



EU, WE HAVE A PROBLEM - BUT YOU HIT THE WRONG TARGETS!

- Yes, we have problem with gun crime.
- Yes, terrorists and criminals use forbidden explosives and war weapons ...
- ...and converted acoustic firearms.
- Yes, they ordered unregistered converted firearms by internet.
- No, these firearms did not belong to authorised owners.
- No, they ordered illegally reconverted firearms via the darknet.
- EC wants confiscation of authorised firearms and more
- EC has no rules for converted blank firing weapons
- Summary

YES, WE HAVE PROBLEM WITH GUN CRIME

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](#)":

"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."

If a legally held firearm get misused it is for suicides and interpersonal violence. In both cases the legal possession of a firearm has only an impact on the chosen tool, not on the action itself. Legal ownership of firearms does not increase the suicide or homicide rate in total; in fact there is no correlation at all between violence and legally held firearms.

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

YES, TERRORISTS AND CRIMINALS USE FORBIDDEN EXPLOSIVES AND WAR WEAPONS ...

This week the [European Investigative Collaborations \(EIC\)](#) published breaking news about the firearms misused by terrorist.

TWO THIRDS WERE WEAPONS OF WAR FROM THE BALKANS

These are the weapons from state arsenals, which are poorly guarded - and risk burglary. ..But throughout the region a larger stockpile is likely to be in private hands, and hiding in basements: when Albanians toppled their government in 1997, at least 500,000 weapons were stolen during the riots and more than 1.5 billion rounds of ammunition.

Today there is a flourishing business selling and buying such weapons, even at flea markets, and they are sent to west Europe using buses and private cars with no verification on their contents. The customs officers stand no chance, while others take bribes, as a TV investigation published by Canal Plus has shown recently.

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

All these war weapons

- are not registered
- are not offered in the internet
- are not shipped by post.
- get smuggled in, hidden in cars.

At a routine check on his vehicle at the ferryport of Rodby, investigators discover ten hand grenades and 13 weapons. His car is an arms depot.... The car driven by the ex-cop has 25 hand grenades and four assault rifles under the brand Zastava M 70, the Serbian Kalashnikov.

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

Police call this "[ant trade](#)": numerous shipments of small numbers of weapons that, over time, result in the accumulation of large numbers of illicit weapons by unauthorized end users.

... AND CONVERTED ACOUSTIC FIREARMS

ONE THIRD HAS BEEN BOUGHT LEGALLY

as de-activated into blank-firing weapons, called salut or acoustic weapons.

But these were not legal 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, THEY ORDERED UNREGISTERED CONVERTED FIREARMS BY 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 firearms

- were not properly converted to blank firing
- were sold without any authorisation (in spite of obligation imposed by the current Directive)
- were offered in the internet
- 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 of emails led to the Bavarian town of Schweinfurt, and to a 20 year-old student Christoph K. In January 2015 the cops raided his campus flat and other arrests were made in Europe. Christoph K. was re-activating weapons bought from AFG in his basement and selling them on at a profit of ten times. He received 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 serves a man from north France over the internet - Claude Hermant. ..After the Paris terror attacks in January 2015, police raided his workshop and found weapons, all reactivated either by drills or by replacing the barrel.

But Hermant had an excuse. The story he told investigators was that, since 2014, he had been buying weapons with the knowledge of the French Gendarmerie, to document an arms dealing 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

In 2014, AFG began to be of interest to authorities in Germany and the UK. A starting point was a parcel from Germany, destined for a British gangster Alexander M., aka Smokey, a robber from London who now serves a life sentence. The parcel contained the submachine guns type VZ61, known as Skorpion. Smokey ordered the guns from prison, using his smartphone.

The authorities only had a pseudonym for the German intermediary who trafficked the weapons - the name Max Mustermann - on a dark net commercial website called Agora. Comments on the site 'reviewing' Mustermann read: "My first choice" and "Max is the best".

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

EC WANTS CONFISCATION OF AUTHORISED FIREARMS AND MORE:

- 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](#)

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 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.