084961/EU XXVIII. GP
Eingelangt am 20/07/26

Council of the European Union

Brussels, 20 July 2026
(OR. en)

12084/26

COMPET 978
CHIMIE 106
ENFOPOL 274
ENV 979
MI 803
ENT 203
UD 216
JAI 1021
COSI 121

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	17 July 2026
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2026) 241 final
Subject:	COMMISSION STAFF WORKING DOCUMENT EVALUATION of Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013

Delegations will find attached document SWD(2026) 241 final.

Encl.: SWD(2026) 241 final

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EUROPEAN
COMMISSION

Brussels, 17.7.2026
SWD(2026) 241 final

COMMISSION STAFF WORKING DOCUMENT

EVALUATION

of

Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013

{SWD(2026) 242 final}

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Glossary

Term or abbreviation	*Meaning or definition*
ANFO	Ammonium nitrate / fuel oil
CBRN	Chemical, biological, radiological and nuclear
DG HOME	Directorate-General for Migration and Home Affairs
DSA	Digital Service Act
EEA	European Economic Area
EFTA	European Free Trade Association
FTE	Full-time equivalent
GDPR	General Data Protection Regulation – Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC
HME	Home-made explosive
NACE	Nomenclature statistique des activités économiques dans la Communauté européenne [Statistical classification of economic activities in the European Community]
NCA	National competent authority
NCP	National contact point
REACH	Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
The Regulation	Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors
RSB	Regulatory Scrutiny Board
SCP	Standing Committee on Precursors
SME	Small and medium-sized enterprise
TATP	Triacetone triperoxide
TE-SAT	Terrorism Situation and Trend Report

TFEU	Treaty on the Functioning of the European Union

1. INTRODUCTION

Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors[1] (hereinafter 'the Explosives Precursors Regulation' or 'the Regulation') establishes harmonised rules concerning the making available, introduction, possession and use of substances or mixtures that could be misused for the illicit manufacture of explosives, with a view to limiting the availability of those substances or mixtures to members of the general public, and with a view to ensuring the appropriate reporting of suspicious transactions throughout the supply chain. Such substances are called 'explosives precursors'. Article 114 of the Treaty on the Functioning of the European Union (TFEU) on the approximation of laws provides the legal basis for the Regulation.

Purpose and scope of the evaluation

In accordance with Article 21 of the Regulation, the Commission is obliged to carry out an evaluation[2] and to present a report on the main findings to the European Parliament, to the Council and to the European Economic and Social Committee by 2 February 2026. In line with the Better Regulation Guidelines and Toolbox[3], the evaluation looks into the following criteria: effectiveness, efficiency, coherence, relevance, EU added value and impacts on fundamental rights and freedoms. It covers the period from entry into application, on 1 February 2021, to September 2025.

The geographical scope is the European Economic Area (EEA), which means the 27 EU Member States and Iceland, Lichtenstein and Norway.

During the period under evaluation no delegated act – as provided for under Articles 15, 16 and 17 of the Regulation – has been initiated or adopted by the Commission.

Methodological approach

This staff working document builds on desk research, including Commission studies, academic literature, legal texts and grey literature, and on various stakeholder consultations, involving relevant market participants, authorities and members of the public. It also uses input from the monitoring programme established by the Regulation, reports from Europol and discussions by the Standing Committee on Precursors. The Commission started the evaluation (and impact assessment) process with a call for evidence, launched in July 2024,

[1] Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013 (OJ L 186, 11.7.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/1148/oj).

[2] This evaluation has been conducted in the context of an evaluation and impact assessment run in parallel ('back to back'). However, this staff working document concerns only the evaluation.

[3] European Commission, Better Regulation Guidelines, 2021; European Commission, Better Regulation Toolbox 2023.

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which aimed to inform the public and stakeholders about the evaluation (and impact assessment) and to gather their feedback on the initiative.

The evaluation (and impact assessment) was supported by a study carried out for DG HOME by a research team led by ICF (in collaboration with Milieu, WSP and RAND) between October 2024 and October 2025. Most of the data for the evaluation were collected between December 2024 and May 2025 (although information which became available up to September 2025 has also been included). The study ran concurrently with the 36th, 37th and 38th meetings of the Standing Committee on Precursors, during which presentations were given and discussions held on the evaluation (and impact assessment) of the Regulation under DG HOME's chairmanship and with the research team in attendance.

This staff working document takes into account not only the study's findings, but also other relevant information not covered by the study. Due to the limited amount of data available, it is not possible to substantiate all conclusions quantitatively. These shortcomings were mitigated, to the extent possible, by using qualitative information. As only limited information was available through desk research, the findings rely heavily on the stakeholder consultations, which reflect participating stakeholders' experiences and perspectives.

It is important to note that precise information and data on the use of explosives precursors (precise substances, source of diversion, etc.) in the manufacture of home-made explosives (HMEs) used or attempted to be used in terrorist attacks are confidential. Even exchanges of information between (law enforcement) authorities are affected by this practice. Such limitation is justified in order, on the one hand, to avoid inspiring similar attacks and, on the other, to protect the existing good cooperation between authorities and the private sector.

The market analysis has been carried out for each substance separately. Analysing the different substances jointly would not have produced meaningful insights as there are huge differences in production, sales and trade data between them. For instance, the annual sales of hexamine in the EU is 8 600 tonnes while that of sulphuric acid is 10 000 000 tonnes (based on data of Eurostat).

The cost assessment presented under the efficiency criterion is based on very limited data from cost templates, interviews and the targeted survey. It does not fully represent stakeholders' costs associated with the Regulation. This shortcoming was mitigated by triangulating information from different sources and validating findings in focus group meetings and validation workshops with the relevant stakeholders.

A detailed description of the methodology and main sources of information used for this evaluation is provided in Annex II.

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2. WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?

2.1 Description of the intervention and its objectives

The Regulation is designed to control the availability and use of explosives precursors. Its primary objective is to prevent the misuse of these chemicals for the illicit manufacture of explosives, often referred to as home-made explosives (HMEs) by terrorists and criminals. Such HMEs were used in terrorist attacks in Paris in 2015, Brussels in 2016, Manchester in 2017 and Lyon in 2019.

The manufacture of HMEs is possible even for people without expert knowledge of chemistry, in particular because of the wide availability of recipes and instruction videos on the internet (including the darknet)[4]. Experts also warn that the growing adoption of artificial intelligence – including large language models – could further facilitate the production of HMEs by individuals lacking chemical expertise[5].

The Regulation strengthens the EU's counterterrorism agenda[6] and the European internal security strategy ('ProtectEU')[7] by reducing vulnerabilities that can be exploited by terrorists and criminals, in this case by denying them the means to carry out attacks with HMEs.

The Regulation also has a single market objective: by harmonising rules at EU level, it seeks to address previously divergent national restrictions and controls which were causing barriers to legitimate trade within the EU and impeding the functioning of the internal market.

The Regulation strengthened the system of controls and monitoring of explosives precursors of Regulation (EU) No 98/2013, which was established in 2013, in order to ensure sufficient levels of public security and addressed the continuously high and evolving threat posed by HMEs[8]. Given the scale of the revision needed, Regulation (EU) No 98/2013 was replaced by Regulation (EU) 2019/1148.

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[4] See for instance the article 'The Future of Terrorist Use of Improvised Explosive Devices: Getting in Front of an Evolving Threat' by Austin C. Doctor and Sam Hunter, CTC Sentinel, December 2023, Volume 16, Issue 12, page 41: "Improvised explosive devices are easy to make, difficult to combat, and cause significant harm and disruption." and the Report 'An examination of the precursor chemicals used in the manufacture of explosive compositions found within Improvised Explosive Devices (IEDs), Action on Armed Violence (2021) on page 4: "The internet provides ready access to technology and instructions on how to use it"

[5] For instance presentation by Europol at the Conference – Global Perspectives on Explosives Precursors, 16-17 October 2023, Madrid

[6] ProtectEU: Agenda to prevent and counter terrorism, Brussels, 26.2.2026, COM(2026) 101 final.

[7] ProtectEU: a European Internal Security Strategy, Strasbourg, 1.4.2025, COM(2025) 148 final.

[8] European Commission (2018), Commission staff working document, Impact assessment accompanying the document proposal for a Regulation of the European Parliament and of the Council on the marketing and use of explosives precursors, amending Annex XVII to Regulation(EC) No 1907/2006 and repealing

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The Regulation covers a total of 18 chemical substances. They are broken down into two categories: nine restricted explosives precursors (listed in Annex I to the Regulation)[9] and nine reportable explosives precursors (listed in Annex II to the Regulation). Together, they are defined as regulated explosives precursors. Explosives precursors are not only the (pure) chemical substances but also mixtures that contain them. These mixtures can be intermediate chemicals (i.e. substances produced during a chemical reaction that are used as a stepping stone to create a final product) used in the chemical industry or in other industries (pyrotechnics, civil explosives, paints, automotive, textiles, etc.). They can also be finalised products (detergents, unblockers, fertilisers, etc.) used by companies and private individuals for professional and non-professional purposes.

Regulated explosives precursors	
Annex I – Restricted explosives precursors	Annex II – Reportable explosives precursors
- Nitric acid	- Hexamine
- Hydrogen peroxide	- Acetone
- Sulphuric acid	- Potassium nitrate
- Nitromethane	- Sodium nitrate
- Ammonium nitrate	- Calcium nitrate
- Potassium chlorate	- Calcium ammonium nitrate
- Potassium perchlorate	- Magnesium powders
- Sodium chlorate	- Magnesium nitrate hexahydrate
- Sodium perchlorate	- Aluminium powders

The Regulation currently does not include any provisions on criteria or on a methodology to be used to add or remove substances to the annexes to the Regulation. This was also not the case for its predecessor legislation, namely Regulation (EU) No 98/2013, which was in place until 2021. Consequently, the addition of three substances in 2016 through Commission Delegated Regulations was made on an ad hoc basis further to proposals from Member

Regulation (EU) No 98/2013 on the marketing and use of explosives precursors (SWD(2018) 104 final). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2018:104:FIN.

[9] The restrictions are applicable only above certain concentration limits (e.g. hydrogen peroxide above 12%). Under that concentration limit members of the public are still able to buy, import, possess or use these chemicals, mixtures or products without any restriction.

States. The main justification for the additions was that these substances had been used in the illegal manufacture of explosives in and outside the EU.

To achieve its security objective, the Regulation has two main strands:

1) **Limiting the availability of explosives precursors to members of the public**

The Regulation restricts the import of explosives precursors and their sale to – and their use and possession by – members of the public. These chemicals (and mixtures and final products containing them) are thus banned for the public. However, EU Member States may establish a licensing system which allows certain restricted explosives to be bought, imported, used or possessed by the public[10]. This allows the public to buy, under certain conditions, hydrogen peroxide (up to 35%), for example, which is used by hunters to clean and whiten the bones of animal skulls, or nitromethane (up to 100%), which is used as fuel in remote-controlled cars.

Eight EU Member States currently have such a licensing system. The other 19 EU Member States and the three EEA and EFTA States apply the total ban.

2) **Ensuring appropriate reporting of suspicious activity to the authorities throughout the supply chain**

All actors (producers, wholesalers, retailers, end users, etc.) along the supply chain of regulated explosives precursors[11] are obliged to report suspicious transactions, including significant disappearances and thefts, to the authorities of the EU Member States within 24 hours of discovery. Moreover, members of the public who have been granted a licence for restricted explosives precursors are obliged to report significant disappearances and thefts. Member States are obliged to set up dedicated 'national contact points' to this end which should be reachable 24 hours a day, seven days a week. In most Member States the national contact points are within the national police or counterterrorism departments.

The concrete follow-up that national authorities give to the notifications of suspicious activity (analysis, investigations, sharing with other authorities or with other EU Member States, etc.) is outside the scope of the Regulation.

To achieve this overall security objective, four specific objectives can be identified:

- **Improve the functioning of the single market**

  In order to ensure the free movement of explosives precursors, under the Regulation, Member States must not prohibit, restrict or impede the making available of a

[10] This is currently the case for four substances, namely nitric acid, hydrogen peroxide, sulphuric acid and nitromethane, and even then, there is a concentration limit (e.g. hydrogen peroxide above 35%).

[11] It is important to emphasise that the reporting obligation applies not only to reportable explosives precursors, but also to restricted explosives precursors. Some stakeholders therefore suggest renaming these two categories of explosives precursors to avoid misinterpretation.

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regulated explosives precursor with a view to preventing the illicit manufacture of explosives.

- **Restrict availability and improve detection**

  - Limit the availability of precursors to the general public

  Restricted explosives precursors are substances listed in Annex I to the Regulation that exceed the concentration limits set in column 2 of the table in that annex, including mixtures in which those substances are present in concentrations higher than the applicable limit value. As explained above, they must not be made available to – or introduced, possessed or used by – members of the public unless they have a licence.

  - Enhance detection of misuse and suspicious activity along the supply chain

  For the purpose of preventing and detecting the illicit manufacture of explosives, economic operators and online marketplaces are obliged to report suspicious transactions concerning regulated explosives precursors within 24 hours to dedicated national contact points. Reporting obligations are also in place for significant disappearances and thefts.

- **Increase awareness**

  To this end, economic operators who make regulated explosives precursors available should inform their customers of the relevant obligations of the Regulation. Each economic operator in the supply chain should therefore inform the recipient of regulated explosives precursors that the making available, introduction, possession or use of those explosives precursors by members of the general public is subject to the Regulation. This ensures that there are no gaps along the supply chain that could potentially lead to control and monitoring loopholes.

  Additionally, Member States must ensure the provision of adequate resources and training for law enforcement authorities, first responders and customs authorities to recognise regulated explosives precursors in the course of their duties and to react in a timely and appropriate manner to a suspicious activity.

- **Enhance information sharing**

  With a view to facilitating cooperation and ensuring that all stakeholders implement the Regulation effectively, Member States must organise regular exchanges between law enforcement authorities, national supervisory authorities, economic operators, online marketplaces and representatives of the sectors that use regulated explosives precursors. Economic operators are responsible for providing information to their

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staff on the way explosives precursors are to be made available under the Regulation and for raising staff awareness in this regard.

Strengthening of Regulation (EU) No 98/2013

As mentioned above, the Regulation aimed to strengthen the system of control and monitoring of explosives precursors of Regulation (EU) No 98/2013, which was established in 2013. The main changes introduced by the Regulation in 2019 are:

- the inclusion of sulphuric acid in Annex I, the lowering of the concentration limit for nitromethane in Annex I from 30% w/w[12] to 16% w/w (which means that more products containing nitromethane are covered) and the transfer of ammonium nitrate in 16% or more from Annex XVII to Regulation (EC) No 1907/2006 to Annex I;

- defining 'regulated explosives precursor', which covers not only the restricted explosives precursors listed in Annex I, but also the (reportable) explosives precursors listed in Annex II;

- a clearer definition of 'economic operator' and the introduction of definitions for 'professional user' and 'online marketplaces';

- abolishment of the registration regime allowing certain restricted explosives precursors to be made available to, or to be possessed or used by, members of the general public if the economic operator who makes them available registers the transaction;

- tightening of the licensing system by discontinuing licensing for potassium chlorate, potassium perchlorate, sodium chlorate and sodium perchlorate, and by introducing the restriction that licences may be provided only for certain substances in concentrations not exceeding an upper limit;

- the codifying of good practices related to the transfer of information, inter alia by ensuring that every actor along the supply chain and the personnel involved in the sale of restricted explosives precursors are aware that the product they are handling is subject to the restrictions of the Regulation;

- an explicit obligation on economic operators to verify the licence when making restricted explosives precursors available to a member of the general public, and for every other transaction to verify that the prospective customer has a demonstrable need for a restricted explosives precursor for purposes connected with their trade, business or profession;

[12] w/w means 'weight by weight', indicating the mass of a component (solute) relative to the total mass of the entire mixture (solution), expressed as a percentage. For instance, if the total mass of a 100 g nitromethane solution is made up of 30 g nitromethane in 70 g of water, then we would express this as nitromethane 30% w/w.

- extending the reporting obligation for significant disappearances and thefts of regulated explosives precursors to professional users and, insofar as restricted explosives precursors are concerned, to members of the general public who have acquired restricted explosives precursors with a licence;

- obligations on Member States to organise training for law enforcement authorities, first responders and customs authorities to recognise regulated explosives precursors in the course of their duties and to react in a timely and appropriate manner to a suspicious activity and awareness-raising actions for the different sectors (producers, distributors, end users, etc.) using regulated explosives precursors;

- the requirement for Member States to have in place competent authorities to inspect and control the correct application of the Regulation;

- an obligation for the Commission to regularly update the existing guidelines;

- the establishment by the Commission of a detailed programme for monitoring the outputs, results and impacts of the Regulation.

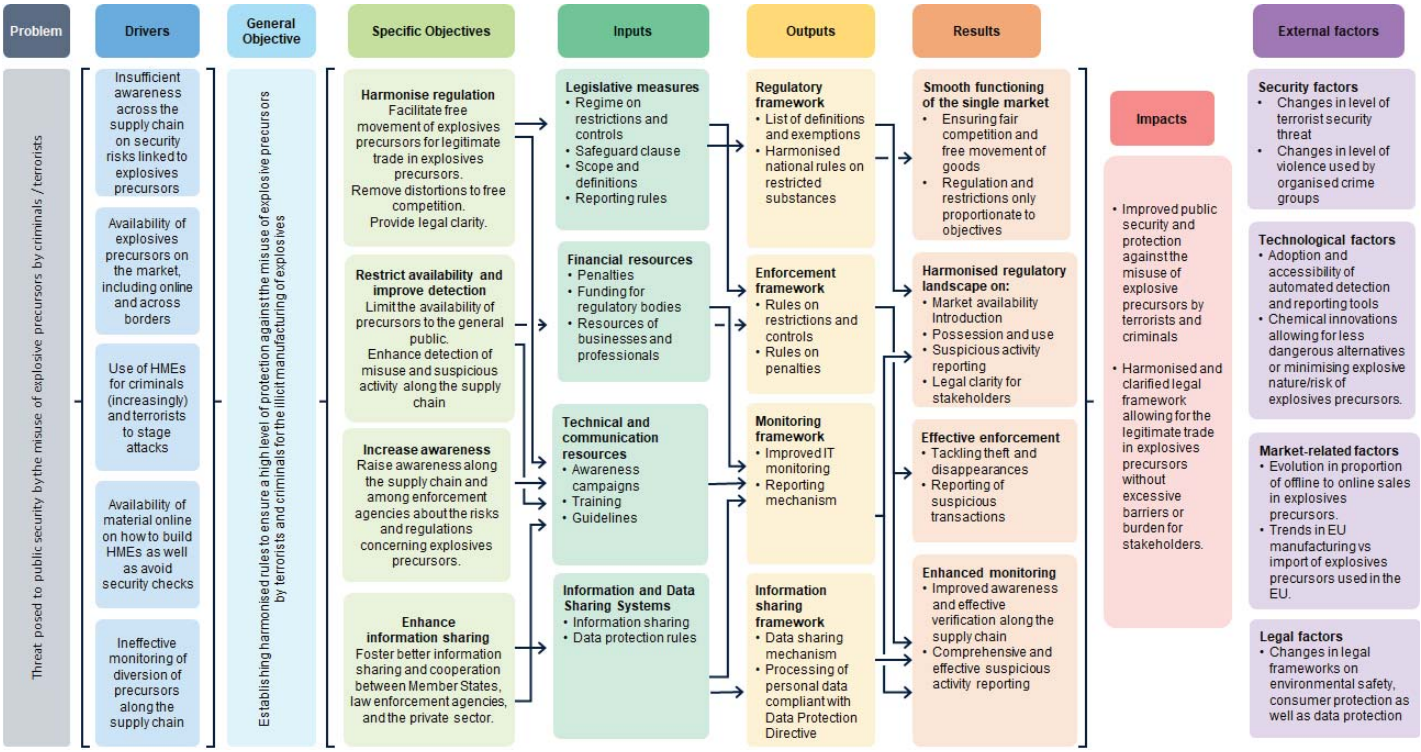
The intervention logic

The intervention logic of the evaluation examines the interrelationships between: (1) the problem – and its drivers – that the Regulation was designed to address; (2) the general and specific objectives that it seeks to achieve; (3) the inputs (such as human and financial resources) required to achieve these objectives; (4) the activities and implementation processes; and (5) the expected effects in terms of outputs (shorter-term outcomes), results (intermediate outcomes) and impacts (longer-term outcomes) through which the Regulation's general and specific objectives should be achieved.

The intervention logic below (Figure 1) illustrates the objectives behind the adoption of the Regulation and its expected results.

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Figure 1: Intervention logic of Regulation (EU) 2019/1148 on the marketing and use of explosives precursors



Source: ICF in collaboration with Milieu, WSP and RAND, Evaluation study of Regulation (EU) 2019/1148 on the marketing and use of explosives precursors, final report, 2025.

2.2. Point(s) of comparison

A proper assessment of the Regulation against the evaluation criteria requires a comparison between the situation before the Regulation was adopted, the situation as expected in the preferred option from the Impact Assessment of 2018 and the situation after the entry into force of the Regulation and its current implementation status.

The situation preceding the evaluation timeline – spanning the period from 2 September 2014 to 31 January 2021 – was governed by Regulation (EU) No 98/2013 on the marketing and use of explosives precursors.

Regulation (EU) No 98/2013 required Member States to implement prohibition, licensing or registration regimes for restricted substances, to set up national contact points for reporting suspicious transactions and to enforce penalties for non-compliance. Economic operators were required to label restricted substances, report suspicious transactions, thefts and disappearances and to maintain transaction records for five years. Regulation (EU) No 98/2013 included provisions for data protection, safeguard measures and periodic reviews to address emerging threats. The following specific points of comparison, which are

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predominantly based on the results of the evaluation of Regulation (EU) No 98/2013 carried out in 2018, were identified as the baseline:

1. Security concerns on the misuse of explosives precursors

Ammonium nitrate presented a significant security threat as it was only a reportable explosives precursor and not a restricted one. The same was true of sulphuric acid. The concentration level of nitromethane, an Annex I precursor, was 30% w/w, and this was considered a possible security threat.

Regulation (EU) No 98/2013 was amended in 2017 in order to add aluminium powder, magnesium powder and magnesium nitrate hexahydrate to the list of explosives precursors in Annex II. The reason for these additions was that these substances have been used in, and acquired for, the production of HMEs in the EU (aluminium powder and magnesium powder) and outside the EU (magnesium nitrate hexahydrate). To this end an external consultant carried out three separate studies which aimed to determine the usefulness of including these substances in Annex II to Regulation (EU) No 98/2013.

The evaluation of Regulation (EU) No 98/2013 considered that the framework and delegation of powers to the Commission, which inter alia allows new substances to be added to the Regulation, were not flexible enough to respond to emerging risks.

2. Limits of the regulatory framework

Another conclusion of the evaluation of Regulation (EU) No 98/2013 was that there were several gaps, with several of its provisions being found to be unclear or not relevant to achieving the targeted outcomes. For instance, it failed to define ‘professional users’, and its obligations on labelling, reporting of suspicious thefts and disappearances were found to be inadequate. It did not appropriately address online purchases of explosives precursors. The effectiveness of Regulation (EU) No 98/2013 to achieving its specific objectives was assessed as partial, in particular due to the variety of implementation regimes it allowed (licensing, registration and overall ban) and unclear provisions. Its provisions on labelling were found to be particularly costly to implement and registration was considered as the least cost-effective implementation regime across Member States.

3. Implementation and enforcement

The evaluation of Regulation (EU) No 98/2013 found that by 2018 Member States had widely different regimes regulating explosives precursors. Restricted precursors were completely banned in 13 Member States, subject to a licensing system for members of the general public in nine Member States, subject to registration allowing members of the general public to access and possess them in six Member States, while a further two adopted a mixed approach. The evaluation noted that enforcement by customs authorities varied across Member States, some of which considered that such a role was not needed for the purposes of

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the Regulation. There were slight differences in the application of the reporting of suspicious transactions, disappearances and thefts, including a few Member States which required this to be done by professional users and members of the general public and other Member States where this obligation did not exist. The exchange of information between Member States, as well as with the Commission, was assessed to be insufficient for what was necessary for detection cases with a cross-border dimension.

The evaluation also found that implementation by economic operators was 'fragmented', and some economic operators were unaware of their obligations. Only about half seemed to have processes in place to identify suspicious transactions and to train their staff accordingly. Compliance with the Regulation's obligations was found to be significantly lower among online marketplaces and for online transactions.

Regulation (EU) No 98/2013 was believed to have met its objective of ensuring the free movement of explosives precursors across the EU.

3. HOW DID THE SITUATION EVOLVE OVER THE EVALUATION PERIOD?

Current state of play – Implementation since 2021

This section outlines compliance trends among economic operators and enforcement practices across Member States. The section also investigates criminal misuse trends relating to explosives precursors, underscoring emerging threats and gaps in the Regulation's scope. Lastly, it presents insights into the EU market for regulated explosives precursors, trade flows and the extent of non-professional use.

3.1. Implementation at EU and national level

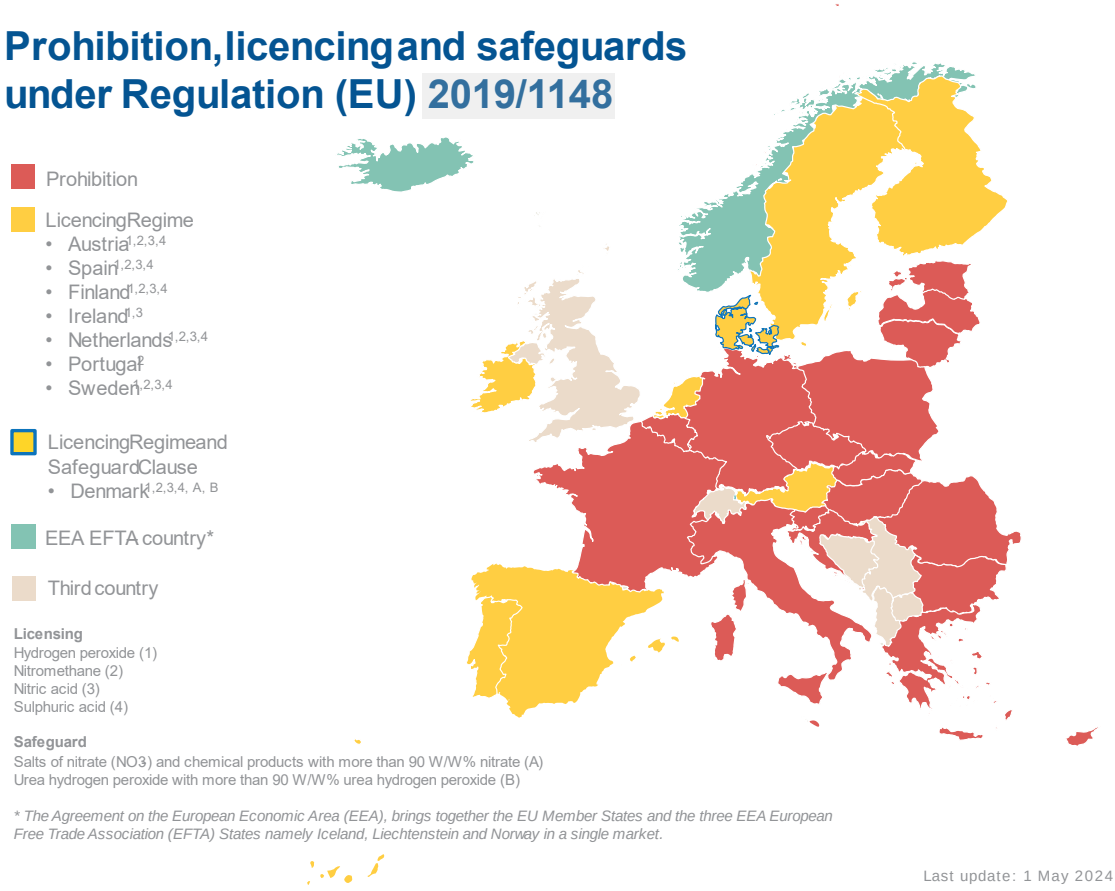
The Regulation is directly applicable in all EU Member States and does not require transposition into national law.

In total, 19 Member States adopted a prohibition regime under which members of the general public are not allowed to buy restricted explosives precursors. By contrast, eight Member States opted for a licensing regime providing conditions under which certain members of the general public may procure restricted explosives precursors. One Member State (Denmark) applied a safeguard clause for substances not listed in Annex I or II, namely salts of nitrate and chemical products with more than 90% w/w nitrate or hydrogen peroxide-urea with over 90% w/w hydrogen peroxide-urea[13].

[13] European Commission (2024), 'Legislation on chemicals used in home-made explosives'. Available at: https://home-affairs.ec.europa.eu/policies/internal-security/counter-terrorism-and-radicalisation/protection/legislation-chemicals-used-home-made-explosives_en.

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Figure 2 – Map with overview of prohibition, licensing and safeguards under Regulation (EU) 2019/1148



Source: European Commission (on the basis of information provided by EU Member States)

Member States carried out a variety of awareness-raising activities. The most notable results of these awareness-raising activities were observed among economic operators and online marketplaces, which increased the number of queries submitted and re-evaluated their business practices (e.g. by discontinuing the sale of restricted explosives precursors). Most Member States established cooperation between law enforcement authorities, national competent authorities and customs authorities, involving them in regular exchanges between 2022 and 2024[14].

Most Member States reported taking legislative and non-legislative measures to implement the Regulation.

However, on the basis of information collected through the monitoring programme, the Commission opened EU dialogues for the lack or potential lack of full implementation of the Regulation concerning three EU Member States. During the evaluation period one case was

[14] Monitoring programme data for 2022–2024.

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converted into an official infringement procedure in accordance with Article 258 of the Treaty on the Functioning of the European Union.

It is important to emphasise that, despite the lack or potential lack of full implementation and enforcement of the Regulation by these Member States, most of the essential control and monitoring measures of the Regulation – such as the obligation to notify suspicious transactions to a national contact point and the restrictions for explosives precursors in Annex I – have been applied since 2021 on the basis of the legislation and empowerments put in place by its predecessor legislation, namely Regulation (EU) No 98/2013, and for the reason that Regulation (EU) 2019/1148 is directly applicable. Therefore, this lack, or potential lack, of full implementation and enforcement did not necessarily significantly reduce the effectiveness of the control and monitoring of explosives precursors in those Member States. Additionally, further to a complaint made by a member of the public in 2025, the implementation and enforcement of the provisions on informing the supply chain and verification upon sale for online economic operators in one Member States are potentially inadequate. During the evaluation period the Commission was in contact with the authorities concerned to gather additional information on this case through another EU dialogue.

All survey respondents reported that their Member State had laid down penalties for infringement of the Regulation's obligations, as required by Article 13.

The European Commission has established a monitoring programme in accordance with Article 20 of the Regulation. This programme establishes a continuous and systematic process for collecting data about the functioning of the Regulation. It generates factual information for future evaluations and helps identify actual problems in applying the Regulation. In practice, the competent authorities of the Member States are obliged to submit before 31 March of each year information on, inter alia, the following:

As regards Member States that issue licences to members of the general public:

- the restricted explosives precursors in respect of which the Member State provides for a licensing system;

- the number of licence applications and licences issued for each Member State;

- the most common reasons in each Member State for refusing to issue licences;

On improving detection of potential threats and misuse of explosives precursors throughout the EU:

- the number of reported suspicious transactions, significant disappearances and thefts per Member State, distinguishing between offline and online activities;

- the kind of procedures for detecting suspicious transactions applied by economic operators and online marketplaces, distinguishing between offline and online activities;

- the number of contacts between national contact points;

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On raising awareness along the supply chain of relevant restrictions and obligations as regards the marketing and use of restricted explosives precursors, including online:

- information on inspections carried out, including the number of inspections and economic operators and online marketplaces covered, distinguishing between offline and online activities;

- information on awareness-raising actions (e.g. the number and types of actions);

- the number of regular exchanges between law enforcement authorities, national supervisory authorities, economic operators, online marketplaces and representatives of the sectors that use regulated explosives precursors.

Data concerning four calendar years (2021, 2022, 2023 and 2024) have been collected so far.

The Commission coordinated the activities of the Standing Committee on Precursors (SCP) – an expert group tasked with assisting and monitoring the implementation of the Regulation – and managed a secure online platform for the exchange of information with competent authorities and stakeholders from the private sector. The European Commission led efforts to strengthen implementation capacities across Member States and oversaw the updating of the Commission guidelines for national competent authorities, economic operators and online marketplaces and related awareness-raising materials[15]. Europol undertook complementary actions to support the operational implementation and enforcement of the Regulation. It regularly informed the members – i.e. the competent authorities of the EEA EFTA countries – of the SCP about the evolving threat of HMEs.

3.2. Implementation and compliance by economic operators

Through consultations with stakeholders and national authorities, economic operators were found generally to have complied with their obligations across Member States. Data collected suggest that economic operators have taken steps to ensure that their staff are informed about the Regulation and its constituent obligations. Data from the monitoring programme point up major differences between Member States in the reporting of suspicious activity, with some reporting high numbers and others very few or even no cases. Stakeholder feedback suggested that most economic operators did not need to report suspicious transactions, thefts or disappearances.

Most measures adopted to detect suspicious transactions focus on staff awareness and proactively scrutinising customers for offline trade (i.e. by asking questions to prospective

[15] Capacity-building initiatives focused on Regulation (EU) 2019/1148 included: one regional workshop with national authorities, initiated by Belgium, with participants from Germany, Spain, France, the Netherlands, the European Commission and Europol; a workshop focusing on the role and responsibilities of customs authorities.

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customers and using indicator lists of suspicious behaviour), but also included retroactive data queries and automated searches for around a quarter of market survey respondents. When it comes to good practices or voluntary actions, some national authorities consulted reported the that some online marketplaces had adopted algorithms for detecting suspicious transactions. Proactive use of algorithms by such platforms was seen as bringing direct results but is not consistently implemented by online marketplaces, including by national subsidiaries of the same company.

Evaluation findings suggest that compliance varies between both Member States and market participants. Manufacturers and distributors of chemicals are considered to have higher compliance than operators further down the supply chain, such as retailers and online marketplaces selling to the general public. Compliance by online retailers and online marketplaces was generally seen as lower. This should be seen in the context of the fact that online marketplaces (along with logistics service providers) tend to be less controlled and inspected by national authorities[16]. Difficulties in assessing compliance by non-EU sellers exporting explosives precursors to the EU – which is likely to be lower – may partly be linked to problematic customs enforcement by the Member States. There was no clear geographical trend in compliance or lack of compliance across Member States[17].

3.3. Enforcement

The evidence gathered – primarily through the surveying of national authorities and economic operators and through infringement and EU Pilot cases – suggests an uneven level of enforcement across Member States. This is particularly apparent when reviewing differences in the number of inspections carried out, which were not proportional to the Member States' population or chemical market sizes and targeted offline activities in 80% of cases[18]. Germany conducted the vast majority of inspections carried out in the EU since 2021 and was the main contributor to the overall increase in the number of inspections conducted in the EU between 2021 and 2024. By contrast, many other Member States conducted few or no inspections or controls over the period.

National authorities generally considered the Regulation's provisions on penalties and inspections to be effective[19]. Penalties for infringement of the Regulation are in place in all Member States. Member States generally reported such penalties as being dissuasive, although the fact that data were limited means that their application and practical

[16] Monitoring programme data for 2021–2023.
[17] Survey of national competent authorities.
[18] Based on monitoring programme data for 2021–2024.
[19] Despite the limits to application of penalties identified in the assessment of Regulation (EU) No 98/2013 and the fact that at the time the Regulation did not provide further prescription or clarification guidelines on implementing unchanged provisions on penalties.

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effectiveness could not be independently ascertained[20]. No Member States reported having prosecuted economic operators, online marketplaces or professional users for failing to report suspicious transactions, thefts or disappearances. Prosecution, convictions and the imposition of penalties on the basis of suspicious activity notifications received were reported in four countries[21].

The absence of an explicit role for customs authorities in the Regulation has led to significant differences in customs enforcement of the Regulation. In some countries the role of customs is clearly defined on the basis of national legislation. In others it is not defined at all. Around half of Member States adopted measures on customs enforcement of regulated explosives precursors imported into the EU. Such measures included intelligence sharing between national agencies, physical inspection and the detention of non-compliant shipments by customs authorities. A minority of Member States indicated that they had mechanisms for reporting suspicious activities at customs, that they had adopted advanced detection technologies and that they verified importers' documentation to identify possible illegal imports of explosives precursors. Some countries reported no enforcement challenges at the EU's external borders[22], while others face difficulties due to the lack of standardised procedures, challenges in identifying explosives precursors or mixtures containing them, insufficient legal frameworks, inconsistent implementation, inadequate technological support, insufficient resources, and delays in sharing information[23].

3.4. Trends in the criminal misuse of explosives precursors

Over the past decade, the incidence of terrorist attacks using chemicals and explosives in the EU has significantly declined. In 2012, these types of attacks accounted for 88% of all terrorist incidents, but by 2021 this figure had dropped to just 19%[24]. According to the national authorities surveyed, the number of attempted and completed attacks involving HMEs manufactured with regulated explosives precursors plateaued between 2021 and 2025. Most (15) Member States did not report any change in the frequency of attacks involving HMEs since 2021, while three noted a significant decrease.

There have been no major completed terrorist attacks using HMEs with multiple victims – like the attacks in Paris in 2015, Brussels in 2016 and Manchester in 2017, which attracted huge media attention – since 2019, and thus also since the Regulation entered into force on

[20] It should be noted that the monitoring programme does not collect data on penalties enforced for infringements of the Regulation.
[21] AT, DE, FR, NO.
[22] BG, CY, CZ, DE, ES, HR, HU, LU, LV, NL, NO, PT, SI, SK.

[23] AT, BE, EE, EL, FR, LT.

[24] University of Maryland, Global Terrorism Database (2021), available at https://www.start.umd.edu/gtd/.

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1 February 2021. The last major completed terrorist attack using an HME took place in 2019 in Lyon (France), with 15 people injured.

However, any attempt to assess the number of terrorist and criminal attacks with explosives manufactured on the basis of regulated explosives precursors since 2021 faces serious data limitations. There is a notable lack of a comprehensive database on this topic, with existing sources, such as the Global Terrorism Database (GTD), containing data only up to 2021 and not being verified by counterterrorism or law enforcement agencies. As mentioned in the introduction, Member States are often reluctant to share classified information, and such data are absent from the monitoring programme.

Some stakeholders reported the illicit use of – and suspicious activities related to – hydrogen peroxide, sulphuric acid, ammonium nitrate and potassium perchlorate. Restricted substances, in particular hydrogen peroxide and ammonium nitrate, were reported to be illicitly used to a small or moderate extent in about half of the responding Member States. Under reportable substances, potassium nitrate, aluminium powders, acetone, calcium nitrate and magnesium powders were noted for their illicit use.

According to Europol's 2023 Terrorism Situation and Trend (TE-SAT) Report, terrorist and extremist groups continue to circumvent restrictive measures in order to acquire precursors. Regulations can be evaded in three main ways: (i) purchasing chemicals in lower concentrations that are not regulated as strictly and then concentrating them; (ii) exploiting online marketplaces and dark websites to acquire these substances anonymously; and (iii) purchasing alternative chemicals which are not covered by the Regulation but can also be misused to manufacture HMEs. Europol identified a growing trend in producing home-made low explosives using explosives precursors such as potassium nitrate, aluminium powder, sulphur and ammonium nitrate[25]. Encrypted communication platforms have facilitated the sharing of instructions on manufacturing HMEs and pyrotechnics, further promoting their misuse[26]. Additionally, the increasing use of artificial intelligence (AI) makes it easier for people with limited or no knowledge of chemistry to use these instructions to manufacture HMEs.

[25] Although one successful attack involving potassium nitrate and sugar was carried out in France in 2024. Europol (2025), European Union Terrorism Situation and Trend Report 2025 (page 16). Available at https://www.europol.europa.eu/publications-events/main-reports/tesat-report. Last accessed 25 September 2025.

[26] Europol (2022), European Union Terrorism Situation and Trend Report 2022 (page 16). Available at https://www.europol.europa.eu/publications-events/main-reports/tesat-report. Last accessed 25 September 2025.

Criminal misuse of pyrotechnics and the possible link with explosives precursors[27]

Recent developments across the EU reveal that pyrotechnic materials are increasingly being repurposed for criminal and violent activities. There are indications that illegal pyrotechnics manufacturing is taking place within the EU, although there is very little data available on the scale or location.

Illegal pyrotechnics manufacturing is understood as individuals or (criminal) groups producing, assembling or modifying pyrotechnic articles intentionally not complying with the legal requirements laid down in the Pyrotechnics Directive. This definition also includes counterfeited pyrotechnic articles, as they are produced without the required permits and in non-compliance with the requirements of the Pyrotechnics Directive.

Several additional key characteristics are listed below.

- This can occur in underground factories or labs, which the illegal manufacturer aims to keep hidden due to the absence of proper permits and licences. Oversight is deliberately evaded.

- Substances are not sourced through approved channels for purchase and use. Indeed, the manufacture of pyrotechnics requires certain substances, some of which are regulated explosives precursors (e.g. potassium perchlorate, aluminium powders). This consequently indicates that the control and monitoring system of the Regulation for these substances is not functioning properly.

- Safety standards are likely to be neglected, which leads to risks of accidents and related health implications.

- The motivation behind the illegal manufacturing could be for commercial profit, personal use or criminal intent.

- Risks associated with illegal pyrotechnics manufacturing are public safety risks, environmental damage, economic impacts and national security concerns.

The security issues in relation to the criminal misuse of pyrotechnics have been raised in the evaluation[28] of Directive 2013/29/EU of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles. A specific study commissioned by DG HOME to support the evaluation of the Pyrotechnics Directive examines these issues in depth[29].

[27] This section draws heavily on the 'Feasibility study on reducing the security risks posed by the criminal misuse of pyrotechnics – Final report', Ecorys in collaboration with SAFE, Spark and TNO, 2025.

[28] Commission SWD, Evaluation of Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles (recast), SWD(2025) 268, 2025.

[29] See footnote 24.

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3.5. EU market for chemical substances and explosives precursors[30]

The trends in sales and production of the substances covered by the Regulation between 2010 and 2023 do not show any correlation with implementation of the Regulation.

■ The quantity of production sold has fluctuated for the following substances within the scope of the Regulation: hydrogen peroxide, nitromethane (under the product group derivatives of hydrocarbon containing only nitro or only nitroso groups); calcium nitrate, calcium ammonium nitrate and ammonium nitrate.

■ For the following substances the amount of sold production has decreased over time: nitric acid, acetone, potassium nitrate, sodium nitrate and aluminium powders.

■ For the following substances the amount of sold production has increased over time: sulphuric acid and magnesium powders.

■ The amount of sold production has remained reasonably constant for the product group chlorates and perchlorates.

Trade flow

■ The EU was a net exporter for the following substances between 2010 and 2023: hydrogen peroxide, nitromethane, nitric acid, sulphuric acid, acetone, calcium nitrate and ammonium nitrate.

■ The EU was a net importer for the following substances in the period under study: the product group chlorates and perchlorates; potassium nitrate, sodium nitrate, calcium ammonium nitrate, magnesium powders and aluminium powders.

Supply chain and non-professional use

All substances within the scope of the Regulation have extensive industrial and professional use. No specific data are available on the market for non-professional use as a proportion of total sold production. However, the amount of explosives precursors substances present in customer products is deemed to be minor compared to the total sold production.

4. EVALUATION FINDINGS (ANALYTICAL PART)

4.1. To what extent was the intervention successful and why?

4.1.1. Effectiveness

[30] Analysis shown in this section is derived from data collected through desk research, and especially data from statistical databases, such as Prodcom, Eurostat and Statista, as well as information from the REACH registration data published by ECHA.

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This section offers an overview of the assessed effectiveness of the Regulation, i.e. whether the Regulation has achieved its objectives[31].

Summary of the findings on effectiveness

In relation to the four general objectives identified in its Monitoring Programme, the evaluation concludes that the Regulation has been:

- Effective in limiting the availability of explosives precursors to the general public across the EU, although explosives precursors have been used and acquired by members of the general public or have been subject of suspicious transactions, thefts or disappearances.
- Effective in improving the detection of potential threats and the misuse of explosives precursors across the EU.
- Somewhat effective in raising awareness along the supply chain regarding restrictions and obligations on the marketing and use of explosives precursors, although discrepancies were noted in awareness levels among economic operators and action taken by Member States.
- Effective in facilitating the free movement of explosives precursors within the EU.

Effectiveness in limiting the availability of explosives precursors to the general public

Restrictions under Article 5 have significantly reduced the availability of explosives precursors to the general public. In most Member States, the implementation of the prohibition has resulted in the removal of restricted explosives precursors from general retail channels, including both physical and online points of sale. Those which have a licensing system in place report low numbers of licences granted[32]. All Member States consulted reported having established penalties for infringements of the Regulation, including warnings, stop orders, correction orders, bans on performing activities, confiscation, revocation of licences (only applicable to members of the public), administrative fines, restrictions of liberty, arrest and imprisonment. Stakeholder feedback has shown that such penalties were considered to have been effective and dissuasive in addressing infringement cases. Overall, there is stakeholder consensus that the Regulation has restricted the availability of explosives precursors to the general public. However, feedback from the public consultation also revealed that the Regulation may have created unintended consequences, especially for chemical hobbyists and educational chemistry, in particular by preventing

[31] Better Regulation Toolbox, Tool #47.
[32] Monitoring programme data.

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hobbyists from accessing certain restricted explosives precursors and by increasing the obligations and responsibilities of educational institutions[33].

Reports by surveyed national authorities suggest that the Regulation has been effective in preventing access to most regulated precursors. Many Member States reported that regulated precursors had not been appropriated for criminal or terrorist misuse since 2021. However, all regulated explosives were reported to have been illicitly used or acquired or subject to suspicious transactions, disappearances or thefts for the purpose of conducting an attack. This was the case for hydrogen peroxide, potassium nitrate, ammonium nitrate, acetone and sulphuric acid in particular, but also for aluminium and magnesium powders. Thefts and disappearances of nitrate fertilisers have been significant, with tens of thousands of kilograms reported missing in 2022 and 2023, although illegal explosive manufacture is not known to have been the reason for these thefts (the fertilisers are suspected to have been sold on a black market for use in agriculture)[34]. While hydrogen peroxide and sulphuric acid have not disappeared or been stolen in these quantities, stakeholders highlight a particular level of risk because of their importance for the manufacture of TATP[35].

Despite this positive feedback from national authorities, illegal HME manufacturing sites are being discovered each year[36] in the EU. Often significant quantities of regulated explosives precursors are found at such sites. These cases show that terrorists and other criminals – who should not have access to regulated explosives precursors in these quantities – still succeed in circumventing the control system of the Regulation. Additionally, anecdotal evidence from mystery shopping[37] exercises also indicates that there are weaknesses in effectively limiting the access of members of the general public to restricted explosives precursors.

The Regulation also allows Member States to adopt more restrictive measures, in particular where they are concerned about the availability or misuse of certain precursors on their territory. In practice, the Regulation's safeguard clause (Article 14) has been implemented only by Denmark, which added substances like sulphur to its restricted list and implemented stricter concentration limits and additional restrictions on metal powders. In consultations, Danish authorities confirmed the effectiveness of their current approach, while no other Member States indicated that they would like to make use of the safeguard clause. The fact that only one Member State adopted the safeguard clause might suggest that the Regulation and its annexes have otherwise been found to be appropriate and effective.

[33] Based on responses to surveys of national authorities and market participants and feedback received on the public consultation.

[34] Monitoring programme data.

[35] Monitoring programme data.

[36] e.g. Belgium, Estonia, France, Poland and Sweden (presentations during SCP meetings).

[37] This is a technique whereby law enforcement or inspection authorities pretend to be regular customers to check whether an economic operator or online marketplace is duly implementing the Regulation. This can be used to control offline and online businesses. In the SCP meetings some Member States have presented the outcome of such mystery shopping exercises.

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Effectiveness in improving the detection of potential threats and the misuse of explosives precursors across the EU

The national authorities consulted agree that the Regulation has improved the detection of potential threats and misuse of explosives precursors in the EU. The evaluation found that key provisions of the Regulation – namely Articles 5 to 10 – are perceived by stakeholders as being generally effective in contributing to the Regulation's security objectives[38]. While regulated precursors have been acquired for the illegal production of explosives, there has been no major completed attack involving explosives precursors in the EU since the entry into application of the Regulation.

Around half of Member States reported that the Regulation's provisions – such as the notification of suspicious transactions, thefts or disappearances – have led to investigations, prosecutions or convictions by their national authorities. Reported numbers were highest in France – where 81% of notifications received resulted in legal action in 2024, Germany, the Netherlands and Spain. Around a third of Member States surveyed reported that notifications of suspicious transactions, thefts or disappearances had led to the dismantling of illegal bomb-making laboratories or of terrorist or criminal groups. Although such information is generally classified, one Member State (Spain) reported 13 instances where such bomb-making facilities had been discovered or dismantled since 2021. Available public information shows that one such laboratory manufacturing large quantities of TATP was found and dismantled in Spain in 2023[39].

According to Europol[40], cooperation between Member States concerning the follow-up to notifications of suspicious activity with a cross-border dimension is currently underdeveloped, resulting in possible missed opportunities to detect and dismantle illegal manufacture and use of HMEs in the EU. Europol is willing to provide support in this context so as to strengthen cooperation and remedy this problem.

As stated in Section 3.4, the Regulation should in principle be able to prevent the illegal manufacture of pyrotechnics which make use of regulated explosives precursors[41]. However, there are indications that significant illegal manufacture of pyrotechnics is taking place in a number of EU Member States[42]. Certain (powerful) pyrotechnics may be illegally manufactured on the basis of regulated explosives precursors and by extracting powders from other types of less powerful pyrotechnic articles which are widely available to members of

[38] Inefficiencies and room for improvement were widely reported on the implementation of Article 8 (Verification upon sale) in business-to-business transactions, but stakeholders generally supported its rationale and the need to verify buyers' identity and intent.

[39] For instance: https://www.theolivepress.es/spain-news/2023/03/26/spains-civil-guard-busts-clandestine-bomb-factory-containing-500-kilos-of-explosive-material/.

[40] Contribution of Europol in the context of a dedicated meeting on the adequacy of the list of regulated explosives precursors (10 July 2025, Brussels).

[41] Such as potassium nitrate, potassium perchlorate, magnesium powder and aluminium powder. Based on interviews with national authorities in three Member States and the European Commission.

[42] Denmark (SCP presentation on 6 October 2025), Italy (2025 study on the criminal misuse of pyrotechnics).

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the general public in certain Member States. Issues with the availability of pyrotechnics, from which explosives precursors may be extracted to illegally build more powerful pyrotechnics, have been reported and fall within the remit of Directive 2013/29/EU on the making available of pyrotechnic articles[43].

[43] European Commission (2019), *Study on illegal sales of pyrotechnic articles destined for professional users (category F4) to the general public*. Available at https://op.europa.eu/en/publication-detail/-/publication/a577ac1a-714b-11e9-9f05-01aa75ed71a1/language-en, last accessed 25 September 2025.

Adequacy of the list of regulated explosives precursors

There is an overall consensus among stakeholders that the current list of 18 substances covered by the Regulation is still fit for purpose. In the Standing Committee on Precursors (SCP) there are regular discussions on the possible addition of one or more substances or on changing the concentration limits or any other relevant element (e.g. the particle size of metals) of the substances listed in the annexes to the Regulation in the light of new threat information from law enforcement authorities and forensic experts or in scientific papers or other relevant publications. In total about 70 to 80 different substances have been cited in these discussions or relevant documents in the past four years.

However, since the Regulation entered into force on 1 February 2021, no formal proposal to add a substance or to change any of the other relevant elements of the annexes to the Regulation has been put forward by any stakeholder[44]. In many cases the additions were not pursued because stakeholders agreed that the threat was not high enough or because the potential costs (in terms of impact on industry or competent authorities) would outweigh the potential benefits (in terms of increased security in the context of prevention of manufacture of HMEs). In all these cases the discussions led to the conclusion that stakeholders should remain vigilant in case the threat posed by the substance in question should change significantly and warrant a change to the Regulation.

The Commission has also not used its delegation of power to adopt delegated acts in accordance with Article 16 of the Regulation to modify the limit values in Annex I to the extent necessary to accommodate developments in the misuse of substances as explosives precursors, or on the basis of research and testing; or to add substances to Annex II to the extent necessary to accommodate developments in the misuse of substances as explosives precursors.

There have been only two exceptions. First, in the SCP meeting of 9 July 2025 Norway and Sweden requested further discussion of the proposals they had submitted in 2016 on the addition of hydrates of nitrate salts to the annexes to the Regulation. Currently, the least common (and in practice non-existent) form of calcium nitrate is regulated, while the most common and abundant form is not. The members of the SCP agreed that this matter needs to be looked into but said that more time was needed to study the different approaches put forward by Norway and Sweden. Second, several Member States have also proposed to address the current ambiguity concerning the inclusion of magnalium powders in the Regulation.

Additionally, in the context of the support study on the evaluation and impact assessment, a dedicated meeting was organised on 10 July 2025 in the secure zone of DG HOME, specifically to investigate the adequacy of the list of regulated explosives precursors. This

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meeting was able to shortlist several substances (from the total list of 70 to 80 substances mentioned above) that would warrant further discussion. However, on this occasion too, the participants agreed that more information on the threat perspective, and in particular the impact on industry, was needed before taking a decision on changing the annexes to the Regulation.

Another issue to be mentioned in this context is that some economic operators and online marketplaces are willing to notify suspicious transactions involving non-regulated explosives precursors or other materials (e.g. watches, ball bearings) for which there are reasonable grounds to suspect that they may be intended for the illicit manufacture of explosives. However, there is currently no clear legal framework to do so (and hence these stakeholders are reluctant to do so out of fear of acting illegally). Law enforcement authorities, however, confirm that such (voluntary) notifications are often extremely useful for assessing the threats concerning the illegal manufacture of HMEs. They are therefore strongly in favour of creating a clear and appropriate legal framework that allows for such notifications on a voluntary basis.

Effectiveness in raising awareness along the supply chain on restrictions and obligations on the marketing and use of explosives precursors

Evaluation findings offer a contrasting view as to whether the Regulation has helped raise awareness along the supply chains regarding security risks and the obligations that the different market participants have when it comes to explosives precursors. The most favoured outreach action taken by national authorities was direct contact in person and, to a lesser extent, online. Member States were found to conduct fewer awareness-raising actions online and generally did not use social media channels to host such campaigns. Member States generally reported positive outcomes from actions such as greater engagement by economic operators and online marketplaces, changes in business practices and higher suspicious activity reporting[45]. The national authorities consulted, and to a greater extent market participants, generally find that the Regulation has been effective in raising awareness of restrictions and obligations applying to explosives precursors. They consider that the Regulation's provisions have been effectively implemented when it comes to informing the supply chain, training and awareness raising, and that they have positively contributed to the Regulation's security objectives. This is consistent both with the competent authorities' view that companies generally comply with their obligations under the Regulation and with the use by national authorities of reports received of suspicious transactions, thefts and disappearances.

[45] Monitoring programme data.

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The evaluation found that the guidelines[46] are generally seen by national authorities and several market participants to have helped achieve the Regulation's objectives. Most Member States use the guidance on conducting inspections and controls and also, to a lesser extent, on information exchange. All Member States with a licensing regime save Denmark reported having used the guidelines for dealing with the licence regime at least once since 2021. A minority of stakeholders suggested that the guidelines could be made more prescriptive, in particular as concerns the assessment of suspicious transactions, disappearances and thefts and also the verification-upon-sale obligation.

Nevertheless, discrepancies persist between Member States and when it comes to the awareness levels of certain types of market participants. Awareness and compliance were assessed as being lower in sectors not specialised in explosives precursors and chemical trading, including retail and online marketplaces. Data available from the monitoring programme suggest that reporting of suspicious transactions, disappearances and thefts is inexistent or very low in certain countries, can vary greatly between online and offline operators (with country-specific trends) and is not necessarily consistent with Member States' population or economy sizes. The limited compliance by some online marketplaces encouraged the national competent authorities consulted to recommend explicit reference to messaging, communication and social media apps in the Regulation.

Effectiveness in facilitating the free movement of explosives precursors

The Regulation was found to have effectively facilitated the free movement of explosives precursors and helped create a level playing field for economic operators across the EU. It has established equal requirements for economic operators in all Member States. In particular, it has helped harmonise regimes on access to explosives precursors for members of the general public. Some Member States may opt for a more restrictive regime by using the safeguard clause, while the adoption of licensing regimes in a minority of Member States means that economic operators, retailers and online marketplaces can still sell certain restricted explosives precursors to members of the general public under certain conditions. In practice, the safeguard clause has been used only by Denmark[47], and licence numbers for members of the general public are low in the Member States which allow them[48]. Stakeholders consulted did not consider these provisions to hinder the functioning of the single market, and nor was the lack of cross-border recognition of licences identified as an issue in the practical implementation of the Regulation.

[46] Commission Guidelines for the implementation of Regulation (EU) 2019/1148 on the marketing and use of explosives precursors (2020/C 210/01) (OJ C 210, 24.6.2020, p. 1).

[47] Information provided further to Article 14(4).

[48] Monitoring programme data.

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Data from the market analysis underline that the volume of explosives precursors manufactured and traded in the EU has remained constant in the past 10 years, although the production and sales volumes of some regulated precursors decreased between 2021 and 2023 (latest data available)[49]. Downward trends affect both Annex I and Annex II precursors, and any link between those and the Regulation's entry into force could not be ascertained in the market analysis or during stakeholder consultations.

The main persisting barrier to a level playing field reported by industry stakeholders lay in uneven levels of enforcement across Member States, whereby some economic operators may be able to avoid the costs and burden associated with complying with their obligations when inspections or controls are low.

The evaluation did identify an instance of gold plating where a Member State (Spain) had imposed rules or restrictions beyond what is required by the Regulation. For every transaction involving explosives precursors, sellers in that Member State must request the information listed in Article 8(2) on verification upon sale and also provide evidence that they are registered with the Chamber of Commerce. These measures have a significant impact on the free movement of explosives precursors and create undue compliance burdens[50].

Unintended effects and factors reducing the Regulation's effectiveness

The key factors reducing the effectiveness of the Regulation are discrepancies in its implementation and different national enforcement regimes[51]. Some reported few to no measures taken on aspects such as inspections or awareness-raising measures between 2021 and 2025[52]. There are indications that criminals and terrorists are seeking to circumvent the Regulation's provisions[53] and concerns that explosives precursors are more available in certain Member States. It is not clear whether new security trends and misuse methods have limited the Regulation's effectiveness in practice. The national authorities consulted generally agreed that the lack of rules providing for harmonised controls by customs authorities limits the Regulation's effectiveness for imported explosives precursors.

While there are different levels of awareness along the supply chain, the evaluation has found that there is general buy-in as to the Regulation's objectives and the principle of regulating

[49] Market analyses of the ICF support study.
[50] Reported during a meeting with Cefic (the European chemical industry federation).
[51] Reported in a survey of national competent authorities (7 out of 23), in interviews with market participants (2 out of 7) and at the 36th meeting of the SCP.
[52] Monitoring programme data. By 2024, 2 out of 27 Member States had not appointed authorities competent for inspections and 10 out of 27 reported having conducted fewer than 15 inspections in the previous year, 6 of which did not conduct any at all. By 2024, 9 out of 25 Member States reported taking 15 or fewer awareness-raising measures of any type in the previous year.
[53] See, inter alia, Europol (2023), European Union Terrorism Situation and Trend Report 2023 (page 18). Available at https://www.europol.europa.eu/publications-events/main-reports/tesat-report. Last accessed 25 September 2025.

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explosives precursors for security purposes[54]. The fact that there have been no major attacks using HMEs in the past five years could reduce awareness of – and prioritisation by – non-security stakeholders and those who do not specialise in explosives precursors. It should be emphasised that the chemical industry is particularly important in a limited number of Member States, which partly explains differences in awareness, implementation and enforcement and the related costs and burdens for stakeholders.

The introduction of additional explosives under Annexes I and II to the Regulation, together with the redefinition of homogeneous mixtures in Article 3, point (13), means that more products and fast-moving consumer goods have been brought under the scope of the Regulation. This is understood to have created unintended negative effects in the form of increased burden and costs for businesses to comply with their obligations, as well as for national competent authorities tasked with implementation and enforcement[55].

Verification upon sale has created difficulties for business stakeholders required to request, check and handle customer personal data and also concerns about heightened risks of data breaches[56]. The evaluation received limited reports that the Regulation had led to businesses using alternatives to explosives precursors or removing products from sale[57]. The lowering of the concentration level for nitromethane (from 30% w/w to 16% w/w) was not perceived to have caused any significant barriers to hobbyists who use the substance.

The unintended effects seem to have been greater on the use of explosives precursors for research by both professional and non-professional chemists. Limited data were collected in the academic and educational sector, but the provisions of Article 5 of the Regulation were considered to be neither appropriate for nor proportionate to the sector This has allegedly created reluctance to use these chemicals in school settings and difficulties in complying with the Regulation when it comes to the autonomous use of explosives precursors by PhD students[58]. Responses to the public consultation, mostly by members of the EU public, suggest that the Regulation's restrictions have curtailed the possibility for non-professional chemistry enthusiasts to conduct experiments and contribute to chemical research and innovation.

[54] Based on the survey of national competent authorities, interviews with (3 out of 7) market participants and discussions from the 36th meeting of the SCP.

[55] Based on the survey of national competent authorities, interviews with (3 out of 7) market participants and discussions from the 36th meeting of the SCP.

[56] Due to an increase in the number of business-to-business transactions for which verification upon sale is needed. Concerns about verification upon sale were shared in (25 out of 87) comments on the survey of market participants, interviews with (3 out of 7) market participants and national competent authorities in one Member State (SI).

[57] Based on (3 out of 23) responses to the survey of national competent authorities.

[58] Interview with one academic, as well as responses to the public consultation.

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When it comes to the Regulation's security objectives, there are some indications that criminals and terrorists have been looking to alternative methods[59], using Annex II rather than restricted explosives precursors, and that the misuse of pyrotechnic articles has become more prevalent than the illicit manufacture of HMEs in several Member States[60].

4.1.2. Efficiency

This section offers an overview of the assessed efficiency of the Regulation, i.e. whether good use has been made of financial and other resources to achieve the goals of the Regulation[61].

Summary of the findings on efficiency

Costs incurred by stakeholders are overall believed to be proportionate to the Regulation's objectives and expected benefits. Some of its provisions create significant compliance costs for economic operators. Possible areas for simplification should be considered, in particular as concerns the verification process in established business-to-business transactions, where burden is seen as disproportionate. There seems to be support for a revision upwards of the 1% w/w rule for homogeneous mixtures, although stakeholders did not reach a consensus on what an alternative effective definition could be.

Costs incurred by national authorities and economic operators

Evaluation findings offer some insights into the costs incurred by stakeholders in implementing or complying with the Regulation and provisions which are considered costly to implement and could benefit from revision or simplification. Data on compliance costs and burdens for market participants suggest that complying with the obligation to verify transactions upon sale, followed by the need to ensure secure storage of explosives

[59] Such as the use of home-made low explosives, which Europol defines as 'usually a simple mixture of a combustible substance and an oxidant that decomposes rapidly (deflagrate, rather than detonate). Examples of low explosives include: black powder, flash powder, smokeless powder.' Source: Europol (2022), European Union Terrorism Situation and Trend Report (page 16), available at https://www.europol.europa.eu/cms/sites/default/files/documents/Tesat_Report_2022_0.pdf, last accessed 25 September 2025.

[60] Based on interviews with (2 out of 3) EU entities and (3 out of 7) authorities in two Member States, as well as responses to the survey of (4 out of 23) national competent authorities. Some reports and news articles, as well as a parliamentary question from the European Parliament, anecdotally point to the issue in a few Member States (e.g. France, the Netherlands, Sweden) and it should be noted that the Commission ordered an external study on security risks linked to the misuse of pyrotechnics, still ongoing at the time of writing this report. In February 2024, the Dutch government asked for a review of EU rules on pyrotechnics to address growing security concerns. Available at https://www.rijksoverheid.nl/documenten/rapporten/2024/02/23/tk-bijlage-3-nl-non-paper-pyrotechnics-directive. Last accessed 9 October 2025.

[61] Better Regulation Toolbox, Tool #47.

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precursors, are the costliest aspects of the Regulation to implement. For national authorities, the Regulation generated greatest enforcement or implementation costs when it comes to the conducting of inspections, ensuring coordination and cooperation across authorities and agencies and assessing reports of suspicious transactions, thefts or disappearances. The table below provides an overview of costs reported by the national authorities and market participants consulted.

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Table 1 – Overview of reported implementation and compliance costs

Obligation	Cost rating (% of all respondents who expressed an opinion)	Estimated value per year
National authorities (18 respondents)		
Conducting inspections	Very high to moderate: 80% Low: 20%	0.05–4 FTEs 1.8 FTE average 0.9 FTE median Based on 6 responses
Coordination and cooperation with other departments and agencies	High to moderate: 80% Low to very low: 20%	0.01–4 FTEs 1.2 FTE average 0.75 FTE median Based on 5 responses
Assessing notifications for suspicious transactions	High to moderate: 79% Low to very low: 21%	0.1–4 FTEs 1.5 FTE average 0.25 FTE median Based on 3 responses
Training and capacity building	High to moderate: 76% Low to very low: 24%	0.25–4 FTEs 1.75 FTE average 1 FTE median €10 000 per year (1 response) Based on 4 responses
Awareness and communication actions for companies and the general public	High to moderate: 75% Low to very low: 25%	0.03–4 FTEs 1.3 FTE average 1 FTE median Based on 5 responses
Conducting investigations on the basis of notifications received	Very high to moderate: 66% Low to very low: 34%	0.1–2 FTEs 1.7 FTE average 1 FTE median Based on 3 responses
Imposing penalties and sanctions	High to moderate: 57% Low to very low: 43%	0.15–3 FTEs 1.5 FTE average 1.5 FTE median Based on 4 responses
Reporting obligations at national and EU levels	High to moderate: 47% Low to very low: 53%	0.01–2 FTEs 0.5 FTE average 0.2 FTE median Based on 5 responses
Economic operators and online marketplaces (71 respondents)		
Verification upon sale	High to moderate: 85% Minor: 15%	€5 000–€400 000 €115 350 average €58 900 median FTEs: 0.2 to 5 (avg. 1.675 and median 0.75 based on 4 responses)

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		Based on 10 responses
Secure storage	High to moderate: 79% Minor: 21%	€2 000–€100 000 Also 1 FTE (about €48 848)[62] €29 310 average €10 000 median Based on 6 responses
Informing the supply chain	High to moderate: 70% Minor: 30%	€2 000–€40 000 €13 875 average €6 750 median Based on 4 responses
Staff training	High to moderate: 66% Minor: 34%	€1 000–€14 400 €5 400 average €5 000 median Based on 6 responses
Licence verification	High to moderate: 63% Minor: 37%	€20 000–€50 000 Based on 2 responses
Reporting suspicious transactions	High to moderate: 42% Minor: 58%	€2 000 Based on 1 response (medium-sized retailer)

Source: Surveys of national competent authorities and of market participants

Benefits, efficiencies and proportionality of the Regulation

The reporting of suspicious transactions, disappearances and thefts, as well as the assessment of such notifications by national competent authorities, seems to have been a rather efficient and effective provision of the Regulation[63]. Although some provisions were reported as more costly for authorities to implement (e.g. on conducting inspections or training and capacity building), such costs were generally seen as being justified and proportionate[64].

Stakeholders generally considered that the Regulation created benefits proportionate to the costs incurred, by providing an enhanced level of security and a clear legal framework. Consultations with market participants suggest that these stakeholders do not tend to see the Regulation as having created benefits for their organisations or industry. This seems to be the case across all organisation types and sizes, and in particular among small organisations[65]. However, even market participants which believed that the Regulation had not created benefits specifically for their organisation found the societal benefits and legal clarity to be

[62] Estimated considering 1 720 hours corresponding to 1 FTE and the hourly labour costs in 2024 for the retail sector extracted from Eurostat Labour cost levels by NACE Rev. 2 activity dataset. Available at: https://ec.europa.eu/eurostat/databrowser/view/lc_lci_lev__custom_17071137/default/table?lang=en. Last accessed 18 August 2025.

[63] Surveys of national competent authorities and of market participants. When asked about costs linked with assessing reports of suspicious transactions, thefts and disappearances, 6 out of 22 Member States answered 'moderate' and 6 out of 22 'low' or 'very low'. Of 87 responding market participants, 41 (47%) considered that costs associated with reporting suspicious transactions, thefts and disappearances had been 'minor' and 24 (28%) said that such costs had been 'moderate'.

[64] Survey of national competent authorities, Q22: 7 out of 22 considered that these costs had been 'moderate' but 5 reported 'high' costs and 4 'low' or 'very low' costs for this item.

[65] Survey of market participants.

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worth the associated costs. Member States which provide licences to the general public considered the costs of managing such a system to be proportionate to its benefits.

The benefits of the Regulation are not easy to quantify. The EU recorded significantly fewer deaths and injuries linked to terrorist attacks between 2021 and 2025 than it had done during the decade preceding the adoption of the Regulation[66]. Lives saved from terrorist attacks would save the EU economy millions of euro[67]. However, the decrease in terrorist attacks in the EU cannot be attributed to the Regulation alone – political, geopolitical and technological developments, in particular, must also be taken into account.

Scope for simplification or efficiencies

Stakeholder consultations underlined the opportunities for simplification and greater efficiencies in implementing the Regulation, in particular as regards the verification-upon-sale obligation in business-to-business relationships. Reported inefficiencies appear to result from the obligation for sellers to request proof of identity from potential buyers, as well as the need to undertake the verification process every 12 months in established business relationships. Several stakeholders argued that the request for personal identity was not proportionate or usual in business relationships, and that the yearly renewal of the verification process was not necessary. Businesses reported facing difficulties in requesting such information and storing personal data for 18 months in line with inspections by national authorities. Simplifying verification upon sale in established business relationships was the main concern voiced by industry representatives, although these stakeholders generally did not highlight similar issues of proportionality when verifying sales with members of the general public. Cost estimates were very limited but suggest that verification upon sale in business transactions has caused significant expenditure for the minority of stakeholders who reported such data.

Most stakeholders also strongly support a revision of the 1% w/w rule[68] for homogeneous mixtures of more than five ingredients (Article 3, point (13)). This rule means that a wide array of mixtures and products are currently covered by the Regulation (e.g. cleaning products, cosmetics, glues, aerosols, food supplements) in cases where it is generally believed

[66] On average, terrorist attacks led to 47 fatalities every year between 2010 and 2020, compared to 4 between 2021 and 2023. Source: Statista, Number of fatalities due to terrorist attacks in the European Union from 2010 to 2023, available at https://www.statista.com/statistics/1178596/number-of-fatalities-from-terrorism-eu/, last accessed 18 July 2025.

[67] Methodologies to assess the statistical value of human life vary, and there is no common approach to assess this at EU level. As a reference, the literature review conducted for the 2019 *Handbook on the external costs of transport* published by the European Commission (DG MOVE) estimated that the statistical value of human life in the EU stood between EUR 1 and 4 million. Source accessible at https://op.europa.eu/en/publication-detail/-/publication/9781f65f-8448-11ea-bf12-01aa75ed71a1, last accessed 18 July 2025.

[68] This analysis is based on the discussions in the SCP in recent years. It differs significantly from the analysis presented in Annex III, which is based on stakeholder consultation carried out by the consultant in the context of the support study. However, it appeared that there was much confusion among stakeholders when replying to the questions on this matter, and this rendered the analyses untrustworthy.

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that extracting explosives precursors for misuse would be near impossible or require expert knowledge, or that it would simply be much easier to acquire those explosives precursors in pure form in greater quantities or concentrations via other channels. The control and monitoring of these products – which do not pose a genuine threat – is time- and resource-consuming for market participants and competent authorities and is generally seen as a significant inefficiency.

The main problem seems to be with products and mixtures that contain acetone, although other substances from Annexes I and II may also create similar problems. This topic has been discussed extensively in the meetings of the SCP in the past few years, and although there is strong support for a revision, no concrete and workable proposal has yet emerged.

4.1.3. Coherence

The Regulation should integrate well into the overall legal and policy framework at EU level, but also at international and national level[69]. Contradictions, overlaps or other tensions with other measures should be avoided and, ideally, synergies created. This is what is understood by 'external coherence'. At the same time, the various components of the Regulation should build on or complement each other in a logical and meaningful way – the Regulation should be 'internally coherent'. External and internal coherence of the Regulation were assessed for this evaluation, and one point of external incoherence and a number of points of internal incoherence were identified.

Summary of the findings on coherence

In terms of external coherence, the evaluation did not identify major inconsistencies between the Regulation and other EU legal or political instruments. The Regulation is overall coherent with the security, including counter-terrorism, frameworks and strategies. However, some stakeholders call for streamlining or clarifying a number of minor issues such as a better alignment of the exceptions of the Regulation with the Pyrotechnics and Civil Explosives Directives and the use of the safety data sheet in the context of the informing the supply chain obligation and the inclusion of waste in the Regulation in relation to the REACH Regulation. Also, as far as internal coherence is concerned there are some minor issues such as inconsistencies between the definitions of certain actors and their obligations and between the main text of the Regulation and its Annexes.

a) External coherence

The following legislative instruments have been reviewed as part of the assessment of the Regulation's external coherence:

[69] Better Regulation Toolbox, Tool #47.

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- ProtectEU: a European internal security strategy

- The EU counterterrorism agenda

- The EU action plan to enhance preparedness against chemical, biological, radiological and nuclear security risks (CBRN action plan)

- Directive 2014/28/EU on civil explosives (Civil Explosives Directive)

- Directive 2013/29/EU on the making available on the market of pyrotechnic articles (Pyrotechnics Directive)

- Regulation (EC) No 273/2004 and Regulation (EC) No 111/2005 on drug precursors (Drug Precursors Regulations)

- Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

- Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures (CLP Regulation)

- Directive 2001/83/EC on the Community code relating to medicinal products for human use (Medicinal Products Directive)

- Regulation (EU) 2022/2065 (Digital Services Act)

- Directive 2012/18/EU on the control of major-accident hazards involving dangerous substances (Seveso III Directive)

- Directive 2008/98/EC on waste (Waste Framework Directive).

Overall, the evaluation found the Regulation to be coherent with other EU legal or political instruments. No major problematic inconsistencies between the Regulation and other pieces of EU legislation were found and the Regulation supports the EU's wider security and counterterrorism strategic priorities. In general, the obligations under chemical or environmental legislation were not found to conflict with the Regulation, given that its remit and objectives are totally different.

The Regulation is coherent with the overall ProtectEU: European Internal Security Strategy in that it calls for restricting the means for terrorists and criminals to commit attacks. Concretely the ProtectEU Strategy announces the Commission's intention to review the rules on explosives precursors.

The Regulation is aligned with the objective of the EU counterterrorism agenda in preventing the misuse of explosives by radicalised individuals or groups. It does so by limiting the availability of certain dangerous substances or mixtures to the general public (Article 5) and by requiring any suspicious transactions involving these substances to be reported to the relevant national authority (Article 9). The Regulation is coherent with the EU's CBRN

action plan. Both instruments share the objective of limiting unauthorised access to hazardous substances or substances that can be misused to carry out attacks. The evaluation did not identify any inconsistencies, contradictions or overlaps between the Regulation and the CBRN action plan.

Overall coherence is ensured between the Regulation and the Pyrotechnic Directive, with Article 2(2)(b) explicitly excluding pyrotechnic articles from the Regulation's scope. However, according to one stakeholder, the exclusions provided in Article 2(2)(b) are creating various interpretation difficulties in one Member State[70]. A similar conclusion can be drawn for the Civil Explosives Directive. There is overall coherence between the Regulation and this Directive. However, the same stakeholder claims there are also various interpretation difficulties in the same Member State. The Commission is currently consulting other relevant stakeholders on this matter.

Desk research and stakeholder consultations did not identify any issues of coherence with the Drug Precursors Regulations either. While acetone and sulphuric acid are regulated in both frameworks, the Regulation adopts a more restrictive approach[71] due to the lethality of explosives liable to be manufactured with small quantities of explosives precursors. With a different purpose (fight against illegal drug manufacture versus fight against illegal explosives manufacture), availability (drug precursor policy focuses traditionally on the diversion of larger quantities of chemical substances) and reaction times (quickly reacting is more important for explosives precursors), having common national contact points for suspicious activity reporting for both frameworks was found to be neither feasible nor desirable[72].

The evaluation did not identify any general incoherence issues with the REACH Regulation. They are interconnected in managing chemical substances. While REACH focuses on chemical safety through registration and market controls, the Regulation addresses security by restricting access to certain substances which can be misused for the illegal manufacture of explosives and by requiring the reporting of suspicious transactions. However, there is a minor issue with Recital 9 of the Regulation which specifies that each economic operator should inform the recipient of regulated explosives precursors that the making available, introduction, possession or use of those explosives precursors by members of the general public is subject to this Regulation for example by including that information in the safety data sheet compiled in accordance with the REACH Regulation. It seems that many economic operators do not know that if a safety data sheet is required there is an obligation to mention this information in Section 15 (Legislation) of the safety data sheet. Therefore, the safety data sheet is currently not a reliable source of information for classification as an

[70] Based on a contribution received during the Call for Evidence.

[71] For instance by requiring the verification of personal identity upon sale or by requiring Member States' national contact points to be active 24 hours a day, seven days a week.

[72] Based on discussions held during the 36th and 37th meetings of the SCP.

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explosives precursor. To avoid this confusion some stakeholders call for removing the reference to the safety data sheet altogether.

The CLP Regulation and the Regulation do not contain any explicit cross references to each other. However, they intersect through shared oversight of chemical substances, with the CLP Regulation ensuring clear hazard communication and the Regulation focusing on the security of dangerous substances.

The evaluation found that the Digital Services Act (DSA) provides a robust horizontal due diligence framework addressing, inter alia, the dissemination of illegal content, which includes the placing on the market of restricted explosives precursors not in compliance with the Regulation. In addition, providers of online platforms allowing consumers to conclude distance contracts with traders are subject to due diligence provisions ensuring, inter alia, traceability of traders and compliance by design regarding the provision of information by traders. These obligations apply in a complementary manner to the obligations for online marketplaces under the Regulation to inform sellers on their platforms about their obligations, to take measures allowing for effective implementation of the verification-upon-sale obligation and to put in place appropriate, reasonable and proportionate procedures to detect suspicious transactions and to report them to the national contact points.

Additionally, Article 9 of the DSA harmonises the minimum conditions that orders to intermediary service providers, including online platforms, must meet to require the provider to inform the issuing authority without undue delay about the effect given to those orders. If the relevant legal basis meets these requirements, national authorities issuing orders to remove non-compliant listings offering restricted explosives precursors substances to the public may also rely on this information obligation, enabling them to promptly seek enforcement when a provider indicates not to give full effect to an order.

Finally, the DSA also harmonises the liability exemption of intermediary services, including online platforms, setting out the conditions under which the provider can be held accountable for failing to act against illegal content. The combination of the DSA and the Regulation strengthens enforcement overall, ensuring that illegal online sales of explosives precursors can be swiftly identified and removed.

Safety, security and reporting requirements under the Seveso III Directive complement the measures of the Regulation. The obligations under the Seveso III Directive address the secure storage and handling of the substances on-site to mitigate risks of accidental incidents. In addition to safety measures, the Seveso III Directive aims to limit unauthorised access to hazardous substances, particularly through physical protection measures and site-specific safety protocols. As such, it complements, but does not duplicate, the provisions of the Regulation.

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Possible gap in the EU regulatory framework

In the meetings of the Standing Committee on Precursors discussions have taken place on whether there is currently a loophole in the Regulation concerning 'waste'.

One interpretation implies that 'waste' falls outside the scope of the Regulation on the basis of the following reasoning: According to Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals ('the REACH Regulation'), 'waste' as defined in Directive 2006/12/EC (former Waste Framework Directive) is not a substance, mixture or article within the meaning of Article 3 of the REACH Regulation. As the Regulation refers to the REACH Regulation to determine its scope 'waste' is also excluded from the scope of the Regulation. Consequently, according to this interpretation, there is currently for instance no obligation for economic operators to notify suspicious transactions with waste of regulated explosives precursors or waste containing regulated explosives precursors even though in certain cases such waste could still be used for the illegal manufacture of HMEs.

However, it could also be argued that the legislator only intended to use the definitions of a substance, a mixture and an article of the REACH Regulation and not the exclusion of waste from the scope of the REACH Regulation.

Stakeholders agree that it would be useful to clarify this matter.

b) Internal coherence[73]

The analysis on internal coherence of the Regulation found the following issues:

a) Definition of 'professional user' (Article 13, point (9)): 'any natural or legal person or public entity or group of such persons or entities that has a demonstrable need for a restricted explosives precursor for purposes connected with its trade, business, or profession'

Three main issues have been raised by stakeholders:

- It is not clear from the above definition how 'purpose connected with its trade, business, or profession' should be interpreted (e.g. is the use of a pipe-cleaning product containing sulphuric acid by a car dealer to clean its sanitary facilities for staff and/or customers connected with its trade, business or profession considering that this has no connection to their car-dealing activities?).

- The definition restricts the circle of professional users to the effect that the need for a limited restricted explosives precursor must be linked to the purpose of the commercial, business or professional activity. Educational establishments of any kind, and in particular their subjects (e.g. university students, vocational school apprentices, secondary school

[73] Based on contributions received in the context of the call for evidence.

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students), cannot be clearly classified under this definition, although their education and training activities may well require restricted explosives precursors. The same applies to non-profit associations (e.g. sports associations, model building associations, fruit, horticultural and winegrowers' associations).

- The definition of a professional user presupposes that the professional user has a proven need for restricted explosives precursors in the course of their trade, business or profession. On the other hand, regulated (non-restricted) precursors from Annex I (below the limit value) and Annex II are not covered, which means that business or professional activities involving regulated (non-restricted) precursors do not fall within the definition of professional user or the definition of a member of the general public (Article 3, point (8)) and are therefore, in principle, not covered by the Regulation. This is also in contradiction with the reporting obligations laid down in Article 9(5) of the Regulation, according to which professional users must report the disappearance or theft of significant quantities of regulated explosives precursors within 24 hours of detection of the disappearance or theft.

b) Extended restrictions on mixtures with chlorates and perchlorates

The extended restrictions on mixtures with chlorates and perchlorates – currently codified under Article 5(2) – are not consistent with the overall logic of the Regulation. This can lead to (unintentional) non-compliance by economic operators and professional users.

c) Informing the supply chain

- Article 7(1) states that 'An economic operator who makes available a regulated explosives precursor to another economic operator shall inform that economic operator that the acquisition, introduction, possession or use of that regulated explosives precursor by members of the general public is subject to reporting obligations as set out in Article 9.' This appears to be a clerical error in the Regulation, as the reporting obligations under Article 9 do not link the acquisition, introduction, possession or use of regulated explosives precursors to members of the general public.

- Additionally, Article 7(1) of the Regulation does not include an obligation for economic operators to inform professional users or members of the general public of their obligations to report suspicious activity. However, in accordance with Article 9(5) of the Regulation, professional users have explicit reporting obligations. This is not consistent.

d) Verification upon sale

The requirements laid down in Article 8(2) of the Regulation are not fully aligned with the template of the customer's statement set out in Annex IV. Article 8(2) states that 'Member States may use the template of the customer's statement set out in Annex IV.' This is only an 'optional' suggestion. It is not clear what information must actually be included.

In general, the provisions of Article 8 are difficult to implement in the context of online sales by online economic operators and online marketplaces despite the fact that there is a clear overall obligation for them to comply with that article.

e) Monitoring programme

Article 19 defines the type of information that Member States must provide to the Commission on an annual basis. Furthermore, Article 20 requires the Commission to establish a detailed programme for monitoring the outputs, results and impact of the Regulation. However, it is unclear how the two provisions relate to each other. One stakeholder therefore proposed to delete Article 20 entirely.

f) Confusing title of Annex II

Annex II refers to the substances listed in it as 'reportable explosives precursors'. Apart from the fact that the concept of 'reportable explosives precursors' does not appear elsewhere in the Regulation and is not defined in Article 3, this designation may give the impression to people who do not have a detailed knowledge of the Regulation that only those substances are subject to notification.

g) The inclusion of magnalium

Magnalium (powder) is an intermetallic mixture of magnesium and aluminium, often used for the production of illegal pyrotechnics. It is therefore important to ensure that it is covered by the Regulation. Common magnalium powders consist of approximately 50% magnesium and about 50% aluminium. The minimum aluminium or magnesium content of 70% w/w specified in note (3) of Annex II is not exceeded in this composition. The Regulation does not contain any provision that ensures that when the overall concentration of these substances in the mixture exceeds the limit value, the mixture is covered by it (as is the case for chlorates and perchlorates in Article 5(2)). Such magnalium powders are therefore not formally to be classified as regulated explosives precursors in the Regulation even though they are equivalent to magnesium or aluminium, both chemically and from the point of view of possible use for the manufacture of HMEs (including pyrotechnics). Stakeholders therefore suggest including a provision similar to the mixtures with chlorates and perchlorates. Furthermore, in the interests of clarity, the term 'magnalium (powder)' should ideally be explicitly mentioned as an example in Annex II.

h) The addition of hydrates of nitrate salts to the annexes

Two Member States noted that there is currently a problem with how nitrate salt hydrates are referred to in the annexes to the Regulation. This problem existed already in Regulation (EU) No 98/2013 but was not addressed by Regulation (EU) 2019/1148. SCP members agreed that the current method is problematic but that more analysis is needed on how to rectify the situation.

4.1.4. Impact on fundamental rights and freedoms

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This section assesses the impacts that the Regulation has had on fundamental rights and freedoms as defined in the EU Charter of Fundamental Rights.

Summary of the findings on the impact on fundamental rights and freedoms

The evaluation finds that the Regulation impacts on fundamental rights and freedoms, in particular as regards the reporting of suspicious transactions and the verification upon sale obligations. However, this impact is limited and proportionate to the security objective of the Regulation.

The evaluation recognises that the Regulation affects fundamental rights and freedoms, in particular as regards the reporting of suspicious transactions and verification upon sale. The requirement for sellers to report suspicious purchases of explosives precursors involves collecting personal data (e.g. proof of identity, contact information and purchase history) and sharing them with authorities, affecting individuals' right to privacy (as acknowledged in recital 22). Individuals engaging in legitimate activities (such as hobby chemists or farmers purchasing fertilisers) may be subject to scrutiny if their transactions are deemed suspicious. Members of the public responding to the public consultation underlined their opposition to what was considered to be over-regulation and excessive encroachment on their personal data and freedoms. A parallel concern was reported by several economic operators surveyed facing significant challenges in obtaining proof of identity from customers. SMEs face significant challenges in implementing secure data protection measures, with many indicating that the cost and complexity of compliance make it difficult for them to meet data protection requirements effectively[74].

The findings of the evaluation confirm that the objectives and scope of the Regulation's impact on fundamental rights and freedoms are proportionate and in line with the GDPR. In practice, the Regulation applies only to a limited number of substances and reporting of suspicious transactions covers only suspect cases found to be associated with the illicit manufacture of explosives. The Regulation is governed by the GDPR and Directive (EU) 2016/680 (the Law Enforcement Directive). It limits reporting of suspicious transactions to what is seen as necessary to achieve its security objectives, aiming to avoid large-scale collection and possible misuse of personal data. On the other hand, industry stakeholders expressed much concern regarding the necessity and added value of requesting personal proof of identity (at least) every 12 months in established business-to-business relationships, an obligation which creates considerable burdens as well as uncertainty regarding personal data handling and storing. In particular, while Article 8(2) requires economic operators to 'request' proof of personal identity from a customer that is a professional user or other

[74] Based on 12 responses to the survey of market participants.

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economic operator, sellers usually keep such information (including personal data) for 18 months to ensure that they comply with Article 8(4) and for possible inspections[75].

4.2. How and to whom did the EU intervention make a difference?

This section presents the assessment of the EU added value of the Regulation, i.e. whether the Regulation has value above and beyond what Member States could achieve without an EU-wide regulatory framework[76].

To estimate the EU added value of the Regulation, this assessment compares the situation before the Regulation's implementation (baseline), a hypothetical scenario where no EU intervention had taken place (non-EU counterfactual) and the added value of the Regulation in its current form. Its conclusions are that the Regulation has brought coherence, consistency and increased effectiveness in areas where national legislation alone would have been insufficient.

Summary of the findings on EU added value

There is stakeholder consensus that the Regulation created EU added value and remains necessary. Only an EU-level instrument can provide the necessary coordination to address the risks of illegal HMEs while preserving the functioning of the single market. National action alone would not have been sufficient to ensure harmonised restrictions and a harmonised list of explosives precursors and criminals and terrorists would have been able to exploit weaknesses of the most permissive national framework.

Baseline situation

The Regulation is found to have created EU added value and to remain a necessary intervention at EU level, offering results beyond what Member States could achieve by acting independently. Prior to the Regulation, some EEA States had implemented measures (e.g. under Regulation (EU) No 98/2013 or national laws), but gaps and discrepancies existed in terms of substance coverage, concentration thresholds, inconsistent reporting obligations, or awareness-raising practices. The evaluation of the previous Regulation, Regulation (EU) No 98/2013, identified a 'regulatory failure' and found its level of restriction of explosives precursors to be insufficient, noting that the Regulation had not enabled a level playing field[77].

[75] Based on replies to the survey of market participants, interviews with chemical manufacturers and observations made during the 36th and 37th meetings of the SCP.
[76] Better Regulation Toolbox, Tool #47.
[77] European Commission study supporting the evaluation of Regulation (EU) No 98/2013, unpublished.

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Non-EU counterfactual

Evidence suggests that most Member States would not have adopted measures to regulate explosives precursors and restrict the general public's access to them to the same level as provided by the Regulation. In the absence of EU legislation, Member States could have regulated precursors at national level. Norway, for instance, had a precursor control regime similar to the EU's current framework before the Regulation was adopted. Prior to enactment of the Regulation, four Member States had notified additional restrictions to the Commission under grounds of potential misuse of specific substances for the illicit manufacture of explosives. As noted in the impact assessment preceding the Regulation's adoption, without further EU action, some Member States would have been expected to introduce national restrictions on sulphuric acid[78]. However, the effectiveness of such measures in achieving key objectives – such as limiting availability to the general public, requiring reporting of suspicious transactions and preventing illicit manufacture – would have been constrained by the lack of coordination and uneven implementation. Criminal actors could have exploited legal and enforcement asymmetries between countries, while risk assessment or information sharing across internal borders might have remained limited.

National action alone would not have been sufficient to ensure harmonised restrictions and a harmonised list of explosives precursors (with the same concentration levels across the EU). This would have posed security risks due to the transnational nature of many criminal and terrorist groups, which would have been able to exploit the weakness of the most permissive national framework. The absence of common rules would have created difficulties for economic operators trading across borders, hindering the objectives of the single market, possibly reducing consumer choice and rendering the EU chemical market less competitive. Without shared obligations, Member States might not have established effective contact points, and the reporting of suspicious transactions might be lacking in some countries. Economic operators and online marketplaces, whose regulatory obligations were found to be unclear in the previous framework, would have faced legal uncertainty and practical difficulties when trying to ensure compliance for cross-border transactions. For online marketplaces, however, the legislative framework has in the meantime evolved considerably with the entry into force of the DSA, which further helps tackle the problems covered by the Regulation.

Added value of the Regulation

No evidence suggests that Member States could have independently adopted restrictions, reporting mechanisms and obligations on market participants in a manner equivalent to the Regulation and in a single market-friendly manner. Most Member States relied on the EU

[78] European Commission (2019), Commission staff working document, Impact assessment accompanying the document proposal for a Regulation of the European Parliament and of the Council on the marketing and use of explosives precursors, amending Annex XVII to Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013 on the marketing and use of explosives precursors, SWD(2018) 104 final, Strasbourg, 17.4.2018.

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legal framework to set restrictions, impose reporting obligations and lay down rules for market participants. Stakeholders consulted consistently agreed that only an EU-level instrument could provide the necessary coordination to address the risks of HMEs while preserving the functioning of the single market.

Consultations with national authorities pointed to a missed opportunity for the Regulation to provide a harmonised framework in handling explosives precursors imported into the EU[79]. The Regulation lacks explicit provisions on the role of customs authorities to implement it. Customs enforcement was reported as a challenge in several Member States, some of which do not have a corresponding framework in place. Issues reported include difficulties identifying regulated explosives precursors at the border, an insufficient legal basis to act and limited detection tools. Evaluation findings suggest that greater added value of the Regulation in providing clarity on the enforcement of its provisions by customs authorities should be pursued.

The monitoring programme introduced by the Regulation has provided some insights into existing implementation efforts as well as possible discrepancies. The quality and reliability of the data submitted by the Member States varies significantly, however, and this makes comparing and analysing the data challenging. Member States are of the view that their reporting obligations do lead to tangible results and that the monitoring programme is therefore not currently being used to its full potential[80]. Hence, a discussion on improving the added value and usefulness of reported data, and potentially the framework of the monitoring programme, should be considered as part of the Regulation's review.

While Member States that adopted the licensing system rated it as effective in relation to the objectives pursued, some stakeholders raised concerns that differences in licensing conditions (or a lack of licensing altogether) lead to uneven public access to restricted precursors and risk resulting in regulatory circumvention across borders. Of the eight Member States with a licensing regime, only two reported using the format for the licence provided in Annex III. This suggests that this voluntary format provides only limited added value.

Results attributed to the Regulation's effectiveness, such as restricted availability for the general public, common concentration levels and obligations for market participants, as well as the usefulness of suspicious activity reporting to launch and support investigations and prosecutions, are understood to have been made possible through EU-level intervention.

Necessity and subsidiarity of the Regulation

There is stakeholder consensus that the Regulation remains a necessary piece of EU legislation. Ongoing discussions by SCP members regarding the adequacy of regulated explosives precursors demonstrate that coordination at EU level remains useful in addressing shared security concerns and emerging trends.

[79] Based on the survey of national authorities and discussions of the 36th and 37th meetings of the SCP.
[80] Based on the interview with the European Commission.

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The strengthened framework when it comes to online transactions in explosives precursors remains an important addition of the Regulation – now applying in a complementary manner to the DSA. Such obligations for all online platforms acting as marketplaces for explosives precursors, as well as minimum requirements for control and inspections of such platforms, remain necessary as the legitimate buying of explosives precursors online has become commonplace and is expected to increase further (in line with the overall trend in online business). However, it remains to be seen to what extent the DSA is already alleviating the problems faced in this sector, also in other online platforms, including the open channels of messaging and communication apps and social media[81].

Criminal and terrorist networks remain active in the EU and are commonly transnational in nature, allowing explosives precursors and HMEs to move freely across internal borders – meaning that one Member State's weakness weakens them all.

4.3. Is the intervention still relevant?

This section provides an overview of the assessed relevance, i.e. whether the Regulation remains a pertinent intervention and is future-proof, and hence whether it can stand the test of time[82].

Summary of the findings on relevance

The evaluation concludes that the Regulation is a relevant intervention, but that its scope could be redefined to ensure it remains fit for the future and flexible to adapt to new developments, including possibly high-risk chemicals[83]. There is general buy-in as to the objectives and usefulness of the Regulation among national authorities and industry stakeholders.

Relevance of the Regulation's provisions

In particular, the evaluation made a case for strengthening the enforcement role for customs authorities as part of the Regulation's provisions. The Regulation currently does not confer any enforcement powers on customs authorities, unlike some other EU legal instruments dealing with border-sensitive issues. Customs authorities are not tasked with inspecting imported regulated explosives precursors, verifying the accompanying documentation or reporting suspicious transactions under the Regulation. The majority of Member States have codified in their national legislation the role of customs in implementing the Regulation or taken measures such as intelligence sharing, physical inspections at borders and detaining

[81] Survey of national authorities.
[82] Better Regulation Toolbox, Tool #47.
[83] High-risk chemicals are substances that can be used to manufacture devices that can release lethal or poisonous gases. Such devices can also be used by terrorists to stage an attack.

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non-compliant shipments. However, the involvement of customs authorities remains indirect and incidental, and several Member States report that this absence of provisions in the Regulation creates legal or practical difficulties for them in conducting customs controls on explosives precursors. Evidence is mixed[84] but suggests that making the role of customs more explicit could help address these issues and ensure a higher level of consistency in enforcement, in particular in Member States which reported lower enforcement. One of the major challenges in this respect is that it is very difficult to determine for the authorities – and in particular for customs authorities – which products and mixtures are covered by the Regulation and should therefore be controlled and monitored.

However, it should be noted that there is no strong evidence that criminals and terrorists have attempted to source regulated explosives precursors by importing them from third countries.

Stakeholders were generally in favour of explicitly including both messaging and communication apps and social media platforms in the Regulation to raise awareness and increase compliance. It should be explored whether other intermediaries are technically able and eligible to be covered by current provisions as online marketplaces insofar as they act as intermediaries facilitating trade in explosives precursors, regardless of whether the trade be between members of the general public and/or business and professional users. There are reports of these intermediaries being used to bypass rules and facilitate the illicit trade in explosives precursors[85]. For that reason the national authorities consulted broadly supported the explicit inclusion of messaging and communication apps and social media applications in the Regulation, despite practical difficulties for enforceability and limits on how online private-to-private sales can be controlled (due to encryption and privacy protection, in particular)[86].

Discussions on the adequacy of the list of regulated explosives precursors (see section on effectiveness) show that there are currently no clear criteria or processes which would allow a decision to be taken swiftly on the addition of a new explosives precursor – or any other relevant aspect of the annexes to the Regulation – in the event of an evolving threat posed by the manufacture or use of HMEs.

Most stakeholders consulted believed that Annexes I and II contained the right substances and concentration limits[87] (see also the section on effectiveness). Some did ask for the definition of what constitutes ‘suspicious’ transactions, disappearances and thefts to be clarified. It was not clear to what extent those stakeholders were familiar with existing

[84] Based on the survey of national authorities and discussions of the 36th and 37th meetings of the SCP.
[85] Based on interviews with the European Commission and comments by authorities surveyed in eight countries (CY, DE, FR, HU, LT, LU, NO, SI).
[86] Interviews (3) with one EU entity (DG HOME D2), authorities in one Member State (SI) and one industry association (VCH). Survey of national competent authorities, Q31: comments made by authorities in one Member State (DE).
[87] Based on responses to the surveys of market participants and national authorities, as well as the 36th and 37th meetings of the SCP.

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(public and restricted) guidelines dealing with this matter and which of the indicators listed could be revised[88].

A few Member States were in favour of defining the obligations of stakeholders responsible for logistics, transport and shipping within the Regulation, although SCP members had diverging views on this[89].

Is the Regulation fit for the future?

Apart from the above-mentioned considerations on customs enforcement, the inclusion of messaging and communication apps and social media platforms and the need for criteria or a process that would allow a decision on the update of the annexes to be taken promptly if necessary, there is no indication that the Regulation is not fit for purpose. Because the trade in chemicals is still taking place increasingly online, and this is expected to continue in the future, addressing these issues will help ensure that the Regulation keeps pace with economic and societal developments (i.e. how individuals shop). When it comes to security considerations, proven attempts to circumvent the Regulation are concerning but do not currently seem to warrant revision of its provisions or annexes[90].

Confidential discussions are still being held on the list of regulated explosives precursors, and the evaluation could not conclude whether the annexes to the Regulation need to be amended despite data obtained from consultations which suggest that other substances and other pre-precursors are being used to circumvent the Regulation.

Attempts at circumvention have included criminals or terrorists resorting to procuring or manufacturing pyrotechnics, which fall outside the scope of the Regulation if regulated explosives precursors are not involved[91]. Some Member States have reported increasing instances of pyrotechnics being misused, in particular by criminal networks, including pyrotechnics illegally manufactured using regulated explosives precursors[92], although the Regulation should in principle be able to prevent such illegal manufacture. Extraction of explosives precursors from acquired pyrotechnics is also possible.

Europol previously identified increasing trends in the manufacturing of home-made low explosives[93] using explosives precursors. There are concerns about pre-precursors such as alternative peroxides used to manufacture hydrogen peroxide, a key ingredient in TATP. However, no consensus could be reached on whether their inclusion in the Regulation would

[88] Interviews with national authorities in two Member States and one industry association.
[89] Comments made by authorities surveyed or interviewed in four countries (DE, FI, NO, SE).
[90] Based on the literature review, the survey of and interviews with national authorities as well as the 36th and 37th meetings of the SCP.
[91] Interviews with national authorities in three Member States (DK, FR, NL) and the European Commission.
[92] Such as potassium nitrate, potassium perchlorate, magnesium powder and aluminium powder. Based on the interviews with national authorities in three Member States and the European Commission.
[93] Such as black powder, flash powder, smokeless powder. Source: Europol (2022), EU Terrorism Situation and Trend Report (EU TE-SAT), page 16. Available at https://www.europol.europa.eu/publications-events/main-reports/tesat-report. Last accessed 25 September 2025.

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be effective or proportionate in meeting policy objectives, with 55% of Member States considering that the Regulation meets current and future security needs.

Articles 15, 16 and 17 of the Regulation provide for the Commission to adopt delegated acts, including through an urgency procedure, to amend its annexes without going through the ordinary legislative procedure. This helps ensure that the Regulation remains flexible enough to address new developments and regulate emerging substances susceptible to misuse. However, the delegation of powers is limited in scope as the Commission does not have the authority to restrict new substances (or to remove explosives precursors from the annexes). This limitation could potentially prevent the Regulation from being amended promptly to address new threats from the manufacture and use of HMEs.

No delegated acts have been adopted or considered necessary since the Regulation came into force. While the effectiveness of these articles could not be ascertained, no stakeholders considered the delegation of powers not to be a relevant provision of the Regulation.

5. WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED?

5.1. Conclusions

The proper implementation of the explosives precursors legislation is important in view of the EU's Counter-terrorism Agenda and the European internal security strategy ('ProtectEU'). It reduces vulnerabilities that can be exploited by terrorists and criminals, by denying them the means to carry out attacks with HMEs.

5.1.1. Impact of the Regulation since 2021

The Regulation has generally been **effective** in meeting its stated objectives. In particular, it has significantly restricted the access of members of the general public to explosives precursors and improved threat detection across Member States through the obligation to report suspicious transactions, disappearances and thefts. Nevertheless, law enforcement authorities across the EU continue to frequently discover and dismantle illegal explosives manufacturing sites where sometimes huge quantities of regulated explosives precursors have been used or are found. This suggests that, despite the general effectiveness of the Regulation, there are also sometimes significant shortcomings in the detection procedures of market participants.

The Regulation has helped raise awareness among most stakeholders and ensured buy-in from economic operators as to its intent and provisions. Persisting discrepancies in compliance and awareness call for more inspections and awareness-raising campaigns to be carried out in certain Member States.

Overall, the list of regulated explosives precursors covered by the Regulation is considered to adequately address the main threat currently posed by HMEs.

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The Regulation has provided a common framework and a certain level playing field across the EU, reducing the variety of legal regimes applicable in Member States. Apart from differences in enforcement and control, the Regulation is rendered less effective by its silence on the role of customs authorities in applying its provisions, which means that explosives precursors imported into the EU are probably not subject to the same level of checks as those manufactured in its Member States.

The Regulation's **efficiency** was found to be generally satisfactory. Costs incurred by stakeholders were found to be proportionate to the wider benefits of ensuring a high level of security against the misuse of explosives precursors and to have a level of harmonisation and legal clarity. Stakeholders face considerable costs in implementing the Regulation, particularly in verifying transactions at the point of sale and ensuring secure storage of explosives precursors, while national authorities face the highest costs in inspections, inter-agency coordination and the handling of suspicious activity reports. As such, possible areas for simplification should be considered, especially in the verification process in business-to-business transactions, where the burden and costs are seen as disproportionate. A common view among public and private stakeholders is that the Regulation covers too many mixtures and products from which the extraction of regulated explosives precursors is not likely or feasible, creating undue burdens and costs for businesses and competent authorities. This shows that the 1% w/w rule for homogeneous mixtures is not fully efficient, although stakeholders have differing views on what an alternative could be.

The objectives of the Regulation continue to be **relevant**. The prevention of attempted attacks and a decrease in the number of completed attacks with HMEs manufactured using regulated explosives precursors suggest that the Regulation's restrictions and obligations have generally been working and remain necessary. The EU Standing Committee on Precursors has proven a key tool in working towards convergence in application and in discussing relevant security-related and technological or scientific developments. Questions remain regarding the ability of the Regulation to enable the swift restriction of new explosives precursors to address new threats, as the delegation of power to the Commission does not include adding new substances to Annex I to the Regulation.

The Regulation was found to be largely externally **coherent** with other relevant EU legislation and political priorities such as the European internal security strategy ('ProtectEU') and the EU counterterrorism agenda. The Regulation does not conflict with obligations under EU chemical or environmental legislation. However, its reliance on the REACH Regulation to define a chemical substance raises an interpretation issue as to whether or not waste is covered by the Regulation. In relation to internal coherence, stakeholders identified a number of provisions of the Regulation which could be clarified and streamlined. This would resolve a number of the current implementation and interpretation problems.

The Regulation does **affect fundamental rights and freedoms**, but its effects on them were found to be limited in scope and proportionate to its security objectives.

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The Regulation creates **EU added value** and remains a necessary intervention, achieving results beyond what Member States could accomplish individually. This includes the provision of a level playing field for the legitimate trade in explosives precursors. Its previous framework, by contrast, suffered from inconsistencies in national application, leading to regulatory gaps and legal uncertainty. Most Member States would not have implemented comparable restrictions on public access to explosives precursors without EU intervention. Public and private stakeholders broadly agree on the Regulation's continued relevance, with ongoing discussions among SCP members underscoring its role in addressing shared security concerns. Given the transnational nature of terrorist networks and the cross-border movement of explosives precursors, weaknesses in one Member State can affect all, underscoring the need for a harmonised EU approach.

5.1.2. Persisting challenges

Building on the assessment of the above criteria, the evaluation has highlighted some persisting challenges which affect the Regulation's effectiveness or scope for improvement when it comes to the costs and benefits associated with its implementation.

One regulatory gap limiting the effectiveness of the Regulation is that it does not clearly attribute an enforcement role to national customs authorities. Stakeholders in some Member States reported that their customs authorities do not have the necessary tools to assess whether imported explosives precursors comply with the Regulation. This is in part due to the fact that it cannot be determined from the customs codes whether goods are covered by the Regulation (as there is no breakdown to the relevant concentration levels) and to the fact that the Regulation and some Member States do not have rules in place for enforcing its provisions at customs. This suggests that a clear role for customs authorities should be considered in the Regulation, together with accompanying guidance for practical, cost-effective and operational implementation, exchange of best practices and cooperation with national competent authorities and other authorities in charge of the internal market (e.g. market surveillance authorities).

Another challenge concerns cooperation between Member States on the follow-up to notifications on suspicious activity with a cross-border dimension. This is currently underdeveloped, resulting in possible missed opportunities to detect and dismantle the illegal manufacture and use of HMEs in the EU.

The evaluation found the Regulation to be generally fit for purpose. However, the motivations of criminals and terrorists mean they will keep trying to circumvent existing rules and that the Regulation will need to remain flexible and enable new developments and emerging threats to be addressed quickly. There are currently no substances for which there is an outspoken and broad support to add them to the scope of the Regulation. There are also no other broadly supported proposals to amend the scope of the Regulation (e.g. concentration limits, particle size of metals). However, ongoing discussions in the context of the SCP show that there is a need for permanent vigilance and that the situation could change quickly. These

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discussions also show that the lack of clear criteria or a clear process for amending the scope of the Regulation is preventing efficient, evidence-based decision-making in this context.

While the Regulation has garnered buy-in as to its intents and framework, simplification and burden reduction could create benefits for stakeholders without jeopardising the overall policy objectives. This is also fully in line with the European Commission's communication on the long-term competitiveness of the EU, looking beyond 2030. This seems to be the case for rules on the verification-upon-sale process for established business-to-business transactions. The need to request personal identity documentation was highlighted as an uncommon practice in business-to-business relationships and may not always be effective. The requirement to request this information for every transaction – unless such verification of the customer in question already took place less than one year previously and the transaction does not significantly deviate from the previous one – in established business relationships was argued to be disproportionate and not to significantly contribute to the Regulation's security objectives, in particular when the business information collected remains unchanged. Moreover, many industry stakeholders consulted and several national authorities supported the exemption of finished products from the obligations of the Regulation where it is clear that such products cannot easily be misused or their components extracted to manufacture HMEs. Options to this end, including in relation to the 1% w/w rule in homogeneous mixtures, could be explored.

Considerable discrepancies in implementation and enforcement of the Regulation across Member States remain. Monitoring programme data point to stark differences in the numbers of inspections carried out as well as suspicious activity reports received, which suggest that awareness and/or compliance by economic operators, professional users and online marketplaces may be limited in certain Member States. Such implementation and enforcement differences between Member States should be addressed. At the same time, exploring to what extent services such as the open channels of messaging and communication apps and social media are technically capable and eligible to be covered by current provisions as 'online marketplaces' within the meaning of the Regulation, insofar as they act as intermediaries facilitating trade in explosives precursors could ensure legal clarity, awareness and, where appropriate, control of these actors.

Another possible regulatory gap, albeit less often reported, is that the Regulation does not cover waste. As such, waste containing explosives precursors is not subject to the obligations of the Regulation. While waste is bound by wider environmental and waste management rules, these do not require law enforcement authorities to be informed about possible security risks (linked to e.g. disappearance or misappropriation). However, stakeholders did report instances where this had created security risks in practice.

5.2. Lessons learned

In light of the problems identified above, the evaluation suggests that the aspects listed below should be examined in future policy interventions on the regulation of explosives precursors.

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- Continuously helping **ensure harmonised and uniform application of the Regulation's provisions across Member States and by economic operators, professional users and online marketplaces**. This includes raising awareness of the Regulation and its provisions to ensure compliance with its obligations, continued enforcement by national authorities and strengthening cooperation between Member States in cross-border cases, possibly with the support of Europol.

- **Reducing the burden on industry and simplifying requirements where possible**, including looking at areas where risks of misuse are limited to non-existent, but in which stakeholders still face disproportionate compliance costs and burdens, so that the single market for explosives precursors functions well and is not subject to any unnecessary barriers. Reducing undue burdens would also support buy-in among economic operators, professional users and online marketplaces regarding the security objectives and proportionality of the Regulation.

- Ensuring that the Regulation **enables a swift response to emerging threats and developments**. This includes the misuse of new explosives precursors, pre-precursors as well as potentially new methods of illicit manufacture of HMEs[94].

- **Addressing any persisting loopholes in the Regulation** to maximise its effectiveness and limit the risk of circumvention of its requirements, including on customs enforcement and waste.

- **Clarifying its provisions where necessary and addressing a number of internal coherence issues** in the Regulation (e.g. the information requested in the Customer's Statement (Annex IV) is not aligned with the information request in Article 8(2) of the Regulation; it is currently unclear whether or not magnalium powder – which is often used for the manufacture of HMEs – is covered by the Regulation).

[94] In this context it should be noted that the Commission has carried out detailed analyses on the need to regulate high-risk chemicals in 2024 (see also page 46). The decision as to whether or not to include high-risk chemicals is outside the scope of this evaluation.

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ANNEX I: PROCEDURAL INFORMATION

Lead DG, Decide reference and, if relevant, work programme reference

DG for Migration and Home Affairs

Agenda planning / work programme reference: PLAN/2023/2771

Organisation and timing

After it had been politically validated, the work on the evaluation (and impact assessment) started with the drafting of the terms of reference for the external study in support of the evaluation (and impact assessment) and the creation of the Interservice Steering Group (ISSG) in the last quarter of 2024. The first ISSG meeting took place on 16 May 2024. The contract with ICF for the external study was signed in October 2023 for an initial duration of 10 months which, in July 2025, was extended by an additional two months. The ISSG was involved in all steps of the evaluation (and impact assessment) starting from the terms of reference, the consultation strategy and the call for evidence, and continuing throughout the public and targeted surveys and the supporting study until the finalisation of the staff working document. In total, the ISSG met three times (on 16 May 2024, 13 January 2025 and 14 May 2025).

Evidence used together with sources and any issues regarding its quality (i.e. has the information been quality-assured?)

The evaluation (and impact assessment) used mainly information gathered through various stakeholder consultation activities, but also studies, reports, academic and grey literature (e.g. non-papers) and statistical data from different databases, where available. The availability of cost data was very limited, and the market analysis was compromised by a lack of disaggregated data and data missing for some years within the evaluation period. Quality was assured by triangulating information from different sources and validating findings in the stakeholder validation workshop. A more detailed outline of the methodology can be found in Annex II.

Use of external expertise

The evaluation (and impact assessment) was supported by a study carried out for DG HOME by a research team led by ICF (in collaboration with Milieu, WSP and RAND) between October 2024 and October 2025. Most of the data for the evaluation were collected between December 2024 and May 2025 (although information which became available up to September 2025 has also been included). The study ran concurrently with the 36th, 37th and 38th meetings of the Standing Committee on Precursors, during which presentations were given and discussions held on the evaluation (and impact assessment) of the Regulation under DG HOME's chairmanship and with the research team in attendance.

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The study consulted external experts on study design, consultation activities, analysis and synthesis/reporting.

ANNEX II. METHODOLOGY AND ANALYTICAL MODELS USED

The evaluation was supported by an external study carried out by a research team led by ICF (in collaboration with Milieu, WSP and RAND). The contractor carried out most of the data collection activities and data analysis and organised a stakeholder workshop. DG HOME and the ISG closely monitored the contractor's work from the inception phase until the final report. Consultation questionnaires were discussed and refined before being disseminated. The deliverables, in particular the final report, underwent several rounds of commentary and revision, to improve their quality.

1. Data collection activities

The evaluation relied on information from a variety of sources:

Desk research: Academic literature, grey literature (e.g. study reports, contributions and documents shared by stakeholders) and official documents (e.g. legislation, Commission communications) were consulted to gather information.

All sources are listed in a bibliography at the end of this annex.

The research team conducted an analysis of data reported by Member States under the **Regulation's monitoring programme** for the years 2021 to 2024. The data were first aggregated and then analysed on a year-by-year basis in order to generate relevant comparisons and identify trends across the evaluation period. In addition, data for the **market analysis** were retrieved from statistical databases such as Prodcom, Eurostat and Statista and combined with information from the REACH registration data published by ECHA to understand trends in business demographics (production and trade values and volumes). The aim of the market analysis was to establish:

- the current production of precursors; intended use and cross correlation with known cases of misuse;
- an initial mapping of the supply chain of current precursors;
- an initial mapping of information on trade in precursors.

Call for evidence: With a call for evidence published in all EU languages on the Commission 'Have your say' portal from 23 July to 20 August 2024, the Commission gathered preliminary reactions from stakeholders on the main elements of the initiative. In total, feedback was received from 19 stakeholders: 12 business associations, 4 public authorities, 2 businesses and 1 member of the EU public. The Commission also received three additional replies from the German federal states of Brandenburg, Baden-Württemberg and Saxony-Anhalt, which were not made public as they contained sensitive information. These replies were also shared with ICF.

Targeted surveys: Two targeted online surveys were launched to provide information for the evaluation. The surveys included open-ended questions and were supported by a limited

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number of follow-up interviews. A comprehensive approach was taken in designing the questionnaire, with stakeholder groups being asked about their views across evaluation criteria in a consistent and comparable manner. A minimum of two reminders were sent for each survey to increase response rates.

The survey for national competent authorities and contact points was launched on 17 February and left open for a scheduled duration of six weeks. It was emailed to SCP members as an editable Word document. The survey received a total of 23 consolidated national responses. Follow-up interviews with responding authorities were carried out in six Member States.

The second online survey targeted market participants, i.e. economic operators, professional and non-professional users and also retailers and online marketplaces dealing with explosives precursors. The survey was launched on ICF's Forsta Plus survey platform on 18 February and ran for five weeks. By the time it closed on 25 March, the survey had received a total of 87 individual responses. Only complete responses were used, meaning that respondents had to reply to all mandatory questions in order for their response to be recorded and used for analysis. Data cleaning was conducted and did not identify any duplicate or unusable responses. Follow-up interviews were carried out with eight survey respondents.

Public consultation: A public consultation was held from 31 March to 23 June 2025 on 'Have your say'. It included a questionnaire with closed and open questions which the general public was invited to fill in, in order to reach a broad range and large number of stakeholders. The consultation aimed to validate the topics and issues covered by the evaluation, gather information, data and experience on the application of the Regulation, solicit views and opinions of stakeholders on the extent to which the Regulation has met its objectives and gather views on the Regulation's relevance, taking into account social developments. In total, 208 answers were collected, most (approx. 78%) of them from members of the EU public.

Interviews: The contractor conducted a total of 27 interviews. A smaller number of exploratory 'scoping interviews' took place in the inception phase of the study. This allowed the study team to further develop the intervention logic by obtaining at an early stage necessary and relevant information that ultimately also fed into the questionnaires and interview guides for the remaining stakeholders to be consulted.

The majority of interviews were conducted in the main phase of the study. They took the form of 'semi-structured interviews' which examined more closely some key trends and findings from the desk research and the survey and/or filled a few information gaps.

As part of the semi-structured interviews, several follow-up interviews were carried out with respondents to the survey of market participants, with the questions being adapted on the basis of their survey response. To limit stakeholder fatigue, more defined interviews were conducted so that survey respondents were not asked questions which they had already answered in the targeted online surveys.

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2. Data analysis

All data collected were analysed by the contractor using the indicators and judgement criteria from the evaluation matrix (see Annex III) and information from different sources that had been combined and compared ('triangulation').

Responses from the public consultation and the targeted survey were statistically analysed to identify trends and patterns. Qualitative insights from interviews complemented these findings with context and details. More information on the methodology used to process consultation data can be found in the synopsis report in Annex V.

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ANNEX III. EVALUATION MATRIX AND, WHERE RELEVANT, DETAILS ON ANSWERS TO THE EVALUATION QUESTIONS (BY CRITERION)

Question	Sub-question	Judgement criteria	Indicators and descriptors	Sources of information
Effectiveness				
EQ1 – What effect has the Regulation had in preventing **restricted** and **reportable,** and possible other, **explosive precursors** from being acquired and used, by terrorists and criminals?	**EQ1.1** – How many notifications of suspicious transactions, thefts or disappearances led to the discovery of illegal bomb-making laboratories or the dismantling of terrorist or criminal groups?	The Regulation and its specific obligations have effectively prevented restricted and reportable, and possible other explosives precursors from being **acquired** and **used** by terrorists and criminals	***Quantitative indicators*** ■ Number of reported suspicious transactions, thefts or disappearances (broken down by type) prior to (2021) and after the Regulation (2022 onwards). ■ Outcome of notifications: number of notifications that led to investigations; number of investigations that resulted in the discovery of illegal bomb-making laboratories; number of investigations resulting in the dismantling of terrorist or criminal groups. ***Qualitative indicators*** ■ Type of regulated explosive precursors used in attacks/attempted attacks. ■ Extent to which stakeholders (e.g. NCA/NCPs) report instances of cross-border cooperation and intelligence sharing resulting from notifications.	***Primary sources*** ■ Interviews with EU Commission and EU agencies. ■ Workshops with the SCP. ■ Targeted surveys (NCAs, NCPs, economic operators). ***Secondary sources*** ■ Commission Monitoring programme reports. ■ Global Terrorism Database. ■ Europol reports – e.g. TE-SAT reports. ***Methods*** ■ Content analysis of documents /reports. ■ Descriptive and trend analysis of secondary data and survey data (compared pre and post-Regulation). Thematic analysis of interview data.

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	EQ1.2 - How many notifications of suspicious transactions, thefts or disappearances led to prosecutions or convictions of persons trying to manufacture HMEs?		***Quantitative indicators*** ■ Number of arrests made following notifications and types of charges filed against individuals (e.g. intent to manufacture HMEs). ■ Number of convictions resulting from investigations initiated by notifications. ***Qualitative indicators*** ■ Extent to which stakeholders (e.g. NCA/NCPs) report instances of cross-border cooperation and intelligence sharing resulting from notifications.	***Primary sources*** ■ Interviews with EU Commission and EU agencies. ■ Workshops with the SCP. ■ Targeted surveys (NCAs, NCPs, economic operators). ***Secondary sources*** ■ Commission Monitoring programme reports. ■ Global Terrorism Database. ■ Europol reports – e.g. TE-SAT reports. ***Methods*** ■ Content analysis of documents /reports. ■ Descriptive and trend analysis of secondary data and survey data. Thematic analysis of interview data.
EQ2 – To what extent have the Regulation's key provisions been effective in achieving the Regulation's objectives?	**EQ2.1** - Which specific provisions or parts of the Regulation are considered by stakeholders to be (i) most effective and (ii)	There are provisions in the Regulation that fully achieved the expected objectives. There are provisions in	***Qualitative indicators:*** ■ Share of stakeholders that consider specific provisions to be the most effective / least effective. ■ Bottlenecks and enablers in	***Primary sources*** ■ Targeted surveys (NCAs, NCPs). ***Methods*** Descriptive analysis of

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	least effective in achieving the Regulation's objectives?	the Regulation that did not fully achieve the expected objectives.	the achievement of the expected outputs according to feedback of stakeholders.	survey data.
	EQ2.2 - Are the existing applications of the 'safeguard clause' (see Article 14 of the Regulation) effective?	The Regulation and existing applications of the 'safeguard clause' were effective in preventing access to emerging alternative substances that can be misused to stage attacks in the Member State concerned through HMEs.	***Quantitative indicators*** ■ Number of instances across Member States where the 'safeguard clause' has been implemented. ***Qualitative indicators*** ■ Rationale for the adoption of the 'safeguard clause' and cases of prevented attacks linked to the newly restricted substances. ■ Extent to which stakeholders (EU Commission, NCAs/NCPs) perceive that the 'safeguard clause' is effective at mitigating risks.	***Primary sources*** ■ Commission Monitoring Programme reports. ■ Targeted surveys (NCAs, NCPs). ■ Meeting with SCP #1. ■ Interviews with EU Commission. ***Methods*** ■ Thematic analysis of interview data. ■ Descriptive analysis of survey data.
	EQ2.3 - Is the Monitoring Programme delivering relevant and useful insight into the outputs, results and impact of this Regulation? Has the Monitoring Programme proven useful to check	The monitoring programme includes relevant and comprehensive indicators aligned with the Regulation's objectives and provides clear, actionable insights and recommendations for improving	***Quantitative indicators*** ■ Response rate to Commission surveys and compliance with reporting requirements imposed by the monitoring programme. ***Qualitative indicators*** ■ Mapping of the indicators in the monitoring programme against the Regulation's	***Primary sources*** ■ Interviews with EU Commission. ■ Meeting with SCP #1 ■ Targeted surveys (NCAs/NCPs). ***Secondary sources*** ■ EU policy documents (e.g. Monitoring Programme for

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	whether the implementation of the Regulation is 'on track' as regards the objectives of the Regulation and helped identify actual problems in the application of the Regulation?	implementation. The monitoring programme collects high-quality, accurate, and timely data, and produces reports and updates at appropriate intervals to effectively track progress towards the Regulation's objectives. The monitoring programme successfully identifies specific problems and challenges in the application of the Regulation.	objectives and provisions. ■ Extent to which the European Commission finds the information gathered through the monitoring programme to be useful for tracking progress. ■ Extent to which Member States perceive that the benefits of the monitoring programme outweigh the burden and reporting requirements imposed.	Regulation (EU) 2019/1148, SWD(2020) 114 final). ■ Commission Monitoring Programme reports. ***Methods*** ■ Content analysis of key documents. ■ Thematic analysis of interview data. ■ Descriptive analysis of survey data.
	EQ2.4 – To what extent have the **penalties laid down in national law** that are applicable to infringements of the Regulation proven to be effective, proportionate and dissuasive?	There are penalties laid down in national law that are considered to be effective, proportionate and dissuasive.	***Qualitative indicators*** ■ Type and severity of **penalties imposed** at the national level for infringements of the Regulation. ■ Extent to which stakeholders (e.g. economic operators, NCA/NCPs) perceive **penalties laid down in national law** for infringements to the Regulation to be effective,	***Primary sources*** ■ Targeted surveys (NCAs/NCPs, economic operators). ***Secondary sources*** ■ For information obtained through primary sources: National legislation/laws ***Methods*** ■ Legal analysis ■ Content analysis of key

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			proportionate and dissuasive.	documents ■ Descriptive analysis of survey data
EQ3 – To what extent has the Regulation facilitated the free movement of explosives precursors within the EU?	**EQ3.1** To what extent has the Regulation contributed towards a level playing field at the EU level when it comes to control measures and access restrictions to explosives precursors?	The Regulation has effectively ensured the legitimate use and trade of explosives precursors within the EU.	***Quantitative indicators*** ■ Extent to which production, import, export, (changes in) uses, market concentration in explosive precursors has increased or stabilised. ■ Extent of increase in availability of regulated products and across product ranges for legitimate users. ■ Extent of increase of the Trade Competitiveness Index (TCI) for EPs in the EU ■ Size of shift towards online sales compared to physical retail sales ■ Quantitative results from the market analysis. ■ Value (in EUR) of cross-border trade in explosives precursors among Member States. ■ Ratio between cross-border and purely national trade in explosives precursors among Member States. ■ Number of economic operators reporting	***Data sources*** ■ Reports/updates stemming from the Monitoring Programme. ■ Eurostat data ■ Interviews with market participants ■ Survey to economic operators ***Methods*** ■ Quantitative/Qualitative analysis of the data collected ■ Descriptive analysis of survey data.

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			supplying explosives precursors cross-border among Member States ■ Increase in market diversification (e.g. evolution of the part of smaller EOs in overall market) ***Qualitative indicators*** ■ Stakeholder's views on proportionality of the Regulation's obligations. ■ Level of difficulty for operators to implement the Regulation in their business activities. ■ Reduced market access barriers and increased predictability as reported by industry stakeholders ■ Level of complexity of the framework and how it affects the freedom of movement of explosive precursors. ■ Qualitative results from the market analysis.	
	EQ3.2 - Is the lack of mutual recognition of licences creating any problem for licence	The lack of mutual recognition of licences is creating problems for licence owners and	■ Number of MS recognising licences from another MS. ■ Number of cases of lack of mutual recognition of	***Data sources*** ■ Targeted interviews. ■ Targeted surveys (NCAs, NCPs, economic

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	owners or distorting the internal market?	distorting the internal market.	licences between MS, concerned MS and additional obligations requested. ■ Stakeholder views on recognition of licences and its impacts.	operators). ***Methods*** ■ Quantitative/Qualitative analysis of the data collected.
EQ4 – To what extent has the Regulation increased awareness throughout the supply chain that certain chemicals can be misused to manufacture HMEs?	**EQ4.1 -** Have the training and awareness raising campaigns reached the target audiences and achieved the required results?	The Regulation has contributed to increasing awareness throughout the supply chain that certain chemicals can be misused to manufacture HMEs.	***Quantitative indicators*** ■ Number of awareness raising training modules delivered to supply chain stakeholders on the potential misuse of certain chemicals to manufacture HMEs. ■ Proportion (%) of supply chain stakeholders reached by training activities. ■ Number of awareness raising campaigns organised by Member States. ***Qualitative indicators*** ■ Share (%) of stakeholders agreeing that the Regulation has positively contributed to raising awareness and compliance among the supply chain that certain chemicals can be misused to manufacture HMEs. ■ Share (%) of stakeholders declaring that training	***Primary sources*** ■ European Commission Monitoring Programme ■ Targeted surveys (NCAs, NCPs, economic operators). ■ Targeted interviews. ■ Meeting with SCP #1. ***Methods*** ■ Descriptive analysis of survey data. ■ Secondary analysis of Monitoring programme data.

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			modules they attended proved effective in raising their awareness on the potential misuse of certain chemicals for the manufacturing of HMEs.	
	EQ4.2 - Have the guidelines issued by the Commission pursuant to Article 12 of the Regulation proven effective in assisting actors in the chemicals supply chain and the competent authorities in the application of the Regulation?	Guidelines have effectively assisted actors in the chemical supply chain and the competent authorities in the application of the Regulation.	■ Coverage of the Regulation provisions by guidelines. ■ Level of dissemination of guidelines along the supply chain. ■ Share (%) of stakeholders - either a) from the chemical supply chain or b) competent authorities - agreeing that the guidelines issued by the Commission pursuant to Article 12 of the Regulation proved effective to assist them in applying the Regulation.	***Primary sources*** ■ Targeted surveys (NCAs, NCPs, economic operators). ■ Targeted interviews. ■ Meeting with SCP #1. ***Methods*** ■ Descriptive analysis of survey data. ■ Secondary analysis of Monitoring programme data.
EQ5 – Are there specific factors affecting the effectiveness of the Regulation?	**EQ5.1** What are the exogenous factors, if any, that facilitated/hindered progress towards achieving the Regulation's objectives?	External factors that **facilitated or hindered** the achievement of the general and specific objectives of Regulation can be identified.	***Qualitative indicators*** ■ Extent to which stakeholders report external factors linked to the achievement of the general and specific objectives of the Regulation (e.g. national or EU-level policy developments, socioeconomic trends, technological developments, social and cultural factors,	***Primary sources*** ■ Exploratory interviews with EU Commission and EU agencies. ■ Meeting with the SCP. ■ Targeted surveys (NCAs, NCPs, economic operators). ***Methods*** ■ Thematic analysis of

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			cross-border movements and international trade etc.).	interview data. ■ Descriptive analysis of survey data.
EQ6 – Has the Regulation had any unintended effects?		Unintended effects caused by the implementation of the Regulation can be identified	***Qualitative indicators*** ■ Extent to which stakeholders report unintended effects of the Regulation ■ Nature of the unintended effects reported	***Primary sources*** ■ Exploratory interviews with EU Commission and EU agencies. ■ Meeting with the SCP. ■ Targeted surveys (NCAs, NCPs, economic operators). ***Methods*** ■ Thematic analysis of interview data. Descriptive analysis of survey data.
Efficiency				
EQ7 – What are the costs for authorities and economic operators to implement the Regulation? What are the key drivers for those costs?		The Regulation's implementation entails different costs depending on the category of stakeholders concerned	***Quantitative indicators*** ■ Administrative costs of collecting and analysing the monitoring data ■ Administrative costs of inspections ■ Costs of reporting suspicious transactions for operators and online marketplaces	***Primary sources*** Targeted consultation with competent authorities, national contact points, economic operators ***Methods***: ■ Descriptive analysis of the data collected ■ Standard Cost Model ■ CBA or CEA
EQ8 – What are the benefits of the Regulation and who	**EQ8.1** Has the Regulation helped to reduce the use of	The Regulation has helped to reduce the use of precursors to produce	***Quantitative indicators*** ■ Trend in the number of disappearances and thefts of	***Primary sources*** Targeted consultation with competent authorities,

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has benefited?	precursors to produce HMEs?	HMEs Benefits of decrease in terrorist activities using HME The harmonised framework established by the Regulation has benefited EU businesses, for example, by reducing the administrative burden of cross-border trade. The Regulation has provided other benefits, such as better functioning of the EU internal market in explosive precursors and increased administrative capacity of national competent authorities.	explosive precursors ***Qualitative indicators*** ■ Types of benefits produced for citizens (increased security), Competent Authorities (improved administrative capacity) and businesses (smooth functioning of the internal market, including cost savings and information availability, impact on SMEs)	national contact points, economic operators ***Methods*** ■ Descriptive analysis of the data collected ■ Standard Cost Model ■ CBA or CEA
	EQ8.2 Have businesses benefited from the harmonised framework established by the Regulation? If so, in what way?			
EQ9 - Are the costs for complying with the provisions or specific parts of the Regulation proportionate to the benefits?	**EQ9.1** - Does the '1%-rule' for mixtures of Article 3(13) strike the right balance between costs and security?	The 1% rule strikes the right balance between costs and security	***Quantitative indicators*** ■ Market impact of the 1% rule ***Qualitative indicators*** ■ Share (%) of stakeholder	***Primary sources*** Call for Evidence 1st SCP Meeting notes Targeted consultation with competent authorities, national contact points, economic operators

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			who consider the costs to be justifiable against the benefits stemming from the Regulation	***Methods***: ■ Descriptive analysis of the data collected ■ Standard Cost Model ■ CBA or CEA
	EQ9.2 - Are the costs for creating and managing a system of licences by the Member States for members of the public proportionate to the benefits (i.e. the continued access to certain explosives precursors to members of the public for non-professional usage)?	The costs for creating and managing a system of licences by the Member States for members of the public are proportionate to the benefits	***Quantitative indicators*** ■ Administrative costs of collecting and analysing the monitoring data ■ Costs of implementing a license ■ Market impact of the licencing system ***Qualitative indicators*** ■ Share (%) of stakeholder who consider the costs to be justifiable against the benefits stemming from the licencing system ■ Share (%) of stakeholder who consider is beneficial to have a licensing system	***Primary sources*** Targeted consultation with competent authorities, national contact points, economic operators ***Methods*** ■ Descriptive analysis of the data collected ■ Standard Cost Model ■ CBA or CEA
	EQ9.3 – Does the '**Verification upon sale'** (Article 8 of the Regulation) strike the right balance between the administrative burden it creates for the actors along the	The verification upon sale strikes a right balance between the costs and the administrative burden it creates	***Quantitative indicators*** ■ Administrative costs of collecting and analysing the verification upon sale ■ Costs for businesses of implementing the verification upon sale provision	***Primary sources*** Targeted consultation with competent authorities, national contact points, economic operators ***Methods*** ■ Descriptive analysis of

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	supply chain and the increase of security?		■ Market impact of the verification upon sale ***Qualitative indicators*** ■ Share (%) of national authorities and economic operators that perceive the **verification requirements** to be practical and effective at preventing irregular or illicit trade in explosive precursors. ■ Outcome of inspections by national inspection authorities and LEAs of **verification upon sale** requirements.	the data collected ■ Standard Cost Model ■ CBA or CEA
EQ10 – Which parts of the Regulation are most efficient?		Specific provisions or parts of the Regulation are considered by relevant actors to be efficient in terms of achieving the objectives at least cost	***Qualitative indicators:*** ■ Share (%) of provisions that relevant stakeholders consider to be the most efficient in terms of the costs incurred and the benefits they produce	***Primary sources*** ■ Targeted surveys (NCAs, NCPs, EOs). ***Methods*** ■ Descriptive analysis of survey data.
EQ11 – Which parts of the Regulation are least efficient and what is the potential for simplification and for cost savings?		Specific provisions or parts of the Regulation are considered by relevant actors to be inefficient in terms of achieving the objectives at least cost.	***Qualitative indicators:*** ■ Share (%) of provisions that relevant stakeholders consider to be the least efficient in terms of the costs incurred and the benefits they produce ■ Share (%) of stakeholders	***Primary sources*** Targeted consultation with competent authorities, national contact points, economic operators ***Methods*** ■ Descriptive analysis of

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	The assessment of the costs and benefits of the Regulation and the comparison of the different implementation experiences at national level highlights opportunities to maximise the efficiency of the processes at stake and simplify the Regulation	that consider the Regulation produces: cost/burden duplication complexity ***Quantitative indicators:*** ■ Estimated administrative burden costs in EUR resulting from the Regulation ■ Potential cost-savings (in EUR) through administrative simplification and burden reduction ■ Potential cost-savings (in EUR) from reducing redundant/overlapping requirements with other international, EU or national regulations ■ Time spent by operators on compliance activities	the survey data collected ■ Standard Cost Model
Relevance			
EQ12 – To what extent does the Regulation address **current and likely future needs** considering the role of HMEs in the developments of terrorism and organised crime? Are there any security gaps not currently addressed by the Regulation?	Stakeholders consider the Regulation has been relevant in addressing current and likely future EU security needs/challenges concerning the role of HMEs in the developments of	***Qualitative indicators*** ■ List of current and likely future EU needs/challenges regarding the role of HMEs in terrorism and organised crime. ■ Extent to which stakeholders perceive that the Regulation addresses current	***Primary sources*** ■ Public consultation. ■ Exploratory interviews with EU Commission and EU agencies. ■ Targeted surveys (NCAs, NCPs, economic operators).

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		terrorism and organised crime. The Regulation does not leave any gaps that could be exploited by terrorists or criminals.	needs/challenges regarding the role of HMEs in terrorism and organised crime and will continue to do so. ■ Mapping the gaps and areas of alignment between the priorities of the Regulation and the identified needs and developments.	***Secondary sources*** ■ Policy communications on the role of HMEs in terrorism and organised crime. ■ Public and policy statements on terrorism and organised crime, specifically the role of HMEs. ■ Academic studies and grey literature on the evolution of terrorism and organised crime, specifically the role of HMEs. ■ Feasibility study and impact assessment on high-risk chemicals ***Methods*** ■ Content analysis of key documents. ■ Thematic analysis of interview data. ■ Descriptive analysis of survey data.
EQ13 – Should the **definitions** contained in the Regulation, or the Regulation's **scope,** be	**EQ13.1** – Is there a need to reformulate some of the definitions listed in the Regulation, or to	The definitions listed in the Regulation are free from ambiguity.	***Qualitative indicators*** ■ Level of alignment between the Regulation definitions adopted at the national level. ■ Extent to which	***Primary sources*** ■ Workshops with the SCP. ■ Targeted surveys (NCAs, NCPs)

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reformulated in order to address current and likely future needs?	introduce new ones, to clarify the scope of the provisions and to facilitate national enforcement?		NCAs/NCPs perceive that the definitions listed in the Regulation are clear and comprehensible (not ambiguous).	***Secondary sources*** ■ National legislation. ***Methods*** ■ Legal analysis. ■ Thematic analysis of workshop data. ■ Descriptive analysis of survey data.
	EQ13.2 – Should private-to-private websites/social media applications be included in the scope of the legislation because they provide a potential way to circumvent the current measures?	Private-to-private websites and social media applications are being used to bypass the current measures, and it would be feasible to extend the Regulation to explicitly include them.	***Qualitative indicators:*** ■ Examples of incidents and case studies where private-to-private websites or social media applications have been used to circumvent current measures. ■ Extent to which stakeholders (NCAs, NCPs, economic operators) perceive that extending the Regulation to include private-to-private websites and social media is likely to be both feasible and impactful.	***Primary sources*** ■ Workshops with the SCP. ■ Targeted surveys (NCAs, NCPs, economic operators) ***Methods*** ■ Thematic analysis of workshop data. ■ Descriptive analysis of survey data.
	EQ13.3 – Should the role of customs be made more explicit?	There is a lack clarity in the way customs enforce the Regulation, and this creates loopholes in the regulatory system that can be exploited by	***Qualitative indicators:*** ■ Level of alignment between practices and measures implemented by customs when regulated substances enter the EU market ■ Extent to which customs	***Primary sources*** ■ Interviews with EU Commission. ■ Workshops with the SCP. ■ Targeted surveys (national customs

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		criminals	authorities report that their role in enforcing the Regulation is clear and actionable or requires clarification.	authorities) ***Methods*** ■ Thematic analysis of interview data. ■ Descriptive analysis of survey data.
EQ14 – To what extent does the Regulation and its provisions provide the **flexibility to cover current or future developments** in the manufacturing of HMEs?	**EQ14.1** – Are the current **limits to the delegation of powers** in the Regulation appropriate in terms of an efficient management of the Regulation and in terms of reacting quickly to changes in the threat situation?	The delegation of powers in the Regulation (which is limited solely to amending the limit values in Annex I and adding substances to Annex II) provides sufficient flexibility to ensure the efficient management of the Regulation, while accommodating current and future developments in the manufacturing of HMEs. The mechanism of delegated acts is lengthy, requiring multiple approval steps, that impedes the ability to react quickly to changes to the threat situation.	***Qualitative indicators*** ■ Number of times delegated acts have been used to amend limit values (Annex I) or add substances (Annex II), and the time taken to implement delegated acts. ■ Assessment of whether the amendments address emerging threats and new developments in the manufacturing of HMEs. ■ Extent to which stakeholders (EU Commission, NCAs, NCPs) are satisfied with the flexibility, effectiveness and efficiency of delegation powers.	***Sources*** ■ Interviews with EU Commission. ■ Workshops with the SCP. ■ Targeted surveys (NCAs, NCPs) ***Methods*** ■ Thematic analysis of interview data. ■ Descriptive analysis of survey data.
Coherence				
EQ15 – Is the	**EQ15.1** How does	The Regulation the	***Qualitative indicators***	***Sources***

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Regulation coherent with the overall **Counter-Terrorism Agenda** for the EU: Anticipate, Prevent, Protect, Respond?	the Regulation align with the objectives of the Counter-Terrorism Agenda, particularly in preventing the misuse of explosives by radicalised individuals or groups and promoting international cooperation to restrict access to explosives precursors?	capacity to **anticipate** potential terrorist threats by controlling access to explosives precursors. The Regulation contributes to **preventing** terrorist attacks, particularly by limiting access to materials that could be used in homemade explosives. The Regulation promotes law enforcement cooperation with third countries in controlling the sale and distribution of explosives precursors.	■ Enhanced international cooperation as a result of the implementation of the Regulation	■ Academic and grey literature ***Methods*** ■ Literature review ■ Thematic analysis of interview data.
EQ16 – Is the Regulation coherent with the **EU Action Plan to enhance preparedness** against chemical, biological, radiological and nuclear security risks?		The Regulation supports the overarching goals of the EU Action Plan, such as reducing vulnerabilities, improving detection, enhancing response capacities, or securing sensitive materials. The Regulation includes	***Qualitative indicators*** ■ Degree of alignment of the Regulation's objectives with the key goals of the Action Plan ■ Impact of the Regulation in the fulfilment of the objectives of the Action Plan.	***Sources*** ■ Academic and grey literature ***Methods*** ■ Literature review ■ Thematic analysis of interview data.

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		specific provisions that address the prevention, protection, and response phases of CBRN risk management. The Regulation reflects recent threat assessments and emerging risks as identified in the CBRN Action Plan. The Regulation fosters cooperation between public authorities, private sectors, and civil society, as encouraged by the Action Plan.		
EQ17 – Is the Regulation coherent with other EU legislation, especially the **Directives** on **Civil Explosives** and **Pyrotechnic Articles**, the **Regulations** on **Drug Precursors, REACH** and **CLP Regulations**?	**EQ17.1** Are there any inconsistencies, contradictions, overlaps or potential for synergies between the Regulation and the Directives on Civil Explosives, Pyrotechnic Articles, as well as the Drug Precursors Regulation? **EQ17.2** Are there any inconsistencies,	The Regulation aligns with other existing EU laws in particular the Directives on civil explosives, on pyrotechnic articles, and the Regulation on drug precursors. The Regulation adequately complements other existing EU laws in particular the Directives	***Qualitative indicators*** ■ Degree of double regulation. ■ Degree of complementarity. ■ Degree of alignment of terminology and definitions. ■ Impact of synergies (achievement of share objectives, reduction in compliance costs).	***Sources*** ■ Academic and grey literature. ■ Interviews with key stakeholders such as NCA's, EOs and the Commission, in particular DG GROW and DG ENV (for REACH and CLP). ***Methods*** ■ Literature review. ■ Thematic analysis of

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	contradictions, overlaps or potential for synergies between the Regulation and other EU legislation governing the same chemical substances (e.g. REACH and CLP Regulations, Medicinal Products Directive)?	on civil explosives, on pyrotechnic articles, and the Regulation on drug precursors. The terminology and definitions used in the Regulation are consistent with those found in other relevant EU laws in particular the Directives on civil explosives, on pyrotechnic articles, and the Regulation on drug precursors. There are positive synergies with other existing EU laws in particular the Directives on civil explosives on pyrotechnic articles, and the Regulation on drug precursors.		interview data. ■ Legal analysis.
EQ18 – Is the Regulation rendered **more effective thanks to Article 9 of the Digital Services Act** ('Orders to act against illegal content')?	**EQ18.1** -Does the DSA or other applicable EU law sufficiently provide for the removal of online content making restricted explosives precursors	Better tracking of illegal sales Better cooperation between stakeholders Reduction in criminal activities	***Quantitative indicators*** ■ Number of illegal sales detected/reported. ■ Frequency and quality of transparency reports. ■ Time to detect/remove illegal listings.	***Sources*** ■ Academic and grey literature. ■ Interviews with enforcement authorities and the Commission in particular DG CONNECT.

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	available to the general public online? **EQ18.2** Has Article 9 enhanced cooperation between digital platforms and national authorities responsible for enforcing the Regulation?		***Qualitative indicators*** ■ Use of automated detection tools. ■ Number of user-reported illegal listings.	***Methods*** ■ Literature review. ■ Thematic analysis of interview data.
EQ19 – To what extent is the Regulation coherent with certain **environmental legislation** (e.g. Seveso-III Directive (Directive 2012/18/EU)? Are there instances where the measures for security have unintended consequences for safety?	**EQ19.1** How do the safety, security, and reporting requirements under the Seveso III Directive complement or overlap with the measures for explosives precursors under the Regulation?	Compatibility of reporting processes and requirements under both legal texts. Clarity and simplicity of compliance for operators managing substances regulated by both frameworks. Consistency between safety and security requirements. Effectiveness of security measures in reducing safety risks.	***Qualitative indicators*** ■ Degree of double regulation. ■ Degree of complementarity. ■ Impact of synergies (achievement of share objectives, reduction in compliance costs). ■ Impact of security measures on safety objectives under the Seveso Directive.	***Sources*** ■ Interviews with NCAs, EOs and competent authorities for Seveso-III Directive. ■ Academic and grey literature. ■ Interviews with key stakeholders (Seveso Member States working group). ***Methods*** ■ Literature review. ■ Thematic analysis of interview data. ■ Legal analysis.
EQ20 – Waste is excluded from the	**EQ20.1** Are the existing provisions	The extent to which waste materials could	***Qualitative indicators*** ■ Documented cases of waste	***Sources*** ■ Academic and grey

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REACH Regulation. As Regulation 2019/1148 refers to REACH to define a substance (see Article 3(1)) waste is outside the scope of Regulation 2019/1148. Is there a need to address this loophole and how?	within EU waste management rules (e.g. Waste Framework Directive) that control hazardous substances, including explosives precursors, sufficient to address security concerns?	be repurposed or misused for the illicit production of explosives. The vulnerability of waste disposal and recycling systems to exploitation by criminal organisations or individuals seeking explosive precursors. The ability to effectively monitor and control waste containing explosive precursors	materials being used in terrorist or criminal activities involving explosive precursors. ■ Studies highlighting how waste streams (e.g. industrial, chemical, or agricultural) contain dangerous chemicals that could serve as explosive precursors. ■ The sufficiency of current EU waste legislation (e.g. the Waste Framework Directive 2008/98/EC) in addressing the specific risks posed by waste that contains explosive precursors.	literature ■ Interviews with key stakeholders in the waste sector and wit DG ENV of the Commission. ***Methods*** ■ Literature review ■ Thematic analysis of interview data.
EU added value				
EQ21 – To what extent has the Regulation permitted achievements which could not be reached by legislation at Member State level?	**EQ21.1** – To what extent could Member States have introduced national rules: ■ Limiting the availability of substances and mixtures that could be misused to make HME to the public; ■ Requiring any	■ The Regulation enabled achievements which could not be reached by national legislation at Member State level ■ Rules on making available, introduction, possession and use of substances and mixtures that could	***Qualitative indicators*** ■ Share (%) of key consulted stakeholders agreeing that the Regulation permitted achievements which could not be reached by national legislation at Member State level ***Quantitative indicators*** ■ Number of Member States with national rules with proven equivalent	***Primary sources*** ■ Targeted interviews ■ Mapping of the national legislation ■ Targeted survey questionnaires ■ Exploratory interviews ■ Targeted consultations ■ Legal documents mentioned under Coherence; ■ Available statistics (e.g. EUROPOL reports, etc.)

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	suspicious transactions involving the substances to be reported to the appropriate authorities. ■ Preventing the illicit manufacture of explosives using chemical precursors	be misused to make homemade explosives have been introduced / enhanced by the Regulation to an extent that would have been unreachable at Member State level ■ The availability of those substances or mixtures to the public was limited by the Regulation ■ The reporting of any suspicious transactions involving the substances to the appropriate authorities was effectively achieved through the implementation of the Regulation ■ The illicit manufacture of explosives was prevented through the Regulation more effectively than the	effectiveness to the rules of the Regulation ■ Number of suspicious transactions involving the substances to the appropriate authorities prior and after the introduction of the Regulation ■ Number of seizures and confiscation of illicit substances and explosives prior and after the entry into force of the Regulation	■ Europol data

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		relevant national legislation at Member State level		
EQ22 – To what extent have Member States issued national rules on explosives precursors that go beyond the scope of the Regulation?	**EQ22.1** – To what extent do the additional national rules on explosives precursors indicate gaps or inadequacies in the comprehensiveness of the Regulation?	Member State rules that go beyond those specified in the Regulation can be identified.	***Quantitative indicators*** ■ Number of Member States with national rules that go beyond the scope of the Regulation (e.g. in relation to concentration limits, licensing and registration requirements, scope of regulated substances, sale and distribution controls, storage and handling requirements, monitoring and surveillance, awareness and training programs, penalties and enforcement measures, customs and border controls, national databases). ***Qualitative indicators*** ■ Mapping of nature/type of national rules that go beyond the scope of the Regulation. ■ Extent to which Member States perceive that the Regulation is comprehensive for tackling the problem.	***Sources*** ■ Regulation 2019/1148 ■ National legislation ■ Workshops with the SCP. ■ Targeted surveys (NCAs) ***Methods*** ■ Content analysis / implementation assessment of national legislation. ■ Thematic analysis of workshop data. ■ Descriptive analysis of survey data.

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EQ23 – To what extent is EU level intervention still warranted?	**EQ23.1** To what extent is EU level intervention still warranted to limit the availability of explosives precursors to the general public? **EQ23.2** To what extent is EU level intervention still warranted to ensure the appropriate reporting of suspicious transactions throughout the supply chain?	Relevant stakeholders believe that EU intervention is still warranted to limit the availability of substances and mixtures that could be misused to illicitly manufacture HMEs and to ensuring the appropriate reporting of suspicious transactions throughout the supply chain.	***Qualitative indicators*** ■ Proportion (%) of relevant stakeholders that believe that EU intervention is still warranted to limit the availability of substances and mixtures that could be misused to illicitly manufacture HMEs and to ensuring the appropriate reporting of suspicious transactions throughout the supply chain.	***Sources*** ■ Targeted surveys. Targeted interviews.
Impact on fundamental rights and freedoms				
EQ24 - What has been the impact of the Regulation on fundamental rights and freedoms?	**Right to privacy and protection of personal data** **EQ24.1** How does the mandatory reporting of suspicious transactions involving explosive precursors affect individuals' right to privacy?	Assessment of the extent and nature of personal data collected during the reporting of suspicious transactions (e.g. volume, types of data, sensitivity). Assessment of whether the collected data is strictly necessary and relevant to the purpose of detecting and preventing	***Qualitative indicators*** ■ Volume of data and type of data. ■ Data sensitivity. ■ Data relevance. ■ Justification for data fields ■ Average costs per business for compliance. ■ Interview data from businesses regarding the burden of compliance. ■ Feedback from new entrants	***Sources*** ■ Academic and grey literature. ■ Interviews with economic operators and enforcement authorities. ***Methods*** ■ Literature review. ■ Thematic analysis of interview data.

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	EQ24.3 To what extent do data protection rules under the GDPR mitigate privacy concerns associated with the Regulation?	terrorist acts. Assessment of the compliance costs and effort required by businesses (cross-reference to efficiency questions). Assessment of whether Regulation (EU) 2019/1148 creates significant barriers to entry for new businesses in the chemical industry. Assessment of whether the Regulation creates significant barriers to entry for new businesses in the chemical industry. Assessment of whether the Regulation is likely to be effective in achieving its intended security objectives. Assessment of the balance between security objectives and fundamental right.	regarding the challenges posed by Regulation (EU) 2019/1148. ■ Qualitative data from law enforcement agencies regarding the usefulness of the data collected under the regulation in preventing attacks.	
	Freedom to Conduct a Business			
	EQ24.4 How does the Regulation impact the ability of businesses, especially those in the chemical industry, to operate without undue regulatory burdens?			
	Principle of Proportionality			
	EQ24.5 Is the limitation on fundamental rights imposed by the Regulation proportionate to the objective of preventing terrorist attacks?			

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ANNEX IV. OVERVIEW OF BENEFITS AND COSTS AND TABLE ON SIMPLIFICATION AND BURDEN REDUCTION

Table 1. Overview of costs and benefits identified in the evaluation[95]

		Citizens/Consumers		Businesses		Administrations	
		Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Cost							
Costs for compliance with the Regulation's obligations per new regulated or restricted precursor	recurrent	N/A	N/A	Expected at between €22 430 and €59 690 per company per year on average[96].	Varies widely based on company type and precursor. Estimates vary widely between €5 000 to €372 902 per company per year	Unknown	Unknown
Verifying which products fall under the Regulation's requirements	One-off	N/A	N/A	Around €6 040. (0.097 FTE) per company per year on average	Expected between €3 455 and €8 630 (0.05 and 0.13 FTE) per company per year on average. Update of estimate made by the 2018 evaluation.	N/A	N/A
Complying with verification upon sale in business-to-business transactions	Recurrent	N/A	N/A	Around €58 000 per company per year on average	Moderate to high costs for 85% of companies. Varies widely based on company type and client list	N/A	N/A

[95] Cost data in this table is based on cost templates and related interviews, as reported in European Commission, Evaluation study of Regulation (EU) 2019/1148 on the marketing and use of explosives precursors, Final Report, ICF in collaboration with Milieu, WSP, and RAND, 2025.

[96] Monetary estimates based on number of FTEs provided during the stakeholder consultations, were calculated by multiplying the average yearly cost of labour for the business sector in the EU, as of 2024 (latest available data). The yearly cost of labour in the EU was assessed as €62 150.4, the result of the average hourly cost of labour for the business economy in the EU in 2024 (€33.2) and the average number of hours worked per week in the EU (36 hours), multiplied by 52. Specific data for public administration were not available and sector-agnostic averages have been used instead.

Sources: Eurostat (2024): 'Hourly labour costs'. Available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Hourly_labour_costs. Last accessed 15 October 2025.

Eurostat (2025): 'Usual and actual hours of work'. Available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Actual_and_usual_hours_of_work. Last accessed 15 October 2025.

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Verifying licences for members of the general public	Recurrent	Unknown	Unknown	Unknown	Insufficient cost data obtained during the evaluation (two estimates ranging €20 000 - €50 000 reported per company per year). Update of estimate made by the 2018 evaluation suggests that costs per company per year should average €5 980 (0.096 FTE) but this should have been reduced due to the decrease in licensing regime across Member States.	Unknown	Unknown
Reporting and handling of suspicious transactions, thefts and disappearances	Recurrent	N/A.	N/A	Around €2 000 (0.03 FTE) per company per year on average.	Update of estimate made by the 2018 evaluation. Minor costs for 58% of companies.	Unknown	Rates as 'low' to 'very low' in 49% of Member States.
Informing the supply chain	Recurrent	N/A	N/A	Between €6 750 and €13 875 per company per year on average.	Moderate to high costs for 70% of companies	N/A	N/A
Conducting inspections	Recurrent	N/A	N/A	N/A	N/A	Between €56 440 and €112 880 (0.9 and 1.8 FTE) on average per Member State per year[97]	Moderate to very high costs in 80% of Member States

[97] Monetary estimates from calculation of data on FTE provided during the stakeholder consultations, multiplied by the average yearly cost of labour in the EU, as of 2024 (latest available data). The yearly cost of labour in the EU was assessed as €62 712, the result of the average hourly cost of labour in the EU in 2024 (€33.5) and the average number of hours worked per week in the EU (36 hours), multiplied by 52. Specific data for public administration were not available and sector-agnostic averages

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Interagency coordination and cooperation	Recurrent	N/A	N/A	N/A	N/A	Between €47 035 and €75 255 (0.75 and 1.2 FTE) on average per Member State per year	Moderate to high costs in 80% of Member States
Training and capacity-building	Recurrent	N/A	N/A	Between €5 000 and €5 400 per company on average.	High costs reported for 66% of companies.	Between €62 710 and €109 745 (1 and 1.75 FTE) on average per Member State per year	Moderate to high costs in 76% of Member States
Awareness and communication actions for companies and the general public	Recurrent	N/A	N/A	N/A	N/A	Between €62 710 and €81 525 (1 and 1.3 FTE) on average per Member State per year	Moderate to high costs in 75% of Member States
Conducting investigations based on received notifications	Recurrent	N/A	N/A	N/A	N/A	Between €62 710 and €106 610 (1 and 1.7 FTE) on average per Member State per year	Moderate to high costs in 75% of Member States
Imposing penalties and sanctions	Recurrent	N/A	N/A	N/A	N/A	Around €94 070 (1.5 FTE) on average per Member State per year	Moderate to high costs in 57% of Member States
Reporting obligations at national and EU levels	Recurrent	N/A	N/A	N/A	N/A	Between €12 540 and €31 355 (0.2	Low to very low costs in 53% of

have been used instead.
Sources: Eurostat (2024): 'Hourly labour costs'. Available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Hourly_labour_costs. Last accessed 15 October 2025.
Eurostat (2025): 'Usual and actual hours of work'. Available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Actual_and_usual_hours_of_work. Last accessed 15 October 2025.

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						and 0.5 FTE) on average per Member State per year	Member States
Developing databases and IT systems	One-off	N/A	N/A	N/A	No cost data obtained during the evaluation.	Unknown.	Insufficient cost data obtained during the evaluation (two estimates ranging between no costs and €62 710 (1 FTE) Member State per year).
Maintaining and updating databases and IT systems	Recurrent	N/A	N/A	N/A	No cost data obtained during the evaluation.	Unknown.	Insufficient cost data obtained during the evaluation (two estimates ranging between no costs and €62 710 (1 FTE) Member State per year)

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TABLE 2: Simplification and burden reduction (savings already achieved) *Report any simplification, burden reduction and cost savings **achieved already** by the intervention evaluated, including the points of comparison/ where available (e.g. REFIT savings predicted in the IA or other sources).*						
	Citizens/Consumers/Workers		Businesses		Administrations	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Removal of registration, licensing or mixed schemes across nine Member States						
One-off	N/A	N/A	€5 980 (0.096 FTE) saved per company per year on average.	Administrative costs linked to verifying licences for members of the general public no longer apply in those Member States. Update of estimate made by the 2018 evaluation.	N/A	N/A
PART II: II Potential simplification and burden reduction (savings) *Identify further potential simplification and savings **that could be achieved** with a view to make the initiative more effective and efficient without prejudice to its policy objectives*[98].						
	Citizens/Consumers/Workers		Businesses		Administrations	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Complying with verification upon sale in business-to-business transactions – removal of requirement to renew every twelve months						
Recurrent	N/A	N/A	Between €40 000 and €53 050 per company per year on average	Estimates vary widely between €5 000 and €167 810 (0.1 and 2.7 FTE) savings per company per year. Expected to vary widely based on company type and client list	N/A	N/A

[98] This assessment is without prejudice to a possible future Impact Assessment.

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Complying with verification upon sale in business-to-business transactions – removal of ID request						
Recurrent	N/A	N/A	Between €30 000 and €62 180 per company per year on average.	Estimates vary widely between €6 215 and €217 525 (0.1 and 3.5 FTE) savings per company per year. Expected to vary widely based on company type and client list	N/A	N/A
Removal of an explosives precursor from Annex I or Annex II[99]						
Recurrent	N/A	N/A	Between €10 000 and €22 430 per company per year on average	Based on limited reports by consulted companies – expected to differ significantly between precursors and company sector Includes recurring training costs estimates at up to €,9 000 per year per company.	Unknown	Limited estimates in only one Member State of €250 850 and €376 270 (4 and 6 FTEs) could not be triangulated.
Revision of the 1% w/w rule upwards						
Recurrent	N/A	N/A	Unknown	Expected to be significant but limited evidence, based on reports by consulted companies including one estimate of €18 645	N/A	N/A

[99] Based on estimates received for acetone and sulphuric acid.

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				(0.3 FTE) saving.		

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ANNEX V. STAKEHOLDERS CONSULTATION - SYNOPSIS REPORT

1. Introduction

This synopsis report provides a concise summary of the key findings and insights gathered during the evaluation of Regulation (EU) 2019/1148 on the marketing and use of explosives precursors. The report supports the European Commission by presenting evidence, analysis, and conclusions relevant for assessing the Regulation's relevance, effectiveness, coherence, efficiency, and EU added value. Engaging a diverse range of stakeholders, this report incorporates perspectives from national authorities, industry representatives, NGOs, economic operators, and EU citizens across all 27 EU Member States.

2. Consultation strategy

The consultations conducted as part of the evaluation of the Explosive Precursors were designed to assess whether the current EU rules remain effective, relevant, and fit for purpose in achieving their objective and addressing the needs and problems, including emerging challenges, in the sector. Their overall aim was to evaluate the success of the legislation in achieving its objectives, identify gaps or areas for improvement, and assess whether it remains aligned with evolving societal, technological, and security priorities. To achieve this, several types of consultation were carried-out a Call for Evidence, a Public Consultation, online surveys, two targeted email questionnaire, two Meetings of the Standing Committee on Precursors, two focus groups discussions, and interviews. A summary of insights gathered during discussions at the validation workshop was also incorporated into this synopsis report.

Each consultation tool played a complementary role in ensuring a comprehensive evaluation of the Explosive Precursors Regulation. The public consultation provided a broad platform to gather diverse views from the general public and stakeholders, offering a wide range of perspectives on the legislation. The targeted online survey focused on collecting detailed, structured input, enabling a more technical and nuanced assessment of the Regulation's impact and challenges. Meanwhile, the interviews allowed for in-depth discussions with key stakeholders, providing qualitative insights and context that enriched the understanding of sector-specific issues. Together, these tools ensured a balanced mix of broad, focused, and detailed inputs to support a robust evaluation.

Table 1: Consulted stakeholders by consultation activity

Stakeholder group	Consultation method	Stakeholder consulted
EU entities		
DG GROW	Scoping and semi-structured interviews	3 interviews
Europol	Scoping interviews	2 interviews
DG HOME	Semi-structured interviews	2 interviews
Member State public authorities		
National competent authorities	Scoping interviews	3 interviews
National competent authorities and contact points	Semi-structured interviews	6 interviews
National competent authorities and contact points	Targeted online survey	23 responses

National competent authorities and contact points	Targeted e-mail questionnaire	3 responses
Public authorities	Call for Evidence	7 responses
National competent authorities and contact points	Focus group discussions	40 participants
National competent authorities and contact points	Meetings of the Standing Committee on Precursors (SCP) – three meetings	Participating SCP Members
National competent authorities and contact points	Validation workshop	25 participants
Public authorities	Public consultation	1 response
Third-sector stakeholders		
Academic and educational institutions	Follow-up interviews	1 interview
Academic / Research institutions	Public consultation	4 responses
NGOs	Public consultation	1 response
Associations of non-professional users	Semi-structured interviews	1 interview
Industry stakeholders		
Industry associations	Scoping and semi-structured interviews	11 interviews
Manufacturers / distributors	Scoping and semi-structured interviews	4 interviews
Retailers and online marketplaces	Scoping and semi-structured interviews	1 interview
Market participants	Targeted online survey	87 responses
Business associations	Call for Evidence	12 responses
Businesses	Call for Evidence	2 responses
Market participants	Focus group discussion	21 participants
Market participants	Targeted e-mail questionnaires	11 responses
Market participants	Meetings of the Standing Committee on Precursors	n/a
Businesses	Public consultation	13 responses
Business associations	Public consultation	8 responses
Other stakeholders		
EU citizens	Call for Evidence	1 response
EU citizens	Public consultation	162 responses
Non-EU citizens	Public consultation	19 responses
Other	Public consultation	1 response

3. Results of the consultation activities

3.1. Scoping interviews

The study team conducted a total of **8 scoping interviews** during the inception phase:

Two interviews with EU entities

The Regulation has generally improved security by restricting access to explosives precursors and harmonising rules, but overlaps with other regulations (e.g. drug precursors) create some administrative burden.

Respondents see the Regulation as broadly effective, with evidence that criminals are being forced to seek alternatives, though implementation varies across Member States.

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There is no urgent call for major revision; the Regulation is seen as fit for purpose, but due diligence and compliance costs are notable.

Unintended consequences include a shift by malicious actors to less-regulated products (e.g. pyrotechnics), highlighting gaps outside the Regulation's scope.

Any future changes should be proportionate, evidence-based, and coherent with other EU chemical and security legislation.

Three interviews with national competent authorities

The Regulation has been effective in restricting access and harmonising rules, with high compliance levels, especially where stricter national measures are in place (e.g. Denmark).

No major unintended impacts or limiting factors were identified; the Regulation is seen as relevant and necessary for current and future security needs.

Authorities recommend expanding the Regulation to cover new substances and, in some cases, related equipment and materials used in making explosives.

Digitalisation of processes and improved alert systems are seen as beneficial, with proactive inspections and significant fines acting as effective deterrents.

Collaboration and information-sharing between Member States and with stakeholders (including online marketplaces) are considered essential for effective enforcement.

Three interviews with industry associations

Significant administrative and compliance burdens, especially due to inconsistent national implementation and additional requirements.

Disproportionate impacts on consumer products with low concentrations of precursors and the complexity of identifying regulated products in the supply chain.

Calls for simplification, clearer definitions, and differentiation between obligations for the general public and economic operators (B2B vs B2C).

Industry supports harmonisation and digitalisation but warns against overregulation, especially regarding high-risk chemicals not directly relevant to explosives manufacturing.

Open dialogue with stakeholders and alignment with other EU and international regulations are seen as crucial for future amendments.

3.2. Semi-structured interviews

The study team conducted a total of **19 semi-structured interviews** as part of the evaluation phase:

Five interviews with EU entities.

DG HOME has set up monitoring programmes, guidelines, and secure communication platforms to support Regulation 2019/1148, but effectiveness is limited by uneven Member State engagement and reporting quality.

- Verification upon sale and reporting of suspicious transactions remain major issues for both authorities and private sector actors, with significant discrepancies in enforcement and awareness across Member States.
- Technical and administrative overlaps exist with REACH, Drug Precursors Regulation, and environmental laws, especially regarding substance definitions, waste exclusion, and dual compliance burdens.
- Online sharing of explosive-making instructions, increased use of pyrotechnics in crime, and fertiliser thefts present ongoing risks not fully addressed by current regulation.
- Interviewees suggest a centralised information hub for reporting, targeted amendments to the Regulation (e.g. updating substance lists, clarifying online marketplace coverage), and balancing increased regulatory detail with administrative burden.

Six interviews with Member States national competent authorities and contact points.

- The Regulation has generally succeeded in restricting the availability of explosives precursors to the general public and raising awareness among economic operators, though its direct impact on suppressing terrorist or criminal activities is difficult to measure.
- Significant challenges remain, especially regarding cross-border inconsistencies, online sales (including private-to-private and platforms outside the EU), and the practicalities of verifying transactions and reporting suspicious activities.
- The ‘1% rule’ for mixtures and reliance on CAS numbers are widely seen as problematic, leading to regulatory loopholes and unnecessary burdens. There is a call for clearer, substance-specific thresholds and more practical definitions.
- The lack of a clear role for customs authorities and insufficient data sharing between customs, inspection authorities, and contact points limit the Regulation’s effectiveness, especially for imports and online purchases.
- Broad support for maintaining an EU-wide approach, but stakeholders recommend simplifying administrative requirements, clarifying obligations (especially for online and cross-border transactions), and improving cooperation and information sharing across Member States.

Seven interviews with industry associations.

- Stakeholders strongly support having an EU-wide regulation, as it simplifies compliance and creates a level playing field for companies operating in multiple Member States.
- The main challenge cited is the administrative burden, especially for B2B transactions, where repeated ID checks and data collection are seen as disproportionate and sometimes unnecessary, particularly for established business relationships.

Differences in national implementation and interpretation of the Regulation create confusion and extra work. There is a call for clearer, more harmonised guidelines from the European Commission.

Many interviewees suggest revising the 1% w/w threshold for mixtures, proposing higher limits to reduce regulatory burden on products unlikely to be misused, and caution against expanding the list of regulated substances without strong justification.

There are concerns about loopholes in the control of online sales, especially on smaller platforms and private-to-private transactions, with calls to explicitly include these in the Regulation and improve enforcement.

One interview with an association of non-professional users.

The Regulation is seen as having little to no security benefit for the radio-controlled racing sector, with no evidence of misuse of nitromethane for malicious purposes. However, it imposes restrictions and compliance burdens that are viewed as disproportionate for hobbyists and non-professional users.

There are significant disparities in how the Regulation is implemented and enforced across EU Member States, leading to confusion, uneven playing fields, and challenges for cross-border participation in competitions.

While harmonisation of rules is valued, the current approach (including licensing systems and concentration limits) is seen as unnecessarily complex. Stakeholders prefer stable, harmonised rules and suggest that further tightening of restrictions would negatively impact the sector without clear security gains.

As part of semi-structured interviews, several follow-up interviews were carried out with respondents to the survey of market participants, whereby questions were adapted based on their respective survey response. To limit stakeholder fatigue, more defined interviews were conducted so that survey respondents were not asked questions which they had already answered in the targeted online surveys.

3.3. Targeted online surveys

Two targeted online surveys were administered to inform the evaluation:

- **Survey for national competent authorities and contact points:** launched between 17 February and 15 April 2025, it was disseminated as a Word editable document via email to SCP members. It received a total of **23 consolidated national responses**. Follow-up interviews were carried out with responding authorities in six Member States.

  The Regulation is seen as ‘somewhat effective’ in preventing criminal access to explosives precursors, but enforcement and the definition of customs’ roles vary significantly across Member States.

  Compliance is highest among manufacturers but weakest among online marketplaces and the general public, with many stakeholders lacking awareness of their obligations.

SMEs and authorities face high administrative and operational burdens, with complex requirements leading to product reformulation, market withdrawals, and confusion about definitions and thresholds.

Criminals increasingly use online platforms and private-to-private sales to circumvent controls, prompting strong support for expanding the Regulation's scope to cover these channels.

Overlaps and inconsistencies with other EU regulations (e.g. REACH, CLP) cause confusion and dual compliance burdens for businesses and authorities.

Respondents call for clearer definitions, harmonised enforcement, digitalisation of compliance processes, stronger regulation of online trade, and regular updates to the list of regulated substances.

Survey for market participants: launched between 18 February and 25 March 2025 launched on ICF's Forsta Plus survey platform**,** it received a total of 87 individual responses. Follow-up interviews were carried out with eight survey respondents.

The Regulation has successfully raised awareness about explosives precursors in the supply chain, but is seen as less effective at preventing their misuse by criminals or terrorists.

Verification requirements, particularly for business-to-business transactions, are considered burdensome and not always fit for long-term customer relationships.

The Regulation is perceived as more effective for offline transactions, with online sales posing greater challenges for verifying customer legitimacy.

Compliance costs are highest for verification upon sale, and most respondents (especially retailers) report few direct benefits from the Regulation.

Stakeholders call for more harmonised rules across Member States, simpler processes for regular customers, and reduced administrative burdens.

There are significant concerns about privacy, GDPR compliance, and the handling of personal data required for verification.

3.4. Call for Evidence

The evaluation was informed by feedback received to the Call for evidence, which ran on the Commission's 'Have you Say' website from 23 July to 20 August 2024 and received 19 responses: 12 from business associations, 4 from public authorities, 2 from businesses, and 1 from an EU citizen, with geographical representation from Germany (5), Belgium (4), Denmark (2), France (2), the Netherlands (2), Hungary (1), Lithuania (1), and Romania (1). There were 12 submissions by EU or national business associations which are a mix of micro-, small-, medium-, and large- enterprises. However, while some of these business associations are classified as micro- or small- enterprises, they have large membership bases, making their submission more representative to that of, for example, a private sector small business distributing chemicals.

Business Associations: there were 12 submissions from business associations operating in chemicals manufacture or distribution, fertiliser manufacture or distribution, the

cleaning sector, retail sector, cosmetics and detergents manufacturers, and explosives, pyrotechnics and fireworks manufacturers. They highlighted the need for enhanced digital traceability, simplification of administrative processes, and flexibility in verification procedures. Concerns were raised about the broad scope of the regulation and the impact on sectors like disinfectants and cleaning agents.

Public Authorities: submissions focused on environmental issues, public arms control, and policing emphasising the importance of uniform implementation across Member States and the need for clear definitions and exemptions for low-risk products. Coordination at the Organisation for the Prohibition of Chemical Weapons (OPCW) level was suggested to enhance international coherence.

Businesses: two businesses discussed the administrative burdens imposed by the regulation and highlighted the need for harmonised legislation and improved digital traceability.

EU citizen: one EU citizen who expressed concerns about the reporting mechanisms under the current regulation and the cost for businesses in the chemical industry.

3.5. Public consultation

The 12-week public consultation[100] was launched on 31 March and ran until 23 June 2025. It received a total of 208 responses, the majority of which (78%, 168) were submitted by respondents categorising themselves as EU citizens. Reponses from Non-EU Citizens made up 9% (19), 6% of responses were from Companies/Businesses (13), 4% of responses were from Business Associations (8), 2% were from Academic/Research Institutions (4), and three respondent groups were each represented by 1 respondent, there were NGOs, Public Authorities, and Other.

EU Citizens

Regulations hinder legitimate use, especially for hobbyists and educational purposes. Many feel the system discourages scientific curiosity and experimentation, making it difficult to obtain chemicals for benign or household uses.

Negative effect on education and innovation, stifling learning outside formal institutions and discouraging youth from pursuing STEM, especially chemistry.

Social costs are significant, with restrictions making alternatives more expensive and less effective

Many believe the regulation fails to deter criminals but disproportionately affects law-abiding citizens.

[100] More information on the public consultation can be found in the 'Factual Summary Report - Public Consultation: Marketing and use of explosives precursors – updated rules' which has been published on the 'Have your say'-website of the European Commission (https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14353-Marketing-and-use-of-explosives-precursors-updated-rules/public-consultation_en)

Companies/Businesses

High administrative and operational burdens, especially for small businesses. Compliance costs (licensing, documentation, IT systems) are disproportionately high.

Financial strain, increased purchase prices, need for costly alternatives, and barriers to market entry.

Regulations seen as creating a competitive disadvantage for smaller entities, while larger companies adapt more easily

Support for exclusion from verification obligations for B2B transactions and professional users.

Business Associations

Need for harmonisation and standardisation across Member States. Inconsistent enforcement creates confusion and unequal burdens.

Advocacy for central coordination, binding guidelines, and industry-led training to balance security and access.

Promotion of voluntary tracking, staff training, and sharing best practices (e.g. BASF platforms, Fecc Model Agreement).

Academic/Research Institutions

Restrictions hinder legitimate scientific exploration, especially for independent researchers and students. Bureaucratic burden detracts from research time.

Stifling of innovation and scientific progress, negative impact on education and research freedom.

Support for exclusion from verification obligations for academic and research institutions.

NGO, Public Authority, Other

Concerns generally focused on proportionality and practicality of compliance requirements, especially in agriculture and scientific inquiry.

Questioned effectiveness in deterring malicious actors, highlighting inconsistencies in enforcement and unintended consequences for legitimate users.

3.6. Meetings of the Standing Committee on Precursors

Findings of the impact assessment were informed by exchanges held at the 36th and particularly the 37th SCP meetings (in November 2024 and May 2025, respectively). These meetings provided opportunities for assessing problems and policy objectives to be addressed by a potential revision of the Regulation.

36th meeting

EU Member States & EEA States

- Administrative burden, especially for licensing and verification processes
- Mixed views on the effectiveness of licensing versus authorisation regimes

- Challenges for retailers with supervision, reporting, and threshold levels
- Limited public awareness about licensing and regulatory requirements
- Need for greater regulatory clarity and harmonisation across Member States
- Reduced general public access to chemicals in some countries
- Technical and transparency issues raised, including preferences for previous labelling rules

Industry Stakeholders & Observers

- Concerns about the administrative burden imposed by current regulations and overlapping legislation.
- Fragmentation across Member States, with divergent national requirements and data protection issues.
- Need for flexibility due to sectoral differences and exemptions for B2B transactions, reflecting a shared desire for adaptable regulatory approaches.

Online Marketplaces

- Algorithms for suspicious transaction reporting often lead to overreporting or miss suspicious cases.
- Challenges in identifying suspicious activities, especially with combinations of products.
- Voluntary measures (Product Safety Pledge) in place; need for differentiation between global and national marketplaces.

37th meeting

EU Member States & EEA States

- Mixed views on whether changes should be legislative or handled through guidelines.
- Some prefer non-legislative adjustments to avoid overcomplicating the Regulation. Others see value in legislative changes for specific issues (e.g. customs, waste, acetone thresholds).
- Divided on the need for an EU-wide contact point; some support a central portal, others prefer national systems.
- Mixed opinions on whether transporters should have reporting obligations; concerns about practicality and administrative burden.
- Broad agreement that current acetone regulation is unnecessarily strict; suggestions to raise thresholds or remove it from scope.
- Interest in using systems like ICSMS for better enforcement and information sharing.
- Most oppose expanding the Regulation’s scope to include high-risk chemicals without clear definitions and mapping.

Industry Stakeholders & Observers

- Concerns about high administrative and compliance burdens, especially for B2B transactions and ID verification.

- Requested exemptions for low-risk products (e.g. nail polish, paint aerosols) and clearer definitions to avoid unnecessary regulation.
- Large operators support a centralised EU portal to simplify cross-border compliance and reporting.
- More feedback from authorities is desired after reporting suspicious transactions.
- Strongly opposed to including high-risk chemicals and additional products unless clearly justified.
- Noted underrepresentation of retailers and online marketplaces in consultations; highlighted lower compliance due to less chemical expertise.
- Guidelines vs legislation - some issues (e.g. ID verification, product lists) require legislative change, not just guidelines.

3.7. Validation workshop

The validation workshop consisted of a half-day event held on the 17 September 2025 and aimed to discuss findings from the study and ensure that all relevant data sources have been appropriately utilised and correctly interpreted. The workshop involved **26 participants**.

Ongoing debate about whether the 1% rule strikes the right balance between costs and security. The private sector argues that some substances are unlikely to be used by terrorists due to cost and availability of alternatives.

Legislative gaps identified: lack of a defined role for customs and insufficient coverage of chemical waste. Most participants agreed that these gaps hinder effective enforcement and may require legislative revision.

Acetone and sulphuric acid regulation: strong consensus emerged against removing acetone and sulphuric acid from the Regulation, as both are widely used in homemade explosives. While industry sees challenges, most Member States and the Commission support continued regulation.

Enforcement and inspections: there are significant differences in how Member States conduct inspections, including mystery shopping. Most participants do not support making mystery shopping mandatory due to resource constraints and legal barriers, but see value in guidelines and best practices.

Enforcement is complicated by the rise of online marketplaces, with questions about responsibility and sanctions for cross-border sales. Member States highlighted the need for EU-level solutions.

Mixed views on using Safety Data Sheets to communicate explosive precursor status. Some support mandatory SDS references for relevant substances, while others argue it is not suitable for all products and may conflict with existing regulations.

An informal vote showed strong support (13 participants) for amending the Explosive Precursors Regulation to address identified gaps and improve enforcement, with no opposition.

Participants noted that it is too early to take a definitive stance on specific policy options and called for more detailed recommendations and continued dialogue.