

Job 21-00487 (communication from the Russian Federation on implementation of the Nuclear Terrorism Convention – fair copy)

*Translated from Russian*

**Information regarding the criminalization of acts pursuant to article 2 of the International Convention for the Suppression of Acts of Nuclear Terrorism of 2005**

In accordance with paragraph 43 of the National Security Strategy of the Russian Federation, approved by Presidential Decree No. 683 of 31 December 2015, activity by terrorist and extremist organizations to alter the constitutional order of the Russian Federation through violence; destabilize the work of public authorities; destroy or disrupt the operation of military and industrial facilities, critical public facilities or transport infrastructure; intimidate the population, including by acquiring weapons of mass destruction or radioactive, poisonous, toxic or chemically or biologically dangerous substances; carry out acts of nuclear terrorism; or breach the security and disrupt operation of the country's critical information technology infrastructure is among the main threats to State and public security in the Russian Federation.

Article 205 of the Criminal Code of the Russian Federation establishes liability for committing an act of terrorism – that is, causing an explosion, committing arson or engaging in any other activity that intimidates the population and endangers human life, causes substantial damage to property or has other grave consequences – with the intent of destabilizing the work of the authorities or international organizations or influencing their decision-making, as well as liability for threatening to commit such acts with the intent of influencing the decision-making of the authorities or international organizations.

The commission of such acts in conjunction with trespassing on nuclear facilities or the use of nuclear material, radioactive substances or sources, or noxious, poisonous, toxic, chemically or biologically dangerous substances, is covered under article 205, paragraph 3, of the Criminal Code and carries a sentence of between 15 and 20 years of deprivation of liberty and between one and two years of restrictions on liberty, or life imprisonment.

The following are also established as criminal offences: unlawful acquisition, storage, use, transfer or destruction of nuclear material or radioactive substances (Criminal Code, art. 220); theft or extortion of nuclear material or radioactive substances (Criminal Code, art. 221); improper performance of safeguarding duties relating to nuclear, chemical or other types of weapon of mass destruction, or material or equipment which could be used to produce weapons of mass destruction, if this has led to serious consequences or posed the risk of such consequences (Criminal Code, art. 225, para. 2); theft or extortion of nuclear, chemical or other types of weapon of mass destruction, or of material or equipment which could be used in the production of weapons of mass destruction (Criminal Code, art. 226, paras. 2–4); smuggling of potent, noxious, poisonous, explosive or radioactive substances, sources of radiation, nuclear materials, firearms or their principal parts, explosive devices, ammunition, weapons of mass destruction or their means of delivery, other weapons or other military equipment, or material and equipment which could be used to produce weapons of mass destruction, their means of delivery, other weapons or other military equipment (Criminal Code, art. 226.1); production of prohibited types of hazardous waste, or transportation, storage, disposal, use or other treatment of radioactive, bacteriological or chemical substances and waste in violation of the established rules, if these actions have posed a significant risk to human health or the environment (Criminal Code, art. 247); and development, production, stockpiling, acquisition or sale of weapons of mass destruction (Criminal Code, art. 355).

In addition, article 30 of the Criminal Code establishes liability for the planning and attempted commission of an offence (where the maximum penalty under the relevant article of the Criminal Code exceeds five years of deprivation of liberty) and article 33 establishes liability for complicity in criminal acts on the basis of objective evidence that is used to establish the role of the person in relation to the offence committed.