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Criminal Liability of Members of Terrorist Groups and Terrorist Organizations: Actual Issues of the Theory and the Practice

The actual questions of the members of terrorist groups and terrorist organizations' criminal liability are researched and proposals for their decision are highlighted in the article.

It is established that the rapid increase of crimes connected with the functioning of terrorist organizations require from the law enforcement agencies taking appropriate response measures, which effectiveness to some extent depends on the quality of criminal and legal regulations, in particular, referred to in art. 258³ of the Criminal Code of Ukraine.

According to the abovementioned information, with the aim to solve the most recent issues of criminal responsibility for the creation of terrorist group and terrorist organization and also the participation in them it is proposed: 1) to clarify the types of terrorist groups referred to in art. 258³, in particular notions: a terrorist group and an

organized terrorist group; 2) to specify the content of the objective side of crimes; 3) to exclude from the art. 258³ of the Criminal Code of Ukraine organizational or other assistance for the establishment or operation of a terrorist group or a terrorist organization; 4) to differentiate criminal liability for committing offenses under art. 258³ of the Criminal Code of Ukraine; 5) to improve reasons of a special type of exemption from criminal liability of terrorist groups' members.

Issues arising in judicial practice as to the creation or training terrorist groups and terrorist organizations and participation in them cause the necessity of development of the appropriate clarifications of High Specialized Court of Ukraine for Civil and Criminal Cases.

Keywords: terrorist group, organized terrorist group, terrorist organization, terrorist association, exemption from criminal liability.