



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From: Commission Services
To: Council
Subject: Illicit trafficking of firearms
- Explanatory note

Last year several gun attacks struck Europe. Those violent crimes, notably in Norway, Belgium, Italy and France moved the media and political interest, as well as the public opinion's spotlight, towards the illicit trafficking in firearms. The value of the documented global authorised trade in firearms has been estimated at approximately 1.7 Billion USD. Arms trafficking in the black market generates between \$170 Million to \$320 Million (\$240 Million on average) per year, which represents between 10 to 20% of the licit market, according to the United Nations Office on Drugs and Crime¹.

The EU's gradual approach to comply with international standards started in 2008 when Directive 2008/51/CE was approved, in order to integrate the appropriate provisions required by the United Nations Convention against Transnational Organized Crime's (UNTOC) Firearms Protocol as regards intra-Community transfers of weapons. The adoption in 2012 of the Regulation implementing Article 10 of the UN Firearms Protocol paves the way for the conclusion of the Protocol.

¹ UNODC, "The Globalization of Crime," Chapter 6: Firearms, June 2010

In 2005, the European Council adopted a Small Arms and Light Weapons (SALW) Strategy to control the accumulation and spread of such arms. This strategy identifies the need to foster effective multilateralism to counter the supply and spread of SALW and their ammunition. It identifies the Western Balkans as one of the regions most affected by the illicit trade and excessive accumulation of weapons as a recipient, exporting and transport region. The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) has been granted 1.6 million euros by Council Decision 2010/179/CFSP to improve the management and security of existing weapons stockpiles, reduce available stockpiles and their ammunition and increase the control of SALW through marking, tracing and registration.

The Commission considers that it is of a great importance to carry on the policy against the illegal trafficking and internal circulation of heavy firearms in the European Union as it is defined in the Action Plan¹ adopted by the Council of 2-3 December 2010 which takes into account the outcome of the Organised Crime (OC) Scan Notice ‘Illegal trafficking and internal circulation of heavy firearms in the European Union’ of EUROPOL, and which shows that the use of heavy firearms in crime is part of the wider threat of ‘access to firearms’ in general.

The Commission also believes that much more needs to be done to tackle the proliferation of illicit firearms trafficking and put the controlling national administrations in a position to work under the framework of a set of updated legislative measures, based a balanced approach to issues linked both to the legal trade as well as to the international security aspects enhancing the existing investigative and intelligence standards.

With respect to the **Western Balkans**, the Commission has identified two strands for further action: raising political attention on this issue at ministerial level, starting at the EU-Western Balkans JHA Ministerial Forum on 5-6 November in Tirana, and launching a new operational action on arms trafficking in the 2012-2013 EU Organised Crime Policy Cycle (Operational Action Plan, Western Balkans).

¹ 16427/10 ENFOPOL 338 COARM 87

With respect to illicit **trade in firearms more generally**, the Commission will organise on 19 November a conference for governmental and private sector experts on where the EU stands in terms of legislation, at European and national level, of operational law enforcement work, and of relations with third countries. Based on the outcome of that conference, the Commission will consider developing a political initiative covering operational as well as, possibly, legislative actions aimed at addressing illicit trade in firearms within the EU and from third countries into the EU.

The Council is invited to reflect on the elements as set out above.
