



EUROPEAN COMMISSION, WE DO HAVE A PROBLEM - BUT YOU ARE AIMING AT THE WRONG TARGETS!

Yes, we do have problem with:

- Crime involving firearms
- Terrorists and criminals who use prohibited military firearms and explosives.
- Terrorists also obtained illegally reconverted acoustic firearms via the dark net.

Yet these firearms did not belong to authorised owners.

However the Commission wants to:

- prohibit legal firearms that belong to authorised sport shooters, hunters and collectors;
- destroy firearms in museum collection and stop such museums from acquiring more artefacts;
- confiscate such firearms without compensation;
- impose disproportional measures on law-abiding firearm owners.

Yet the EU dragged its feet on the introduction of deactivation rules and up to now does not have any regulation on the conversion of firearms.

YES, WE HAVE PROBLEM WITH CRIME INVOLVING FIREARMS

Illegal firearms are likely to be used to threaten and harm people for the purposes of terror or crime. In its study "[Combating Illicit Firearms Trafficking in the European Union](#)" the Commission stated:

"It is estimated that illicit firearms trafficking has been directly responsible for at least 10,000 firearms-related deaths in EU Member States over the past decade. highlight the number of civilian firearms-related deaths since most, if not all, of these will occur as a result of the possession of illicit weapons." On the other hand the abuse of legally-held firearms is generally limited to suicide and violence between two disputing individuals. In both cases the legally-possessed firearm is just an accessory and not the motivation for the crime. Legal ownership of firearms does not increase the suicide or homicide rate; there exists no correlation between violence and legally held firearms.

Read more in our [FIREARMS REPORT IV: HOMICIDE AND SUICIDE](#)

YES, TERRORISTS AND CRIMINALS WHO USE PROHIBITED MILITARY FIREARMS AND EXPLOSIVES.

This week the [European Investigative Collaborations \(EIC\)](#) published breaking news about the firearms that the terrorists used in their attacks

TWO THIRDS OF THE FIREARMS USED BY THE TERRORISTS CONSISTED OF MILITARY WEAPONS FROM STOCKPILES PRESENT IN THE BALKANS

These weapons mainly originate from state arsenals that are poorly guarded and susceptible to theft or misappropriation through corrupt practices. However in the region there are also illegal stockpiles in private hands, hidden away in basements and hideouts. During the toppling of the Albanian government in 1997, at least 500,000 weapons and more than 1.5 billion rounds of ammunition were stolen during the riots.

Today there exists a flourishing trade in such weapons and ammunition which are sometimes even offered in flea markets. They are smuggled into Member States in coaches and private vehicles that are not subject to inspection. The customs authorities are either powerless or part of a corrupt circle that accepts bribes. This was revealed in a TV investigation recently screened on Canal Plus.

Source: <http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

None of these weapons are registered nor are they offered for sale on the internet and shipped by post!

A routine check on a vehicle at the Rodby ferry port led investigators to discover thirteen Serbian Zastava M 70 automatic rifles and ten hand grenades. The vehicle, or mini-arsenal, was being driven by the ex-policeman.

Source: <http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

Police refer to this activity as the "[ant trade](#)": numerous shipments of small quantities of weapons, which over time amount to a considerable accumulation of illicit weapons in the hands of unauthorized end users.

YES, TERRORISTS ALSO OBTAINED ILLEGALLY RECONVERTED ACOUSTIC FIREARMS VIA THE DARK NET.

ONE THIRD OF THE FIREARMS USED BY THE TERRORISTS CONSISTED OF RECONVERTED DEACTIVATED AND BLANK-FIRING 'ACOUSTIC' FIREARMS THAT ARE SOLD 'OVER THE COUNTER'

However these are still ILLEGAL under the present Directive:

*"For the purposes of this Directive, 'firearm' shall mean any portable barrelled weapon that expels, is designed to expel **or may be converted** to expel a shot, bullet or projectile by the action of a combustible propellant. ...The exemption for blank firers is "are designed for alarm, signalling, life-saving, animal slaughter or harpoon fishing or for industrial or technical purposes provided that they can be used for the stated purpose only;"*

These firearms had been manufactured many years ago for use by military and police forces but which were sold legally by governments as surplus. They were then converted to blank-firing firearms using inadequate technical specifications. The 'acoustic' firearms converted by the Slovak company could therefore be reconverted to live firing firearms using simple techniques and tools. Contrary to what has been stated by Police officials in Brussels, these firearms should have remained under the scope of the Directive and subject to authorisation. In spite of this they were sold without any paperwork and were hence untraceable.

Unlicensed technicians with a basic knowledge of gunsmith techniques would be able to reconvert such firearms within a couple of hours. Persons with ordinary knowledge of metal workmanship would need five to six hours. However it must also be said that persons with medium-high knowledge of gunsmith techniques can build an entirely new firearm out of raw steel – one may observe this in Pakistan and the Philippines. It is just a question of the time one takes. The same applies to the preparation of explosives.

In other words, persons with a criminal or terrorist intent will always find ways and means to procure their weapons.

YES, PERSONS WITH CRIMINAL INTENT ORDERED UNREGISTERED, INADEQUATELY-CONVERTED FIREARMS VIA THE INTERNET

A Slovak company (AFG) offered such acoustic firearms for sale on their internet site and sold **14,000 units** in the last five years. Most of these firearm were not properly converted to blank firing but in spite of the obvious obligation imposed by the current Directive they were still sold without any authorisation. Many were shipped by post, a loophole that was closed by the Slovakian authorities in summer 2015)

The British and German police sent cyber-investigators to buy such weapons. The tracking numbers led to a 20 year-old student, Christoph K in the Bavarian town of Schweinfurt. In January 2015 the Police raided his campus flat and other arrests were made in Europe. Christoph K. was re-converting firearms purchased from AFG in his basement and selling them at prices ten times higher than he bought them for. He was sentenced received to four years and three months in jail.

Source: <http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

FRENCH GENDARMERIE PERMITTED SALES OF REACTIVATED WEAPONS TO TERRORISTS

In 2014, AFG sold converted firearms over the internet to Frenchman Claude Hermant. Following the Paris terror attacks in January 2015, police raided his workshop and found weapons that had been reactivated either by using drills or by replacing the barrels. However Hermant declared that he had been purchasing firearms since 2014 with the blessing of the French Gendarmerie in order to help them investigate an arms smuggling ring.

Source: <http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

According to the research carried out by the EIC journalists, Hermant ordered the VZ 58 from AFG. It is the same weapon used by Coulibaly in the murders at the kosher supermarket in Paris. Apparently the French Government copied the tactics of the US Government in its "Fast and Furious" project that went awfully wrong. They peddled firearms indirectly into criminal hands, lost tracking and unintentionally provided the means to kill of several people.

Yet the EC did not think it necessary to enforce the Directive which was and still is sufficient to deal with this serious loophole.

Now we have learnt that this was a conscious decision in order to be able to identify and trace terrorists. In the face of all this the French Interior Minister is blaming what he calls 'the gun-sellers lobby' for the strong EP reaction to the Commission proposal which he boasts to have initiated.

NO, THESE FIREARMS DID NOT BELONG TO AUTHORISED OWNERS

We definitely have a problem with deactivated and converted firearms sold via the internet and shipped by post. Nobody can trace these firearms, nobody checks the consignee or the seller. The only reason this has happened is because the current EU Firearms Directive has not been enforced by the EC and these firearms which should otherwise be subject to authorisation have been sold licence-free.

However we do not have a problem with firearms of categories A, B, C and D that are registered and which when they are to be transferred between two persons resident in different Member States require prior authorisation by the authorities in both these States. Such firearms are recorded in national databases and will never be converted or transferred to third parties without a permit from the authorities.

NO, THEY ORDERED ILLEGALLY-RECONVERTED FIREARMS VIA THE DARKNET

AFG began attracting the interest of the authorities in Germany and the UK from 2004. It started with a parcel from Germany addressed to British gangster Alexander M., aka Smokey, a thief from London who now serves a life sentence. The parcel contained a Czech VZ61 'Skorpion' sub-machine gun which Smokey had ordered using his smartphone while in prison. All the authorities had was a pseudonym for the German intermediary who trafficked the weapon - Max Mustermann – obtained from a dark net commercial website called Agora. Reviews on Max included "My first choice" and "Max is the best".

Source: <http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

HOWEVER THE COMMISSION WANTS TO:

- prohibit legal firearms that belong to authorised sport shooters, hunters and collectors;
- destroy firearms in museum collection and stop such museums from acquiring more artefacts;
- confiscate such firearms without compensation;
- a ban on high capacity magazines
- prohibit internet sales of licensed firearms
- impose disproportional measures on law-abiding firearm owners such as
 - stricter rules for legal ownership and storage of firearms
 - mandatory medical tests and liability insurance
 - and many more

If implemented, these measures would:

- Actually **undermine national security** by creating a vacuum in countries that rely on active reserve forces;
- **Endanger law-abiding citizens** by banning firearms, blank firing guns and live-saving firearms kept for self-defense and protection;
- **Eradicate** a number of sport shooting disciplines and other legal pastimes;
- **Destroy the livelihood** of hundreds of thousands of people who earn an honest living in the legal arms trade;
- Damage and **destroy important historical artefacts** held by collectors and museums;
- Destroy the beneficial activity of serious collectors who conserve historic arms;
- Take bureaucracy to a level that **chokes trade** and places costly burdens on governments;
- Bring about a **huge financial burden on national budgets** and to the taxpayers who have to pay for the wanton destruction of their own property;
- **Divert badly-needed resources in the fight against organised crime** towards pointless punitive action against potential victims of crime and terrorism;

Read more in our [Open Letter](#)

YET THE EC HAS NO RULES FOR CONVERTED BLANK FIRING WEAPONS

In the first Firearms Directive of 1991 EU worded rules for deactivated and converted firearms:

On the issue of deactivation, Annex I, part III, obliges the Member States to 'make arrangements for the deactivation measures [...] to be verified by a competent authority in order to ensure that the modifications made to a firearm render it irreversibly inoperable.' It further states that '[t]he Commission shall [...] issue common guidelines on deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable.'

Source:

[http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/573289/EPRS_IDA\(2016\)573289_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/573289/EPRS_IDA(2016)573289_EN.pdf)

HOWEVER THE EC NEVER ISSUED COMMON GUIDELINES FOR BLANK FIRING FIREARMS

The problem of inadequate technical guidelines for the conversion of firearms to blank firing acoustic firearms and for the deactivation of firearms has been known since the first report of 2000. The issue was mentioned again in the next reports of 2010 and 2012. But the EC waited until 2013 in order to commission a study which was published with an impact assessment on deactivated, blank firing and acoustic firearms weapons in summer 2014.

The follow proposal received the highest approval:

- Harmonizing the rules for marking of firearms and establishing the mutual recognition of firearms marks;
- Establishing minimum common procedures and introducing registration requirements for deactivated firearms;
- **Clarifying the definition of convertibility of weapons and the criteria that apply to alarm weapons and replicas;**
- Promoting the improvement of statistics and knowledge sharing.

These findings were also recommended by the [Evaluation of December 2014 as legislative action of medium priority](#). The same study concluded that it was required to ease procedures for the movement of registered firearms. It also mentioned possible problems in the near future regarding internet sales, conversion of semi-automatic firearms and 3D-printers. The study thus recommended that data on these three topics should be collected for analysis.

SUMMARY

- **There is no correlation between the legal trade, ownership and use of licenced firearms and terrorism and crime involving firearms.**
- **Crime and terrorism are dependent on source that provide of illegal firearms.**
- **The EC proposal hits legal trade and ownership of licenced firearms.**
- **However it fails to propose tangible and credible measures against illicit trafficking and illicit conversion.**
- **Finally the EC ignores the proven fact that what is missing is serious enforcement of the Directive to tackle these criminal offenses.**