
Translated from Russian

Measures to prevent terrorists from acquiring weapons of mass destruction

Like all civilized countries, Ukraine is well aware of the danger of the potential use by terrorist organizations of weapons of mass destruction. Accordingly, it maintains a constant focus on preventing terrorists from acquiring components of such weapons in its territory.

In their activities to combat international terrorism, the relevant State agencies of Ukraine continuously monitor the situation and trends with respect to the spread of international terrorism and assess real and potential threats to Ukraine's national security, in strict compliance with the domestic legislation in force and with international legal and regulatory instruments.

One such instrument is United Nations General Assembly resolution 64/38 of 2 December 2009 concerning measures to prevent terrorists from acquiring weapons of mass destruction.

In accordance with paragraph 3 of that resolution, the relevant State agencies of Ukraine are taking the following steps to implement and strengthen national measures to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture:

- Tracking the activities of terrorist and extremist organizations and groups, as well as their intent and ability to carry out terrorist acts using weapons of mass destruction or individual elements thereof;
- Tracking and disrupting efforts by terrorist and extremist organizations and groups to seek individual elements or components of weapons of mass destruction or technologies for their manufacture;
- Detecting and blocking possible channels for the illicit transfer of weapons and dual-use items to organizations and groups engaged in activities of a violent nature;
- Informing the State authorities of Ukraine of the activities, plans and intentions of terrorist and extremist organizations and groups;
- Exchanging information with the special services of other States, primarily the States participating in the international counter-terrorism coalition, regarding threats arising from the activities, plans and intentions of terrorist and extremist organizations and groups.

In accordance with paragraph 5 of the above-mentioned resolution, on additional measures for tackling the global threat posed by the acquisition by terrorists of weapons of mass destruction, Ukraine supports the initiative by the leading world Powers to strengthen the capacity of the International Atomic Energy Agency (IAEA) to collect and analyse information on the nuclear terrorism threat.

In order to combat international terrorism in the framework of the collective security system, consideration is being given to the possibility of establishing a specialized intelligence office within IAEA to counter the nuclear terrorism threat. The plan envisages

the concentration in that office of information from the intelligence services of the IAEA member States on the nuclear terrorism threat.

The main tasks of such an intelligence office would be to compile information on:

- Any shift by a nuclear-weapon State from the peaceful use of atomic energy to the manufacture of nuclear weapons;
- The illicit proliferation of nuclear materials and technologies on the so-called "black market";
- The acquisition or use of weapons of mass destruction by terrorist organizations.

A key means of preventing armaments of any kind, including weapons of mass destruction, from falling into the hands of terrorists or terrorist groups is Ukraine's current system of export controls, which enables the authorities to maintain strict controls over exports of weapons, military equipment and dual-use items.

The State system of export controls was enhanced in 2009 through changes in the relevant domestic legislation.

In particular, on 17 July 2009 the Cabinet of Ministers of Ukraine adopted decision No. 740 amending addendum 3, "List of dual-use items that may be used for the manufacture of nuclear weapons", to the protocol for State control of international transfers of dual-use items. These changes expanded the list of such items to bring it into line with the requirements of the Nuclear Suppliers Group international export control regime.

On 19 August 2009 the Cabinet of Ministers of Ukraine adopted decision No. 876 amending addendum 2, "List of dual-use items that may be used for the manufacture of missiles", to the protocol for State control of international transfers of dual-use items. These changes expanded the list of such items to bring it into line with the requirements of the Missile Technology Control Regime international export control regime.

In 2007 Ukraine amended its Criminal Code and its Code of Criminal Procedure to reflect its obligations in the area of combating nuclear terrorism. In particular, an article 265-1, "Illegal manufacture of nuclear explosive devices that disperse radioactive material or emit radiation", was added to the Criminal Code.

The Ukrainian authorities are drawing up and carrying out inter-agency plans for fulfilling the country's international obligations in the area of combating terrorism. For example, under Cabinet of Ministers orders No. 566-RS of 11 September 2003 and No. 1635-R of 23 December 2009, Ukraine is implementing a plan on measures to counter acts of terrorism involving the use of bacteriological substances and a plan of action for meeting obligations and implementing measures in the context of Ukraine's participation in the Global Initiative to Combat Nuclear Terrorism.

Ukraine considers it advisable to deepen cooperation with the special services and law-enforcement agencies of other countries, especially those participating in the Global Initiative, through the exchange of information on the possible ambitions of religious extremist groups and terrorist organizations to acquire radioactive, biological or chemical

agents, nuclear facilities or technologies for the manufacture of weapons of mass destruction, and through the implementation of joint measures in these areas.