1. Any development, manufacture, stockpiling or use of biological weapons is the result of decisions and actions of individual persons, whether they be officials, representatives of the companies, weapons experts or terrorists. At the same time the international convention that prohibits this kind of weapons almost does not assume an individual responsibility. Thus the states are put before necessity to bring in its acts the appropriate provisions which would establish the criminal responsibility for the activity aimed at developing of weapons of mass destruction. In particular the Criminal Code of Ukraine contains 8 articles that to a certain extent refer to the criminal responsibility for the bioterrorist activity and proliferation of weapons of mass destruction: Article 258 ("Act of Terrorism"), Article 261 ("Attacks on the facilities on which there are items that constitute the enhanced danger to the surroundings"), Article 321 ("Illegal production, making, purchasing, transportation, sending, storage for selling purposes, or sale of poisonous and drastic substances"), Article 326 ("Violation of rules related to handling of microbiological or other biological agents or toxins"), Article 333 ("Illegal exportation outside Ukraine of raw material, materials, equipment, technology for creation of weapons as well as military and special enginery"), Article 439 ("Use of weapons of mass destruction"), Article 440 ("Development, production, purchasing, stockpiling, sale or transportation of weapons of mass destruction"), Article 441 ("Ecocide").

2. **Article 258. Act of terrorism**

"1. An act of terrorism that is the use of weapons, explosions, fire or any other actions that exposed human life or health to danger or caused significant pecuniary damage or any other grave consequences, where such actions were performed with a view to violate public security, intimidate population, provoke an armed conflict or international tension, or to exert influence on decisions made or actions taken or not taken by government agencies or local government authorities, officials of such bodies, associations of citizens, legal entities, or to attract attention of the public to certain political, religious or any other convictions of the culprit (terrorist), and also a threat to commit any such acts for the same purposes,- shall be punished by deprivation of freedom for a term of from five to ten years."
2. The same acts, committed repeatedly or by a group of persons upon their prior conspiracy, or where these actions have caused significant property damage or other grave consequences, - shall be punished by deprivation of freedom for a term of from seven to twelve years.

3. Acts provided for by paragraph 1 or 2 of this Article, where they have caused death of people,- shall be punished by deprivation of freedom for a term of from ten to fifteen years or life deprivation of freedom.

4. Establishing, leading or participating in a terrorist group or terrorist organisations as well as providing with logistical, organisational or any other assistance in order to facilitate the establishment or operation of a terrorist group or terrorist organisation, - shall be punished by deprivation of freedom for a term of from eight to fifteen years.

5. Any person other than an organiser or leader shall be discharged from criminal liability for any acts provided for in paragraph 4 of this Article, if he (she) has voluntarily reported it to a law enforcement authority and assisted in termination of existence or operations of such terrorist group or organisation, or in uncovering crimes related to creation or operation of such terrorist group or organisation, unless his (her) actions contain no element of any other offence.”

3. Article 261. Attacks on the facilities on which there are items that constitute the enhanced danger to the surroundings.

“Attacks on any facilities on which any radioactive, chemical, biological or explosive materials, substances, or items produced, stored, used or transported therein, for the purpose of seizure, injury or destruction of any such facilities, - shall be punished by deprivation of freedom for a term of from five to twelve years.”

4. Article 321. Illegal production, making, purchasing, transportation, sending, storage for selling purposes, or sale of poisonous and drastic substances.

“1. Illegal production, making, purchasing, transportation, sending, storage for selling purposes, or sale of poisonous or drastic substances, other than narcotics, psychotropic substances or their analogues as well as any such acts in regard of any equipment devised for the production or making of poisonous or drastic substances, where these acts were not duly authorised, - shall be punished by a fine up to 50 tax-free minimum incomes of citizens, or deprivation of freedom for a term up to three years.

2. Violation of rules related to production, making, purchasing, storage, dispensation, inventoring, transportation or sending of poisonous or drastic substances, other than narcotics, psychotropic substances or their analogues, - shall be punished by a fine up to 100 tax-free minimum of citizens, or deprivation of freedom for a term up to two years.”

5. Article 326. Violation of rules related to handling of microbiological or other biological agents or toxins.

“1. Violation of rules related to storage, use, accounting, transportation of microbiological or other biological agents or toxins, and any other rules related to handling of same, where it
caused the risk of death of people or any other grave consequences, or caused any harm to the victim's health,
- shall be punished by a fine up to 50 tax-free minimum incomes of citizens or correctional labour for a term up to two years, or limitation of freedom for a term up to three years, with or without the deprivation of the right to occupy certain positions and engage in certain activities for a term up to three years.
2. The same action that caused death of people or any other grave consequences,
- shall be punished by limitation of freedom for a term up to 5 years, or deprivation of freedom for the same term, with the deprivation of the right to occupy certain positions or engage in certain activities for a term up to three years.”

6. **Article 333. Illegal exportation outside Ukraine of raw material, materials, equipment, technology for creation of weapons as well as military and special enginery.**

“Violation of established regulations on exportation outside Ukraine of raw material, materials, equipment or technology that can be used for the development of missile, nuclear, chemical or other types of weapons, as well as for production of equipment for military and special purposes,
- shall be punished by a fine of from 100 to 200 tax-free minimum incomes of citizens, or limitation of freedom for a term up to three years, or deprivation of freedom for the same term.”

7. **Article 439. Use of weapons of mass destruction.**

1. The use of weapons of mass destruction prohibited by international treaties consented to be binding by the Verkhovna Rada of Ukraine,
- shall be punished by deprivation of freedom for a term from eight to twelve years.
1. The same action that caused death of people or any other grave consequences,
- shall be punished by deprivation of freedom for a term of from eight to fifteen years, or life deprivation of freedom.

**Article 440. Development, production, purchasing, stockpiling, sale or transportation of weapons of mass destruction.**

Development, production, purchasing, stockpiling, sale or transportation of weapons of mass destruction prohibited by international treaties consented to be binding by the Verkhovna Rada of Ukraine,
- shall be punished by deprivation of freedom for a term of from three to ten years.”

8. **Article 441. Ecocide.**

“Mass destruction of flora and fauna, poisoning of air or water resources as well as any other actions that may cause an environmental disaster,
- shall be punished by deprivation of freedom for a term of from eight to fifteen years.”

9. Moreover on March 20, 2003 the **Law «On Counteraction the Terrorism»** was adopted by the Verkhovna Rada (Parliament of Ukraine). The Law was developed with the purpose to create an appropriate legal basis to counteract the terrorism in all its aspects and forms in the context of implementation of the UN Security Council Resolutions of December 19, 2000, №1333 and of September 28, 2001, №1373, realization of the arrangements that were achieved during the Conference on General Counteraction the Terrorism (Warsaw, November 6, 2001) as well as appropriate international conventions ratified by Ukraine.
10. The principles, terms, organization and coordination mechanisms to counteract the terrorism were determined by the Law. Significant attention was given to the idea to establish specific organization and legal basis in this sphere, as well as to prevention of the phenomenon of terrorism and regulations on realization of antiterrorist activity.

11. Taking into account active foreign policy of Ukraine and dynamics of rapprochement of positions of the States on interaction in the field of counteraction the terrorism, the Law contains special provisions that regulate the issue of international cooperation in this sphere.

12. The separate section is devoted to the issues of compensation for the harm, caused in consequence of terrorist act and to the social rehabilitation of the persons suffered because of the terrorism.

13. In accordance with the Law it is supposed to bring appropriate provisions to the operating legislation aimed at defining of the norms of responsibility for the violation of legislation pertaining to counteraction the terrorism, prevention and timely revealing of intentions of the persons, who plan to commit terrorist acts, inadmission of financing of terrorist activity, establishment of the control and oversight of legality of measures to counteract terrorism.