

1540 COMMITTEE MATRIX OF UKRAINE

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:	UKRAINE
Date of Report:	25 October 2004
Date of First Addendum:	6 October 2005
Date of Second Addendum:	23 February 2011
Date of Third Addendum:	9 January 2014
Date of Committee Approval:	

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 16 November 1994	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of	X	Deposit 25 September 2007	

	Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 5 August 1993	
5	2005 Amendment to the CPPNM	X	Deposit 3 Sept 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 23 February 2001	
7	Chemical Weapons Convention (CWC)	X	Deposit 16 October 1998	
8	Biological Weapons Convention (BWC)	X	Deposit 26 March 1975	
9	Geneva Protocol of 1925	X	Deposit 15 July 2003	
10	Other Conventions/Treaties	X	State party to 14 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540: - International Convention for the Suppression of Terrorist Bombings, since 26 March 2002 -International Convention for the Suppression of the Financing of Terrorism, since 6 December 2002	
11	International Atomic Energy Agency (IAEA)	X	Since 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 October 2002	
13	Other Arrangements	X	1. Wassenaar Arrangement (WA) 2. Missile Technology Control Regime (MTCR) 3. Nuclear Suppliers Group (NSG) 4. Zangger Committee (ZC) 5. Australia Group 6. Proliferation Security Initiative (PSI) 7. G-7 initiative "Global Partnership against the Spread of WMD and related materials, since 2004 8. WCO SAFE Framework Initiative participation 9. Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State declares that its Military Forces do not possess nuclear, chemical and biological weapon	
15	General statement on commitment to disarmament and non-proliferation	X	State declares that it is pursuing a responsible and consistent policy in the area of arms control and the non-proliferation of weapons of mass destruction; it is an active participant in the regimes for the non-proliferation of weapons of mass destruction	

16	General statement on non-provision of WMD and related materials to non-State actors			
17	Other ¹	X	<p>Member of:</p> <p>Organisation for Security and Cooperation in Europe (OSCE)</p> <p>Eurasian Group on Combating Money Laundering and Financing of Terrorism (EAG)</p> <p>Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL)</p> <p>INTERPOL</p> <p>World Health Organization (WHO)</p> <p>Organisation for Animal Health (OIE)</p> <p>World Customs Organization (WCO), and signed WCO Declaration on implementation of Framework of Standards to secure and facilitate global trade (SAFE Framework of Standards)</p>	

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exists which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Declaration by the Verkhovna Rada of 16 July 1990 (not to accept, not to produce, not to acquire) CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Criminal Code, Art 265 -1(illicit manufacture of a nuclear explosive device)	
2	acquire	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Declaration by the Verkhovna Rada of 16 July 1990 CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012	X	X	X	NW/CW/BW: Criminal Code, article 440	

					on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975					
3	possess	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Declaration by the Verkhovna Rada of 16 July 1990 CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	X	X	X	NW/CW/BW: Criminal Code, Article 440	
4	stockpile/store	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Declaration by the Verkhovna Rada of 16 July 1990 CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	X	X	X	NW/CW/BW: Criminal Code. Art 440	
5	develop	X	X	X	NW/CW/BW: Criminal Code, article 440 NW: Presidential Decree 50 of 25 January 1999 on the programme of implementation of CWC CW: Presidential Decree 50 of 25 January 1999 on	X	X	X	NW/CW/BW: Criminal Code. Art 440	

					the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975					
6	transport	X	X	X	NW/CW/BW: Criminal Code. Art 440	X	X	X	NW/CW/BW: Criminal Code. Art 440	
7	transfer	X	X	X	NW, CW, BW: Criminal Code, article 440 CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	X	X	X	NW/CW/BW: Criminal Code, Art 440	
8	use	X	X	X	NW: International Convention for the Suppression of Terrorist Bombings, since 26 March 2002 CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	X	X	X	NW/CW/BW: Criminal Code, articles 439	
9	participate as an accomplice in abovementioned	X	X	X	NW/CW/BW: Law on the Fight Against Terrorism, 20 March 2003, Art. 24, 25 (responsibility for organizing	X	X	X	NW/CW/BW: Criminal Code, Article 258 1-4 (enforcing the Nuclear Terrorism Convention)	

	activities				and promoting terrorist activities)					
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Law on the Fight Against Terrorism, 20 March 2003, Art. 24, 25	X	X	X	NW/CW/BW: Criminal Code, article 258 1-4	
11	finance abovementioned activities	X	X	X	NW/CW/BW: Law on the Fight Against Terrorism, 20 March 2003, Art. 24, 25 (financing of terrorism)	X	X	X	NW/CW/BW: Criminal Code, Art 258-5 (financing of terrorism)	
12	abovementioned activities related to means of delivery ²		X	X	CW: Presidential Decree 50 of 25 January 1999 on the program of implementation of the CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC, Presidential Decree 637 of 11 November 2012 on the plan of implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975		X	X	CW: Presidential Decree 50 of 25 January 1999 on the programme of implementation of CWC, Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975	
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/BW: Law on the Fight Against Terrorism, Art. 24, 25	X	X	X	NW/CW/BW: Criminal Code, article 258	
14	Other									

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			NW: INFCIRC/550 and Additional Protocol in force: since 24 January 2006 Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009)	X			NW: Code of Administrative Offences, Art. 95 (violation of norms of nuclear security)	
2	Measures to account for use	X			NW: INFCIRC/550 and Additional Protocol in force: since 24 January 2006 Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009)	X		X	NW: Code of Administrative Offences, Art. 95 BW: Criminal Code, Article 326 (violation of rules related to use of biological agents and toxins or any other rules related to handling)	
3	Measures to account for storage	X		X	NW: INFCIRC/550 and Additional Protocol in force: since 24 January 2006 Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009) BW: Criminal Code, Art. 326 (violation of rules	X		X	NW: 1. Code of Administrative Offences, Art. 95 2. Criminal Code, Art. 267 (violations of regulations on storing, keeping records) BW: Criminal Code, Art. 326 (violation of rules related to storage of biological agents and toxins or any other rules related to handling)	

					related to storage of biological agents and toxins or any other rules related to handling)					
4	Measures to account for transport	X			NW: Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009)	X		X	NW: 1. Code of Administrative Offences, article 95 2. Criminal Code, Art. 267 (Violation of regulations on storing, using, keeping records of, or transporting radioactive materials) BW: Criminal Code, Art 326 (violation of rules related to transportation of biological agents and toxins or any other rules related to handling)	
5	Other measures for accounting									
6	Measures to secure production	X	X	X	NW: Rules of the Physical Protection of Nuclear Facilities and Nuclear Materials, approved by State Nuclear Regulatory Committee, 116 of 4 August 2006 General Requirements to Physical Protection of Nuclear Facilities and Nuclear Materials approved by State Nuclear Regulatory Committee, 156 of 28 August 2008 CW, BW: Cabinet of Ministers Decision of 20 June 1995 on the procedures for obtaining a license to produce, store, transport, use destroy or dispose toxic substances, including biotechnology products Law on Environmental Protection of 1995, Article 52	X	X	X	NW: Criminal Code, article 265, 265-I Code of Administrative Offences, article 95 CW: Criminal Code Art.321 (Violation of rules related to production (toxic or potent substances) BW: Criminal Code, Article 326	
7	Measures to secure use	X	X	X	NW: Rules of the Physical Protection of Nuclear Facilities and Nuclear Materials, approved by State Nuclear Regulatory Committee No. 116 of 04 August 2006 General Requirements to Physical Protection of Nuclear Facilities and Nuclear Materials approved by State Nuclear Regulatory Committee no 156 of 28 August 2008	X		X	NW: Criminal Code, article 265 (Unlawful handling of radioactive materials 1. Purchasing, carrying, storing, using, transferring, modifying, destroying, cutting or breaking radioactive materials (sources of ionizing radiation, radioactive substances or nuclear materials in any physical state in any installation or product, or in any other form) without a permit required by law, shall be punishable) Code of Administrative Offences, Art. 95 BW:	

					CW/BW: Cabinet of Ministers Decision of 20 June 1995 on the procedures for obtaining a license to produce, store, transport, use destroy or dispose toxic substances, including biotechnology products Law on Environmental Protection of 1995, Article 52				Criminal Code, Article 326 (Violation of rules related to use of microbiological or other biological agents or toxins)	
8	Measures to secure storage	X	X	X	NW: Rules of the Physical Protection of Nuclear Facilities and Nuclear Materials, approved by State Nuclear Regulatory Committee No. 116 of 04 August 2006 General Requirements to Physical Protection of Nuclear Facilities and Nuclear Materials approved by State Nuclear Regulatory Committee no 156 of 28 August 2008 CW/BW: Cabinet of Ministers Decision of 20 June 1995 on the procedures for obtaining a license to produce, store, transport, use destroy or dispose toxic substances, including biotechnology products Law on Environmental Protection of 1995, Article 52	X	X	X	NW: Criminal Code, article 265 Code of Administrative Offences, article 95 CW: Criminal Code, Art 321 (Violation of rules related to storage (toxic or potent substances)) BW: Criminal Code, Art. 326 Violation of rules related to storage of microbiological or other biological agents or toxins	
9	Measures to secure transport	X	X	X	NW: Rules of the Physical Protection of Nuclear Facilities and Nuclear Materials, approved by State Nuclear Regulatory Committee No. 116 of 04 August 2006 General Requirements to Physical Protection of Nuclear Facilities and Nuclear Materials approved by State Nuclear Regulatory Committee no 156 of 28 August 2008 CW/BW: Cabinet of Ministers Decision of 20 June 1995 on the procedures for obtaining a license to produce, store, transport, use destroy or dispose toxic substances, including biotechnology products	X	X	X	NW: Criminal Code, Art. 265 Code of Administrative Offences, article 95 CW: Criminal Code, Art. 321 (Violation of rules related to transportation or sending of poisonous or drastic substances) BW: Criminal Code, Article 326 (Violation of rules related to transportation of microbiological or other biological agents or toxins)	

					Law on Environmental Protection of 1995, Article 52					
10	Other measures for securing			X	BW: Presidential Decree no 220/2009 of 6 September 2009 concerning bio safety Act of 24 February 1994 on public health and epidemiological well-being (as amended)	X	X	X	NW/CW/BW: Designated units within the military forces to deal with any problems and to combat manifestations of terrorism at high risk facilities	
11	Regulations for physical protection of facilities/materials/ transports	X			NW: 1. Law on Physical Protection of Nuclear Facilities, Nuclear Materials, other Radiation Sources, established on 19 October 2003 2. Rules of the Physical Protection of Nuclear Facilities and Nuclear Materials, approved by State Nuclear Regulatory Committee, 116 of 4 August 2006	X	X	X	NW: Criminal Code Article 265, (Unlawful handling of nuclear materials in any physical state in any installation or product) Code of Administrative Offences, Art. 95 CW: Criminal Code Art. 321 (violation of rules related to production of poisonous substances) BW: Criminal Code Art. 326 (Violation of rules related to handling of microbiological or other biological agents or toxins)	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	NW: 1. Law on Permit Activity in the Area of Nuclear Energy, established on 11 January 2000, updating of law In process - draft submitted to Cabinet of Ministers 2. Cabinet of Ministers' Regulation 1782 of 6 December 2000 Procedure of Licensing of Activities in the Area of Nuclear Energy. CW/ BW: Cabinet of Ministers Decision of 20 June 1995 on the procedures for obtaining a license to produce, store, transport, use destroy or dispose toxic substances, including biotechnology products Law on Environmental Protection of 1995, Article 53	X		X	NW: Criminal Code Art. 265 NW/BW: 1. Ministry of Public Health 2. Ministry for Environmental Protection and Nuclear Safety	
13	Reliability check of personnel	X			NW: Cabinet of Ministers' Regulation No. 1471 of 25 December 1997 Procedure of Special Checking for Granting Access to Work at Nuclear Facilities, with Nuclear Materials ,					

					Radio wastes and other Radiation Sources, amended by No. 1829 of 27 December 2006					
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Cabinet of Ministers' Regulation 1830 of 27 December 2006	X	State Nuclear Regulatory Committee of Ukraine	
2	IAEA Safeguards Agreements	X	INFCIRC/204) in force : since 22 January 1998 Additional Protocol in force: since 24 January 2006	X	INFCIRC/204) in force : since 22 January 1998 Additional Protocol in force: since 24 January 2006	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA		1. Convention on Early Notification of a Nuclear Accident, ratification : 1987-01-26 2. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, ratification : 1987-01-26 3. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, ratification : 2000-07-24			

			<p>4. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, signature: 1997-09-29</p> <p>5. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, signature: 1990-09-21</p> <p>6. Convention on Nuclear Safety, ratification : 1998-04-08</p> <p>7. Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, accession: 2000-03-24</p> <p>8. Vienna Convention on Civil Liability for Nuclear Damage, accession: 1996-09-20</p> <p>9. Agreement on the Privileges and Immunities of the IAEA, acceptance: 1996-10-05</p> <p>10. Convention on Supplementary Compensation for Nuclear Damage, signature: 1997-09-29</p>			
7	Additional national legislation/regulations related to nuclear materials including CPPNM	X	<p>Act on nuclear energy use and radiation safety, 40/95 of 8 February 1995</p> <p>Act 2064-III of 19 October 2003 on the physical protection of nuclear facilities, materials, waste and other sources of ionizing radiation.</p>			
8	Other	X	<p>Presidential Decree of 11 February 2013 73/2013 "On National Plan for Realization of Seoul's' Summit Communique on Nuclear Security for 2013-14"</p>			

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Directive No. 9/98-pDir Presidential Directive 9/98-pn of 19 January 1998	X	International Security Directorate Ministry of Foreign Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Government Decision 109 of 7 February 2001 on regulations governing the procedures for the preparation of national declarations Reported	X	Reported	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Cabinet of Ministers Decision 920 of 6 June 2000 approving regulations governing the procedure for inspections in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.	X	Cabinet of Ministers Decision 920 of 6 June 2000 approving regulations governing the procedure for inspections in accordance with the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.	
5	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		<u>N</u> ational legal framework		<u>E</u> nforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials	X	Presidential Decree No220/2009 of 6 September 2009	X	National Security Council concerning biological safety	
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, and agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	NW/CW/BW: 1. Act on the State Border of Ukraine, of 04 November 1991 2. Act No. 549-IV on State control over international transfers of military and dual-use goods, of 20 February 2003 3. Procedure on joint inspection of road transport vehicles that are used for transporting export goods, Order No. 202/163 of 28 February 2004 NW: Cabinet of Ministers Decision approving the Procedure for joint activities between the executive authorities and corporations engaged in nuclear power-related activities, in the event of discovery of illegal trafficking in radioactive sources of ionizing radiation	X	X	X	NW/CW/BW: State Border Service of Ukraine 1.Criminal Code, Art 333 (Violation of procedure of international transfers of goods subject to state export control) 2. Listed goods are subject to mandatory customs clearance	
2	Technical support of border control measures	X			NW: 1. 27 points of entry (POE) for trains equipped with radiation-measuring devices	X			NW: 1. 27 points of entry (POE) for trains equipped with radiation-measuring devices	
3	Control of brokering, trading in, negotiating, otherwise assisting in	X	X	X	NW/CW/BW: Presidential Decree no 342 of 17 April 2002 on issues relating to the State Export Control	X	X	X	NW/CW/BW: 1.Cabinet of Ministers Decision 125 of 4 February 1998 approving regulations governing	

	sale of goods and technology				Service				the procedures for State monitoring of negotiations to draw up foreign trade agreements for international transfers of military and dual-use goods (as amended) 2) 2.Cabinet of Ministers Decision no 86 of 28 January 2004 approving the procedure for State control of international transfers of dual use goods (as amended) 3. Criminal Code, Article 333	
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Presidential Decree no 448 of 8 April 2011 on the State Export Control Service	X	X	X	NW/CW/BW: State Customs Service, State Service of Export Control, Administration of State Border Service and others	
5	Export control legislation in place	X	X	X	NW/CW/BW: 1. Act 549-IV on State control over international transfers of military and dual-use goods, of 20 February 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods of 28 January 2004 3.Presidential Decree 448 of 8 April 2011 on the State export Control Service 4. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	X	X	X	NW/CW/BW: 1. Act 549-IV on State control over international transfers of military and dual-use goods, of 20 February 2003: fines, revoke and suspension of the licence, revoke of registration 2. Code of Administrative Offences, of 7 December 1984 articles 18817 and 2124: fines 3. Criminal Code, article 333 (illegal export): 4.Customs Code Art.197	
6	Licensing provisions	X	X	X	NW/CW/BW: 1. Act 549-IV on State control over international transfers of military and dual-use goods, of 20 February 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods of 28 January 2004 3. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	X	X	X	NW/CW/BW: Criminal Code Art.333	
7	Individual licensing	X	X	X	NW/CW/BW: 1. Act No. 549-IV on State control over international transfers of military and dual-use goods, of 20 February 2003 Art 12 2. State Export Control Service Order 183	X	X	X	NW/CW/BW: 1. State Service of Export Control of Ukraine 2. Art 12 of Act no 549-4 Gosexportkontrol identifies goods and prepares authorization documents 3.Criminal Code Art.333	

					approving the Instructions on registration with the State Export Control service of entities engaged in entrepreneurial activities as entities Involved in International Transfer of Goods, of 25 June 2003 3. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 4. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods of 21 January 2004					
8	General licensing	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods of 28 January 2004	X			NW: Criminal Code, Art. 265	
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X	X	X	NW/CW/BW: Cabinet of Ministers Decision no 830 approving the Status of the State Service of Export Control of Ukraine, of 13 June 2007	X	X	X	NW/CW/BW: State Service of Export Control of Ukraine	
12	Interagency review for licenses	X	X	X	NW/CW/BW: Presidential Decree No 180 of 5 March 2007	X	X	X	NW/CW/BW: Interdepartmental Commission for Policy in the area of Military Technical Cooperation and Export Control in accordance with Decree 180 of 5 March 2007	
13	Control lists	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004: Annexes 2, 3, 4 and 5	X	X	X	NW/CW/BW: Criminal Code Art.333	

14	Updating of lists	X	X	X	NW/CW/BW: Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	X	X	X	NW/CW/BW: Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	
15	Inclusion of technologies	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	X	X	X	NW/CW/BW: Criminal Code Art.333	
16	Inclusion of means of delivery	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	X	X	X	NW/CW/BW: Criminal Code Art.333	
17	End-user controls	X	X	X	NW/CW/BW: Cabinet of Ministers Decision 920 approving the Statute on the procedure for the provision of safeguards and for State monitoring of the fulfilment of requirements regarding the use, for declared purposes, of goods subject to State export control, of 27 May 1999	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 920 approving the Statute on the procedure for the provision of safeguards and for State monitoring of the fulfilment of requirements regarding the use, for declared purposes, of goods subject to State export control, of 27 May 1999 2. Criminal Code Art.333	
18	Catch all clause	X	X	X	NW/CW/BW: Act 549-IV of 20 February 2003, Article 10	X	X	X	NW/CW/BW: Act 549-IV of 20 February 2003, Article 10	
19	Intangible transfers	X	X	X	NW/CW/BW: Criminal Code Art.333	X	X	X	NW/CW/BW: Criminal Code Art.333	
20	Transit control	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international	X	X	X	NW/CW/BW: Criminal Code Art.333	

					transfers of dual use goods, of 28 January 2004					
21	Trans-shipment control									
22	Re-export control	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	X	X	X	NW/CW/BW: Criminal Code Art.333	
23	Control of providing funds									
24	Control of providing transport services	X	X	X	NW/CW/BW: Cabinet of Ministers Order 690-r on enhancement of the mechanism for monitoring international air transport of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	X	X	X	NW/CW/BW: Criminal Code Art.333	
25	Control of importation	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	X	X	X	NW/CW/BW: Criminal Code Art.333	
26	Extraterritorial applicability	X	X	X	NW/CW/BW: Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	X	X	X	NW/CW/BW: Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003	
27	Other	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision 838 of 08 June 1998 establishes the procedure for granting entities engaged in foreign trade the right to					

					<p>export and import military goods and goods containing information that constitutes a State secret</p> <p>2. Cabinet of Ministers Decision 125 of 04 February 1998 establishes the procedure for State monitoring negotiations involving the conclusion of foreign economic agreements (contracts) on the export of military or dual-use goods in the event of their delivery to a State under a partial embargo</p>					
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OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	1. Cabinet of Ministers Decision 1807 approving the Procedure for State control of international transfers of military goods, of 20 November 2003 2. Cabinet of Ministers Decision 86 approving the Procedure for State control of international transfers of dual use goods, of 28 January 2004	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	There were plans to equip 44 points of entry across State borders with fixed radiation monitoring devices over the period 2011-2015, as part of the Second Line of Defence Programme, with support from the United States Department of Energy.	
7	Work with and inform industry	X	The State Service for Export Control has a public relations unit for industry and public. Its activity is based on the principals of transparency and openness. Information on the State Service is provided on the basis of Ukrainian legislation including publications in the press, TV and radio programs and on the website:	
8	Work with and inform the public	X	The State Service for Export Control has a public relations unit for industry and public. Its activity is based on the principals of transparency and openness. Information on the State Service is provided on the basis of Ukrainian legislation including publications in the press, TV and radio programs and on the website:	
9	Point of Contact	X	Permanent mission of Ukraine to the United Nations in New York	
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.