away from the SBU functions and units regarding combating corruption and organized crime and liquidate the possibility of interfering in the economy. On the same day, [...]

The Verkhovna Rada deprived the SBU of improper functions in the economic sphere. What is changing?

29.01.2021

Today, during consideration of the draft law 3087-d on the establishment of the Bureau of Economic

Security, the Parliament supported amendments that eliminate mentions of unusual functions in the Law “On the Security Service of Ukraine”, as well as anti-corruption and counterintelligence departments on economic protection (which are known for interfering in business). The SBU should liquidate departments [...]

New changes to the reform of the SBU: the Rada wants to strengthen Bakanov

23.11.2020

The Verkhovna Rada registered the draft law 4392 on amendments to the Criminal Code (CC) and the Criminal Procedure Code (CPC), which should be a continuation of the draft law on the reform of the Security Service of Ukraine (SBU). Contrary to previous promises, Members of Parliament do not define investigation as temporary function and want to [...]

The reform of the SBU: neither here nor there

23.10.2020

Originally published on Zn.ua How the Parliament is taking a step towards the reform of the SBU and why it is still incomplete and its prospects for implementation are vague. Today, on October 16, the Security Committee of the Verkhovna Rada, after seven months of work, approved new version of the “reform of the SBU” for the [...]

Declarations of the SBU officials: Bakanov’s deputies do not show their assets

04.06.2020

Vasyl Malyuk and Oleksandr Yakushev, two deputies of the head of the Security Service of Ukraine, have not submitted electronic declarations, although they are obliged to do so after amendments to the law. Malyuk holds the position of the head of the Main Department for Fighting Corruption and Organized Crime of the Security Service of Ukraine (Department “K”). All officials authorized to perform public functions were [...]

Made up figures, harassment of business and failed cases: the SBU which Zelenskyi wants to strengthen

30.05.2020

Olena Shcherban for Ukrainska Pravda In March, the President Volodymyr Zelenskyi submitted urgent draft law regarding the reform of the Security Service of Ukraine. The reform is overstatement, because the SBU, according to the President, keeps all unusual functions and gets even more.

Proposals regarding cementing the recall of the Soviet Union have been criticized by the International Advisory Group, which includes the EU Advisory Mission, the NATO Liaison Office and the US Embassy in [...]

SBU's pseudo-reform: Zelenskyi's draft Law preserves Soviet-style security service

12.03.2020

On March 11, President Volodymyr Zelenskyi submitted the draft Law on the SBU reform to the Verkhovna Rada. Today, the SBU itself lavished praise about it in its release. The Service states that this draft Law is about innovations, but despite loud words, in fact, it is preservation of the old system. In short, the proposed approach is [...]

From top corruption to robbery: the draft law, that will allow the SBU to take over any case, has been registered in the Verkhovna Rada

09.01.2020

The draft law that will allow the Security Service of Ukraine (SBU) to take over any case from any other law enforcement agency was registered on the website of the Verkhovna Rada. The criterion on which they suggest to transfer cases will be decision that the case threatens the national security. Almost any case can fall within [...]

Presidential candidate Zelenskyi promises SBU reform

02.02.2019

On January 30, 2019, the Central Election Commission of Ukraine registered Volodymyr Zelenskyi as a candidate for the position of the President of Ukraine. It is very important that one of the key promises of Zelenskyi included in the program is to perform the reform of the Security Service of Ukraine (SBU). The program states [...]

Documents

The EU continues to advocate for adoption of new legislation on the Security Service of Ukraine (SSU) and on parliamentary oversight over the entire security sector, to transform the SSU into a modern agency with clearly defined functions limited to counter-intelligence, counter-terrorism and protection of state secrets. On 15 October, the head of SSU submitted a revised draft law on SSU to the Office of the President for consideration. At the same time, the SSU foresees retaining some competencies to fight organised and economic crime. The creation of effective parliamentary oversight has been put on hold.

Full doc:

https://eeas.europa.eu/sites/eeas/files/swd_2019_433_f1_joint_staff_working_paper_en_v4_p1_1056243.pdf

The reform of the Security Service of Ukraine is provided for in the National Security Strategy. NATO will provide assistance to relevant reforms, with a particular attention to ensuring civilian democratic control.

Full doc: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2016_09/20160920_160920-compreh-a-s-package-ukraine-en.pdf