

## The Rada voted for changing of NABU status and ensuring its independence

19/10



*The Verkhovna Rada adopted draft law 5459-1 by 304 votes. It will bring the Law on the NABU into line with the Constitution of Ukraine, eliminate gaps in the law and uncertainty about current Director of the Bureau, which arose after decisions of the Constitutional Court last year.*

The draft law provides for the change of status of the NABU to the executive body, but at the same time establishes guarantees of the Bureau's independence from the Cabinet of Ministers. Namely, it clearly prohibits the Cabinet of Ministers to interfere in activities of the Bureau and prohibits to cancel acts of the NABU, does not allow to give instructions or assignments on activities of the Bureau or specific criminal proceedings, the Government will

be able to dismiss the Director of the NABU only under to clearly defined grounds and with the support of such decision by 2/3 members of the CMU, etc. The change of status of the NABU will not require any additional decisions and the Bureau will be able to continue its work without any delays.

The new procedure for selecting the Director of the NABU is also being introduced. The new director of the body will be selected with the help of transparent competition, with the decisive vote of international experts.

The Commission that will select the Director of the NABU. It will consist of 6 people: three of whom are appointed by the Government, and three more are international experts. The decision will be taken by 4 votes, at least 2 votes of international experts. However, in case of equal distribution of votes and impossibility of overcoming it in subsequent votes, the decision supported by three members of the Commission, at least two of whom must be international experts, will be considered adopted.

The audit of the NABU should be conducted by international experts who will determine the methodology and criteria for such assessment.

Current Director of the NABU will continue to exercise all his powers until the appointment of his successor, whose selection should begin after the entry into force of the law, but no longer than the term of office, which expires in April 2022.

*“In this case, the President and his party fulfilled their [promise](#). Namely, independence of the NABU is preserved and the law allows to ensure transparent selection of the next head of the body. Further, there must be effective implementation of this decision of the Rada. Despite dozens of attempts of pro-Russian forces, oligarchs and corruption suspects to undermine independence of the NABU. They have failed so far”, the AntAC’s expert Anton Marchuk stated.*

We should recall that in September 2020, the Constitutional Court of Ukraine [made the decision](#) in the case according to the appeal of 50 Members of Parliament from the Opposition Platform For Life and groups of influence of oligarchs regarding the unconstitutionality of some provisions of the Law on the NABU. The Verkhovna Rada was obliged to make amendments the law.

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