

ПОСТІЙНЕ ПРЕДСТАВНИЦТВО
УКРАЇНИ ПРИ ОРГАНІЗАЦІЇ
ОБ'ЄДНАНИХ НАЦІЙ

220 East 51st Street,
New York, NY, 10022



Phone: (212) 759 70 03; Fax: (212) 355 94 55
E-mail: uno_us@mfa.gov.ua
Web: ukraineun.org

PERMANENT MISSION
OF UKRAINE TO THE
UNITED NATIONS

220 East 51st Street,
New York, NY, 10022

№ 4132/28-194/510-1159

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1540 (2004) and, referring to the Note Verbal SCA/5/20(05) from 30 April 2020, has the honour to submit herewith the 1540 Committee Matrix on measures taken by Ukraine towards implementation of resolution 1540 (2004).

The Permanent Mission of Ukraine to the United Nations avails itself of this opportunity to renew to the Security Council Committee established pursuant to resolution 1540 (2004) the assurances of its highest consideration.

Enclosure: as stated, on 31 pages.



dl May 2020

**Security Council Committee
established pursuant to resolution 1540 (2004)**

New York

1540 COMMITTEE MATRIX

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), 1977 (2011), 2055 (2012) and 2325 (2016). 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.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions. Thus:

An “X” in any data field signifies only that the 1540 Committee considers that a State has taken the steps required, and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An “X” against any data field does not necessarily signify that a State has met in full its 1540 obligations for that data field.

A “?” in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A “NA” (Not Applicable) in any data field signifies that the data field is not applicable to that State where through legally binding instruments States specified that they do not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an “X” or “?” against a particular data field.

State:	Ukraine
Date of Report:	25 October 2004
Dates of Additional Reports:	6 October 2005
	23 February 2011
	9 January 2014
	9 June 2016
Last Revised:	[Date of publication of final approved Matrix on the Committee’s website]
	__ May 2020

I. OP 1 and related matters from OP 5, OP 8 (a), (b), (c) and OP10

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.	Relevant information (i.e. signing, deposit of instrument of 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)	Deposit on 16 November 1994	
2	Nuclear Weapons Free Zone/ Protocol(s)		
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit on 25 September 2007	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit on 5 August 1993	
5	2005 Amendment to the CPPNM	Deposit on 3 September 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit on 23 February 2001	
7	Chemical Weapons Convention (CWC)	Deposit on 16 October 1998	
8	Biological Weapons Convention (BWC)	Deposit on 26 March 1975	
9	Geneva Protocol of 1925	Deposit on 15 July 2003	
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposit on 26 March 2002	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit on 6 December 2002	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation		
13	2005 Protocol to the Protocol to the Convention for the suppression of acts against the safety of fixed platforms located on the continental shelf		
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation		
15	Other relevant regional legally binding instruments		
16	International Atomic Energy Agency (IAEA)	Since 1957	
17	Directly relevant Arrangements	<ol style="list-style-type: none"> 1. Wassenaar Arrangement (WA), joined in 1996. 2. Missile Technology Control Regime (MTCR), joined in 1998. 3. Nuclear Suppliers Group (NSG), joined in 1996. 4. Zangger Committee (ZC), joined in 1996. 5. Australia Group (AG), joined in 2005. 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) 	
18	Statement on non-provision of WMD and related materials to non-State actors	No support in any form is provided to State or non-State actors attempting to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons or their means of delivery.	
19	Membership in relevant international, regional or sub-regional organisations	<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>International Criminal Police Organization (INTERPOL)</p> <p>World Health Organization (WHO)</p> <p>Organisation for Animal Health (OIE)</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)	
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II. OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework					Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture	X	X	X	<p>NW/CW/BW : Criminal Code, Article 440</p> <p>NW: Declaration by the Verkhovna Rada of 16 July 1990 (not to accept, not to produce, not to acquire)</p> <p>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</p> <p>BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975</p>	X	X	X	<p>NW/CW/BW : Criminal Code, Article 440</p> <p>NW: Criminal Code, Art 265 -1(illicit manufacture of a nuclear explosive device)</p>	
2	acquire	X	X	X	<p>NW/CW/BW : Criminal Code, Article 440</p> <p>NW: Declaration by the Verkhovna Rada of 16 July 1990</p> <p>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,</p>	X	X	X	<p>NW/CW/BW : Criminal Code, Article 440</p>	

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

					Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975				
5	transport	X	X	X	NW/CW/BW: Criminal Code. Art 440	X	X	X	NW/CW/BW: Criminal Code. Art 440
6	transfer	X	X	X	NW, CW, BW : Criminal Code, Art 440 Law of 20.02.2003 No. 549 “On State Control over International Transfers of Military and Dual-Use Goods” Cabinet of Ministers Decree of 28.01.2004 No. 86 “On Approval of the Procedure for State Control over International Transfers of Dual-Use Goods” (paragraph 7) Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods”(paragraph 9). 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 Law of 20.02.2003 No. 549 “On State Control over International Transfers of Military and Dual-Use Goods” (articles 24, 25)
7	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,	X	X	X	NW/CW/BW : Criminal Code, Art 439

				<p>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</p> <p>BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975</p>					
8	attempt to engage in abovementioned activities	X	X	X	<p>NW/CW/BW : Criminal Code, Articles 13, 15</p>	X	X	X	<p>NW/CW/BW : Criminal Code, Articles 13, 15</p> <p>Law of 20.02.2003 No. 549 “On State Control over International Transfers of Military and Dual-Use Goods”(articles 24, 25) (transfers)</p>
9	participate as an accomplice in abovementioned activities	X	X	X	<p>NW/CW/BW: Law on the Fight Against Terrorism № 638-IV of 20 March 2003, Art. 24, 25 (responsibility for organizing and promoting terrorist activities); Criminal Code, Article 258 1-4</p>	X	X	X	<p>NW/CW/BW: Criminal Code, Art. 26-30, Art.258 1-4 (enforcing the Nuclear Terrorism Convention)</p>
10	assist in abovementioned activities	X	X	X	<p>NW/CW/BW: Law on the Fight Against Terrorism № 638-IV of 20 March 2003, Art. 24, 25; Criminal Code, Article 258 1-4</p>	X	X	X	<p>NW/CW/BW : Criminal Code, Art. 27, 29, Art. 258 1-4.</p>
11	finance abovementioned activities	X	X	X	<p>NW/CW/BW: Law on the Fight Against Terrorism № 638-IV of 20 March 2003, Art. 24, 25 (financing of terrorism)</p>	X	X	X	<p>NW/CW/BW: Criminal Code, Art. 258-5 (financing of terrorism)</p>
12	abovementioned activities related to means of delivery ¹		X	X	<p>NW/CW/BW: Cabinet of Ministers Decree of 28.01.2004 No. 86 “On Approval of the State Control over International Transfers of Dual-Use Goods” (paragraph 7)</p> <p>Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure</p>		X	X	<p>NW/CW/BW: Law of 20.02.2003 No. 549 “On State Control over International Transfers of Military and Dual-Use Goods” (articles 24, 25)</p> <p>CW: Presidential Decree 50 of 25 January 1999 on the programme of implementation of CWC,</p>

				<p>for State control over international transfers of military goods” (paragraph 9).</p> <p>CW: Presidential Decree No 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</p> <p>BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975</p>			<p>Presidential Decree 1080 of 26 August 1999 on the implementation of the CWC</p> <p>BW: Decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic ratifying the BWC, of 21 February 1975 Criminal Code, Article 333</p>	
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1. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons that are specially designed for such use.

III. OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ²

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X /?			Source document	X /?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X			<p>NW: INFCIRC/550 and Additional Protocol in force: since 24 January 2006</p> <p>Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009)</p> <p>BW: The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>	X			<p>NW: Code of Administrative Offences, Art. 95 (violation of norms of nuclear security)</p>	
2	Measures to account for use	X			<p>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) The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>	X		X	<p>NW: Code of Administrative Offences, Art. 95</p> <p>BW: Criminal Code, Article 326 (violation of rules related to use of biological agents and toxins or any other rules related to handling)</p>	

3	Measures to account for storage	X	X	<p>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)</p> <p>BW: Criminal Code, Art. 326 (violation of rules related to storage of biological agents and toxins or any other rules related to handling)</p> <p>The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>	X	X	<p>NW: 1. Code of Administrative Offences, Art. 95 2. Criminal Code, Art. 267 (violations of regulations on storing, keeping records)</p> <p>BW: Criminal Code, Art. 326 (violation of rules related to storage of biological agents and toxins or any other rules related to handling)</p>
4	Measures to account for transport	X		<p>NW: Cabinet of Ministers ' Regulation 1525 of 18 December 1996 Provision on State System of Nuclear Accountancy and Control (as amended in March 2009)</p> <p>BW: The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>	X	X	<p>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)</p> <p>BW: Criminal Code, Art 326 (violation of rules related to transportation of biological agents and toxins or any other rules related to handling)</p>
5	Measures to secure production	X	X	<p>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</p>	X	X	<p>NW: Criminal Code, article 265, 265-l Code of Administrative Offences, article 95</p>

				<p>CW/BW: Law on Environmental Protection of 1995, Article 52</p> <p>The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>			<p>CW: Criminal Code Art.321 (Violation of rules related to production (toxic or potent substances))</p> <p>BW: Criminal Code, Article 326</p>		
6	Measures to secure use	X	X	X		X	X	<p>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</p> <p>CW/BW: Law on Environmental Protection of 1995, Article 52 The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>	<p>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</p> <p>BW: Criminal Code, Article 326 (Violation of rules related to use of microbiological or other biological agents or toxins)</p>
7	Measures to secure storage	X	X	X		X	X	X	<p>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</p> <p>NW: Criminal Code, article 265 Code of Administrative Offences, article 95</p>

				<p>Regulatory Committee no 156 of 28 August 2008</p> <p>Operation procedure of engineering and technical measures of the physical protection system of nuclear installations, facilities design for radioactive waste management, other sources of ionizing radiation.</p> <p>Ministry of Fuel and Energy of Ukraine, Ministry of Emergencies of Ukraine and Protection of the Population from the Consequences of the Chornobyl Accident, Ministry of Internal Affairs of Ukraine (Ministry of Justice of Ukraine № 549/17844 of 27 July 2010).</p> <p>CW/BW: Law on Environmental Protection of 1995, Article 52 The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>				<p>CW: Criminal Code, Art 321 (Violation of rules related to storage (toxic or potent substances))</p> <p>BW: Criminal Code, Art. 326 Violation of rules related to storage of microbiological or other biological agents or toxins</p>		
8	Measures to secure transport	X	X	X	<p>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</p> <p>CW/BW: Law on Environmental Protection of 1995, Article 52 The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of</p>	X	X	X	<p>NW: Criminal Code, Art. 265 Code of Administrative Offences, article 95</p> <p>CW: Criminal Code, Art. 321 (Violation of rules related to transportation or sending of poisonous or drastic substances)</p>	

				measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.				BW: Criminal Code, Article 326 (Violation of rules related to transportation of microbiological or other biological agents or toxins)	
9	Physical protection measures	X		<p>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</p> <p>Requirements to physical protection unit and staff of physical protection unit. Ministry of Fuel and Energy of Ukraine, Ministry of Emergencies of Ukraine and Protection of the Population from the Consequences of the Chernobyl Accident, The National Academy of Sciences of Ukraine (Ministry of Justice of Ukraine № 426/16142 of 13 May 2009).</p> <p>Requirements to communication subsystem of physical protection system. Ministry of Fuel and Energy of Ukraine, Ministry of Emergencies of Ukraine and Protection of the Population from the Consequences of the Chernobyl Accident (Ministry of Justice of Ukraine № 1019/17035 of 03 November 2009).</p> <p>Working instructions for personnel of physical protection units and nuclear materials account and control units in emergency and crisis situations. Ministry of Fuel and Energy of Ukraine, Ministry of Emergencies of Ukraine. (Ministry of Justice of Ukraine № 1147/19885 of 06 October 2011).</p> <p>Standing operating procedures for command and control on physical protection of nuclear installations,</p>	X	X	X	<p>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</p> <p>CW: Criminal Code Art. 321 (violation of rules related to production of poisonous substances)</p> <p>BW: Criminal Code Art. 326 (Violation of rules related to handling of microbiological or other biological agents or toxins)</p>	

				<p>nuclear material, radioactive waste and other sources of ionizing radiation. Ministry of Fuel and Energy of Ukraine, Ministry of Emergencies of Ukraine, The National Academy of Sciences of Ukraine (Ministry of Justice of Ukraine № 1267/20005 of 07 November 2011).</p> <p>Standing operating procedures on state system of professional training, retraining and advanced training on physical protection, account and control of nuclear material. Cabinet of Ministers of Ukraine Regulation № 263 of 21 March 2012.</p> <p>BW The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>				
10	Personnel Reliability	X		<p>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</p> <p>BW: The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p>				

2. 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))

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

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority	State Nuclear Regulatory Committee of Ukraine was established by Presidential Decree 1303/2000 of 5 December 2000. According to Presidential Decree 1085/2010 of 9 December 2010, State Nuclear Regulatory Committee of Ukraine changed its name to State Nuclear Regulatory Inspectorate of Ukraine. Cabinet of Ministers' Regulation 363/2014 of 20 August 2014 defines competence of the State Nuclear Regulatory Inspectorate of Ukraine	
2	Licensing of nuclear installations/entities/ use of materials	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. 3. Criminal Code Art. 265 4. Ministry of Public Health 5. Ministry for Environmental Protection and Nuclear Safety	
3	IAEA Safeguards Agreements	INFCIRC/204) in force: since 22 January 1998 Additional Protocol in force: since 24 January 2006	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Expressed support	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		

6	IAEA Incident and Trafficking Database	Participates from 1997	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPAS)	Approved	
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	Recommendations are taken into account in the development and improvement of the legal framework of Ukraine in the area of physical protection of nuclear facilities, nuclear material, radioactive waste and other sources of ionizing radiation	
9	Other Agreements related to IAEA	<ol style="list-style-type: none"> 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 4. Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage, signature: 1997-09-29 5. Revised Supplementary Agreement Concerning the provision of technical Assistance by the IAEA, signature: 1990-09-21 6. Convention on Nuclear Safety, ratification: 1998-04-08 7. Joint Protocol Relating to the Application of the Vienna Convention and the Paris Convention, accession: 2000-03-24 8. Vienna Convention on Civil Liability for Nuclear Damage, accession: 1996-09-20 9. Agreement on the Privileges and Immunities of the IAEA, acceptance: 1996-10-05 10. Convention on Supplementary Compensation for Nuclear Damage, signature: 1997-09-29 11. Other IAEA Nuclear Security Series related documents 12. Convention on Physical Protection of Nuclear Material, (Verkhovna Rada of Ukraine Regulation № 3182-XII of 5 May 1993) 	
10	National legislation and regulations related to nuclear material including CPPNM	<p>Law on nuclear energy use and radiation safety, 40/95 of 8 February 1995</p> <p>Law on nuclear energy use and radiation safety, 39/95 of 8 February 1995.</p> <p>Law 2064-III of 19 October 2003 on the physical protection of nuclear facilities, materials, waste and other sources of ionizing radiation.</p>	

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

Measures to establish domestic controls to prevent the proliferation of CW, and their means of delivery; controls over related materials		Source document	Remarks
1	National CWC authority	Presidential Decree 9/98-pn of 19 January 1998 International Security Directorate Ministry of Foreign Affairs	
2	Licensing/registration of installations/facilities/persons/entities/use/handling of related materials	Law on Environmental Protection of 1995, Article 53	
3	Old or abandoned chemical weapons		

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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
<p>1</p> <p>Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>Law on Environmental Protection 1995, Article 53</p> <p>The Strategy for ensuring biological safety and biological security on the principle of "one health approach" until 2025 and the Plan of measures for its implementation, approved by the Cabinet of Ministers of Ukraine by Order No. 1416-r of November 27, 2019.</p> <p>Ministry of Health Ministry for Environmental Protection and Nuclear Safety</p>	

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

Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery including related materials		National legal framework					Enforcement and civil/criminal penalties					Remarks
		X /?			Source document	X /?			Source document			
		N W	C W	B W		N W	C W	B W				
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW:</p> <ol style="list-style-type: none"> 1. Law on the State Border of Ukraine № 1777-XII of 04 November 1991 2. Law 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 <p>NW:</p> <p>Cabinet of Ministers Decision approving the Procedure for joint activities between the Executive Authorities and Legal Entities engaged in nuclear power-related activities, in the event of discovery of illegal trafficking in radioactive sources of ionizing radiation</p> <ol style="list-style-type: none"> 1. Decision of the Cabinet of Ministers of Ukraine №813 of 2 June 2003 "On Approving the Procedure for joint activities between the Executive Authorities and Legal Entities engaged in nuclear power-related activities, in the event of discovery of illegal trafficking in radioactive sources of ionizing radiation" 2. Decision of the Cabinet of Ministers of Ukraine №715 of 14 August 2019 "On Approving the Procedure for joint activities of the State Border Guard Service and the State Ecological Inspectorate in case of detection of 	X	X	X	<p>NW/CW/BW:</p> <p>State Border Service of Ukraine</p> <ol style="list-style-type: none"> 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 			

				exceeding the permissible level of ionizing radiation of vehicles and goods moving across the state border of Ukraine”					
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	NW/CW/BW: State Border Service of Ukraine	X	X	X	NW/CW/BW: State Border Service of Ukraine
3	Border control detection measures	X			NW: 27 points of entry (POE) for trains equipped with radiation-measuring devices. 80 stationary radiation reconnaissance complexes at international and interstate checkpoints. All checkpoints are equipped with modern detectors and portable radiation reconnaissance devices in the amount of more than 6,000 units	X			NW: 27 points of entry (POE) for trains equipped with radiation-measuring devices
4	Control of brokering	X	X	X	NW/CW/BW: 1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” 2. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods” 3. Cabinet of Ministers Order of 20 November 2003 No. 690 “On enhancement of the mechanism of Control over International Air-transportation of Military and Dual-Use Goods” 4. Presidential Decree No 342 of 17 April 2002 on issues relating to the State Export Control Service Definitions of term “brokering activity” in the Law:	X	X	X	NW/CW/BW: 1. Cabinet of Ministers Decision № 500 of 06 June 2012 about the statement of the Order of the state export control over carrying out of the negotiations connected with the conclusion of foreign economic agreements (contracts) concerning implementation of export of the goods 2. Cabinet of Ministers Decision № 86 of 28 January 2004 approving the procedure for State control of international transfers of dual use goods (as amended) 3. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25) 4. Code of Administrative Offences, of 07 December 1984 articles 188-17 and 212-4: fines 5. Criminal Code, Article 333

				Brokering activity shall mean any activity of business entity of Ukraine assisting in international transfers of military goods, which includes financing and transportation of cargo or freight forwarding, irrespective of such goods' origin and territory where such activity takes place.					
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Law No. 959-XII "On Foreign Economic Activity"</p> <p>Law of 20 February 2003 No. 549-IV "On State Control over International Transfers of Military and Dual-use Goods"</p> <p>Law of 14 August 2014 No. 1644-VII "On Sanctions"</p> <p>Decree of the President of Ukraine of 15 July 1999 No. 861/99 "On the Order of Establishment (Cancellation) of Restrictions on the Export of Goods in Accordance with the International Obligations of Ukraine"</p> <p>Decree of the President of Ukraine of 27 June 2007 No. 180/2007 "On the Interagency Commission on Military-Technical Cooperation and Export Control"</p> <p>Decree of the President of Ukraine of 25 December 2003 No. 1488/2003 "On Measures to Streamline the Activities of International Air Transportation of Military and Dual-Use Goods"</p> <p>Cabinet of Ministers Decree of 28 January 2004 No. 86 "On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods"</p> <p>Cabinet of Ministers Decree of 20 November 2003 No. 1807 "On Approval of the Procedure for State control over international transfers of military goods".</p>	X	X	X	<p>NW/CW/BW: The State Service of Export Control is responsible for taking action to prevent or detect violations of export control legislation by means of inspections to ensure that regulated operations are conducted in compliance with legislative requirements, that goods subject to export control are delivered to the designated end-user, and that the end-use of the good is authorized according to provided guaranties/commitments. The SSEC is also authorized to investigate possible violations of export control legislation and to take actions necessary to prosecute alleged administrative violations.</p> <p>The State Security Service is responsible for investigations in case of possible criminal violations of export control legislation and respective prosecution.</p> <p>Source documents:</p> <ol style="list-style-type: none"> 1. Law of 20 February 2003 No. 549-IV "On State Control over International Transfers of Military and Dual-use Goods" (articles 24, 25): fines, revoke and suspension of the licence, revoke of registration 2. Code of Administrative Offences, of 07 December 1984 articles 188-17 and 212-4: fines 3. Criminal Code (article 333- illegal export): fines, custodial restraint with or without deprivation of right to occupy specific posts or to engage in a specific activity

			<p>Cabinet of Ministers Decree of 31 March 2015 No. 159 “On Approval of the Regulation on the State Service for Export Control of Ukraine” (State Export Control Service implements State policy for State control over international transfers of military, dual-use and not listed goods).</p> <p>Cabinet of Ministers Decree of 06 June 2012 No. 500 “On Approval of State Export Control over Negotiations Related to the Conclusion of Foreign Trade Agreements (Contracts) for the Export of Goods”.</p> <p>Cabinet of Ministers Decree of 15 July 1997 No. 767 “On Approval of the Procedure of the Examination in the Field of State Export Control”.</p> <p>Cabinet of Ministers Decree of 17 July 2003 No. 1080 “On Approval of the State Certification of Internal Export Controls Established by an Entity Involved in International Transfers of Goods”</p> <p>Cabinet of Ministers Decree of 27 May 1999 No. 920 “On Approval of the Procedure for Granting Guarantees and State Control over the Compliance with Commitments to Use Goods Subject to State Export Control Stated Purposes”</p> <p>Cabinet of Ministers Order of 20 November 2003 No. 690 “On enhancement of the mechanism of Control over International Air-transportation of Military and Dual-Use Goods”</p> <p>Ministry of Economic Development and Trade Order of 27.01.2014 No. 74 “On Approval of Regulations of Materials on Administrative Violations in State Export Control”</p> <p>Ministry of Economic Development and Trade Order of 16.12.2013 No. 1490 “On Approval of</p>		<p>4. Customs Code (article 197)</p> <p>5. Cabinet of Ministers Decree of 31 March 2015 No. 159 “On Approval of the Regulation on the State Service for Export Control of Ukraine”.</p>	
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				<p>the Infringement Proceedings for Legal Entities of Legislation in State Export Control”</p> <p>State Service for Export Control Order of 27.04.2009 No. 31 “On Approval of Regulations for Registration with the State Service for Export Control of Entrepreneurs as Subjects of International Transfers of Goods”</p> <p>State Service for Export Control Order of 05.10.2009 No. 86 “On Approval of the Opinion on the Possibility of Negotiations, Report Forms, and the Timing of Reporting”</p> <p>State Service for Export Control Order of 17 November 2006 No. 412 “On Approval of Guidelines for the Creation of Export Control Internal Compliance Systems by Entities Involved in International Transfers of Goods”</p> <p>State Service for Export Control Order of 09.01.2004 No. 5 “On Approval of the Instruction for Filling out Applications to Obtain Permits, Guarantee Documents, and Other Documents Provided by the State Service for Export Control”</p> <p>State Service for Export Control Order of 29.11.2004 No. 355 “On Approval of the Instruction for the Design and Use of Permits in State Export Control”</p>					
6	Licensing provisions and Authority	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods”</p> <p>2. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods”</p> <p>3. Cabinet of Ministers Decree of 20 November 2003 No. 1807-“On Approval of the Procedure</p>	X	X	X	<p>NW/CW/BW:</p> <p>Authority:</p> <p>The Ministry for Development of Economy, Trade and Agriculture – export control policymaker.</p> <p>The State Service of Export Control (SSECU) is the central executive body responsible for implementing the State export control policy over international transfers of military, dual-use and not listed goods (issues licences).</p>

				<p>for State control over international transfers of military goods ”.</p> <p>4. Cabinet of Ministers Decree of 15 July 1997 No. 767 “On Approval of the Procedure of the Examination in the Field of State Export Control”.</p> <p>5. Cabinet of Ministers Decree of 31 March 2015 No. 159 “On Approval of the Regulation on the State Service for Export Control of Ukraine”</p> <p>6. Decree of the President of Ukraine of 27 June 2007 No. 180/2007 “On the Interdepartmental Commission on Military-Technical Cooperation and Export Control”</p>			<p>The SECU has the right to involve other central executive authorities, state bodies or experts within their competence to licensing process for examination.</p> <p>Source documents:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences of 7 December 1984 (articles 188¹⁷ and 212⁴): fines</p> <p>3. Criminal Code Art.333</p> <p>NW: Criminal Code, Art. 265</p>			
7	Control lists of materials, equipment and technology	X	X	X	<p>NW/CW/BW:</p> <p>1. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods”– Annex – Single list of dual-use goods</p> <p>2. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods ” - Annex</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>	
8	Intangible technology transfers	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods”</p> <p>2. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods</p> <p>3. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods ”</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>	

9	Inclusion of means of delivery	X	X	X	<p>NW/CW/BW:</p> <p>1. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods”</p> <p>2. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods”</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>
10	End-user controls	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods”</p> <p>2. Cabinet of Ministers Decree of 27 May 1999 No. 920 “On Approval of 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”</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>
11	Catch all clause	X	X	X	<p>NW/CW/BW:</p> <p>Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (article 10)</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>
12	Transit control	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods”</p> <p>2. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods”</p> <p>3. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>

				for State control over international transfers of military goods”					
13	Trans-shipment control								
14	Re-export control	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods”</p> <p>2. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Goods”</p> <p>3. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods ”</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>
15	Control over financing of exports/transshipments that would contribute to proliferation								
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (control over export of military and dual-use services)</p> <p>2. Cabinet of Ministers Decree of 20 November 2003 No. 1807 “On Approval of the Procedure for State control over international transfers of military goods”</p> <p>3. Cabinet of Ministers Decree of 28 January 2004 No. 86 “On Approval of the Procedure for State Control of International Transfers of Dual-Use Gods”</p> <p>4. Cabinet of Ministers Order of 20 November 2003 No. 690 “On enhancement of the</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Law of 20 February 2003 No. 549-IV “On State Control over International Transfers of Military and Dual-use Goods” (articles 24, 25)</p> <p>2. Code of Administrative Offences, of 7 December 1984 articles 188-17 and 212-4: fines</p> <p>3. Criminal Code Art.333</p>

				mechanism of Control over International Air-transportation of Military and Dual-Use Goods”					
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VIII. OP 7 and 8 (d) - Assistance, Work with and inform Industry and Public, and other Information

1	Assistance offered	
2	Assistance Point of Contact (for assistance providers only)	
3	Assistance requested	
4	Action taken to work with and inform industry	<p>Business entities and individuals who are registered at the State Service of Export Control (SSEC) as subjects of international transfers of military, dual-use and not listed goods obtain a certificate of registration and explanatory letter where conditions of international transfers to specific countries depending on category of goods and type of transfer are determined.</p> <p>The State Service for Export Control (SSEC) encourages subjects of international transfer to establish internal export control systems (ICP). Establishment and maintenance of a certified internal export control system (by the SSECU) is required under the law in the following cases:</p> <ul style="list-style-type: none"> - for business entities that intend to export, import, or engage in intermediary activities involving military goods or goods containing information that constitutes a state secret; - for business entities that intend to apply to the SSEC for an open or general license. <p>The SSEC makes guidelines available to help entities in designing an ICP. The guidelines are based on international best practices for internal export control systems in the area of non-proliferation.</p> <p>The SSEC has a unit responsible for industry outreach and public relations. Its activity is based on the principals of transparency and openness. Information on requirements of Ukrainian legislation in export control sphere is also available on the website of the SSEC and provided during outreach events.</p>
5	Action taken to work with and inform the public	<p>The SSEC has a unit responsible for industry outreach and public relations. Its activity is based on the principals of transparency and openness. Requirements of Ukrainian legislation and actual information in export control are introduced on the website of the SSEC that is regularly updated. There is also a hot-line and on-line conferences concerning actual issues in export control at the SSEC.</p>
6	Point of Contact	<p>Mr. Oleksandr Kapustin (Deputy Director General, Head of New Threats and Challenges Division, Ministry of Foreign Affairs) Tel: +380-44-238160 Email: oleksandr_kapustin@mfa.gov.ua</p> <p>Ms. Olena Syrota (Counsellor, Permanent Mission of Ukraine to the United Nations) Tel: 212-759-7003 Email: olena.syrota@mfa.gov.ua</p>

7	Voluntary National Implementation Action Plan (NAP)	In 2016, National Report on the Comprehensive Review of the Implementation Status of the Resolution 1540 was prepared and submitted to the UN Committee. The preparation of the establishment of the National Contact Center for the implementation of UNSCR 1540 is still under consideration. Depending on the results of consideration of this issue, the work on the preparation of the National Action Plan of Ukraine will be continuing.
8	1540 Committee visits to States	
9	Other bodies with law enforcement responsibilities that ensure Ukraine's compliance with UN Security Council Resolution 1540 and its implementation	<p>Security Service of Ukraine</p> <p>Legal framework for operations of the Security Service of Ukraine to ensure Ukraine's compliance with UN Security Council Resolution 1540 and its implementation:</p> <ul style="list-style-type: none"> ➤ Criminal code of Ukraine; ➤ Criminal Procedure Code of Ukraine; ➤ Law of Ukraine "On the Security Service of Ukraine"; ➤ Law of Ukraine "On Counterintelligence Activities"; ➤ Law of Ukraine "On the State Control over International Transfers of Military and Dual-use Goods"; ➤ Decree of the President of Ukraine № 276/2002 "On Delineation of Powers of the Central Executive Bodies in the Sphere of Military and Technical Cooperation with the Foreign Countries"; ➤ Order of the Cabinet of Ministers of Ukraine № 86-2004 "On Approval of the Procedure for Implementation of the State Control over International Transfers of Dual-Use Goods"; ➤ Order of the Cabinet of Ministers of Ukraine № 1807-2003 "On Approval of the Procedure for Implementation of the State control over International Transfers of Military Goods"; ➤ Order of the Cabinet of Ministers of Ukraine № 920-1999 "On Approval of Regulation regarding the Procedure for Issuing Guarantees and Implementation of the State Control over Execution of Obligations to Use of Goods subject to the State Export Control for Declared Purposes". <p>Role of the Security Service of Ukraine in the Export Control System</p> <p>NW/CW/BW:</p> <ul style="list-style-type: none"> ➤ Activities to support functioning of the national export control system: <ul style="list-style-type: none"> - participation in the Interagency Commission on Policy of the Military and Technical Cooperation and Export Control; - participation in the Commission for State Attestation of Internal Export Control Compliance Systems at the Entities engaged in the International Transfers; - participation in the Interagency Expert Commission on Non-Government Expertise; - participation in the interagency review for issuance of licensing documents for international transfers of controlled items; - participation in the interagency review of applications for registration of entities engaged in international transfers; ➤ Pre-trial investigation of criminal offenses related to violation of the procedure for international transfer of controlled items; ➤ Counterintelligence support to military and technical cooperation, international nonproliferation regimes. <p>Activities of the Security Service of Ukraine to support functioning of the national export control system:</p> <p>NW/CW/BW:</p>

		<ul style="list-style-type: none"> ➤ Detects and evaluates a level of threat to the national security, political and economic interests of Ukraine in the process of military and technical cooperation; ➤ Analyzes if the end users / intermediaries are listed in the sanction lists or are associated with the listed entities; ➤ Evaluates the risks of re-export; ➤ Determines a need for authorized state bodies of Ukraine to escort goods during their delivery; ➤ Issues conclusion on whether goods fall under category of special technical means, and, as a part of interagency review, provides approval for their export (temporary export) and import (temporary import); ➤ Verifies identification of goods; ➤ Determines a need for engaging representatives of authorized state agencies of Ukraine for conducting selective end use checks; ➤ Controls, within its competence, compliance by entities engaged in military and technical cooperation with legal requirements in this area, in area of the export control and protection of state secrecy; ➤ Conducts detection, prevention and deterrence of criminal violations investigation of which falls under jurisdiction of investigative divisions of the Security Service of Ukraine. <ul style="list-style-type: none"> - Article 201 "On Smuggling", Criminal Code of Ukraine; - Article 265-1 "On Illegal Development of a Nuclear Explosive Device or a Device that Disperses Radioactive Material or Emanates Radiation", Criminal Code of Ukraine; - Article 333 "On Violation of the Procedure for International Transfers of goods subject to State Export Control", Criminal Code of Ukraine; - Article 439 "On Use of Weapons of Mass Destruction", Criminal Code of Ukraine. - Article 440, "On Development, Production, Obtaining, Storage, Sale, Transportation of Weapons of Mass Destruction", Criminal Code of Ukraine. - Article 441, "On Ecocide", Criminal Code of Ukraine. ➤ Initiates procedures for the "catch-all" export control, as stipulated in Article 10 of the Law of Ukraine "On the State Control over International Transfers of Military and Dual-use Goods". ➤ Checks (investigation) of separate cases of illicit transfers of controlled goods and services, as well as individuals and legal entities associated with such transfers.
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