

Understanding EU policy on firearms trafficking

SUMMARY

Precise figures about the numbers of illegal firearms in the European Union (EU) are lacking, but several indicators point to their widespread availability and accessibility. According to the Small Arms Survey, over half of the estimated total number of firearms held by civilians in the EU in 2017 were unlicensed. While most of these citizens had no criminal intentions, their illicit firearms could be used for self-harm or domestic violence, or end up in the hands of criminals or terrorists.

Most criminals and terrorists have more sophisticated ways to get hold of illicit firearms. They can be trafficked from source countries, diverted from legal supply chains, illegally manufactured or assembled in the EU, converted from legally available weapons, or sourced on the internet. Firearms seizures suggest that the EU illicit firearms market is made up mostly of shotguns, pistols and rifles, with converted or convertible weapons also frequently appearing.

Illicit firearms trafficking is driven by criminal demand, with organised crime groups that engage in firearms trafficking also involved in other forms of criminality. The EU considers illicit firearms a key crime threat precisely because they are used in many crimes and terrorist attacks. Even people who lack extensive criminal connections can access illicit firearms due to increased online trafficking and the availability of easy to convert weapons.

The EU is actively involved in addressing the threat posed by illegal firearms by means of legislative and policy measures, and provides operational assistance to the Member States in the fight against firearms trafficking. The EU is also active in the international fight against firearms trafficking, working closely with the United Nations (UN) in its work to combat the proliferation of small arms and light weapons and engaging in the UN's global firearms programme. Although the export of arms remains a national competence, the EU has defined common rules governing the control of exports of military technology and equipment and works actively with third countries that are viewed as source or transit countries for illicit firearms.



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Introduction

Illicit firearms, used for criminal purposes and in terrorist attacks, are a threat to the European population's safety and wellbeing. A [recent study](#) on mass shootings in Europe shows that 341 people were killed in Europe in 23 mass shooting incidents in 2009-2018. While firearms in terrorist attacks may grab the headlines, organised crime groups (OCGs) are increasing their use of violence, violence which is enabled by access to illicit firearms. Firearms used in terrorist attacks are frequently sourced from the illicit firearms market, with terrorists using criminal connections to obtain them. Illicit firearms can also be used in homicides and for self-harm. Given the proliferation of illicit firearms in the European Union (EU) and the consequences of their use, both Europol's Serious and Organised Crime Threat Assessment ([SOCTA](#)), and the European Commission's [action plan](#) on firearms trafficking, characterise illicit firearms as a 'key crime threat facing the EU'.

What is a firearm?

International weapons classification uses the term 'firearm' to designate weapons in civilian use, while 'small arm' is more commonly used to refer to the weapon an individual may use and carry in a military context. The [Firearms Directive](#) defines a firearm as 'any portable barrelled weapon that expels, is designed to expel or may be converted to expel a shot, bullet or projectile by the action of a combustible propellant'. The [UN](#) deems 'light weapons' those that can be used by 'several people or a crew and may be transported by two or more people, a pack animal, or a light vehicle'. However the terms 'small arms' and 'firearm' can be used interchangeably. The trafficking of firearms is defined by the [Firearms Directive](#):

as the acquisition, sale, delivery, movement or transfer of firearms, their essential components or ammunition from or through the territory of one Member State to that of another Member State, if any of the Member States concerned does not authorise it with this Directive, or if the firearms, essential components or ammunition are not marked.

EU illicit firearms market

With precise figures about the numbers of illegal firearms in the EU lacking, some indicators point to their wide availability and accessibility. Firearms seizures are regarded as the best proxy for estimating the scope and value of the illicit firearms market, and based on seizures of firearms, the United Nations Office on Drugs and Crime ([UNODC](#)) estimates that illicit firearms in the EU are mostly shotguns (30% of seizures in 2016-2017), pistols and rifles (22% and 15% of seizures in those years respectively). Both [Europol](#) and the UNODC point to the frequent appearance in considerable numbers of converted or convertible weapons among firearms trafficking and seizure cases in the EU. These consist of alarm and signal weapons, salute and acoustic weapons and Flobert firearms (see Table 1). This is because these weapons can be obtained in countries where they are legally available, are easy to convert into live-firing firearms, and are cheaper and less risky to procure and traffic than their live-firing counterparts.

The [Small Arms Survey](#) estimates that 35 million illicit firearms were owned by civilians in the EU in 2017, 56% of the estimated total of firearms for the region, and these figures suggest that illicit firearms outnumber legally held firearms in 12 EU Member States. Research on [diversion of firearms](#) in the EU suggests that the bulk of illicit firearms are held by private citizens with no immediate criminal intentions and whose illicit firearm possession derives from factors such as changes in national firearms legislation following which licensed firearms holder did not apply for a new permit. Illicit firearms owned by private citizens can be used for self-harm or domestic violence and can obviously also end up in the hands of criminals or terrorists.

While traditionally the illicit firearms market in the EU has been a 'closed' one, with limited access to firearms for persons who lack extensive criminal connections, this is now changing due to cross-border smuggling of firearms from post-conflict countries, increased online trafficking, and the availability of easy-to-convert weapons. As a result, a variety of firearms have become more easily

available for lower-level criminals and terrorists with access to the right criminal connections, with the UNODC pointing to the existence of practices such as criminal firearms pools, where criminals rent firearms for use in specific crimes.

Illicit firearms trafficking in the EU

Illicit firearms trafficking in the EU is mainly driven by criminal demand given that access to firearms enables various criminal activities. Overall, the market in illicit firearms in the EU operates on a small scale, with large caches of arms rarely appearing, and trafficking occurring in small numbers (the 'ant trade'), with weapons trafficked for personal use or to meet specific orders. Firearms are not consumable goods like drugs and have long lifespans on the illicit market, with antique firearms still being used for criminal and terrorist purposes, so that even small amounts of trafficked firearms can accumulate over time. The OCGs involved in firearms trafficking do so as a supplementary rather than primary business activity and are frequently involved in other forms of criminality, such as migrant smuggling, human trafficking, or the drugs trade. Firearms can facilitate these activities, as well as protect their business against rival OCGs. The UNODC has highlighted the close link between the trade in illegal drugs in the EU and firearms trafficking. Illicit firearms trafficking also increases the risk of firearms possession and use by terrorists. Investigation of recent terrorist attacks in the EU shows that many of the perpetrators had criminal backgrounds and used their criminal contacts to source the firearms used in the attacks, pointing to the existence of a [crime-terror nexus](#) in Europe, whereby terrorists use the skills and contacts gained from their criminal backgrounds to plan and execute terrorist attacks, with these skills including access to illicit firearms.

Illicit firearms sources and trafficking routes

A number of sources of illicit firearms are found in the EU. They can be trafficked from source countries, diverted from legal supply chains, illegally manufactured or assembled in the EU, including by the use of new technologies (3D printing), converted from legally available weapons into more powerful live-firing firearms, or sourced on the internet or dark net.

Countries can become a source of illicit firearms for several reasons:

- Easy access to firearms due to ongoing or recent military conflicts;
- Government weapons vulnerable to leakages, weak state control of manufacture, sale and destruction of firearms, their components and ammunition;
- Significant surpluses in government weapons subject to deactivation, sale and release to the civilian market;
- Gun-oriented cultures and/or a strong presence of OCGs involved in firearms trafficking.

The Western Balkans (Albania, Bosnia and Herzegovina, North Macedonia, Montenegro, Serbia, and Kosovo) are widely regarded as a major source region for illicit firearms in the EU, as all the above factors are, or have been, present there. The [Small Arms Survey](#) estimates that 3.6-6.2 million firearms are in civilian possession there for a population of some 25 million. It also highlights the role played by OCGs in ensuring that the Western Balkans are not only a transit region but a major source of firearms traded on the international market. [Europol](#) believes that the Western Balkans, along with countries of the former Soviet Union, remain the main sources of arms trafficking to the EU, with many of the OCGs involved in firearms trafficking originating from the region.

The UNODC has highlighted Europe's key role as a source of illicit firearms, both globally and at intra-regional level within the EU: 'Europe is the main manufacturing region of firearms seized across the world. This highlights the risk of diversion from authorized transfers and possession and underlines the importance of a continuous dialogue between seizing and manufacturing countries. ... Several European Union Member States are not only countries of destination for illicit firearms flows, but also countries of source and transit of such flows.'

The UNODC found that, based on firearms seizures, intra-regional flows in Europe and the EU appear to be the most common source of trafficked firearms in Europe, citing geographical proximity and the fact that goods can circulate freely within the internal market as likely causes. It suggests that firearms are mostly trafficked from neighbouring countries, with source countries in the Western Balkans (mainly legacy weapons), Slovakia (trafficking of deactivated, acoustic expansion, Flobert and reactivated firearms), or other EU Member States (blank firing weapons and components).

The UNODC found evidence of outbound illicit arms flows from the EU in North, Central and South America, the Caribbean, Asia, Africa, Oceania and elsewhere in Europe. However, while it is often possible to trace the origin of seized firearms to the country of legal manufacture, it notes that 'the source country does not necessarily correlate to the country in which the weapon was diverted'. Countries can also become source countries for illicit firearms due to legislative discrepancies in the treatment of firearms. In these countries (both EU Member States and non-EU countries), firearms or their essential components, which are subject to restriction under EU legislation, can be freely available, with few or any formalities required on purchase. The United States of America is the world's largest weapons manufacturer for both the civilian and military markets. Easily accessible firearms and their components can be legally acquired in the USA and then shipped to the EU and worldwide, where they enter the illicit firearms market.

Turkey also has a significant firearms manufacturing industry for both military and civilian purposes, including notably alarm and signal weapons, which can easily be converted into lethal firearms and trafficked to Europe pre- or post-conversion.¹ Finally, there are a number of Member States where differential treatment of certain firearms and their components under national law permits them to be purchased legally without authorisation and then converted to a more lethal specification, or used to make a completed firearm. In Austria the frame of a Glock pistol can be purchased online without authorisation as it is not considered an essential component of a firearm, while most of the remaining parts can be purchased from the USA, allowing a completed and illicit Glock pistol to be assembled. Firearms and their component parts that are legally available in these countries can be purchased and illicitly transported to EU Member States, where they become part of the illicit firearms market. Postal and fast parcel services are frequently used to transport illicit firearms to the EU, and these firearms are often broken down into their component parts to make detection more difficult. [Frontex](#) has highlighted that the small size of firearms also makes them easy to conceal and transport by car or even public transport.

Diversion from legal supply chains

Diversion from legal supply chains can occur through burglary and theft, or sale on the illegal market, including the dark net. In 2014, [Europol](#) estimated that there were almost half a million lost or stolen firearms in the EU. More recent research on [stolen firearms](#) suggests that 20 000 to 25 000 firearms are registered as stolen in the EU every year, with further stolen firearms not declared to the authorities because firearms owners fear the consequence of declaring the theft or are unaware of the obligation to do so. Firearms can also be stolen from commercial actors (such as registered firearms dealers) and state actors (armed forces and law enforcement agencies), as well as private gun owners. In most Member States the theft of firearms and ammunition is not considered the main source of illicit supply for criminals, largely because the firearms most commonly stolen are rifles and shotguns used for hunting. However, there have been high profile cases of stolen firearms used for criminal and terrorist purposes. Diversion can also occur through the reactivation of previously decommissioned firearms, including decommissioned army or police firearms, as demonstrated by the use of [reactivated firearms](#) in the terrorist attacks in Paris in 2015.

Manufacturing of firearms

Firearms can also be illegally manufactured in the EU by clandestine workshops and gunsmiths. Alternatively, easily sourced and legally available weapons can be modified to render them more dangerous, as frequently occurs with alarm and signal weapons, and Flobert firearms. The UNODC

has found that converted blank-firing weapons are among the cheapest illicit firearms to acquire within the EU. A functioning firearm can also be assembled from parts bought online, frequently from the USA, where parts which are deemed essential components of firearms in the EU and hence subject to restriction are freely available. Technological improvements in [3D printing](#) allow this technology to be used to manufacture firearms. While 3D printed firearms are unreliable, the technology has improved to the extent that 3D printed gun designs more closely resemble revolvers or pepperbox type firearms, with rotating chambers or barrels respectively, allowing the user to fire multiple bullets between reloads. The 2019 [terrorist attack in Halle](#) (Germany) used improvised firearms, including 3D-printed components. The fact that these 3D firearms lack metal components is obviously of concern in relation to the ability of metal detectors to detect them. The availability of 3D printed firearm plans on the internet raises the possibility of 'ghost guns', unmarked and unlicensed firearms, which are untraceable by law enforcement. In 2019, the United Kingdom recorded its [first conviction](#) for manufacture of a 3D-printed firearm. In 2018, the European Parliament adopted a [resolution on 3D printing](#) focusing on intellectual property rights and civil liability, but which also referenced the security concerns raised by the use of 3D technology to manufacture weapons. The [European Commission](#) has committed to assessing regulatory solutions via the modernisation of [Regulation \(EU\) 258/2012](#) establishing export authorisation, and import and transit measures for firearms.

Purchase of firearms on the internet/dark net

Firearms can also be purchased on the internet or dark net. The internet is used chiefly to exploit national differences in the legislative treatment of firearms and their component parts, with these items being sold on social media, online marketplaces and webpages. Online firearms trafficking is an important source of illicit firearms and is likely to increase in the future, with the postal service or fast parcel operators used to deliver the firearms or their component parts. The restrictions imposed by Covid-19 made online access to firearms more attractive as a source of illicit firearms. However, in its most recent SOCTA, Europol reports that many of the online offers of firearms for sale may be scams, and the availability of secure, encrypted means of communication means that OCGs can bypass the internet to source and trade firearms.

The availability of firearms on the dark net is of concern to law enforcement authorities as this allows individuals with no criminal contacts to source and acquire illicit firearms. This was the case of the author of the anti-Semitic attack in Halle, Germany, who appears to have self-radicalised and purchased the components and plans for his home-made firearms online. The use of cryptocurrencies, and the availability of free anonymising software tools promising easy access to the dark net, also make the latter a source of illicit firearms. Given the long lifespan of a firearm, once diverted from the legal market it can pose a risk for decades, with criminals in European regions where it is difficult to source firearms resorting to the use of [antique](#) firearms. The proliferation of illicit firearms in the EU increases the risk of their use in terrorist attacks and organised crime and as a result the EU has made consistent efforts to address the risk posed by illegally available firearms.

EU action against illicit firearms

Legal framework – Adoption of the Firearms Directive

The EU's involvement in the regulation of firearms began with the 1991 Firearms Directive. [Directive 91/477/EEC](#) defined a set of common minimum rules for the control of the acquisition and possession of firearms in the EU, as well as the transfer of firearms to another EU Member State. It was designed as a measure to balance internal market objectives and security imperatives regarding civilian-held firearms. It excluded from its scope the acquisition or possession of weapons and ammunition by the police, armed forces, public authorities or collectors, and bodies concerned with the cultural and historical aspects of weapons. The directive adopted an internal market approach to the regulation of firearms by providing for common standards on firearms transfers within the EU to harmonise and enable the movement of legal firearms. Direct EU involvement in counter-

terrorism and security issues began with the [Maastricht Treaty](#) in 1992. Prior to that date, Member States had asserted their national sovereignty when dealing with security issues. However, the abolition of internal EU border controls with the establishment of the single market made it clear that national legislation and action were no longer enough to successfully address security concerns, thereby providing the EU with a greater role in internal security.

On firearms issues, Directive 91/477/EEC was amended by [Directive 2008/51/EC](#). This had a more overt security focus as it implemented provisions from the [UN Firearms Protocol](#) on the brokering and illicit manufacturing of firearms, as well as registration and marking of firearms. It also provided an amended definition of firearms to include converted firearms, in response to police intelligence showing an increase in the use of converted firearms in the EU. It prohibited the acquisition of firearms by persons convicted of serious criminal offences and imposed stricter control for acquisition of firearms through distance communication. The amended Firearms Directive was subject to periodic review and the [2014 review](#) highlighted the security risks posed by the use of national interpretations which the directive provided to Member States. This was particularly problematic with regard to alarm and signal weapons, which were excluded from the scope of the directive provided they could not be used to fire live-fire ammunition. Converted alarm and signal weapons had been used to commit criminal offences and the study also pointed to the lack of technical guidelines provided by the European Commission on deactivation of firearms.

Revision of the Firearms Directive

The 2014 review of the directive and the terrorist attacks in Paris and Brussels in 2015 and 2016, highlighted the need for its revision to ensure a greater level of security for European citizens. [Directive \(EU\) 2017/853](#), amended Directive 91/477/EEC, aiming to make it harder to legally acquire high-capacity firearms in the EU. It contained measures to allow better tracking of legally held firearms to reduce the risk of their diversion to illicit markets, as well as provisions to strengthen cooperation between Member States with regard to the transfer of firearms within the EU.

The revised directive eliminated the category of firearms that could be owned by private persons without authorisation or declaration to national authorities. All firearms are now at least subject to declaration, with the exception of firearms considered as antiques. The revised directive also significantly extended the list of [prohibited firearms](#) to include a ban on semi-automatic firearms. It also regulated deactivated firearms, which were now to be considered as firearms and subject to declaration. Salute and acoustic weapons were also to be treated as firearms, with their classification determined by the category they belonged to before alteration. The revised directive now included museums and collectors within its scope and compelled Member States to establish strict storage and supervision rules for lawful owners of firearms to reduce the likelihood of firearms being lost or stolen. It also imposed clearer rules on the marking of firearms in order to improve traceability. It provided for the establishment of an exchange of information between Member States to ensure that an individual who is not authorised to buy firearms in one Member State can become authorised to do so in another. Directive 2017/853 also empowered the Commission to introduce implementing acts. It used this power to enact two implementing directives, [Directive \(EU\) 2019/68](#), establishing technical specifications for the marking of firearms and their essential components and [Directive \(EU\) 2019/69](#), laying down technical specifications for alarm and signal weapons.

Member States had until 14 September 2018 to comply with Directive 2017/853 and to notify the European Commission of its transposition. However, in August 2017, Czechia, supported by Poland and Hungary, challenged its legality, arguing that it breached the principles of conferral of powers and proportionality, legal certainty, protection of legitimate expectations and non-discrimination. In December 2017, the [Court of Justice of the European Union](#) (CJEU) dismissed the action, but the legal challenge may have contributed to the slow transposition of the directive, since by April 2020 only 17 Member States had notified full transposition to the Commission. In its action plan on firearms trafficking, the Commission committed to ensuring the full transposition and effective enforcement of the directive and its implementing acts. It has reported that, as of August 2021, there

were 80 infringement cases relating to non-communication of transposition of the Firearms Directive and its secondary legislation, and it found that by that date only 10 Member States had fully transposed the most important changes introduced by the 2017 directive and its two implementing directives. In September 2021, the Commission referred [Luxembourg](#) to the CJEU for failing to transpose the directive. As Directive 2017/853 substantially amended Directive 91/477/EEC, which had already been amended by Directive 2008/51/EC, in the interests of clarity all three directives were repealed and replaced in early 2021, by a codified [Directive \(EU\) 2021/555](#). In its [report](#) on the application of the directive, the European Commission committed to conducting an impact assessment on the potential for modifications to address emerging risks and areas where further harmonisation could be beneficial.

Policy framework: An increasing focus on security

The terrorist attacks in Madrid in 2004 and London in 2005 placed [renewed attention](#) on the control of firearms and the threat posed by illegal firearms to the security of the EU and its citizens. Firearms trafficking was included as part of the activities of serious and organised crime in both the Council's 2010 [Stockholm programme](#) in the area of freedom, security and justice and the Commission's 2010-2014 [internal security strategy](#). Also in 2010, the Council produced its [draft European action plan](#) to combat illegal trafficking in 'heavy' firearms. This stressed the need for improved data on illicit firearms, and improved cooperation among Member States' law enforcement authorities and EU agencies to tackle criminal gangs involved in firearms trafficking. The Council included the need to reduce the risk to citizens posed by firearms as one of the EU's priorities of the [2014-2017 policy cycle](#) in the fight against serious and organised crime. In response, the European Commission [announced](#) it would introduce a firearms package by 2015, with proposals for further actions, including new legislation on the deactivation and marking of firearms and on criminal sanctions to tackle illicit trafficking in firearms. The Paris terrorist attacks in January and November 2015 renewed emphasis on the EU's internal security policy, with the control of firearms and the need to ensure that they did not end up in the hands of terrorists taking centre stage.

The European Commission's April 2015 [communication](#) on the European agenda on security emphasised the need to fight illegal firearms trafficking as part of the fight against serious and organised crime and linked it to the terrorist threat. It stated that differences in national legislation are obstacles to controls and police cooperation. It called for a common approach on the deactivation of firearms to prevent reactivation and use by criminals and announced a review of firearms legislation to standardise marking and determine whether alarm weapons should be included in the scope of existing firearms legislation. In November 2015, the Commission adopted a [package of measures](#) on firearms, comprising both legislative and operational actions. They included a revision of the Firearms Directive, as well as the adoption of common minimum standards for the deactivation of firearms, and the adoption of an action plan against the illegal trafficking of weapons and explosives. One month later, the Commission adopted its [action plan](#) against illicit trafficking in and use of firearms and explosives. Its objective was to combat terrorist access to firearms and explosives. It aimed to improve statistical and analytical tools at EU and national levels and invited Member States to set up national firearms focal points for both criminal and ballistic intelligence gathering. The action plan also emphasised the need to prepare for new threats and risks, such as the impact of new technology, citing 3D printed firearms.

In July 2020, the Commission adopted a new [EU action plan](#) on firearms trafficking, jointly with the EU [security Union strategy](#) for 2020-2024. The action plan constitutes a single plan for both the EU and its partners in south-eastern Europe (comprising the Western Balkans, Moldova and Ukraine) and aims to address the 'remaining legal loopholes and inconsistencies in firearms controls that hinder police cooperation'. It has four priorities:

- Safeguarding the licit market and limiting diversion (e.g. by means of correct transposition and enforcement of the Firearms Directive);

- Building a better intelligence picture relating to lost and stolen, trafficked or smuggled, firearms, as well as developing tools to monitor the darknet;
- Increasing pressure on criminal markets. This provides for increased operational cooperation, while the Commission will assess the need for establishing common criminal law standards on trafficking of firearms and illicit manufacturing;
- Stepping up international cooperation. This is based on the priorities set out in the 2018 [EU strategy](#) against illicit firearms, small arms and light weapons and their ammunition and focuses on increased cooperation with North Africa and the Middle East, and the Western Balkans, Ukraine and Moldova.

The action plan also contains a number of specific actions for the south-east Europe region focused on priorities deriving from the regional [roadmap](#) developed by the Western Balkan authorities with the support of the South-Eastern and Eastern European Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). The European Commission [2021 work programme](#) contains a number of measures to counter firearms trafficking. They include a revision of [Regulation 258/2012](#) on export authorisation and import and transit measures for firearms, in order to improve the traceability of firearms and increase the security of export and import control procedures. As a complementary measure, the Commission adopted new rules on the systematic exchange of information between Member States relating to refusals to grant authorisations to possess firearms in May 2021, by means of a [delegated regulation](#) under the Firearms Directive. This is designed to prevent people from circumventing bans on owning a firearm by 'jurisdiction shopping'.

Justice and home affairs agencies

Firearms fall within the remit of several specialised EU justice and home affairs agencies, including Europol, Eurojust, Frontex and the European Union Agency for Law Enforcement Training (CEPOL).

[Europol](#) acts as the EU criminal information exchange hub and provides operational support and expertise to Member States' criminal investigations. Illicit firearms trafficking is one of Europol's priority crime areas under the EMPACT policy cycle. Europol experts also work closely with counter-terrorism experts to identify the criminal networks supplying terrorist groups with firearms and ammunition. It also assists Member States to monitor and tackle the dark net as a source of illicit firearms. As part of its work in this area, Europol has an [analysis project](#) dedicated to weapons and explosives. [Eurojust](#), the EU's agency for criminal justice, provides practical support to investigators, prosecutors and judges from EU Member States, and countries who have concluded cooperation agreements with Eurojust, in the fight against serious cross-border crime. It also contributes to the EMPACT [operational action plans](#) (see box) and to EU policy cycle operational actions relating to organised and serious international crime. [Frontex](#) plays an active role in the fight against firearms trafficking. It has recently created a [Handbook on Firearms for Border Guards and Customs Officers](#), providing the latest information on firearms trafficking, as well as the tactics and equipment to be used during border checks.

EU policy cycle on organised and serious international crime

In the fight against illicit firearms trafficking, a key role is played by the European multidisciplinary platform against criminal threats, the [EMPACT](#) programme. It provides for a four-year [EU policy cycle](#) on organised and serious international crime to address the most serious criminal threats affecting the EU. Firearms has consistently appeared as one of EMPACT's priorities since its establishment, including those planned for [2022-2025](#). These priorities are implemented by means of operational action plans (OAPs), usually one per priority per year of the policy cycle. Results of the [2020 OAPs](#) include Operation Bosphorus, which led to 11 arrests and the seizure of 191 firearms and 3 714 rounds of ammunition, along with small quantities of drugs, unstamped cigarette packs, a vehicle, false identity documents and 164 pyrotechnic devices. Prior to the operation's action days, all participating countries conducted investigations that led to the additional seizure of 1 585 firearms. In March 2021, the Council adopted [conclusions](#) on the permanent continuation of EMPACT as an instrument for operational cooperation to fight organised and serious crime.

Finally, [CEPOL](#) provides training for EU law enforcement officials, including specialist training on illicit firearms, to provide capacity-building among law enforcement officers working in this area.

International cooperation

While the Firearms Directive is the primary piece of EU legislation aimed at regulating civilian-owned firearms, the EU also plays a role in the international regulation of firearms and small arms and light weapons (SALW), primarily through the EU's [common foreign and security policy](#) (CFSP). Established under the Maastricht Treaty in 1993, the CFSP has been progressively reinforced by subsequent Treaties, and the establishment of the EU's diplomatic service, the European External Action Service (EEAS), which implements the Union's CFSP. The CFSP aims to preserve peace and strengthen international security in accordance with the principles of the [UN Charter](#) and the control of illicit SALW flows plays an integral role in this process.

The UN's [Firearms Protocol](#) is the only legally binding global instrument to counter the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition. It is a protocol of the [UN Convention against Transnational Organized Crime](#) and entered into force on 3 July 2005. The Commission signed the Firearms Protocol on behalf of the EU in 2002, and completed its [ratification](#) in 2014, after all the provisions of the Protocol that fall under the Union's competence had been fully transposed into EU legislation. With the exception of Ireland, Luxembourg and Malta, all EU Member States have ratified the Protocol. In its [2020-2025 EU action plan](#) on firearms trafficking, the European Commission calls on all Member States to ratify the Protocol, and includes its ratification as one of the key performance indicators of the action plan.

During the early 2000s, the EU also took action to combat illegal firearms flows to and from third countries. [Regulation \(EU\) No 258/2012](#) implemented Article 10 of the Firearms Protocol on the requirements for export, import and transit licensing or authorisation systems. [Council Common Position 2008/944/CFSP](#) of 8 December 2008 ([amended in 2019](#)) defines common rules governing control of exports of military technology and equipment, on eight grounds including human rights considerations, and the risk that such military technology might be used for internal repression or be diverted. The aim of the common position is to enhance the convergence of Member States' arms export control policies as arms exports remain under national competence in accordance with [Article 346](#) of the Treaty on the Functioning of the EU. The European Parliament adopted resolutions on the common position in [2008](#), [2013](#), [2015](#), [2017](#), [2018](#) and [2020](#), calling for strict application of the common criteria and improved transparency.

At a policy level, in 2002, the Council adopted a [joint action](#) on the EU's contribution to combating the destabilising accumulation and spread of small arms and light weapons (SALW). In 2005, it adopted an [EU strategy](#) to combat illicit accumulation and trafficking of SALW and their ammunition, in support of the [UN Programme of Action](#) to prevent, combat and eradicate the illicit trade in SALW in all its aspects, as adopted on 20 July 2001. The 2015 EU [action plan](#) against illicit trafficking in and use of firearms and explosives envisaged stronger cooperation with third countries across a number of measures, including joint actions on firearms, providing financial assistance to third countries and training their security services and officials. In 2018, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy adopted a [joint communication](#) on elements towards an EU strategy against illicit firearms, SALW and their ammunition. This confirmed the EU's commitment to the implementation of UN instruments in SALW control, and declared the EU's engagement in the UNODC global firearms programme, with continued support for Interpol's Illicit Arms Records and tracing Management System (iARMS).

Table 1 – Commonly trafficked convertible firearms in the EU

Firearm type	Definition	Additional information
Flobert firearm	<p>Firearms that fire a less powerful Flobert calibre, using rim-fire ammunition made up of percussion caps filled with a small projectile. These are of a small calibre (generally 4-6 mm) and have limited firepower (up to 7.5 joules). They were developed in the 19th century for indoor shooting for sporting purposes. They can be manufactured as a Flobert category weapon, or can be produced by the conversion of more powerful firearms (e.g. 9 mm calibre) into the Flobert category.</p>	<p>The treatment of Flobert category firearms differs under national legislation in the EU. In Spain, Floberts fall into the same category as muzzle-loader firearms, permitting the owner to hold an unlimited number of firearms. The fact that Flobert-category firearms are legally available in some parts of the EU and can easily be converted to a more lethal specification makes them attractive to OCGs. The legislative measures introduced by the amended Firearms Directive from 2017 onwards have led to increased restrictions on the availability of alarm and signal, and salute and acoustic weapons, and companies in Member States which had previously produced these items have now shifted their production to Flobert weapons. The UNODC has highlighted how OCGs have taken advantage of this loophole to obtain Flobert-category weapons and traffic them across Europe. The European Commission, in its report on the application of the Firearms Directive, calls on all Member States 'to properly transpose the Firearms Directive ... by properly classifying the weapons which can expel Flobert ammunition as firearms'.</p>
Salute and acoustic weapons	<p>Defined by the Firearms Directive as: 'firearms specifically converted for the sole use of firing blanks, for use such as in theatre performances, photographic sessions, film and television recordings, historical re-enactments, parades, sporting events and training'. They differ from deactivated firearms in their ability to fire blank ammunition.</p>	<p>As the firing mechanism remains operational they can be converted to fire bulletted ammunition. Converted salute and acoustic rifles and pistols were used in the Paris attacks. The Firearms Directive requires salute and acoustic weapons to be treated as firearms, with their classification determined by the category they belonged to before their alteration.</p>
Alarm and signal weapons	<p>Defined by the Firearms Directive as: 'devices with a cartridge holder which are designed to fire only blanks, irritants, other active substances or pyrotechnic signalling rounds and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant'. If they can be converted, they are deemed to be firearms under the directive, otherwise they are exempted from the scope of the directive.</p>	<p>The Firearms Directive requires the Commission to 'adopt implementing acts laying down technical specifications for alarm and signal weapons manufactured or imported into the Union on or after 14 September 2018 to ensure that they are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant'. This is given effect by Commission Implementing Directive (EU) 2019/69, which also establishes focal points to allow Member States to exchange information on checks carried out on these items. The measures introduced by the Firearms Directive have led to increased restrictions on the availability of alarm and signal weapons in those Member States which had previously been a source for these items.</p>
Deactivated firearms	<p>Defined by the Firearms Directive as: 'firearms that have been rendered permanently unfit for use by deactivation, ensuring that all essential components of the firearm in question have been rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way'.</p>	<p>Commission Implementing Regulation (EU) 2015/2403 established common guidelines on deactivation standards to ensure that deactivated firearms were rendered irreversibly inoperable. It was revised by Commission Implementing Regulation (EU) 2018/337, which designates a competent public authority to verify that the deactivation of the firearm has been carried out in accordance with the specifications established in the regulation. The verifying entity must also mark all the essential components modified for the deactivation of the firearm.</p>

Data source: EPRS.

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ENDNOTE

- ¹ N. Florquin and B. King, [From legal to lethal. Converted firearms in Europe](#), Small Arms Survey report, 2018, which provides details of the global spread of these weapons. Legislative changes to Turkish law in December 2019 make it impossible to export convertible signal and alarm weapons to the EU, however only practical experience and checks by EU law enforcement authorities can confirm whether this threat has disappeared.

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