

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

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*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 of which has not even been submitted to the Parliament yet.*

The SBU is deprived of law enforcement functions in the final version of the draft law declaratively. Members of Parliament determined the need to deprive the SBU of investigation starting from the beginning of 2025, but specific amendments to the Criminal Procedure Code have not been considered and have not even been submitted to the Parliament.

“It is possible to take investigation away from the SBU only by changing the Criminal Procedure Code. Lawmakers are still avoiding this. In practice this means that the reform will not meet key expectations and investigation as key element of pressure and abuse will remain with the SBU for indefinite time. This is definitely not what the President promised to the society and not what will bring Ukraine closer to NATO. To fix this, the President must immediately submit an urgent draft law to the Parliament. Only this will be clear confirmation of the desire for real changes”, AntAC’s expert Olena Shcherban stated.

Today, the criminal process can be changed only by the separate draft law, which should be considered by another Committee of the Parliament, namely the Law Enforcement Committee. Draft law 3196-d prescribes the President to submit amendments to the criminal procedure legislation.

According to the agreed version of the draft, after deprivation of investigative function, the SBU should focus on counterintelligence, fight against terrorism, and protection of state secrets. At the same time, the fate of investigative functions will depend on the next steps of the Parliament.

The Rada gives the number of new powers to the Service in the field of counterintelligence. In particular, the right to block information resources in the court, the right to send official reservations to individuals, the right to conduct special information operations and the number of other powers.

There is separate procedural order for the implementation of counterintelligence measures that involve intrusion into private life (such as wiretapping). Such measures will not be conducted according to the rules of the criminal procedure, but will be performed under simplified procedure. These amendments will come into force after amendments to the Law of Ukraine “On the Judiciary and the Status of Judges”.

“The key problem of this reform is that they give the Service new powers, but investigative power is not actually eliminated. The personnel is not vetted. This entails huge risks when not cleaned Service will have even more powers”, Shcherban adds.

The draft foresees the reduction of the number of SBU employees to 20,000 persons, which should take place by the end of 2024. The head of the Service is appointed for 6 years. This term of office has been set for current head Ivan Bakanov, who will implement the reform.