

UKRAINE: Politics cast a shadow over Security Service

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EVENT: The persistent politicisation of the Security Service of Ukraine (SBU) and other paramilitary agencies.

SIGNIFICANCE: The SBU continues to engage in activities well beyond its legal remit, including domestic political disputes and issues that impact on foreign policy. The January 2010 presidential election will prove a key test of how willing Ukraine's civilian leaders are to utilise this agency for their own advantage. [Go to conclusion](#)

ANALYSIS: The Security Service of Ukraine (SBU) was established in September 1991. Former KGB officers stationed in Ukraine became SBU officers after a liberal screening process that removed only a limited number of personnel, nearly all of whom left for Russia. The SBU declared its support for Ukraine's December 1991 independence referendum because it sought to show its loyalty to the emerging state.

In addition to KGB officers, Ukraine inherited three KGB paramilitary structures that were separated from the SBU: border troops, government communications troops and KGB security units:

- **Border troops.** These troops, which were renamed as Border Guards in 2003, were placed under the State Border Guard Service of Ukraine and subordinated directly to the president. By 2009, their number had grown to 50,000.
- **Government communications troops.** Government communications troops originally remained within the SBU, and in 1998 became the Department of Special Telecommunication Systems and Information Security. In 2007, they were separated from the SBU and became the State Service of Special Communications and Information Security. This service is subordinated to the Cabinet of Ministers, with its head appointed by the prime minister.
- **KGB security units.** Units such as the former 9th Directorate of the Soviet KGB became the Directorate for the State Protection of Ukraine (UDOU). The head of the UDOU, which is responsible for protection of Ukraine's most senior officials, is appointed by the president. Its legally defined mission is analogous to that of the US Secret Service.

SBU structure. The SBU is formally regulated by seven pieces of legislation, but the organisation -- and its civilian overseers -- have not demonstrated a commitment to keep the agency's work within these legal strictures. As well as a central staff, there are 26 regional SBU offices across the country. Officers are trained at the SBU National Academy in Kiev. The agency is divided into 15 directorates and departments, including:

- counter-intelligence;
- defence of statehood;
- economic security;
- corruption and organised crime;
- terrorism and protection of prisoners and judges;
- state secrets;
- several operational and analytical directorates; and
- support staff.

The SBU is also responsible for some military counter-intelligence. The Defence Ministry has its own Main Intelligence Directorate of the General Staff, some of whose missions overlap with the SBU's.

Missions. The SBU's officially mandated objectives are to protect Ukraine against threats from espionage, terrorism and separatism, and to assist the Interior Ministry, Customs Service and Border Guards in fighting organised crime and corruption. In the 1990s, undermining Crimean separatism was an important aspect of the SBU's work, and the agency's non-violent approach proved successful in helping to marginalise separatist tendencies. The SBU continues to be involved in Crimea by collecting information on any possible support to separatism (or associated movements), including from the Russian Black Sea Fleet (BSF).

In the foreign domain, the SBU's counter-intelligence activity has focused on combating externally backed separatism and foreign espionage, principally from Russia and Romania (see [UKRAINE/RUSSIA: Arms export cooperation is rising - July 24, 2003](#)). Relations between the SBU and Russian Federal Security Service (FSB) have deteriorated under President Viktor Yushchenko, particularly following a June demand that FSB officers withdraw from the BSF by December.

The SBU also has a mandate to combat senior officials' abuse of office and investigate high-profile crimes, in cooperation with the Prosecutor-General's Office. In the 1990s, the SBU investigated pervasive corruption in Ukraine's transition to a market economy as well as the emergence of oligarchs; however, the true aim of many of these investigations was to collect 'kompromat' (compromising information) to ensure the political loyalty of businessmen to the president. This aspect of the SBU's work has been more virtual than real, as only one member of Ukraine's ruling elite has ever been imprisoned: Yulia Tymoshenko in February 2001. Likewise, in summer 2008, the SBU and presidential secretariat submitted a 350-page dossier to the Prosecutor-General's Office claiming it had proof Tymoshenko had committed treason. The case was almost certainly politically motivated.

Political interference. The SBU appears to have continued the practice of wire-tapping and surveillance of politicians. In April, Deputy Prosecutor-General Renat Kuzmin asserted that he had been placed under SBU surveillance on suspicion that he was an Israeli spy. This prompted the establishment of a parliamentary commission to investigate possible wire-tapping by the agency. The SBU's controversial history in this sphere suggests that the investigation may prove fruitful:

- In 2004, General Valeriy Kravchenko, the SBU officer in the Ukrainian embassy in Germany, publicly accused his agency of spying on opposition politicians at home and when they travelled abroad.
- Although the SBU's investigation of Yushchenko's 2004 poisoning has so far been inconclusive, the agency has been accused of wire-tapping a wide range of prominent political figures in association with the case.

In addition, elite SBU Alpha units were used in a highly controversial March raid on Naftohaz, Ukraine's troubled gas conglomerate, which comes under the government's jurisdiction (see [UKRAINE/RUSSIA: Deep divisions undermine gas agreement - March 10, 2009](#)). The criticisms centred on SBU Deputy Chairman Valeriy Khoroshkovsky, who is accused of having links to opaque former gas intermediary RosUkrEnergo (RUE). The January gas agreement between Tymoshenko and Russian Prime Minister Vladimir Putin removed RUE from the bilateral gas relationship.

A new area of SBU political activity is its involvement in Ukrainian 'nation-building', particularly on controversial issues that have required opening former KGB archives dealing with Soviet repression, the 1932-33 famine and the 1940s nationalist partisan struggle in western Ukraine. The SBU has raised the possibility of launching criminal charges against the perpetrators of the famine and other acts of Soviet repression.

The SBU's failure to resolve key cases can also be interpreted as politically motivated:

- No investigation was undertaken into highest-level organisers of the controversial 2000 murder of journalist Georgii Gongadze (see [UKRAINE: Gongadze convictions are selective justice - March 25, 2008](#)).

- Neither the SBU nor the Prosecutor-General's Office have implicated anyone in Yushchenko's poisoning -- a curious outcome, given the prominence of and apparent operational resources devoted to the case.

Potential reforms. Over the last decade, various Ukrainian parliamentarians have discussed establishing a new institution, similar to the US Federal Bureau of Investigation, one of whose aims would be to combat abuse of office and serious corruption. However, meaningful reforms would require serious political will, above all from the president; they are highly unlikely to come to fruition until after the January 2010 election. Meanwhile, the SBU has carried out a security review that outlined a two-staged transition towards a demilitarised structure; deeper reforms could take place following the adoption of necessary legislation.

CONCLUSION: The SBU continues to be mired in controversy. Yushchenko's opponents fear he will draw on the SBU in his attempt to win re-election, both by using information the organisation has collected against his opponents and involving it in nationalist historiography. Following the presidential election, parliament will probably seek to place the SBU under greater scrutiny.

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