



CEASEFIRE: Advanced versatile artificial intelligence technologies and interconnected cross-sectoral fully-operational national focal points for combating illicit firearms trafficking

D2.5 – Fully functional focal points and harmonized framework. Initial

This project has received funding from the European's Union Horizon Europe research innovation programme under Grant Agreement No.101073876

Authors

| Name | Partner | e-mail |
|---------------------|-----------|---|
| Francesca Trevisan | P10 TRI | Francesca.trevisan@trilateralresearch.com |
| Christine Andreeva | P10 TRI | christine.andreeva@trilateralresearch.com |
| Georgia Anagnostaki | P09 IANUS | a.matsiou@ianus-technologies.com |
| Alexia Solomou | P09 IANUS | a.solomou@ianus-technologies.com |

Document History

| Date | Version | Change |
|--------------|---------|--|
| 01-Dec-2022 | 0.1 | ToC and task assignments |
| 05-May-2023 | 0.2 | First draft of policy areas |
| 15-June-2023 | 0.3 | Second draft of policy areas |
| 10-Oct-2023 | 0.4 | Integration of survey results |
| 10-Nov-2023 | 0.5 | Integration of interviews |
| 12-Nov-2023 | 0.6 | Integration of T2.4 findings |
| 14-Nov-2023 | 0.7 | Internal review |
| 15-Nov-2023 | 0.7 | First revisions after internal review |
| 20-Nov-2023 | 0.8 | Second internal review |
| 28-Nov-2023 | 0.9 | Second revisions after internal review |
| 29-Nov-2023 | 1.0 | Submission |
| 25-Jun-2024 | 2.0 | Public version |

Executive Summary

This deliverable aims to provide a better picture of the challenges and opportunities related to firearms trafficking investigations and the operation of National Firearms Focal Points (NFFPs). TRI and IANUS have analysed firearms trafficking investigations practices and the functioning of EU (France, Portugal, Slovenia, Spain) and non-EU SELEC (North Macedonia, Moldova, Serbia) NFFPs through a policy analysis and a survey compiled by CEASEFIRE partner Law Enforcement Agencies (LEAs). This report presents the analysis of all the International and European policies and regulations related to firearms trafficking and it breaks their dispositions down into different areas which are functional to better understand the challenges and opportunities for improvements. These areas include cross-border cooperation, lawful evidence collection, information exchange and data sharing, prosecution of crimes and referral to identified criminal aspects. For each of these areas, this report describes the results of the survey. The findings show that EU cooperation to tackle firearms trafficking is progressing thanks to a range of international and EU policy initiatives. However, this advancement comes with challenges mainly related to a lack of standardization in data collection practices, variations in how regulations are enforced, limitations in economic and human resources, and issues with information exchange among others. Furthermore, this deliverable contains a mapping of the authorities involved in NFFPs and provides some initial recommendations on how to harmonize NFFPs functioning.

The results of this deliverable will be used in the upcoming months to create policy recommendations on how to harmonize NFFPs functioning and firearms related investigations. It is important to note that this deliverable is an interim version. An updated version will be released in M26 and will provide in depth recommendations on how to harmonize the operation of EU National Firearms Focal Points and how to improve the efforts related to firearms trafficking investigations.

Table of contents

| | |
|---|----|
| Table of contents | 4 |
| List of tables | 5 |
| List of acronyms..... | 6 |
| Iso Country Codes | 7 |
| 1. Introduction | 8 |
| 1.1. Deliverable context | 9 |
| 1.2. Outcomes of the deliverable | 9 |
| 1.3. Version-specific notes..... | 10 |
| 2. Method | 11 |
| 3. Policy Areas | 13 |
| 3.1. Cooperation: NFFPs | 13 |
| 3.1.1. Tasks and benefits | 13 |
| 3.1.2. Challenges | 14 |
| 3.1.3. Preliminary data..... | 16 |
| 3.1.4. Organisations involved in the operation of NFFPs | 21 |
| 3.1.5. NFFPs Needs assessment | 24 |
| 3.2. Lawful evidence collection | 26 |
| 3.2.1. International frameworks..... | 26 |
| 3.2.2. European frameworks..... | 27 |
| 3.2.3. Forensic data..... | 31 |
| 3.2.4. Challenges | 31 |
| 3.2.5. Preliminary data..... | 33 |
| 3.3. Information exchange and data sharing | 36 |
| 3.3.1. International frameworks..... | 36 |
| 3.3.2. European frameworks..... | 36 |
| 3.3.3. Databases and systems used for information sharing | 38 |
| 3.3.4. Challenges of information exchange | 38 |
| 3.3.5. Preliminary results | 39 |
| 3.4. Prosecution of crimes..... | 43 |
| 3.4.1. Challenges | 43 |
| 3.4.2. Are joint criminal investigations a potential solution for the prosecution of crime? | 45 |
| 3.4.3. Preliminary results | 46 |
| 3.5. Referral of identified criminal aspects..... | 49 |
| 3.5.1. Challenges | 50 |
| 3.5.2. Preliminary results..... | 50 |
| 3.6. Initial recommendations | 53 |
| 4. Conclusion / Future Work | 54 |

| | |
|---------------------|----|
| References | 55 |
| 5. Appendix 1 | 58 |

List of tables

| | |
|--|----|
| Table 1 Year of establishment of NFFPs. | 16 |
| Table 2 Tasks carried out by the NFFPs. | 19 |
| Table 3 Type of information that could be recorded..... | 30 |
| Table 4 Types of data collected in each country..... | 33 |
| Table 5 Authorities in charge of data collection. | 34 |
| Table 6 Types of national databases used for each country..... | 35 |
| Table 7 Pillars of Cooperation | 37 |
| Table 8 Table 4 Regulations governing data sharing related to investigations..... | 39 |
| Table 9 Regulations governing data sharing on firearms offenses. | 40 |
| Table 10 Regulations governing data sharing on firearms trafficking..... | 40 |
| Table 11 Frequency of data sharing | 41 |
| Table 12 Legislations for the criminalisation of firearms offenses by country..... | 46 |
| Table 13 National authority in charge of prosecuting offences. | 47 |
| Table 14 Information shared if EMPACT priority is found..... | 50 |
| Table 15 Type of information shared if EMPACT priority is found. | 51 |
| Table 16 Methods of data sharing for EMPACT priorities..... | 51 |
| Table 17 Authorities responsible for updating SIENA. | 52 |
| Table 18 Initial recommendations..... | 53 |

List of acronyms

| Acronym | Explanation |
|-----------------|--|
| ALIAS | Advanced ballListics Analysis System |
| EC | European Commission |
| EMPACT | European Multidisciplinary Platform Against Criminal Threats |
| EU | European Union |
| Europol | European Union Agency for Law Enforcement Cooperation |
| FIDE | Fichier d'Identification des Dossiers d'Enquêtes Douanières |
| iARMS | Illicit Arms Records and Tracing Management System |
| IBIN | Integrated Ballistics Identification Network |
| IBIS | Integrated Ballistics Identification System |
| IFRT | INTERPOL Firearms Reference Table |
| INTERPOL | International Criminal Police Organization |
| ITI | International Tracing Instrument |
| JITs | Joint Investigations Teams |
| NFFPs | National Firearms Focal Points |
| PoA | United Nations Program of Action on Small Arms and Light Weapons PoA |
| SALW | Small Arms and Light Weapons |
| SEESAC | South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons |
| SELEC | Southeast European Law Enforcement Center |
| SIENA | Europol's Secure Information Exchange Network Application |
| SIS | Schengen Information System |
| SOPS | Standard Operating Procedures |
| TFEU | Treaty on the Functioning of the European Union |
| UNTOC | United Nations Convention against Transnational Organized Crime |

Iso Country Codes

| | | |
|---------------------------|--------------------|-------------------|
| AL Albania | EL Greece | NO Norway |
| AT Austria | HU Hungary | PL Poland |
| BE Belgium | IE Ireland | PT Portugal |
| BA Bosnia and Herzegovina | IT Italy | RO Romania |
| BG Bulgaria | LV Latvia | RS Serbia |
| HR Croatia | LT Lithuania | SK Slovakia |
| CY Cyprus | LU Luxembourg | SI Slovenia |
| CZ Czech Republic | MT Malta | ES Spain |
| DK Denmark | MD Moldova | SE Sweden |
| EE Estonia | ME Montenegro | CH Switzerland |
| FI Finland | NL Netherlands | TR Turkey |
| FR France | MK North Macedonia | UK United Kingdom |

1. Introduction

Firearms trafficking transcends national borders as firearms are often manufactured in one country and smuggled into others where they might be used for criminal activities [1]. Being able to build the complex network behind these transactions requires authorities from different countries to work together, and share information, resources and standardized practices. Cross-border cooperation among authorities to combat firearms trafficking is facilitated by a range of different policy instruments, but it is still marked by several challenges related to a lack of standardization, variations in how regulations are enforced, limitations in economic and human resources, and issues with information exchange among others.

The goal of CEASEFIRE is to provide recommendations to mitigate these challenges and improve the cooperation among EU LEAs and LEAs from third countries to reduce firearms trafficking. This deliverable contributes to this aim by providing a better picture of the challenges and opportunities related to firearms trafficking investigation and the functioning of National Firearms Focal Points.

After this brief introduction, we present the methodology we used for the work presented in this deliverable. We performed a policy analysis to better understand the gaps and opportunities of the regulatory frameworks around firearms trafficking operations. We also shared a survey with CEASEFIRE LEAs partners to have an insight into how policy provisions are translated into practice. Next, we present the six policy areas we analysed, which are related to:

- Cooperation between authorities
- Lawful evidence collection
- Information exchange
- Prosecution of crime
- Referral of criminal aspects

For each policy area we analysed both the EU as well as the international dispositions and we report the results of the survey we conducted with the CEASEFIRE partners. The deliverable also includes a map of the authorities involved in the functioning of NFFPs, a NFFPs needs assessment and some initial recommendations on how to harmonize NFFPs.

The findings will be used in several different ways:

1. The policy analysis will be disseminated through one academic publication, the CEASEFIRE network and it will be presented at firearms trafficking related events.
2. As per the GA, after the review we have created a version of this deliverable for public use.
3. The preliminary results of the survey will be integrated with findings from other countries. In this regard, in the forthcoming months we will interview authorities involved in firearms trafficking related work in countries outside the CEASEFIRE consortium. This will help the CEASEFIRE consortium to build a better understanding of the issue and provide more targeted policy recommendations.
4. The final version of this deliverable (D2.6) will build on the results presented here to create recommendations on how to harmonize NFFPs and firearms trafficking investigations at a European level.

1.1. Deliverable context

| | |
|---------------------|---|
| Keywords | NFFPs, cooperation, investigations, data sharing, |
| Objectives | <p>D2.5 contributes to objective 3 of CEASEFIRE’s objectives. Objective 3 relates to the enhancement of trans-national, cross-disciplinary, multi-agency, operational cooperation and information exchange among (EU and third country) LEAs for achieving reduced diversion of firearms into criminal hands in Europe.</p> <p>This deliverable contributes to this objective through:</p> <ul style="list-style-type: none"> - Reporting the results of the analysis carried out on International and European policies and regulations related to firearms trafficking in six different areas: cooperation, lawful evidence collection, information exchange, prosecution of crimes, and referral of identified criminal aspects. - Reporting the results of the survey distributed among CEASEFIRE partner LEAs (France, North Macedonia, Moldova, Portugal, Serbia, Slovenia, Spain). The survey was structured into different blocks, each addressing specific aspects related to the policy areas specified above. - Assessing NFFPs needs. - Mapping the authorities involved in NFFPs functioning. - Providing some preliminary recommendations on how to harmonize NFFPs functioning. |
| Work plan | <p>This deliverable is related to WP2 “Criminological analysis, user requirements and policy recommendations”. It combines the work carried out in the context of Task 2.4 “Addressing organizational, legal and operational aspects in fully functional national firearms focal points” and Task 2.5 “Harmonization of framework and procedures in trans-border cross-jurisdictional investigations, cooperation, lawful evidence collection and forensics analysis”.</p> |
| Deliverables | <p>This deliverable will be updated in the upcoming months and the final version D2.6 “Fully functional focal points and harmonized framework. Final” will be submitted in M26.</p> |

1.2. Outcomes of the deliverable

This deliverable is part of a broader research endeavour aimed at understanding current challenges and potential solutions of cooperation in firearms trafficking investigation and the implementation of National Firearms Focal Points. It represents the initial version of D2.6 “Fully functional focal points and harmonized framework” due in M26. Therefore, the work reported in this deliverable provides the foundation upon which we will build as we extend our research efforts beyond CEASEFIRE LEAs countries. This base ground includes a map of the organisation involved in the functioning of National Firearms Focal Points as well as a comprehensive analysis of policies and regulations related to firearms trafficking and a study (e.g., survey) that shows how policies are translated into practice.

1.3. Version-specific notes

2. This initial release of “Fully functional focal points and harmonized framework” includes research findings obtained exclusively from Ceasefire partner LEAs. The final version (D2.6) will incorporate research findings from a broader spectrum of EU LEAs and will provide guidelines on how to 1) make NFFPs fully functional and 2) harmonize policies and procedures on international investigations around firearms trafficking.

Method

To understand the current obstacles and opportunities in the implementation of NFFPs and international investigations concerning firearms trafficking, we analysed International and European policies and regulations related to firearms trafficking in six different areas:

1. cooperation
2. lawful evidence collection
3. information exchange
4. prosecution of crimes
5. referral of identified criminal aspects

We distributed a survey among CEASEFIRE partner LEAs (France, North Macedonia, Moldova, Portugal, Serbia, Slovenia and Spain). The survey was structured into different blocks, each addressing specific aspects related to our research objective. The survey blocks included the following areas:

- **Data Collection and Forensic Evidence**
This section focused on understanding the practices and challenges related to the collection of data and forensic evidence in the context of criminal investigations. It aimed to gather information on how and which types of data are gathered.
- **Data Sharing**
This block aimed to assess the extent and effectiveness of data sharing among relevant agencies and entities involved in criminal investigations. It explored the mechanisms and challenges associated with sharing firearms related information.
- **NFFPs**
As part of the survey, we examine how National Firearms Focal Points (NFFPs) operate in different countries. The survey collects information regarding the presence and functions of NFFPs in combatting firearms trafficking, including details such as the establishment date, staffing, tasks performed, and challenges encountered. It also assesses the level of interagency cooperation, resource support, and international cooperation in the fight against firearms trafficking. Additionally, the survey explores legal and regulatory requirements, technical and technological needs, and obstacles in sharing information with both national and international entities. Overall, this section aims to gather insights into the effectiveness and challenges of NFFPs in addressing firearms trafficking on a global scale.
- **Referral of Identified Criminal Aspects**
This block examined the procedures and protocols involved in referring identified criminal aspects to appropriate authorities for further action.
- **Prosecution of Crime**
This section delved into the processes and challenges associated with prosecuting criminal cases. It sought insights into the legal and procedural aspects of bringing criminals to justice.
- **New Modus Operandi**

Lastly, this block specifically focused on the identification and analysis of new modus operandi in firearms trafficking criminal activities. The results of this part of the survey will be reported in D2.1.

We also mapped the institutions involved in the functioning of NFFPs. More information about the specific methods of the mapping can be found in [Section 3.1.4.1](#).

The data collected through this survey contributes to the empirical basis of our research and helps us gain deeper insights into the practical challenges and opportunities within the field.

3. Policy Areas

3.1. Cooperation: NFFPs

The manufacturing and distribution of firearms involve a complex global supply chain. Firearms, their components, and ammunition can be produced or diverted from the legal market in one country, trafficked through several others, and ultimately end up in the hands of armed groups in different other regions of the world [2]. This transnational nature of firearms trafficking requires cooperation among different countries in order to collect evidence, retrieve information, investigate, prosecute the crime and ultimately improve the intelligence picture.

An important action supporting cooperation between countries is the establishment of NFFPs. The 2001 UN Firearms Protocol was the first international instrument to request each State Party to introduce a single point of contact to act as a liaison between it and other States Parties on matters regarding firearms [3].

At the European level, the Council of the European Union committed to establishing NFFPs by adopting the Action Plan on the illicit trafficking of firearms between the EU and the South East Europe Region for the years 2015-2019. The 2015-2019 Firearms Action Plan is the first EU disposition inviting all Member States to set up inter-connected national focal points on firearms to develop expertise and improve analysis and strategic reporting on illicit trafficking in firearms using both ballistic and criminal intelligence [4].

Following this, the European Union Council approved Decision 2016/2356 [5], which endorsed SEESAC's efforts in creating "firearms focal points" in all seven recipient countries (Albania, Serbia, Bosnia and Herzegovina, Kosovo, the Republic of Moldova, Montenegro, and North Macedonia).

According to the evaluation of the 2015-2019 Action Plan, by 2019 20 EU member states had established their NFFPs, while four countries were still in the process of planning them. In the Western Balkans, four nations were in the planning phase for their NFFPs, while two had already implemented them [6]. Therefore by 2019, the establishment of NFFPs was not finalized in all countries.

In fact, under the 2020-2025 Action Plan on firearms trafficking [7] the EU renewed its invitation for Member States to establish fully staffed and trained NFFPs in every jurisdiction. To better track the state of implementation of NFFPs, the 2020-2025 Action Plan also called for the publication of a scoreboard of NFFPs, indicating their contact details and competences.

3.1.1. Tasks and benefits

NFFPs functions might vary depending on each state's needs, the databases to which the NFFP have access to, as well as on the number of staffing and their expertise. To standardize the NFFPs landscape, while accounting for regional variations, the European firearms expert group established some minimum tasks that the NFFPs are required to perform [8]. These are:

- Store both criminal and ballistic intelligence and analyse the data to produce reports, understand trends and enable operational responses.
- Store data on lost, stolen and recovered firearms to enable national statistics on lost, stolen and seized weapons.
- Respond to tracing requests from other Member States and third party countries.
- Trace seized firearms from the manufacturer to the last legal owner to assist ongoing (international) criminal investigations.
- Analyse firearms data to identify firearms type, make, model, calibre and country of manufacture
- Provide data and information to Member States LEAs, Europol and other institutions such as UNODC.

- Be the technical point of contact with UNODC and fill out the United Nations Illicit Flows Questionnaire
- Promote international cooperation.

NFFPs improve international cooperation by:

- Creating rapid links between firearms related crimes and other crimes.
- Supporting LEAs decision making on strategic priorities and resource allocation.
- Planning staff training based on new criminal trends.
- Standardizing operational procedures, data collection and analysis.
- Facilitating information exchange.

3.1.2. Challenges

The review of the literature and policy documents highlighted the following challenges:

1. Incomplete implementation of European dispositions on NFFPs

The establishment of NFFPs has not yet been completed in some Member States [7].

2. Governance, Political, and Bureaucratic Obstacles

Cooperation issues arise due to multiple, uncoordinated stakeholders and a lack of an integrated budgetary approach at the EU level. Political constraints affect the establishment and functioning of NFFPs, with some countries yet to appoint their NFFPs [7], [8], [9]. Bureaucratic obstacles and inadequate communication technology also slow down the process of information sharing, affecting timely and effective responses [10].

3. Limited Exchange of Information and Coordination Challenges

Information exchange among NFFPs is hindered by national legal constraints, which negatively impacts intelligence and profiling operations. Furthermore, this problem is exacerbated by a lack of communication and coordination between different government agencies on both a national and international level. The absence of standard procedures for sharing information, such as ballistics data and outside specific investigations, results in operational inefficiencies **Error! Reference source not found.**

4. Diverse Legal and Regulatory Landscapes

The criminalization of firearms trafficking is inconsistent, with some unauthorized cross-border transfers not qualifying as trafficking, leading to enforcement challenges. Different national approaches to firearms control, especially in south-east Europe, hinder joint operations like controlled deliveries. Legal and regulatory barriers, varying legal standards, and ambiguities in data sharing protocols across nations further complicate seamless operation [10].

5. Finding the right expertise

Several NFFPs lack the competences and staffing to comply with best practice guidelines. Gaps are identified in administrative control, law enforcement data collection, database access, tracing capabilities, international cooperation, and forensic expertise. Financial limitations and a scarcity of candidates with in-depth knowledge of firearms trafficking aggravate these staffing issues. Furthermore, discrepancies in resource assessment and the dual roles of staff members indicate uneven resource allocation and potential overburdening of personnel [7].

6. Technical and Technological Requirements

The need for advanced data analytics, visualization tools, and secure interoperable information systems is universally acknowledged. The absence of these tools can significantly hamper analysis and counter-trafficking measures [10].

7. Training

Previous projects have also highlighted how improved coordination, training, and resources are needed to enhance the capabilities of NFFPs [9].

8. Interagency and International Cooperation Concerns

Weak collaboration and limited trust between agencies, along with divergent perceptions of international cooperation strength, suggest potential inefficiencies and communication gaps [10].

To improve the capabilities of NFFPs, law enforcement agencies are advised to attend training sessions, enhance their skills in data analysis, language, and international relations, increase awareness of the NFFP's role and tasks at the national level, and consult available guidelines manuals for proper setup [7].

3.1.3. Preliminary data

When was the NFFP established?

The preliminary results indicate that the countries that participated in the survey have established NFFPs relatively recently.

Table 1 Year of establishment of NFFPs.

| Country | Year |
|---------|------|
| FR | 2018 |
| NK | 2019 |
| MD | 2023 |
| SI | 2018 |
| PT | 2019 |
| RS | 2021 |
| ES | 2020 |

Moldova established its NFFP in 2023, driven primarily by internal policy decisions. In 2021, Serbia established its NFFP as a virtual unit. In 2019, both Portugal and North Macedonia established their NFFPs. Portugal's decision was influenced by a combination of the EU directive and internal policy, demonstrating their commitment to align with broader European standards. In contrast, North Macedonia's establishment was solely influenced by internal policy decisions.

A year earlier, in 2018, Slovenia took proactive steps by setting up its NFFP, guided by a recommendation from the EU, demonstrating its responsiveness to EU guidelines. Spain, on the other hand, established its NFFP in 2020.

The NFFPs established by each country reflect a combination of internal policy decisions, adherence to EU directives, and recommendations, depicting a diverse but unified approach to the fight against firearms trafficking.

How many people are staffing the NFFPs?

First of all, it is important to note that there are differences in the organisational structures of NFFPs. In terms of staffing, Portugal has 12 employees, while Moldova and North Macedonia each have a staff of four. Slovenia utilizes an innovative approach, adopting a virtual platform structure that incorporates various departments, including inspection and customs. Serbia's structure is similar to Slovenia's virtual approach, but specific details are lacking.

What challenges have you encountered in the recruitment and retention of staff?

Recruitment and retention of staff for the NFFPs pose significant challenges in countries like Portugal, Moldova, and North Macedonia, primarily due to the scarcity of candidates with firearms trafficking knowledge, limited financial incentives, and low public awareness of NFFPs' importance. Serbia faces a unique challenge in this context. The difficulties in Serbia involve collecting data from different units, integrating databases, and operating in a virtual mode while maintaining the ability to effectively trace firearms. Similarly, France reports problems in recruiting staff due to the limited availability of qualified experts and challenges in recruiting specialists. This underscores the complexity related to human resources when operationalizing effective NFFPs.

Which activities are NFFPs tasked with?

As Table 2 shows, NFFPs carry out an array of different, although not uniformly. All countries are committed to compiling and disseminating illegal firearms statistics, collaborating with international LEAs such as Interpol and Europol, and enhancing cross-border investigative collaborations. Among the countries, Moldova focuses on analysis and advisories, Portugal integrates training and tracking of firearms, North Macedonia emphasizes reporting and coordination, and Slovenia integrates forensic testing and training with a comprehensive approach. To combat trafficking, Serbia concentrates on gathering data, understanding trafficking networks, and tracking their origins. In regard to Spain, the specifics remain unclear. The NFFP's operations in France include information sharing, analysis, tracking and tracing firearms, and international cooperation. However, there are challenges in data collection uniformity and forensic operations, indicating a need for standardized procedures and enhanced technical capabilities.

Moldova, Portugal, North Macedonia and Slovenia have staff members who also serve as UNODC Focal Points. While resourceful, this may result in conflicts of interest or overburdening that erodes the effectiveness of their primary tasks.

France specified that their NFFP does not register seized firearms but has access to the database. It also said that it attempts to report statistics but finds it challenging due to the differences in data collection methods among countries; each country has its own way of reporting data. Furthermore, the coordination of investigations does not occur in a systemic manner.

Table 2 Tasks carried out by the NFFPs.

| Tasks | FR | NK | MD | SI | PT | RS |
|---|----|----|----|----|----|----|
| Compiling national statistics and/or reports on illegal firearms to be shared with national and international stakeholders | • | • | | • | • | |
| Registration in national databases of illicit firearms confiscated by local/regional LEAs forces | • | • | | • | • | • |
| Analysis of intelligence (collected at home or abroad) related to trafficking of illicit firearms | • | • | • | • | • | • |
| Forensic testing of illicit firearms confiscated by LEAs | • | | | • | | • |
| Carrying out tracking and tracing procedures upon requests | • | | | • | • | • |
| Reporting to other international agencies (e.g. Interpol, Europol) statistics related to firearms and other relevant information and intelligence related to illicit firearms | • | • | • | • | • | • |
| Serving as point of contact for the UNODC Illicit Arms Flow Questionnaire (IAFQ) | | • | • | • | • | |
| Reporting to other National Focal Points information and intelligence related to illicit firearms | • | | • | • | • | • |
| Coordination of all investigation cases involving trafficking of illicit firearms | • | | | • | | • |
| Coordination of cross-border investigation cases involving the trafficking of illicit firearms, which link to your country | • | • | | • | • | |
| Assisting LEAs during operations | • | | • | • | • | |
| Providing advice to LEAs colleagues (at home and abroad) who investigate cases related to illicit firearms, which link to your country | | | • | • | • | • |
| Providing training to LEAs officers (at home and abroad) in matters related to illicit firearms | • | | | • | • | • |
| Representing your country in cross-border LEAs cooperation networks (e.g., the European Network of Firearms Experts) | | • | | • | • | |
| Performing tasks related to legitimate firearms (e.g., registration of license holders and/or firearms; screening of applicants for licenses, inspections) | | | | | | |

What are the channels of international reporting and what challenges NFFPs encounter?

Unlike countries like Moldova, Portugal, and North Macedonia, Slovenia's model stands out in its clarity about reporting channels (Interpol, Europol, and UNODC). Instead of using a centralized intelligence hub, Slovenia NFFP relies on a consultative structure, meaning that it depends on various national entities or organisations with different backgrounds and expertise to provide intelligence or information. Although cooperation within the EU is strong, international cooperation outside the EU is impeded by bureaucratic obstacles, a lack of responsiveness, and political difficulties. This uneven level of cooperation can significantly hamper global efforts to combat firearms trafficking. As a result, there are questions about the efficiency of this process: Can coordinated and timely decisions be made in an environment where information is dispersed among many organisations?

How do NFFPs rate the current level of interagency cooperation?

As far as interagency cooperation is concerned, there are significant differences between countries. Moldova and Spain indicated a 'somewhat weak' collaboration with other LEAs at the national level and in networks such as the European Network of Firearm Experts (EFE Group), indicating that a stronger framework or trust-building exercise may be necessary. In particular, Spain's reference to 'limited trust and cooperation' indicates deeper interagency issues. Such inconsistencies are alarming during these times of digitalization, when interagency cooperation is of utmost importance, especially when it comes to security concerns such as firearms trafficking.

What obstacles or challenges have NFFPs encountered in sharing information and intelligence?

Several countries cite bureaucratic obstacles and inadequate communication technology. In such sensitive matters, it is important to share information in real time in order to avoid bureaucratic delays and outdated technology. Officers in France lack a thorough understanding of firearms, which has a negative effect on the quality of their analysis and information sharing. The findings suggest that LEAs should provide more specialized training and education. France reports that language barriers and a lack of expertise regarding firearms are significant obstacles to EU-wide coordination and information sharing.

What are the key technical and technological requirements for the seamless operation of NFFPs?

The differences in the assessment of sufficient resources (such as professional personnel, funding, equipment, technologies, analytical tools, and communication infrastructure) for enhancing the NFFPs' capacities between Portugal, Spain, and Moldova suggest that there may be an uneven allocation or that benchmarks for assessing resource sufficiency may be different. What is deemed 'sufficient' in one country might be 'insufficient' in another based on their challenges, infrastructure, or goals.

There is an emphasis on the need for modern infrastructure throughout all countries, particularly in the areas of communication and technology. As a phenomenon that is constantly evolving, firearms trafficking requires countermeasures that are equally sophisticated. For countries to effectively monitor illicit firearms, there is an urgent need for advanced infrastructure, particularly in the area of technology and communication. The enhancement of communication systems and the analysis of data are key components of this effort. These capabilities will help to monitor and intercept illegal firearm activities more effectively.

Special attention must be given to empowering NFFPs. As identified by France, there is a significant technological gap in the current capabilities of NFFPs. Bridging this gap requires a strategic approach, focusing on developing centralized and streamlined technological solutions. These solutions should not only cater to the general infrastructure needs but also be tailored to meet the specific demands of combating firearms trafficking. This strategy enables a cohesive and comprehensive strategy wherein the general infrastructure upgrades aid NFFPs in their specialized needs, thereby creating a more robust and efficient system to combat the evolving phenomenon of firearms trafficking. Overall, for NFFPs to be fully-functional, a more centralized, streamlined, and technologically advanced approach is necessary.

What are the key legal and regulatory requirements that NFFPs need to comply with?

Several challenges exist due to data protection law, but it is also acknowledged that tracing firearms to their last legal owner is complex and, in some instances, is not prioritized during investigations. Despite efforts to combat firearms trafficking through NFFPs, the survey indicates that there remains considerable room for improvement. Clearly, there is a need for more uniformity in practices, for improved trust between agencies, and for modernized infrastructure.

3.1.4. Organisations involved in the operation of NFFPs

With the aim of better understanding the organisational and procedural obstacles faced by NFFPs to conduct their tasks properly and fully, we created a structural organogram of the wide set of organisations involved in the operation of the NFFPs.

3.1.4.1. Methods

To define the organisational structure of LEAs involved in firearms trafficking operations, we used mixed research methods. Desk research was conducted to investigate how various agencies of law enforcement are organised and to which department or ministry they belong. The desk research has been enriched with the survey results on the current gaps and requirements for fully functional and operational NFFPs reported in section 4.2. IANUS also used the NFFPs Scoreboard as a basis for this endeavour.

To define which LEAs are involved in firearms operations and how they are hierarchically organised in each EU country, we consulted EUROPOL and OSCE websites, which contained country-specific profiles of LEAs. After establishing the overview provided by these international sources, we explored national sources for each country, specifically looking into the LEAs' website or the involved Ministry. The NFFPs Scoreboard guided the cross-referencing of established NFFPs with the LEA sources we were exploring. The search of national sites was undertaken to determine the elements of an agency's organisational structure, tasks and responsibilities, and to ascertain their connection with firearms.

In most cases, the tasks and responsibilities of each LEA were not clearly described, nor was their relation with the directorate, department or ministry overseeing each LEA. There is also a lack of information on which departments, directorates, units and/or agencies are involved in the NFFPs. This piece of information was also not explicit during the interviews held for the research. Such gaps will be further addressed in the next version of the deliverable. Despite the sparse and scarce information at hand, below there is a country-specific mapping of the entities either involved or should be¹ involved in the NFFPs operations.

3.1.4.2. Findings

3.1.4.3. Country specific considerations

The map (see [Appendix 1](#)) reveals a complex web of agencies across different countries, each with distinct roles.

The initial mapping of organisations involved in the operation of NFFPs reveals some clarity issues. While the host/designated unit hosting the NFFP is identifiable, it is unclear which other entities or organisations are involved. In Austria, the Ministry of Interior is designated to host the NFFP. There is a clear involvement of the Directorate for State Protection and Intelligence Service, the Federal Ministry of the Interior, and the General

¹The indication "should be" is meant to imply that the unit should be included in the operations of the NFFPs, based on the unit's tasks and responsibilities, as there was no explicit information on which units are and which are not involved.

Directorate for Public Security within this Ministry. Although the role of the Criminal Intelligence Service and the Federal Police in the NFFP is not explicitly defined, they should have some involvement. Additionally, the Customs Administration under the Federal Ministry of Finance is expected to be involved, but there is no clear data confirming this.

In Belgium the General Directorate of Federal Judicial Police is fully functional and actively involved in the NFFP's operations. The Federal Police, under the Ministry of the Interior and Ministry of Justice is confirmed to be participating in the NFFP. The involvement of the Customs and Excise Administration under the Federal Ministry of Finance - Directorate Serious and Organised Crime, Weapons Trafficking Unit in the NFFP is expected, but not yet confirmed. Croatia has yet to identify which entities are involved in the NFFPs and in what ways.

In Cyprus, the organisation of the NFFP is structured as follows: Cyprus Police under the Ministry of Justice and Public Order is actively involved in the NFFP. Additionally, the Crime Combating Department Guns Registry Office within the Crime Combating Department, Cyprus Police, is participating in the NFFP with a semi-functional status, while other agencies (such as the Department of Customs and Excise under the Ministry of Finance) have not yet justified their participation in the NFFP.

In Denmark, where the National Focal Point for Firearms (NFFP) status is unconfirmed, the potential organisational structure includes the Ministry of Justice overseeing the Danish Police, which has confirmed involvement though the NFFP's status is unclear. Additionally, the National Unit for Special Crime is anticipated to be part of the NFFP. The Danish Tax and Customs Authorities are also expected to contribute to the NFFP. The configuration indicates active involvement by the Danish Police, however, the exact operational status of the NFFP and the extent of other key agencies' involvement is yet to be determined.

The NFFP in France consists of a collaborative structure encompassing several ministries and specialized units. Under the Ministry of Interior is the Direction centrale de la Police Judiciaire, specifically the Office central de lutte contre le crime organisé (OCLCO), which plays an active role in the NFFP. The French National Police's Interior Information Central Services are also expected to be involved. Additionally, under the Ministry of Budget, Public Accounts and Civil Service, the Directorate-General of Customs and Indirect Taxes is likely a participant in the NFFP. France has undertaken a comprehensive, multi-agency effort to operate the NFFP effectively, but the extent of its involvement is unclear.

In Greece, the NFFP involves key departments within the law enforcement framework. The State Security of Attica plays a role in the NFFP and is currently semi-functional. Additionally, the Department Against Organised Crime, which operates under each regional directorate, is actively involved and has already engaged in addressing illicit firearms trafficking. This structure illustrates Greece's commitment to utilizing specialized departments within its law enforcement agencies to tackle the issue of firearms trafficking effectively.

In Spain, the NFFP involves a comprehensive collaboration among several ministries and LEAs. The Ministry of Interior & Ministry of Defence, the Treasury, Courts of Justice and the Public Prosecutor's Office, and the Customs and Special Taxes Department under the State Agency of Tax Administration (AEAT) of the Ministry of Finance all play roles. The Civil Guard within the Ministry of the Interior is semi-functional in the NFFP and also handles customs tasks and judicial police force responsibilities. The Customs Surveillance Service and the National Police are also expected to be part of the NFFP but their status is unknown.

In Sweden, the NFFP structure includes the Ministry of Interior, the Ministry of Justice, the National Operations Department (NOA), and the Swedish Police Authority. The Swedish Customs (TULLVERKET) is fully functional within the NFFP. The Swedish Police Authority, National Firearms Center, and National Forensic Centre are also integral parts, with the Special Investigations Department anticipated to contribute as well. This setup in Sweden highlights a multi-faceted approach, integrating different government ministries and specialized police units for effective firearms control and management.

3.1.4.4. General considerations

Organisational Landscape

Based on the mapping's data, a wide range of organisations are involved in NFFPs, suggesting different levels of resource allocation and expertise. Diverse agencies such as police, judicial, and border guards demonstrate that there is a wide distribution of resources and expertise in the countries. Although some of these agencies are directly engaged in firearms-related activities, their contribution to the NFFP may be more indirect. In light of this diversity, there may be variations in how resources are allocated and the level of expertise within each organisation, which may negatively impact the efficiency of NFFP operations. As a general principle, an agency's direct involvement in specific areas (such as firearms trafficking) determines its resource commitment and the level of specialized expertise it develops.

Hierarchical Structure

A closer look at the 'Designated Entity' column in the table suggests a hierarchical structure where certain agencies operate under broader entities. Despite this, the structure of these organisations varies from country to country, which can result in inconsistencies in communication and decision-making. A standardized approach might streamline operations across the board.

Operational Challenges

The varying number of departments within agencies, as seen in the 'Policing and Judiciary Agencies and their involvement in firearms' column may lead to bureaucratic delays, communication breakdowns and fragmented cooperation. The varied involvement of agencies in firearms may also lead to a diluted focus and expertise with regard to firearms.

Interconnection Strategy

Although the mapping data provides information on the status and activities of NFFPs in different countries, it does not provide details on how these NFFPs are interconnected both within their respective countries as well as internationally. NFFPs serve as central nodes within states, coordinating among various agencies such as police, customs, and judicial authorities. However, the absence of a unified database for firearms, coupled with legal restrictions on information sharing between agencies, poses significant challenges. Due to the lack of detailed information of the interconnection mechanisms, it is difficult to assess the effectiveness of NFFPs in sharing data, intelligence, and resources across borders, which is crucial for their success in combatting firearms trafficking. An effective NFFP system requires a robust interconnection strategy to ensure data, intelligence, and resources are shared effectively.

Involvement in Firearms

Agencies like OCLCO (France), Public Security Police (Portugal), Weapons, Explosives and Hazardous Substances Directorate (Romania), and General Directorate of Judicial Police (Belgium) are explicitly involved in firearms, as per the data. Their roles are crucial, but the main focus is on ensuring they are adequately equipped and trained as respondents to the questionnaires highlighted. Conversely, agencies not involved but should be, as per the 'Involved in Firearms' column, need immediate attention to ensure no gaps in the system.

NFFP Status and Progress

There's a spectrum in the operational status of NFFPs. Some are fully functional, while others are semi-functional or unconfirmed, indicating varying degrees of maturity and development in different countries.

Legal Framework

The data does not delve into the legalities governing NFFP operations. It is, however, imperative to establish a comprehensive legal framework considering the diverse range of agencies and countries involved. In light of the differences in the involvement of agencies in firearms, there may be potential legal and jurisdictional issues.

NFFP data reveals a complex and diverse picture of the organisations involved, as well as the potential for growth. As a result of a critical analysis, it has been concluded that it is necessary to streamline operations, maintain consistency in progress monitoring, and involve stakeholders actively in the process. The fight against illicit firearms trafficking necessitates a harmonized and proactive approach, leveraging the strengths of each involved agency..

3.1.5. NFFPs Needs assessment

We summarized below the NFFP's needs that emerged from the survey and literature review.

1. Communication and Information Exchange

- Multidisciplinary actors involved, links with other areas, administrative approach
- Needs for better cooperation and coordination
- Intelligence Picture
- Operational Response
- Better communication infrastructure and technologies

2. Single Point of Contact-SIENA

According to Article 13 of the EU Directive on the exchange of information between the law enforcement authorities of Member States (2023/977) [11] a secure communication channel is established between Member States for the exchange of information. Member States must use Europol's Secure Information Exchange Network Application (SIENA) as the primary mechanism for sending, receiving, or transferring information covered in Chapters II, III, or Article 12. Although SIENA is positioned as the main platform, the Member States may choose not to use SIENA under certain conditions. These scenarios include situations where third countries or international organisations are involved or are expected to be involved, cases demanding immediate attention that makes the use of another communication channel temporarily necessary, and unforeseen technical or operational glitches with SIENA. Furthermore, Article 13 mandates Member States to have their Single Point of Contact, and all relevant law enforcement bodies, integrated directly with SIENA. This can also include connecting through mobile devices when deemed suitable. The importance of timely, secure, and efficient communication is apparent in cross-border law enforcement operations.

3. Network of firearms experts

- Increased funding for personnel
- Improved training and professional opportunities for staff

4. Standardization of Procedures

There is an evident lack of common procedures or protocols for information sharing across nations. A standardized protocol, possibly under the guidance of the European Union, would enhance coordination.

5. Technological Investment

The survey responses underscore the importance of advanced data analytics, visualization tools, and secure interoperable information systems. Investment in these areas is paramount for the efficient operation of NFFPs.

6. Addressing Recruitment Challenges

Many countries are grappling with recruitment issues, be it the scarcity of knowledgeable candidates or limited financial incentives. Efforts should be made to make roles within NFFPs more attractive, both in terms of remuneration and career progression.

7. Legal and Regulatory Harmonization

Differing legal standards and regulatory barriers across countries are hindering collaborative efforts. A more aligned legal framework across EU nations would facilitate smoother operations.

8. Strengthening Interagency Cooperation

Some nations have cited "weak" interagency cooperation. Trust-building exercises, joint training sessions, and the establishment of a centralized communication hub could be potential solutions.

9. Resource Allocation

There is a need to reassess and reallocate resources efficiently, ensuring that countries have the necessary infrastructure and manpower to combat firearms trafficking effectively.

10. Clarifying Ambiguities

Countries like Moldova and Spain have shown uncertainty regarding specific protocols. Clearer guidelines and directives from central bodies would eliminate such ambiguities.

11. Addressing Dual Roles

While having staff members serve dual roles (e.g., as UNODC Focal Points) might be resourceful, it can also lead to conflicts of interest. Clear demarcation of roles and responsibilities is necessary to ensure effectiveness.

3.2. Lawful evidence collection

International agreements and protocols play a key role in harmonizing standards and facilitating cooperation among nations in the collection of firearms-related evidence. The next section sheds light on how key international dispositions guide the collection of firearms evidence across borders.

3.2.1. International frameworks

The **United Nations Firearms Protocol** [3], which supplements the United Nations Convention against Transnational Organized Crime (UNTOC), is a legally binding instrument aimed at strengthening the cooperation among member states to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition at the global level.

The Firearms Protocol encourages member states to collect and maintain comprehensive data on firearms, including information about manufacturers, importers, and purchasers.

The Firearms Protocol regulates firearms, their parts, and components and ammunitions (Article 3) and defines firearms as:

“the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition from or across the territory of one State Party to that of another State Party if any one of the States Parties concerned does not authorize it in accordance with the terms of this Protocol or if the firearms are not marked in accordance with article 8 of this Protocol”

Firearm Protocol Article 7 on record keeping requires each state party to maintain for at least 10 years, the information about firearms and, if possible, their parts and components and ammunition that is necessary to trace and identify those firearms. The article also requires, where appropriate and feasible, to maintain information about firearms parts and components and ammunition which are illicitly manufactured or trafficked.

In terms of data, Article 7 mandates the collection and storage of the “appropriate markings” of the firearms. Article 8 clarifies what is meant by appropriate markings. To identify firearms, States should require manufacturers to provide a unique marking with the name of the manufacturer, the country or place of manufacture and the serial number. Alternatively, States should maintain any other unique user-friendly marking with simple geometric symbols in combination with a numeric and or alphanumeric code, permitting ready identification by all States of the country manufacture (Article 8). For cases involving international transactions, Article 7 requires the documentation of issuance and expiration dates of relevant licenses or authorizations, as well as details such as the country of export, country of import, transit countries (as applicable), the ultimate recipient, and descriptions and quantities of the items involved.

On the other hand, the Arms Trade Treaty [12], drafted to enforce and strengthen the Firearms Protocols, applies to all conventional arms within the following categories a) battle tanks b) armoured combat vehicles c) large calibre artillery systems d) combat aircraft e) attack helicopters f) warships g) missiles and missiles launchers and h) small arms and light weapons (Article 2). The Arms Trade Treaty does not oversee the operations of manufacturers or their manufacturing activities unless they are involved in import, export, or transfer operations. Article 12 on record keeping instructs states parties to maintain national records of issuance of export authorisations or actual exports of conventional firearms and to maintain the records of firearms that are transferred to the territory as final destination. Article 12 further goes on to provide more specific details regarding the data to be documented. This includes information such as the quantity, value, model/type,

authorized international transfers of conventional arms, details of exporting States, importing states, transit and trans-shipment States and end users.

Other non-binding international initiatives aim to counter firearms trafficking and encourage recording. The United Nations Program of Action on Small Arms and Light Weapons (PoA) [13] is a global initiative adopted by all UN member States in 2001, aimed at preventing, combating, and eradicating the illicit trade in small arms and light weapons. PoA encourages member states to establish and maintain records for small arms and light weapons, including markings, tracing, and record-keeping systems.

In the context of PoA, the UN also adopted the International Tracing Instrument (ITI) [14]. This instrument requires States to ensure the proper marking of illicit small arms and light weapons (SALW) and maintain accurate and timely records. The ITI establishes a structure for collaborating on tracing weapons, fulfilling one of the pledges made by governments in the Programme of Action. ITI provides that States need to ensure that the marking needs to be placed on an exposed surface, conspicuous without technical aids or tools, easily recognisable, readable, durable, and recoverable. Expanding on the Firearms Protocol, ITI mandates that marking should provide the “name of the manufacturer, the country of manufacture and the serial number, or maintain any alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or alphanumeric code, permitting ready identification by all States of the country of manufacture; and encourage the marking of such additional information as the year of manufacture, weapon type/model and calibre.”

Marking on each imported firearms² would need to be simple and permit the identification of the country of import and year of import to enable its tracing. ITI also encourages manufacturers of SALW to develop methods that impede the removal or alteration of markings. prerogative, and States are required to ensure comprehensive records. Manufacturing records should be maintained for at least 30 years, while all other records should be kept for 20 years.

The United Nations has developed a series of International Small Arms Control Standards (ISACS) with the aim of providing clear and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control. ISACS 03.30 [15] provides that a small arms register should record a) identifiers of the licensee, including name, address, contact details (e.g. telephone, email, etc.), and national identification number (if applicable); b) identifiers of each small arm registered to the licensee, including its make, model, calibre, serial number, country of manufacture, import marking (if applicable), type (e.g. revolver, pistol, rifle, shotgun etc.), and action (e.g. manual or semi-automatic); and c) identifiers of the small arms license, including its number, category, date of issue, and date of expiration.

3.2.2. European frameworks

Article 87(1) of the Treaty on the Functioning of the European Union (TFEU) [16] stipulates that the Union shall institute collaborative efforts to prevent, detect and investigate criminal offenses. These efforts should involve all competent authorities of all Member States which include the police, customs, and other specialized law enforcement services. Article 87(2) assigns the responsibility to the European Parliament and the Council to establish measures regarding:

- (a) the collection, storage, processing, analysis and exchange of relevant information;*
- (b) support for the training of staff, and cooperation on the exchange of staff, on equipment and on research into crime-detection;*

² except for imports of small arms and light weapons for lawful purposes of for the import of museum artifacts

(c) common investigative techniques in relation to the detection of serious forms of organized crime.

In the context of firearms, The EU Firearms Directive (EU) 2021/555 [17] lays down the rules for the acquisition and possession of firearms within the European Union. This directive codified Directive 91/477/ECC and established the minimum standards on the acquisition and possession of civilian firearms, which European Union member states are required to incorporate into their respective domestic legal frameworks.

Since the activities of dealers include not only the manufacturing but also the modification or conversion of firearms, this directive includes in the definition of firearms

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 (...)

An object shall be capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant if:

(a) it has the appearance of a firearm; and

(b) as a result of its construction or the material from which it is made, it can be so converted;

Article 4(5) requires Member states to establish and maintain a computerized data-filling system, either centralized or decentralized. This data-filling system needs to maintain records of all data related to firearms for tracing and identification, including:

(a) the type, make, model, caliber and serial number of each firearm and the mark applied to its frame or receiver as a unique marking (...);

(b) the serial number or unique marking applied to the essential components, where that differs from the marking on the frame or receiver of each firearm;

(c) the names and addresses of the suppliers and of the persons acquiring or possessing the firearm, together with the relevant date or dates; and

(d) any conversions or modifications to a firearm leading to a change in its category or subcategory, including its certified deactivation or destruction and the relevant date or dates.

Article 4(5) provides that data need to be retained for a period of 30 years after the destruction of the firearms or essential components. Additionally, it defines the law enforcement authorities that should be granted access to data which are:

(a) the authorities competent to grant or withdraw authorisations (...) or by the authorities competent for customs proceedings, for a period of 10 years after the destruction of the firearm or the essential components in question; and

(b) the authorities competent for the prevention, investigation, detection or prosecution of criminal offenses or the execution of criminal penalties, for a period of 30 years after the destruction of the firearm or the essential components in question.

Article 4(5) also requires dealers and brokers to maintain a register in which each firearm and each essential component is recorded, together with details enabling the firearm or essential component concerned to be identified and traced, in particular

the type, make, model, caliber and serial number thereof and the names and addresses of the suppliers and of the persons acquiring it.

Upon the cessation of their activities, dealers and brokers shall deliver that register to the national authorities responsible for the data-filing systems. Finally, the directive states that:

Member States shall ensure that dealers and brokers in their territory report transactions involving firearms or essential components without delay to the national competent authorities, that dealers and brokers have an electronic connection to those authorities for such reporting purposes and that the data-filing systems are updated immediately upon receipt of information concerning such transactions.

Table 3 Type of information that could be recorded.

| Item | Data |
|--------------------|---|
| Firearm | Name of the manufacturer Country or place of manufacture Serial number User-friendly marking with simple geometric symbols in combination with a numeric and or alphanumeric code Year of manufacture Caliber Weapon type/mode Action (e.g. automatic, semi-automatic) Unique marking Conversions or modifications to a firearm leading to a change in its category or subcategory Certified deactivation or destruction and date or dates. For transfers: Documentation of issuance and expiration dates of relevant licenses or authorizations Country of export Country of import Transit countries Ultimate recipient Value of items Descriptions and quantities of the items involved |
| Firearm components | Unique marking Serial Number |
| Licensee | Name Address Contact details (e.g. telephone, email, etc.) national identification number |
| License | Number, Category Date of issue Date of expiration. |
| Supplier | Name Address Dates |

3.2.3. Forensic data

Firearms and the science of ballistics are key components in criminal investigations, as each firearm has a unique narrative to share. The details needed to unravel this narrative can be extracted from both the outer and inner workings of the firearm, as well as from the ammunition it uses. This information serves as a valuable resource for advancing investigations and legal proceedings, enhancing the collection and analysis of intelligence, and helping to establish links between crimes and arms. While international and European provisions analysed in the sections above identify the data of the firearm and individuals to collect and store, it's important to note that, as of the writing of this report, there are no specific rules established on types of ballistic information that States could employ to uniformly identify firearms across different contexts.

INTERPOL [18] has issued guidelines for the management of firearms and ballistic evidence during investigations, providing a standardized methodology through the INTERPOL Firearms Reference Table (IFRT) to identify and describe firearms. The IFRT enables LEAs to verify key firearms attributes such as the make, model, calibre and country of origin. This information is regularly updated by INTERPOL in consultation with firearms experts. INTERPOL recommends consulting the IFRT to confirm the unique identifiers of a firearm before inputting the information on iARMS [19]. iARMS requires the submission of five unique identifiers of the firearms which include: the serial number, the country of origin or country of last known legal importation, the make, the model and the calibre (see [Section 4.4.3](#) for more information on iARMS).

INTERPOL is also supporting the use of the Integrated Ballistics Identification System (IBIS®) [20] a technology designed to capture and catalogue ballistic fingerprints. This system facilitates the swift exchange and comparison of numerous ballistic evidence using the INTERPOL Ballistic Information Network (IBIN). Using IBIN, ballistic experts can request a search and indicate the countries of comparison according to the investigative leads of the case. It is allowed to correlate ballistic data against the entire database only in specific circumstances. Countries not using IBIN or IBIS can still receive assistance from INTERPOL.

Other existing systems for ballistic identification are:

- Evofinder Automated Ballistic Identification [21] which has also been tested for establishing networks between countries [22].
- ALIAS (Advanced ballIstics Analysis System) [23] a ballistics analysis system using an advanced 3D scanning technology able to create detailed 3D images.
- ARSENAL Automated Ballistics Identification system [24] offers 1) electronic bullet and cartridge case repositories of unlimited size 2) automated record keeping of registered firearms 3) automated trace examination of bullets, cartridge cases and fragments 4) identification of firearms by marks on fired bullets and shells 5) interregional firearm data exchange

3.2.4. Challenges

Six overarching challenges in data collection emerged from the documents reviewed. These are:

1. Incomplete transposition of the Firearms Directive

According to the European Commission's report on the application of the Firearm Directive [25] as of August 2021, a total of 80 infringement cases were identified concerning the failure to communicate the transposition of the Firearms Directive and its associated secondary legislation. The report highlighted that as of that date, only 10 Member States had successfully and completely transposed the key amendments brought about by the 2017 directive and its two implementing directives. This indicated a significant gap in the implementation and compliance with the directive's provisions among European Union member states.

2. Absence of comparable data

The 2020-2025 EU Firearms action plan [7] on firearms trafficking highlights the absence of comprehensive and comparable data on firearms seizures across EU Member States. A lack of communication and coordination within and between countries seems to increase the problem. To address this issue, priority number 2 sets some key action points:

1. The Commission commits to supporting initiatives enabling simultaneous searches and/or entries by national authorities in both the Schengen Information System and INTERPOL's iARMS, and urges Member States to respond to INTERPOL's call for volunteers to test the new features.
2. It encourages Member States and south-east Europe partners to systematically record stolen and lost firearms in iARMS.
3. The Commission commits to taking action to establish a systematic and harmonized collection of data on seizures of firearms, building on UNODC initiatives.
4. The Commission commits to publishing annual statistics as done to analyse drug seizures to provide useful information to law enforcement authorities, notably to assist them in identifying new trafficking trends and establishing refined risk profiles. To do so and based on the preparatory work carried out by various players such as Europol, Frontex, the UNODC, EMPACT Firearms and south-east Europe partners, the Commission will propose a common seizure reporting form. The Commission, in cooperation with Europol, will explore the feasibility of rolling out at EU-level a tool to track in real-time firearms-related incidents and develop a permanently up-to-date picture.
5. Trafficking of firearms can also take place on dark web marketplaces. The Commission will implement the preparatory action proposed by the European Parliament on 24/7 monitoring of the darknet.

3. Authorities in charge of data collection are varied

The authorities in charge of data collection vary significantly amongst state parties. Previous research [9] projects showed that in both European Union member states and non-EU SELEC³ countries, the primary entities responsible for data collection are predominantly law enforcement agencies, including both national and regional police forces. Customs authorities come into play primarily when dealing with cases involving confiscations. Other authorities involved agencies with specific roles, such as the Military Police (Turkey), the Judiciary Police for tracking and tracing data (France) and the Scientific Police Laboratories are involved in ballistic and forensic analysis or the Coast Guard (Greece).

4. Methods and Type of data collected

The 2020-2025 EU Firearms Strategy notes that there is also still no harmonized data collection for firearms seizures which would enable an evidence-based policy and proper and reliable assessment of trafficking trends. Therefore the Strategy highlights the pressing need for a unified system of data collection concerning firearm seizures. Such a system would not only enhance the formulation of policies grounded in empirical evidence but also facilitate accurate and robust evaluations of the patterns and dynamics associated with the illicit trade in firearms. Previous projects suggested to introducing minimal mandatory requirements on the type of data to be collected and producing guidelines for best practices for collecting data [9].

5. Data Collection in the Western Balkans

The conflicts that ravaged the Western Balkans in the 1990s left behind a significant number of unregistered weapons circulating in the region, turning it into a major source of firearms smuggled into the European Union [2] and the process of solving legal loopholes that undermined effective LEAs cooperation remains a problem.

6. Limitations of ballistic analysis

³ The Southeast European Law Enforcement Center (SELEC) is a law enforcement, treaty-based, international organisation that brings together the resources and expertise of Police and Customs authorities that join synergies in combating more effectively trans-border organised crime in Southeast Europe. The Member States of SELEC are: Republic of Albania, Bosnia and Herzegovina, Republic of Bulgaria, Hellenic Republic, Hungary, Republic of Moldova, Montenegro, Republic of North Macedonia, Romania, Republic of Serbia, Republic of Turkiye.

Authors [26] pointed out several constraints associated with ballistic comparison systems and ultimately concluded that the utility of cross-border sharing systems is sometimes rather restricted. Prior research has identified several differences among countries in the organisational structure of forensic laboratories. For example, some countries have a single national forensic institute, in which all police forces feed ballistic evidence for analysts, whereas other countries have regional laboratories [27]. This has a potential impact both in terms of quality of data, and the potential for losing intelligence from central systems. Therefore, there are inconsistencies regarding data recording practices and definitions that undermines the ability to draw firm conclusions on the value of ballistic comparison.

3.2.5. Preliminary data

Which types of data on illicit firearms are collected?

Table 4 Types of data collected in each country.

| Country | Data | | | | | |
|---------|---------|--------------------------|-------------------|------------------|-------------------|-------|
| | Seizure | Lost and Stolen firearms | Ballistic testing | Forensic testing | Track and tracing | Other |
| | | | | | | |
| FR | • | • | • | | • | |
| NK | • | • | • | • | | |
| MD | • | • | • | • | • | • |
| SI | • | • | • | • | • | |
| PT | • | • | • | • | • | |
| RS | • | • | | | • | |
| ES | • | • | • | • | | |

Table 4 shows that the countries that participated in the survey have achieved a good degree of consistency in the data they collect. The only notable exceptions pertain to tracking and tracing data, with North Macedonia and Spain being the countries that do not currently gather such information.

When asked whether it was compulsory to collect the data on firearms, findings show that data collection requirements vary across countries. Spain, for instance, is obliged to collect seizure, lost and stolen, ballistic, and forensic data, a mandate stemming from both national, European and international legal frameworks. Conversely, North Macedonia is legally obligated to collect all categories of data through its national laws. In Slovenia, while all data collection is required under national laws – except for seizure data regulated through national law following EU directives-, ballistic data collection is not compulsory.

Moving on to Moldova, all categories of data collection are deemed mandatory as per its national laws. Similarly, in Portugal, data collection is mandatory for all categories, and this mandate is founded on both national laws and EU regulations. Finally, for France it is compulsory to collect all types of data but for tracking and tracing while Serbia emphasized that ballistic and forensic testing data are only collected on request.

Is there a standardized data collection procedure, either national or international, in place regarding firearms data?

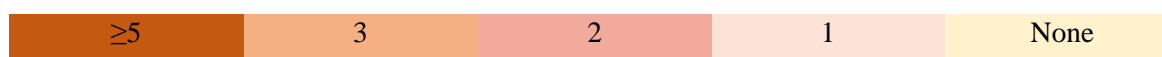
Findings show variations in the development and implementation of data collection protocols among the participant countries. Portugal, Slovenia, and Moldova have indicated the existence of standardized procedures for all categories of data, including seizure, ballistic, tracking and tracing, lost and stolen, and forensics. In contrast, Spain has established standard procedures for seizure (referred to as ARMAS) and lost and stolen (referred to as OBJETOS), while not knowing the existence of such procedures for the remaining data. North Macedonia is currently in the process of developing standard operating procedures specifically for seizure and lost and stolen data but does not possess established procedures for the other categories at this time. Serbia specified that SOPS are on the way and France emphasized that despite the existence of standardized procedures, there are variations when they are applied.

Which national authority is in charge of data collection relating to firearm crime and firearm related crimes?

The primary authorities responsible for gathering data on firearms are the national and regional police forces. Nevertheless, countries also engage the military, customs authorities, and the judiciary police in this data collection process. Such differences could hinder the establishment of a standardized, coherent, and easily accessible database for tracking and monitoring firearms-related information.

Table 5 Authorities in charge of data collection.

| Data | Authority | | | | | | |
|--------------------------|------------------------|-----------------|------------------|-----------------|--------------------|----------------------|---------------|
| | National Police | Regional Police | Judiciary Police | Military Police | Custom authorities | Ministry of Interior | Forensic labs |
| Seizure | MD, NK, ES, PT, SI, FR | MD, NK, SI | PT | PT, FR | PT | RS | |
| Lost and stolen firearms | MD, NK, ES, PT, SI, FR | MD, NK, SI | | FR | | RS | |
| Ballistic | MD, NK, ES, PT, SI | NK | PT | | | | FR |
| Forensic | MD, NK, ES, PT, SI | NK, SI | PT | | | | FR |
| Tracking and tracing | MD, NK, ES, PT, SI | NK, SI | FR | | | RS | |
| Other | MD, NK, ES | MD, NK | MD | | MD | | |



In which national databases do LEAs register data on illicit firearms?

When it comes to national databases, countries tend to use general LEAs registration systems as well as specific LEAs databases tailored for specific types of data. In the case of ballistic data, all five countries indicated the use of specific databases. Employing both general and specialized databases, albeit not simultaneously, has the potential to compromise several aspects of data management in various ways. Firstly, the use of both types of databases separately can lead to a lack of cohesion and integration in data collection efforts. When general and

specific databases are used independently, there may be a disconnection between different aspects of data related to firearms, hindering a holistic understanding of firearm-related issues. Secondly, the practice can result in increased complexity in terms of data entry and maintenance. Law enforcement agencies might need to duplicate efforts when entering data into multiple databases, increasing the likelihood of errors and inconsistencies in the recorded information. Moreover, managing separate databases can be resource-intensive and costly, as it necessitates maintaining and updating multiple systems, potentially straining limited law enforcement resources.

Table 6 Types of national databases used for each country

| Data | National Database | | |
|--------------------------|--------------------|---|-------------|
| | General | Specific | No database |
| Seizure | SI, PT, ES, MD | ES, FR ⁴ | NK |
| Lost and stolen firearms | SI, PT, ES, MD, RS | NK ⁵ , ES, MD, FR ⁶ | |
| Ballistic | | SI, NK, PT, ES, MD, FR ⁷ | |
| Forensic | SI, MD | NK, ES | |
| Tracking and tracing | SI, MD | PT, MD, FR ⁸ | ES |
| Other | MD | MD | |

In which international databases do LEAs register the below types of data on illicit firearms?

iARMS stands out as the most frequently used database. Among the countries that participated in the survey, North Macedonia records data related to seizures, lost and stolen firearms in iARMS, while Moldova records information on seizures, lost and stolen firearms, as well as tracking and tracing data. Spain, on the other hand, goes a step further by including forensic and ballistic data in its iARMS records. Portugal, Slovenia, and France record lost and stolen data in the SIS II database. Portugal also mentioned using IBIS for ballistic data.

⁴ TAJ

⁵ CEMS

⁶ Foves

⁷ Fnib

⁸ Gospi

3.3. Information exchange and data sharing

3.3.1. International frameworks

Firearms trafficking is by nature, a transnational phenomenon and any investigation might require the cooperation of one or more foreign authorities. UNTOC Convention [28] emphasize the importance of law enforcement cooperation and mutual assistance. To enhance cooperation, UNTOC Convention Article 27 provides specific directives to countries, including:

- Establishing communication channels among competent authorities, agencies, and services to facilitate information exchange.
- Cooperating with other States Parties in conducting inquiries.
- Providing materials for investigations.
- Facilitating coordination among competent authorities.
- Exchanging information with other States Parties.

Additionally, Article 27 recommends that States Parties consider entering into bilateral or multilateral agreements or arrangements for direct cooperation between their law enforcement agencies and, if such agreements or arrangements already exist, amending them accordingly.

The UNTOC Convention offers guidance to States Parties on the sharing of analytical expertise and underscores the significance of establishing standard definitions. Article 28(2) of UNTOC on the collection, exchange and analysis of information on organised crime provides that State Parties should develop and share analytical expertise concerning organised criminal activities with each other and through international and regional organisations while also developing common definitions, standards and methodologies.

Article 12 of the Firearms Protocol [3] outlines the obligations of States Parties with regard to the exchange of pertinent, **case-specific information concerning authorized producers, dealers, importers, exporters, and carriers of firearms, as well as their parts, components, and ammunition**. This shared information, consistently with domestic legal systems, should encompass details about organised criminal groups suspected of involvement in the illicit manufacturing or trafficking of firearms, their parts, components, and ammunition. It should also cover methods and means of concealment employed in the illicit manufacturing or trafficking of these items, as well as the typical routes, dispatch points, destinations, legislative practices, and preventive measures related to firearms and related materials.

Article 12 also requires States to collaborate in tracing firearms, their parts, components, and ammunition that may have been illicitly manufactured or trafficked and to promptly respond to requests for assistance in tracing such items, within the constraints of available resources. Moreover, it specifies that each State Party, in accordance with its legal system and any relevant international agreements, must ensure the confidentiality of and adhere to any usage restrictions placed on information.

Both UNTOC and the Firearms Protocol recognise the critical role of mutual assistance, information sharing, and joint operations in effectively countering organised crime and the illicit trade in firearms and emphasize the need for a joint response.

3.3.2. European frameworks

The Treaty on the Functioning of the European Union [16] emphasize in Article 87 the importance of police cooperation, establishing that the union should facilitate police cooperation involving all competent authorities, including the police, customs and other law enforcement services. To facilitate cooperation, TFEU tasks the European Parliament and the Council with establishing measures for the collection, storage, processing, analysis and exchange of relevant information, support training and common investigative techniques.

Article 18 of the EU Firearms Directive 2021/555 [17] mandates Member States to engage in information exchange on a regular basis with a contact group. Member States are obliged to communicate with one another and inform both the Commission and each other about the national authorities responsible for transmitting and receiving information. Furthermore, the Article states that the information exchange needs to occur through electronic means.

Information exchange is the cornerstone of cooperation between authorities. Some of the aims of the 2015-2019 EU action plan on firearms trafficking were to improve the exchange of criminal information and intelligence, improve law-enforcement operational cooperation and improve the collection and exchange of statistics. According to the Evaluation report [6] of the 2015-2019 action plan on firearms trafficking, harmonized data collection on firearms seizures was still one of the main stumbling blocks. In this regard, in the renewed 2020-2025 EU Firearms action plan [7], the Commission committed to supporting initiatives enabling simultaneous searches and/or entries by national authorities in both the Schengen Information System (SIS) and INTERPOL’s iARMS, to take action to establish a systematic and harmonized collection of data on seizures of firearms, and publish annual statistics as done to analyse drug seizures. In the 2020-2025 Firearms action plan, the Commission reiterated its recommendation to Member States to systematically feed the SIS with information on lost and stolen firearms, as well as sold weapons that are prone to easy conversion into firearms and consult it when they seize a weapon.

Table 7 Pillars of Cooperation

| Pillars of Cooperation |
|--|
| <p>1. Standard definitions and methods</p> <ul style="list-style-type: none"> • Develop common understandings, standard and methodologies |
| <p>2. Analytical expertise</p> <ul style="list-style-type: none"> • Sharing analytical expertise on organised criminal activities |
| <p>3. Information to share</p> <ul style="list-style-type: none"> • Case specific information • Details about organised criminal groups • Methods of concealments of illicit manufacturing and trafficking of arms • Typical routes • Legislative practices • Preventive measures |
| <p>4. Duties</p> <p>LEAs</p> <ul style="list-style-type: none"> • Prompt response to requests of assistance • Confidentiality • Use electronic means to share information • Use SIS and iARMS <p>EU institutions</p> <ul style="list-style-type: none"> • Establish measures for collection storage, processing analysis and exchange of relevant information • Support training • Support common investigative techniques |

3.3.3. Databases and systems used for information sharing

- **iARMS (Illicit Arms Records and Tracing Management System)** [19] is an INTERPOL database where police worldwide can record illicit firearms. The database contains data on weapons reported as lost, stolen, trafficked or smuggled in another country. LEAs can send “trace requests” to member countries to identify potential firearms traffickers, trends and link suspects to firearms. iARMS also provides analytics to support countries to strengthen their intelligence.
- **SIENA (Secure Information Exchange Network Application)** [29] is a platform that enables the exchange of operational and strategic information among Europol’s liaison officers, analysts and experts, member states and Third Parties that have a cooperation agreement with Europol.
- **EAS (Europol Analysis System)** [30] is an information system that stores data uploaded by Europol stakeholders.
- **SIS (Schengen Information System)** [31] is the EU information-sharing system for security and border management. Given the absence of internal borders among Schengen countries in Europe, SIS serves as a substitute for border controls. It coordinates the efforts of border, immigration, police, customs, and judicial authorities within the European Union and the Schengen-associated countries.
- **CIS (Custom Information System)** [32] is a system designed to centralize customs information to prevent, investigate, and prosecute violations of Community customs or agricultural regulations. The CIS system consists of a centralized database accessible through terminals located in each Member State. The data recorded in the CIS include goods, transportation methods, businesses, and individuals associated with breaches. It also includes information on fraud trends, available expertise, detained, seized, or confiscated goods, as well as cash that has been detained, seized, or confiscated.
- The **Customs Files Identification Database**, known as "Fichier d'Identification des Dossiers d'Enquêtes Douanières" (**FIDE**), serves as an index used within the context of the CIS. FIDE comprises investigation records generated by customs and other investigative authorities of Member States. These records serve both administrative purposes and criminal investigations and prosecutions related to customs matters.
- **EIS (Europol Information System)** [33] is a database containing information on serious international crimes, suspected and convicted persons, criminal structures, offenses and the means used to commit them. Using EIS allows checking if data on a suspect or an object is available beyond national or organisational jurisdictions.
- **IBIN (INTERPOL Ballistic Information Network)** [34] uses a technology to capture digital images of the unique microscopic markings that are found on fired bullets and cartridge cases. LEAs can extract from the images an electronic signature from each image, which is compared against the database of previously entered images.
- **ITRACE** [35] is a project that provides data on transfers of diverted conventional weapons, ammunition, and related material.
- **UN Illicit Arms Flows Questionnaire (UN-IAFQ)** [36] is a data collection questionnaire developed by UNODC in collaboration with Member States and the UN. The questionnaire is distributed annually to all Member States to collect firearms related data in a standardized manner.

3.3.4. Challenges of information exchange

Six overarching challenges in information exchange emerged from the documents reviewed. These are:

1. **Involvement in national procedures and databases**

Authorities for data collection and the methods employed for data storage differ considerably across EU State Parties [9]. The majority of State Parties rely on their respective national databases [9]. The predominant use of national procedures and databases constitutes a major disruption to achieving effective standardization in data collection processes related to firearms.

2. Lack of common approach

The European Union does not currently have a unified method for gathering and disseminating data regarding firearms. This includes the absence of a comprehensive system for marking and tracing firearms, which would cover the entirety of a firearm's existence, including its crucial parts and components. [37].

3. Information sharing outside a specific investigation

The exchange of information for intelligence and profiling purposes is limited by constraints placed by national laws to share information outside of a specific investigation [7].

4. Lack of communication and coordination

There is a lack of communication and coordination between different administrations, within countries and at transnational level [7].

5. Absence of comprehensive and comparable data

The understanding of the firearms trafficking landscape remains incomplete because there is a lack of comprehensive and standardized data on firearm seizures throughout Europe [7].

6. Frequency of updates

Previous research [9] showed how regular and automatic updates of databases is a practice that does not occur often and suggested policies to add minimal requirements on the frequency of updates for data sharing.

7. Interoperability of databases and systems

In law enforcement, multiple agencies, both at the national and international levels, often use various databases and systems to collect and manage data related to criminal activities, including the activities of criminal organisations and the illegal trafficking of firearms. These databases may have been developed independently, have different data formats, and use distinct technologies. The challenge arises when there is a need for these systems and databases to communicate and share information with each other. It is important to make sure that systems can work together efficiently. Without proper interoperability, there can be gaps in information sharing and coordination. Addressing these challenges involves developing common standards, protocols, and technologies that enable different databases and systems to interact and exchange data securely and seamlessly.

3.3.5. Preliminary results

How is data sharing relating to investigations regulated?

Most of the countries that participated in the survey govern the sharing of data on firearms investigations primarily through the framework of national laws, mutual legal assistance treaties, and adherence to INTERPOL regulations.

Table 8 Table 4 Regulations governing data sharing related to investigations.

| Country | Regulation | | | | | |
|---------|--------------|-------------------------------------|---------------|----------------------------------|----------------|---------------|
| | National law | National law following EU directive | EU regulation | Mutual legal assistance treaties | INTERPOL rules | I do not know |
| FR | • | • | • | | • | |
| NK | • | | | • | • | |

| | | | | | | |
|----|---|---|---|---|---|--|
| MD | • | | | • | • | |
| SI | • | • | • | • | • | |
| PT | | • | | | | |
| RS | • | | | | | |
| ES | • | • | | • | • | |

How is data sharing relating to firearms offenses regulated in your country's legal framework?

As for data sharing on investigations, many of the countries govern the sharing of data on firearms offenses primarily through the framework of national laws, mutual legal assistance treaties, and adherence to INTERPOL regulations.

Table 9 Regulations governing data sharing on firearms offenses.

| Country | Regulation | | | | | |
|---------|--------------|-------------------------------------|---------------|----------------------------------|----------------|---------------|
| | National law | National law following EU directive | EU regulation | Mutual legal assistance treaties | INTERPOL rules | I do not know |
| FR | | | | | | |
| NK | • | | | • | • | |
| MD | • | • | | • | • | |
| SI | • | • | • | • | • | |
| PT | • | | | | | |
| RS | | | | | | |
| ES | • | • | | • | • | |

How is data sharing relating to firearms trafficking regulated in your country's legal framework?

As for data sharing on investigations and firearms offenses, the majority of the countries govern the sharing of data on firearms trafficking primarily through the framework of national laws, mutual legal assistance treaties, and adherence to INTERPOL regulations.

Table 10 Regulations governing data sharing on firearms trafficking.

| Country | Regulation | | | | | |
|---------|--------------|-------------------------------------|---------------|----------------------------------|----------------|---------------|
| | National law | National law following EU directive | EU regulation | Mutual legal assistance treaties | INTERPOL rules | I do not know |
| FR | | | | | | |
| NK | • | | | • | • | |
| MD | • | | | • | • | |
| SI | • | • | • | | | |
| PT | • | • | | | | |
| RS | | | | | | |
| ES | • | • | | • | • | |

How frequently do you share data on illicit firearms with other LEAs?

Most of the time, data on firearms are shared only on request. Only three countries (France, Spain and Portugal) share data automatically.

Table 11 Frequency of data sharing

| Country | | Regularity | | | | | |
|---------|----------|------------|--------|---------|----------|------------|---------------|
| | | Daily | Weekly | Monthly | Annually | On request | Automatically |
| FR | National | | | | | • | • |
| | EU | | | | | | • |
| | Non-EU | | | | | | |
| NK | National | | | • | | | |
| | EU | | | | | • | |
| | Non-EU | | | | | • | |
| MD | National | | | | | • | |
| | EU | | | | | • | |
| | Non-EU | | | | | • | |
| SI | National | | | • | | | |
| | EU | | | • | | | |
| | Non-EU | | | • | | | |
| PT | National | • | | | | | |
| | EU | | • | | | | • |
| | Non-EU | | | | | • | |
| RS | National | | | | | • | |
| | EU | | | | | • | |
| | Non -EU | | | | | • | |
| ES | National | | | | | | • |
| | EU | | | | | | • |
| | Non-EU | | | • | | | |

What systems do you use to share information on the following types of data with LEAs?

Seizure data are shared through SIS II (Portugal), SIENA (Portugal, Slovenia, North Macedonia), iARMS (Portugal, Slovenia, North Macedonia, Moldova, Serbia), National FIO (Slovenia), I24/7 (Slovenia, North Macedonia), and the State Registry of Weapons (Moldova).

Data on Lost and Stolen Firearms are shared through SIS II (Portugal, Slovenia, France), SIENA (Portugal, Slovenia, North Macedonia), iARMS (Portugal, Slovenia, Moldova, North Macedonia), I24/7 (Slovenia), National FIO (Slovenia) a National search database (North Macedonia, the State registry of Weapons (Moldova). Moldova indicated that they are sharing these data with Europol without indicating any specific database or system.

For **ballistic data sharing**, IBIN (Portugal and Slovenia), Evofinder (Slovenia and North Macedonia) and a national ballistic database (Moldova) have been identified as the three databases in use. Spain did not possess this information, and there was no response from one country (North Macedonia).

Forensic data are shared through SIS II (Portugal), SIENA (Portugal) and iARMS (Portugal), a national Lab management system (Moldova) while Spain did not know and North Macedonia and Slovenia did not provide an answer.

Lastly, **tracking and tracing data** are shared through SIS, SIENA (Portugal) and iARMS (Portugal, Slovenia, Moldova, North Macedonia), EIS (Slovenia) a National FIO (Slovenia), the State Registry of Weapons (Moldova) while Spain did not know. Moldova indicated Europol without giving further details on the system or database.

Judicial data are shared through SIENA (Portugal, Slovenia occasionally, Moldova), and Eurojust (Slovenia)

Do you share data with non-LEAs?

While some countries stated that they did not share any data with other non-LEAs (Spain, Slovenia and Moldova only for ballistic, forensic, and tracking and tracing data) Portugal stated that they shared seizure, lost and stolen, ballistic forensic and track and tracing data with Media, International Legal Institutions and Court via email or paper. North Macedonia shares only seizure data with NGOs, International Associations, and the Media. Often, raw data on firearms are not exchanged but general information can be shared with media on request.

Benefits and Barriers of data sharing

The anticipated primary advantages of sharing data with other Law Enforcement Agencies (LEAs) encompass enhanced cooperation, expedited investigations, improved resolution of international cases, real-time intelligence access, and more efficient crime-fighting efforts. The barriers indicated included challenges arising from the national criminal codes, the absence of shared and common databases, variations in national legislation, non-homogeneous use of systems like iARMS, SIS, and EIS across countries, as well as issues related to authorization and data protection.

France made an interesting distinction between sharing and exchanging data. While sharing is seen as making the information automatically available to others, exchanging refers to making the information available only on request and in specific cases and circumstances.

Benefits and Challenges of CEASEFIRE

When asked about challenges and benefits around CEASEFIRE systems, participant countries indicated data aggregation due to divergent rules and institutional permissions as the main challenge. Conversely, the benefits included the use of a unified system and faster intelligence. Additionally, participant countries express a desire for supplementary features such as visual representations like photos and firearm schemes, along with listings of firearm types and associated marks.

3.4. Prosecution of crimes

The prosecution of crimes involving firearms is influenced by a combination of factors, including national legislation, international agreements, and the evolving landscape of 3D printing legislation. National legislation plays a key role in shaping the approaches to address firearms-related offenses, with each country having its criminal code and laws regulating the possession, use, and trafficking of firearms. On the international end, Article 5 of the Firearms Protocol [3] highlights the importance of criminalizing certain activities related to firearms, fostering a global commitment to combating illicit firearms trade. Under Firearms Protocol Article 5, States Parties commit to the criminalization of:

- illicit manufacturing of firearms, their parts, components and ammunition;
- illicit trafficking in firearms, their parts, components and ammunition;
- falsifying or illicitly obliterating, removing, or altering the marking(s) on firearms.

The scope of application of the investigation and prosecution of offenses established in accordance with Article 5 is where those offenses are both (a) transnational in nature, and (b) involve an organised criminal group, as defined in UNTOC Article 2a⁹ [28].

In 2023, UNODC presented the Guidelines on Investigation and Prosecution of Firearms Offences. Some of the challenges that were discussed included: legislative gaps, the need for specialized expertise, the overshadowing of firearms trafficking by other primary offenses and the importance of strengthening institutional cooperation [38].

In 2021, the European Commission [25] committed to assess the need for specific rules concerning the possession and distribution of 3D-printing blueprints, with a focus on potential prohibitions related to possession, publicizing, and dissemination of digital blueprints, as well as their physical copies. This effort aims to address the role of unauthorized arms dealers in facilitating the production of critical firearm components using such blueprints.

Improving the ability to investigate firearms crime has the potential to prevent and significantly reduce firearms related violence, especially if the investigation is focused not only on the firearm as evidence, but also on the firearms trafficking process.

3.4.1. Challenges

Five challenges to the prosecution of crime emerged from the documents reviewed. These are:

1. Uneven criminalisation of trafficking across Europe

In the European Union, the trafficking of firearms is unevenly criminalized [7]. This inconsistency is characterized by a failure to classify all instances of unauthorized cross-border weapon transfers as trafficking, which contradicts the standards set by the United Nations' Firearms Protocol. This inconsistency often results in shortcomings in enforcement and the imposition of sanctions, undermining efforts to combat this illicit trade. This limits the confiscation of illicitly obtained proceeds generated through firearms trafficking. Furthermore, the different approaches adopted by European countries hinder collaborative cross-border operations, including controlled deliveries, making it challenging to address this transnational issue effectively.

⁹ “a group of three or more persons that was not randomly formed; existing for a period of time; acting in concert with the aim of committing at least one crime punishable by at least four years' incarceration; in order to obtain, directly or indirectly, a financial or other material benefit.” [28]

2. Limited interoperability causes difficulty in tracing firearms

Prosecutorial services and law enforcement agencies encounter challenges when attempting to track firearms because of the limited interoperability of national record-keeping systems and the inadequacy and insufficiency of the data collected [7], [37]. Databases are dispersed among various information systems, both within and across Member States (MSs), impeding the efficient exchange of information.

3. Absence of a common marking system

Problems in police cooperation are exacerbated by the absence of a shared marking and tracing system and the limited interoperability of existing databases [7], [37].

4. Lack of practical framework for EU LEAs cooperation

Law enforcement agencies and prosecutorial services encounter challenges in collaborating with their counterparts, both domestically and internationally [37]. Similarly, European and international entities like Europol, Eurojust, and Interpol encounter obstacles in coordinating their efforts with national and local authorities.

5. 3D printed firearms not explicitly covered by any legislation

3D printed firearms are considered a future threat and are part of the EU policy cycle EMPACT [39]. A firearm that was partially manufactured using a 3D printer was employed in 2019 to shoot at two individuals in Germany, by an assailant who relied on a blueprint downloaded from the internet to create it. A 2018 report on 3D-printed guns, published by All3DP, the leading 3D printing magazine worldwide, concludes that while the threat posed by these firearms remains somewhat limited, they possess qualities that could make them more appealing to criminals [40]. These weapons are constructed from materials that are challenging to detect using current detectors and scanners. Furthermore, they are easily disposable after a crime, making it nearly impossible to recover the murder weapon, and they are untraceable. When considering all these characteristics, 3D-printed firearms meet all the criteria for becoming ideal weapons for high-profile crimes, particularly as technology advances to enhance their safety and sophistication.

Regarding the legal framework regulating these weapons, there appears to be a gap in both domestic and international laws since no international legal agreements explicitly address them. 3D-printed firearms would fall within the Firearms Protocols¹⁰ but there is a practical necessity for additional clarification and legislation regarding this phenomenon, particularly concerning the acquisition or access to blueprints needed for the actual production of these weapons. In this regard, New South Wales, Australia introduced the first legislation in 2015 with the changes in section 51F of the 1966 Firearms Act, which foresees criminalization of the possession -without authorisation of a digital blueprint for the manufacture of a firearm on a 3D printer [41]. The digital blueprint is defined as “any type of digital (or electronic) reproduction of a technical drawing of the design of an object”. According to section 51F, the "possession of a digital blueprint," encompasses two scenarios. The first involves having a computer or data storage device that holds or contains the blueprint or a document where the blueprint is stored. The second scenario regards exercising control over a blueprint stored on a computer possessed by another individual, irrespective of whether that computer is within or outside Australian jurisdiction.

¹⁰ The United Nations Firearms Protocol considers firearms illicit when manufactured without a license or authorization from a competent authority of the State, or in the case of manufacture or assembly without a marking compliant with the Protocol requirements. Firearms manufactured from illicitly trafficked parts and components are also illicit and subject to criminal sanction.

3.4.2. Are joint criminal investigations a potential solution for the prosecution of crime?

Joint investigations Teams (JITs) are a valuable investigative tool when addressing severe criminal offenses that involve multiple State Parties [28], [42], [43]. JITs [44] are “an international cooperation tool based on an agreement between competent authorities – either judicial (judges, prosecutors investigative judges) or law enforcement authorities – of two or more States, established for a limited duration and for a specific purpose, to carry out criminal investigations in one or more of the States involved.” As such, JITs facilitate the coordination of investigations and prosecutions conducted in parallel across several States.

The objective of JITs is to maximize the efficiency of investigative resources of two or more jurisdictions through the exchange of real-time information and, if necessary, operations through:

- Enabling the direct gathering and exchange of information and evidence without the need to use traditional channels of mutual legal assistance or European Investigation Orders. The information and evidence collected in accordance with the legislation of the state in which the team operates can be shared on the basis of the JIT agreement
- Having seconded members of the team, entitled to be present and to take part in investigative measures conducted outside their state of origins

The legal framework to set up JITs between EU member states can be found in the EU Convention on Mutual Assistance in Criminal Matters (Article 13) [42] and in the 2002 Council framework decision on JITs [43] on JITs.

Article 13 of the EU Convention on Mutual Assistance in Criminal Matters outlines the establishment and operation of joint investigation teams among two or more Member States. Key points of this provision include:

- Member States can create joint investigation teams by mutual agreement for specific purposes and periods, extendable by consent, to conduct criminal investigations across participating Member States. The agreement defines the team's composition
- Joint investigation teams are typically established when investigations involve multiple Member States or necessitate coordinated action.
- Requests for creating joint investigation teams can come from any concerned Member State. The team operates in one of the Member States where investigations will be conducted.
- Requests for setting up these teams should include proposals for the team's composition.
- The team operates under specific conditions in the Member States where it is set up, led by a representative of the participating competent authority. Team members follow the laws of the operating Member State and the conditions specified in the agreement.
- Members from other Member States are "seconded" to the team.
- Seconded members can be present during investigative measures in the operating Member State, but the team leader can decide otherwise for specific reasons.
- Information obtained by team members can be used for various purposes, including the team's objectives, investigating other crimes (with consent), preventing immediate threats to public security, and other agreed-upon purposes.

At an international level, and in the context of firearms trafficking a JIT could also be set up based on the UNTOC [28] where Article 14 provides that

States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investigations, prosecutions or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigative bodies. In the

absence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected.

3.4.3. Preliminary results

What legislation is relied upon by your country for the criminalisation of firearms offenses?

The Criminal Code is the most used legislation to criminalize firearms related offenses. Serbia specified that they are trying to change their Criminal Code to have some specific article for transnational firearms trafficking.

Table 12 Legislations for the criminalisation of firearms offenses by country.

| Country | National Legislation | | |
|-----------|--|--|-------------------------|
| | Offenses | | |
| | Firearms | Firearms Trafficking | Administrative firearms |
| FR | | Criminal Code, Internal Security Code and Defence Code | |
| NK | Criminal Code | Criminal Code Articles 396 and Article 395 and 396 | Law on weapons |
| MD | Criminal Code, article 290 | Criminal Code, article 248, Paragraph (6) | Conventional Code |
| SI | Penal Code, article: 108., 111., 122., 127., 135., 205., 213., 306 | Penal Code, article: 30 | Gun Law |
| PT | Lei n.º 5/2006, de 23 de Fevereiro, Directive (EU) 2021/555 | | |
| RS | Criminal Code Article 348 | Criminal Code Article 348 | |
| ES | 563 ss Spanish Penal Code | 563 ss Spanish Penal Code | 35 LO 4/2015 |

What authorities are in charge of advancing prosecutions for offences?

The authorities involved in advancing the prosecutions for criminal offences are mainly the criminal court and the public prosecutor.

Table 13 National authority in charge of prosecuting offences.

| Country | National Legislation | | |
|-----------|---|---|------------------------------|
| | Firearms | Firearms Trafficking | Administrative firearms |
| NK | public prosecutor | public prosecutor | Police |
| MD | Prosecutor's Office Combating Organized Crime and Special Cases | Prosecutor's Office Combating Organized Crime and Special Cases | Territorial police unit |
| PT | Criminal Court | Criminal Court | Public Security Police (PSP) |
| ES | LEAs | | |

Digital blueprints

Is there any provision(s) in your national legislation concerning the criminalisation of the possession or selling/distribution of a digital blueprint for the manufacture of a firearm on a 3D printer?

Slovenia¹¹, Moldova, France and Serbia stated that there is no specific law on the criminalisation of the possession or distribution of digital blueprints. Portugal and Spain did not respond to this matter, and North Macedonia cited Article 396 of its Criminal Code concerning this issue.

Slovenia, Moldova, and Portugal confirmed the absence of any national legislative efforts or ongoing processes related to the enactment of laws concerning digital blueprints to produce firearms using 3D printers. Moldova expressed uncertainty on this matter, while Spain did not respond.

Portugal stated that there are general legislative provisions that can be adapted for possession of a digital blueprint or selling/distribution of a digital blueprint for the manufacture of a firearm on a 3D printer. Serbia and France stated that there are already some Articles of the Criminal Code that can be used to criminalize the use of digital blueprints so they did not feel the need to have new laws.

Joint Investigation Teams

How is a JIT implemented in your country's legal framework?

The implementation of JITs in the legal frameworks of different countries can vary based on the specific legislative provisions and international agreements in place. North Macedonia indicated that it does not have sufficient information to provide details on the implementation of JITs within its legal framework. Moldova reported that it has integrated JITs into its national legal framework. Both Spain and Portugal indicated that they have implemented JITs within their national legal frameworks, and this implementation follows European

¹¹ Specified Article 36 of Gun Law, which stipulate:

Businesses and entrepreneurs, as well as foreign legal entities that meet the general conditions for the business and the special conditions under this law, can deal with the trade in weapons. There is no distinction between 3D firearms and other firearms. Depending on its characteristics (long firearm, short firearm, semi-automatic, single-shot ...) it is classified as firearms category A, B, or D. They can only be obtained/manufactured under the same conditions that apply to the other firearms. The manufacturing, repair, conversion and trade in, of weapons and their essential components can only be performed by companies and sole traders who possess an authorisation from the Ministry of the Interior. Individuals can obtain 3D firearms under the same conditions that apply to the other firearms. They must be also tested, stamped, and marked by the regulations governing the testing and marking of hand-held firearms and ammunition.

Union (EU) directives. This implies that Spain and Portugal have harmonized their legal systems with EU regulations and directives regarding JITs.

Moldova stated that JIT involvement is triggered when complex criminal investigations are needed, involving significant resources and affecting multiple states or when several states require coordinated action in their respective criminal prosecutions.

While North Macedonia did not participate in JIT initiatives due to the absence of an initial push, both Spain and Moldova¹² actively engaged in them. North Macedonia acknowledged its awareness of JITs, understanding of their concept, but expressed the need for additional training, increased capacity to form more JITs, and financial support, along with greater awareness among practitioners. Moldova viewed JITs as valuable tools for cooperation but also identified the need for additional financial support, heightened awareness among practitioners, and further training to optimize their effectiveness. France and Serbia both engaged in JITs. For France, finding the expertise for JITs is one of the most important challenges, together with the political pressure that might discourage some countries from engaging in joint investigations.

¹² Moldova specified that it carried out 48 JITs in 11 countries.

3.5. Referral of identified criminal aspects

According to Article 5 of the Firearms Protocol [3] the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition as well as falsifying or illicitly obliterating, removing or altering the marking(s) on firearms are criminal offenses. Nonetheless, the manufacturing and trafficking of firearms is frequently associated with various other forms of criminal behaviour involving violent crimes committed by organised crime groups -including gangs- and terrorist groups.

There is a relationships between the incidence of specific crimes reported by different countries and the proportion of firearms confiscated within the context of those criminal activities [4]. Despite some regional variations, the trend suggests that in regions where homicide rates or the volume of illicit drug seizures are higher, there is a corresponding increase in the percentage of firearms seized in connection with these criminal incidents.

Organised crime is considered a significant threat to Europe. In 2019, criminal revenues generated in primary illicit markets reached a substantial 1% of the EU's Gross Domestic Product (GDP), equivalent to €139 billion. Criminal organisations are widespread throughout all European Union countries and frequently conduct their activities across national borders [45]. For example, 70% of these criminal groups are operational in more than three member states [45].

The leading organised criminal activities in Europe encompass drug trafficking, cybercrime, excise fraud, the smuggling of migrants, and the trafficking of human beings [45]. Firearms play a role in facilitating some of these activities, such as drug smuggling and human trafficking, where firearms are employed to instil fear and exert pressure on victims. In the context of migration, the European Migrant Smuggling Centre (EMSC) at Europol is actively working to identify and analyse connections between the facilitation of illegal migration and other criminal activities, including the trafficking of firearms. To address organised crime firearms trafficking, Europol Analysis Project Weapons and Explosives focuses on criminal organisations and individuals engaged in unlawful activities related to the production, possession, and trafficking of small arms, light weapons, ammunition, as well as parts and components.

A primary focus of EMPACT [46] is the identification and dismantling high-risk criminal networks operating within the European Union. These networks encompass various types, including mafia-style, ethnic, and family-based organisations, as well as other structured groups. EMPACT also targets individuals holding crucial positions within these networks. Special attention is dedicated to those criminal networks that undermine the rule of law through corrupt practices, engage in violent activities such as intimidation, employ firearms to advance their criminal objectives, and utilize clandestine financial systems to launder their ill-gotten gains. Other forms of organised crime such as trafficking in human beings, migrant smuggling and drug trafficking are also among EMPACT priorities with no specific mention to firearms.

Trafficked firearms can also be instrumental to violence perpetrated for political or ideological reasons, in particular insurgency and terrorism [2]. Firearms have gained prominence due to their lower skill requirement in comparison to the construction and handling of explosives [47]. The process of manufacturing and transporting explosive devices demands a significant level of effort and communication, consequently elevating the risk of detection by law enforcement agencies. In this regard, Europol European Counter-Terrorism Centre (ECTC) assists Member States by facilitating information exchange and fostering operational collaboration for the purpose of monitoring the illicit trafficking of firearms within the framework of counter-terrorism efforts [48].

3.5.1. Challenges

The interplay between firearms and different forms of criminality highlights the complexity and multifaceted nature of security challenges faced when investigating firearms trafficking. Three main challenges to the referral of criminal aspects emerged from the documents reviewed. These are the following:

1. Confiscation based on illicit possession

Firearms suspected of being linked to criminal activities are typically seized and confiscated from suspected offenders based on charges of 'illicit possession,' often without considering their potential significance as evidence of involvement in an illicit trafficking network. [2], [49]. This creates issues in establishing links between different types of activities that facilitate and support the trafficking of the arm.

2. Investigation focus

Firearms are often found after they have been used to commit a crime. Consequently, the investigative process may prioritize the weapon as evidence related to the primary crime in which it was used, rather than focusing on the trafficking aspect. This investigative approach may result in overlooking crucial information that could be utilized to reconstruct the network, if any involved in the trafficking of the firearm.

3. Capacity of the criminal justice system

Addressing complex crimes like transnational organised crime and firearms trafficking necessitates criminal justice responses that leverage the available resources and create new ones to uncover, investigate, and prosecute such criminal activities. This entails a fusion of traditional reactive law enforcement methods with proactive cooperative enforcement measures and judicial collaborative mechanisms that draw upon international law and facilitate ongoing exchanges of information and intelligence across all tiers of law enforcement. Overall, the criminal justice response can be affected by [50]:

- a. Inadequate resources and a lack of motivation to establish dedicated centres focused on treating firearms trafficking as a criminal offense.
- b. Existing gaps in legislation and the absence of criminalization for the illicit production and trafficking of firearms, along with related offenses.
- c. The shortage of a sufficient number of criminal justice professionals possessing the specialized expertise necessary to spearhead nationwide initiatives aimed at preventing, detecting, investigating, prosecuting, and adjudicating cases related to arms trafficking and the illicit production of firearms.
- d. Inefficient information gathering systems and the lack of capacities to analyse and cross refer existing and open-sourced data on arms transfers
- e. Lack of resources or attention to create hubs focused on firearms trafficking as a criminal offense

3.5.2. Preliminary results

If links with EMPACT Priorities are found, what data/information is shared, and with whom are they shared?

Results indicate that there is inconsistency in the sharing of data among countries.

Table 14 Information shared if EMPACT priority is found.

| Country | Level | | | | | |
|---------|----------------------|------------------------------|----------------------|------------|----------------------------|------------|
| | National | | Europe | | International | |
| | Specialized agencies | Other national organisations | Specialized agencies | Other LEAs | Specialized INTERPOL units | Other LEAs |
| | | | | | | |

| | | | | | | |
|----|---|---|---|---|---|---|
| FR | | | | | | |
| NK | • | | • | • | • | • |
| MD | • | • | • | • | • | • |
| SI | • | • | | • | | • |
| PT | • | • | | • | • | • |
| RS | | | | | | |
| ES | • | | • | • | • | • |

If links with EMPACT Priorities are found, what type of data/ information is shared?

With the exception of Spain, which did not specify the nature of the data it shares, all other surveyed countries demonstrated a consistent pattern of sharing information across the three levels. Nevertheless, it was challenging to understand the precise nature of the information being shared.

Table 15 Type of information shared if EMPACT priority is found.

| Country | Type of Information |
|---------|---|
| NK | Statistical data, crime intelligence information, criminal trends, modus operandi. |
| MD | Information regarding suspects, type and model of firearms, serial number. modus operandi, etc |
| SI | Mark, type, caliber, serial number, other signs, other inscriptions added, manufacturer and operational data. |
| PT | All information needed to enable other entities to provide us with more information. For ex: Brand, model, caliber and serial number of the seized weapons. |

If links with other EMPACT Priorities are found, what methods of data sharing are used?

Participant countries appeared to exhibit a consistent preference for using SIENA, while some also specified the use of alternative systems such as iARMS, I24/7, and mentioned specified operational meetings and Joint Investigation Teams (JIT).

Table 16 Methods of data sharing for EMPACT priorities.

| Country | Methods |
|---------|----------------------------------|
| NK | SIENA, iARMS, I24/7 |
| MD | SIENA, operational meetings, JIT |
| SI | SIENA |
| PT | iARMS, SIENA |

If SIENA is used (as per Step three EMPACT Operational Action Plan), who is responsible for updating SIENA?

The survey revealed a lack of clarity regarding the responsible entity for updating SIENA.

Table 17 Authorities responsible for updating SIENA.

| Country | Responsible |
|----------------|---|
| NK | Ministry of Interior, Sector for International Police Cooperation |
| MD | International police cooperation directorate |
| SI | Liaison officer who is in charge of the case. |
| PT | Europol or the country responsible for this OA |

One participant (Moldova) indicated that they use a system other than SIENA to communicate with Liaison Officers at SELEC and EUROPOL and with the Common Moldoromanian Center of border police (Galați). North Macedonia stated that some data cannot be “exclusively shared via SIENA” and this is why they also use other databases.

3.6. Initial recommendations

The preliminary findings reported suggest the following:

Table 18 Initial recommendations and addresses.

| Theme | Stakeholder |
|--|---|
| Enhance Training and Expert Recruitment | LEAs, NFFPs |
| <ul style="list-style-type: none"> • Develop strategies to attract and retain firearms trafficking experts. • Develop specialized training programs for LEAs personnel. | |
| Standardize Data Collection and Analysis | EU, National Governments, Regional Bodies |
| <ul style="list-style-type: none"> • Establish uniform protocols for the collection and analysis of data across countries and regions to ensure consistency and accuracy. | |
| Provide SOPs on cooperation | Polymakers and NFFPs |
| <ul style="list-style-type: none"> • Establish standard operating procedures to improve collaboration. • Work towards a more harmonized framework in policy formulation and implementation. | |
| Enhance International Cooperation | International Bodies and Diplomatic Entities |
| <ul style="list-style-type: none"> • Develop strategies to overcome bureaucratic and political barriers for cooperation outside the EU. • Promote diplomatic efforts and international agreements for better collaboration. • Provide practical platforms (e.g. meetings through EMPACT) where authorities can exchange best practices. | |
| Improve technological uptake | NFFPs, EU policymakers |
| <ul style="list-style-type: none"> • Invest in advanced communication and data analysis technologies to track and analyse firearms trafficking patterns. • Invest in staff training on technologies available in the sector. | |
| Prioritise firearms in policy and political will | Politicians and decision makers |
| <ul style="list-style-type: none"> • Provide consistent political support to NFFPs to enhance their operational capabilities. • Identify firearms trafficking as a long-term priority rather than just a reactive matter. | |
| Promote a better understanding of firearms trafficking | Researchers |
| <ul style="list-style-type: none"> • To help this issue become a priority in political agendas, disseminate easily accessible information on firearms trafficking and how it is related to different criminal activities. | |
| Prioritise language and cultural training | NFFPs training programs |
| <ul style="list-style-type: none"> • Improve EU-wide cooperation by integrating language and cultural training into the NFFP training program. | |
| Focus on Forensic Capabilities | Forensic Departments and NFFPs |
| <ul style="list-style-type: none"> • Improve forensic capabilities for tracing firearms to link weapons to criminal activities and understand trafficking networks. | |

4. Conclusion / Future Work

This deliverable presented the results of the policy analysis, the survey, the NFFP's needs assessment and the mapping of the authorities involved in the NFFPs. The findings indicate that several critical areas require attention to ensure the effective, fully-functional operation of NFFPs. These include staffing, international cooperation, technological resources, and standard operating procedures on data sharing but not only. A multifaceted approach is necessary to meet these challenges, which includes enhancing training, several critical areas technologies, and more effort to successfully collaborate internationally. There is an emphasis on the need for increased political support and the need for firearms trafficking issues to be consistently prioritized. This suggests that long-term commitment and strategic planning must be adhered in order for NFFP operations to be fully-operational.

Future work (D2.6) will extend our research effort to countries outside the CEASEFIRE consortium and will expand on the work reported in this deliverable to provide more detailed recommendations on how to harmonize NFFPs work and investigative efforts related to firearms trafficking

References

- [1] UNODC, “Global Study on Firearms Trafficking 2020,” United Nations Office on Drugs and Crime. [Online]. Available: https://www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf
 - [2] UNODC, “Global Study on Firearms Trafficking 2020,” United Nations Office on Drugs and Crime. [Online]. Available: https://www.unodc.org/documents/data-and-analysis/Firearms/2020_REPORT_Global_Study_on_Firearms_Trafficking_2020_web.pdf
 - [3] UN, “Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime,” United Nations, 2001. [Online]. Available: https://treaties.un.org/doc/source/recenttexts/18-12_c_e.pdf
 - [4] European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Implementing the European Agenda on Security: EU action plan against illicit trafficking in and use of firearms and explosives.,” 2015. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015DC0624>
 - [5] Council of the European Union, “Council Decision (CFSP) 2016/2356 of 19 December 2016 in support of SEESAC disarmament and arms control activities in South-East Europe in the framework of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition,” 2016. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016D2356>
 - [6] European Commission, “REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Evaluation of the 2015-2019 action plan on firearms trafficking between the EU and the south-east Europe region,” 2019. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52019DC0293>
 - [7] European Commission, “COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS 2020-2025 EU action plan on firearms trafficking,” 2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0608&from=nl>.
 - [8] EMPACT Firearms, “Best Practice Guidance for the Creation of National Firearms Focal Points (NFP).” [Online]. Available: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.unodc.org/documents/treaties/Fire_Arms_2020/Presentations/4_Other_interventions_-_Jan_Head_EMPACT.pdf
 - [9] M. Mancuso and D. Manzi, “Options for Enhancing Operational Instruments in the Area of Firearms Trafficking. Final report of project ECOFIT.,” 2021. [Online]. Available: <https://www.transcrime.it/wp-content/uploads/2021/11/EcofitFinalReport.pdf>
 - [10] General Secretariat, “Council Conclusions on the Adoption of an EU Strategy Against Illicit Firearms, Small Arms & Light Weapons & Their Ammunition,” 2018. [Online]. Available: <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://data.consilium.europa.eu/doc/document/ST-13581-2018-INIT/en/pdf>
 - [11] European Parliament and Council of the European Union, “Directive (EU) 2023/977 of the European Parliament and of the Council of 10 May 2023 on the exchange of information between the law enforcement authorities of Member States and repealing Council Framework Decision 2006/960/JHA,” 2023. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023L0977>
 - [12] UN, “The Arms Trade Treaty,” 2014. [Online]. Available: https://thearmstradetreaty.org/hyper-images/file/ATT_English/ATT_English.pdf?templateId=137253
 - [13] UN, “Programme of Action The United Nations Programme of Action on Small Arms and Light Weapons.” [Online]. Available: <https://www.unrcpd.org/conventional-weapons/poa/#:~:text=The%20UN%20Programme%20of%20Action,Small%20Arms%20and%20Light%20Weapons.>
 - [14] UN, “International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons,” 2005. [Online]. Available: <https://www.unodc.org/documents/organized-crime/Firearms/ITI.pdf>
-

- [15] UN CASA. Coordinating Action on Small Arms, “International Small Arms Control Standard. National regulation of civilian access to small arms and light weapons,” 2015. [Online]. Available: https://www.ohchr.org/sites/default/files/Documents/Issues/RuleOfLaw/CivilianAcquisition/UNAgencies_IO/International_Small_Arms_Control_Standards_Inter-Agency_Support_Unit.pdf
- [16] “Consolidated version of the Treaty on the Functioning of the European Union,” 1958. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>
- [17] European Parliament and Council of the European Union, “DIRECTIVE (EU) 2021/555 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 March 2021 on control of the acquisition and possession of weapons (codificatio),” 2021. [Online]. Available: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32021L0555>
- [18] INTERPOL, “Forestry Law Enforcement Manual Crime Scene Exploitation for Firearms and Ballistics Guide to evidence collection and management,” 2018.
- [19] INTERPOL, “Illicit Arms Records and tracing Management System (iARMS).” [Online]. Available: <https://www.interpol.int/How-we-work/Databases/Illicit-Arms-Records-and-tracing-Management-System-iARMS>
- [20] Forensic Technology, “The IBIS Solution - Integrated Ballistic Identification System.” [Online]. Available: <https://www.ultra-forensictechnology.com/en/products-and-services/firearm-and-tool-mark-identification-ibis/ibis-solution-overview/>
- [21] ScannBI Technology Europe GmbH, “Evofinder Automated Ballistic Identification.” [Online]. Available: <http://evofinder.com/contact-us/>
- [22] C. Sautier, S. Christen, and F. Chidiac, “Sharing ballistic data across Europe: A prototype network between France and Switzerland using Evofinder®,” *Forensic Sci. Int. Synergy*, vol. 3, p. 100148, 2021, doi: 10.1016/j.fsisyn.2021.100148.
- [23] Pyramidal Technologies, “Alias. Advanced Ballistics Analysis System.” [Online]. Available: <https://pyramidaltechnologies.com/services-1/>
- [24] Papillon Systems, “Arsenal Automated Ballistics Identification System.” [Online]. Available: <https://papillonsystems.com/products/programs/arsenal/>
- [25] European Commission, “REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the application of Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on control of the acquisition and possession of weapons,” 2021. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0647>
- [26] J. De Ceuster, R. Hermsen, M. Mastaglio, and R. Nennstiel, “A discussion on the usefulness of a shared European ballistic image database,” *Sci. Justice*, vol. 52, no. 4, pp. 237–242, Dec. 2012, doi: 10.1016/j.scijus.2011.12.003.
- [27] E. Bowen, “Examination of Firearms and Forensics in Europe aCross Territories. Final Report.” 2016. [Online]. Available: <https://www.coventry.ac.uk/globalassets/media/global/08-new-research-section/final-effect-project-report.pdf>
- [28] UNODC, “United Nations convention against transnational organised crime and protocols thereto,” 2004. [Online]. Available: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>
- [29] Europol, “Secure Information Exchange Network Application (SIENA).” [Online]. Available: <https://www.europol.europa.eu/operations-services-and-innovation/services-support/information-exchange/secure-information-exchange-network-application-siena>
- [30] Europol, “Intelligence Analysis.” [Online]. Available: <https://www.europol.europa.eu/operations-services-and-innovation/services-support/information-exchange/intelligence-analysis>
- [31] European Commission, “Schengen Information System.” [Online]. Available: https://home-affairs.ec.europa.eu/policies/schengen-borders-and-visa/schengen-information-system_en
- [32] European Data Protection Supervisor, “Customs Information Systems.” [Online]. Available: [https://edps.europa.eu/data-protection/supervision-coordination/customs-information-systems_en#:~:text=The%20Customs%20Information%20System%20\(%E2%80%9CCIS,terminals%20in%20each%20Member%20State.](https://edps.europa.eu/data-protection/supervision-coordination/customs-information-systems_en#:~:text=The%20Customs%20Information%20System%20(%E2%80%9CCIS,terminals%20in%20each%20Member%20State.)
- [33] Europol, “Europol Information System (EIS).” [Online]. Available: <https://www.europol.europa.eu/operations-services-and-innovation/services-support/information-exchange/europol-information-system>
-

- [34] INTERPOL, “INTERPOL Ballistic Information Network.” [Online]. Available: <https://www.interpol.int/Crimes/Firearms-trafficking/INTERPOL-Ballistic-Information-Network>
- [35] “ITRACE.” [Online]. Available: <https://www.conflictarm.com/itrace/>
- [36] UN, “Illicit arms flows questionnaire.” [Online]. Available: <https://www.unodc.org/unodc/en/data-and-analysis/statistics/crime/iafq.html>
- [37] E. U. Savona and M. Mancuso, “Fighting Illicit Firearms Trafficking Routes and Actors at European Level,” *Transcrime - Università Cattolica del Sacro Cuore*, Milano, 2017. [Online]. Available: <https://www.transcrime.it/wp-content/uploads/2017/03/FIREFinalReport.pdf>
- [38] UNODC, “Guidelines on the investigation and prosecution of firearms offences,” 2023. [Online]. Available: <https://www.unodc.org/unodc/en/firearms-protocol/news/2023/May/unodc-launches-the-guidelines-on-investigation-and-prosecution-of-firearms-offences.html?testme>
- [39] Europol, “Printing insecurity: Tackling the threat of 3D printed guns in Europe.” [Online]. Available: <https://www.europol.europa.eu/media-press/newsroom/news/printing-insecurity-tackling-threat-of-3d-printed-guns-in-europe>
- [40] L. Van der Heide, “3D Printed Guns in 2023: Origins, Legality, Types & Status,” *All3DP*, 2023, [Online]. Available: <https://all3dp.com/1/3d-printed-gun-firearm-weapon-parts/#Conclusion>
- [41] New South Wales Consolidated Acts, “Firearms Act 1996 - Sect 51F Possession of digital blueprints for manufacture of firearms.” [Online]. Available: http://classic.austlii.edu.au/au/legis/nsw/consol_act/fa1996102/s51f.html
- [42] Council of Europe, “European Convention on Mutual Assistance in Criminal Matters,” 2000. [Online]. Available: <https://rm.coe.int/16800656ce>
- [43] Council of the European Union, “Council Framework Decision of 13 June 2002 on joint investigation teams,” Council of the European Union, 2002. [Online]. Available: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32002F0465>
- [44] Working Group on International Cooperation, “The use and role of joint investigative bodies in combating transnational organized crime,” UNODC, 2020. [Online]. Available: https://www.unodc.org/documents/treaties/International_Cooperation_2021/CTOC-COP-WG3-2020-2/CTOC_COP_WG.3_2020_2_E.pdf
- [45] European Council, “The EU’s fight against organised crime.” [Online]. Available: <https://www.consilium.europa.eu/en/policies/eu-fight-against-crime/>
- [46] Europol, “EU Policy Cycle - EMPACT,” 2023. [Online]. Available: <https://www.europol.europa.eu/crime-areas-and-trends/eu-policy-cycle-empact>
- [47] N. Florquin and A. Desmarais, “Triggering Terror: Illicit Gun Markets and Firearms Acquisition of Terrorists Networks in Europe,” *Flemish Peace Institute*, Brussels, 2018. [Online]. Available: https://vlaamsvredesinstituut.eu/safte/files/boek_safte_bw_lowres.pdf#page=171
- [48] Europol, “European Counter Terrorism Centre - ECTC A central hub of expertise working to provide an effective response to terrorism.” [Online]. Available: <https://www.europol.europa.eu/about-europol/european-counter-terrorism-centre-ectc>
- [49] SEESAC, “Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons (SALW) and their ammunition in the Western Balkans by 2024,” 2018. [Online]. Available: <https://www.seesac.org/f/docs/publications-salw-control-roadmap/Regional-Roadmap-for-a-sustainable-solution-to-the.pdf>
- [50] UNDOC, “Criminal Justice Response.” [Online]. Available: <https://www.unodc.org/unodc/en/firearms-protocol/criminal-justice-response.html>
-

5. Appendix 1

| Country | NFFP | Designated Entity | Name and Level in the administration (e.g., Police, Division of Firearms and Explosives) | Policing and Judiciary Agencies and their involvement in firearms) |
|---------|------|---|--|--|
| Austria | Yes | <ol style="list-style-type: none"> 1. Ministry of Interior 2. Federal Ministry of Finance | Ministry of Interior - Directorate State Protection and Intelligence Service | <ol style="list-style-type: none"> 1.1 Criminal Intelligence Service (Should be) 1.2. Directorate State Protection and Intelligence Service (Yes) 1.3. Federal Ministry of the Interior (Yes) 1.4. General Directorate for Public Security (Yes) 1.5. The Federal Police (Should be) 2.1. Customs Administration (Should be) |
| Belgium | Yes | <ol style="list-style-type: none"> 1. Federal Judicial Police 2. Ministry of the Interior and Ministry of Justice 3. Federal Ministry of Finance | Directorate Serious and Organised Crime- Weapons Trafficking Unit | <ol style="list-style-type: none"> 1.1. General Directorate of Judicial Police (Yes, fully functional) 2.1. Federal Police (Yes) 3.1. Customs and Excise Administration (Should be) |

D2.5 – Fully Functional Focal Points and harmonized framework. Initial version.

| | | | | |
|----------|-----|--|--|--|
| Bulgaria | Yes | 1. Ministry of Interior | International operational cooperation directorate - Ministry of interior | 1.1. General Directorate Combating Organised Crime (GDCOC) (Yes) 1.2. National Customs Agency (Yes) 1.3. State Agency for National Security (Yes) |
| Croatia | Yes | 1. Ministry of Interior | Uprava kriminalističke policije | 1.1. General Police Directorate |
| Cyprus | Yes | 1. Ministry of Justice and Public Order and 2. Guns Registry Office | Guns Registry Office – Crime Combating Department - Cyprus Police H.Q. | 1.1. Cyprus Police (Yes) 2.1. Crime Combating Department (Yes, semi-functional) |
| Czechia | No | / | / | / |
| Denmark | No | 1. Ministry of Justice | Morten Daugaard, politikommissær | 1.1. Danish Polish (Yes, but the NFFP's status is unknown) 1.2. National Unit for Special Crime (Should be) 1.3. Danish Tax and Customs Authorities (Should be) |
| Estonia | No | / | / | / |
| Finland | No | / | / | / |

D2.5 – Fully Functional Focal Points and harmonized framework. Initial version.

| | | | | |
|-----------|-----|--|---|---|
| France | Yes | 1. Ministry of Interior 2. French National Police 3. Ministry of Budget, Public Accounts and Civil Service | Direction centrale de la Police Judiciaire - Office central de lutte contre le crime organisé (OCLCO) | 1.1. Direction centrale de la Police Judiciaire Office central de lutte contre le crime organisé (OCLCO) (Yes) 2.1. Interior Information Central Services (Should be) 3.1. Directorate-General of Customs and Indirect Taxes (Should be) |
| Germany | Yes | 1. Ministry of the Interior 2. Federal Ministry of Finance | BKA Wiesbaden, SO13 | 1.1. Federal Criminal Police Office (Yes, semi-functional) 2.1. Central Customs Investigation Service (Should be) |
| Greece | Yes | 1. Ministry of Civil Protection | 1.1. Διεύθυνση Ασφαλείας Αττικής 1.2. Τμήμα Αντιμετώπισης οργανωμένου Εγκλήματος | 1.1. State Security of Attica (Yes, semi-functional) 1.2. Department Against Organised Crime Under each regional directorate (Yes-Has been involved already in dealing with illicit firearms trafficking) |
| Hungary | Yes | National Police | | International Law Enforcement Cooperation Centre (Yes, semi-functional) |
| Ireland | NO | / | / | / |
| Italy | No | / | / | / |
| Latvia | Yes | Ministry of Interior | | Department for Combating Serious and Serial Organized Crimes of the Central Criminal Police (Yes, semi-functional) |
| Lithuania | No | / | / | / |

D2.5 – Fully Functional Focal Points and harmonized framework. Initial version.

| | | | | |
|-----------------|-----|--|--|--|
| Luxembourg | Yes | Central Unit of Grand-Ducale Police | Service de Police Judiciaire, Section Enquêtes spécialisées, cellule armes et munitions | Criminal Investigation Department-CID (Yes, semi-functional) |
| Malta | No | / | / | / |
| Netherlands | No | / | / | / |
| Portugal | Yes | 1. Internal Administration Ministry 2. Public Security Police | Polícia de Segurança Pública (PSP) | 1.1. Public Security Police (Yes, fully-functional) 2.1. Special Operation Group (Yes) |
| Romania | Yes | 1. Ministry of Administration and the Interior 2. General Inspectorate of the Romanian Police 3. Ministry of Administration and the Interior | Inspectoratul General al Poliției Române | 1.1. General Inspectorate of the Romanian Police (Yes, fully-functional) 1.1. Weapons, Explosives and Hazardous Substances Directorate (Yes, fully-functional) 3.1. General Inspectorate of the Romanian Border Police (Should be) 3.2. Romanian Intelligence Service (Should be) |
| Slovak Republic | Yes | 1. Ministry of Interior 2. Ministry of Finance | 1. Presidium of The Police Force, National Crime Agency, Department Bratislava, 6th Operational Unit 2. Colná správa Slovenskej republiky | 2.1. Yes 2.2. Customs Administration of the Slovak Republic (Should be) |
| Slovenia | Yes | 1. General Police Directorate 2. Organized Crime Division | | 1.1. Criminal Police Directorate (Yes) 1.2. Organized Crime Division (Yes) 2.1. Counterterrorism and Extreme Violence Section (Yes) |

D2.5 – Fully Functional Focal Points and harmonized framework. Initial version.

| | | | | |
|--------|-----|---|---|--|
| Spain | Yes | <ol style="list-style-type: none"> 1. Ministry of Interior & Ministry of Defence 2. Treasury 3. Courts of Justice and the Public Prosecutor's Office 4. Customs and Special Taxes Department < State Agency of Tax Administration (AEAT) < Ministry of Finance 5. Ministry of the Interior | Guardia Civil | <ol style="list-style-type: none"> 1.1. Civil Guard (Yes, semi-functional) 2.1. Customs tasks (Yes) 3.1. Civil Guard: judicial police force (Yes) 4.1. Customs Surveillance Service (Should be) 5.1. National Police (Should be) |
| Sweden | Yes | <ol style="list-style-type: none"> 1. Ministry of Interior 2. Ministry of Justice 3. National Operations Department (NOA) 4. The Swedish Police Authority | <ol style="list-style-type: none"> 1. TULLVERKET 2. DEN SVENSKA POLISMYNDIGHETEN 3. Nationellt Skjutvapencenter, NOA | <ol style="list-style-type: none"> 1.1. Swedish Customs (Yes, fully-functional) 2.1. The Swedish Police Authority (Yes) 3.1. National Firearms Centre (Yes) 4.1. National Forensic Centre (Should be) 4.2. Special Investigations Department (Should be) |