084964/EU XXVIII. GP
Eingelangt am 20/07/26

Council of the European Union

Brussels, 20 July 2026
(OR. en)

12084/26
ADD 1

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) 242 final
Subject:	COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY OF THE 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) 242 final.

Encl.: SWD(2026) 242 final

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EUROPEAN
COMMISSION

Brussels, 17.7.2026
SWD(2026) 242 final

COMMISSION STAFF WORKING DOCUMENT

EXECUTIVE SUMMARY OF THE 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) 241 final}

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1. Background

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'.

The Regulation strengthened the system of controls and monitoring of explosives precursors of Regulation (EU) No 98/2013, which was established in 2013. The strengthening was needed because this system did not ensure sufficient levels of public security and the threat posed by home-made explosives (HMEs) remained high and continued to evolve[2].

In accordance with Article 21 of the Regulation, the Commission is obliged to carry out an evaluation and to present a report on its 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 Guideline 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 the entry into application, on 1 February 2021, to September 2025.

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 general public. It also used input

[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] European Commission (2018), Commission staff working document, Impact assessment accompanying the document proposal for a Regulation of the European Parliament and of the Council (SWD(2018) 104 final). Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2018:104:FIN.

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

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from the monitoring programme established by the Regulation, reports from Europol and discussions by the Standing Committee on Precursors.

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.

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 HMEs used or attempted to be used in terrorist attacks are confidential. This evaluation has therefore not been able to draw on such information.

The cost assessment presented under the efficiency criterion is based on very limited data from cost templates, interviews and the targeted surveys. 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.

2. Conclusions

Effectiveness

The Regulation has been generally **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.

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.

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Efficiency

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 do 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 efficient and should be revised, although stakeholders have differing views on what an alternative could be.

Relevance

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 quickly restrict 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.

Coherence

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.

Impact on fundamental rights and freedoms

The Regulation does **affect fundamental rights and freedoms**, although its provisions were found to be limited in scope and proportionate to its security objectives.

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EU added value

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.

3. Lessons learned

In light of the problems identified above, the evaluation points to the need for the actions listed below in future policy interventions on the regulation of explosives precursors.

- 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 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.

- **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).

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