

Council conclusions on strengthening the use of means of fighting trafficking of firearms

THE COUNCIL OF THE EUROPEAN UNION,

EMPHASISING that the renewed Internal Security Strategy 2015-2020[1] identified *inter alia* tackling and preventing terrorism, reinforced border security and preventing and fighting serious and organised crime as priorities for the coming years in the field of European Union internal security, and recognised the serious threat the illegal firearms pose to the European Union internal security,

NOTING that the terrorist attacks in Paris, Brussels, Copenhagen earlier this year and, more recently, the thwarted Thalys train attack on 21 August 2015, have shown the need to further strengthen the use of means of fighting trafficking of firearms,

RECALLING that the fight against illicit trafficking of firearms has been identified in the Statement of 12 February 2015 by the Members of the European Council, the Riga Joint Statement[2] and the Paris Declaration[3] and by the Council of 9 February[4] and 12 March 2015[5] as one of the measures to fight terrorism on which further progress should be made,

HIGHLIGHTING that increasing cooperation and information exchange in the fight against illicit trafficking of firearms and addressing as a matter of priority the critical issue of deactivation of firearms were identified as topics where swift action should be taken and significant results achieved in the coming months,

NOTING that the exchange of information on firearms should be intensified and that the current information systems at national, European and international (Interpol) level are not used to their full potential,

NOTING that the Commission in its Communication "European Agenda on Security"[6] announces that it will review in 2016 the existing legislation on firearms to improve the sharing of information, to reinforce traceability, to standardise marking and to establish common standards for deactivating firearms,

WELCOMING the work carried out within the framework of the EU policy cycle on serious and organised crime, notably within the EU crime priority 2014-2017 "reducing the risk of firearms to the citizen including combating illicit trafficking in firearms", and CALLING on Member States to participate in and implement the operational actions identified in the Operational Action Plan on Firearms,

CONSCIOUS that trafficking of firearms has an important external dimension requiring close cooperation with neighbouring countries, in particular by the implementation of the Action Plan on illicit trafficking in firearms between the EU and the South East Europe region (2015-2019)[7],

INVITES MEMBER STATES TO:

1. Systematically insert information on sought firearms into the Schengen Information System (SIS II) in accordance with Art. 38 of Council Decision 2007/533/JHA of 12 June 2007[8] and to increase the insertion of information on firearms into the Europol Information System (EIS) and Interpol's Illicit Arms Records and tracing Management System (iARMS), where available,
2. Participate in the iARMS/SIS interoperability project,
3. Provide Europol with relevant information in order to insert it in the Europol Analysis System on current investigations concerning firearms trafficking, on offences committed using firearms and on terrorist detentions which involve firearms' seizure,
4. Make full use of the 'Global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition' (iTRACE) established by Council Decision 2013/698/CFSP, where available, and in particular as far as responsiveness to trace requests are concerned,

5. Participate in the OAP Firearms on a multidisciplinary basis and to use existing procedures, without prejudice to the competences of the national law enforcement agencies,

inter alia

the Customs Risk Management Framework, as well as to fully support the implementation of operational actions, in particular in the EU Joint Action Days and the cooperation with third countries. The upcoming OAP 2016 should contain concrete operational actions taking into account the measures listed in the present conclusions,

INVITES THE EUROPEAN COMMISSION TO:

6. Present a proposal to revise Directive 91/477 of 18 June 1991 at the latest at the beginning of 2016 in order to strengthen the firearms legislative framework, for example to improve the sharing of information on firearms, reinforce their traceability, to standardise marking and to take into account the illegal trafficking through the Internet and Darknet,

7. Pending the revision of the Directive 91/477, submit at the latest by the end of 2015 a Commission Regulation for strong minimum standards for deactivation of firearms,

8. Inform COSI at regular intervals on the state of play of the implementation of the Action Plan on illicit trafficking in firearms between the EU and the South East Europe region (2015-2019)[9],

9. Continue working on the iARMS/SIS interoperability project in close cooperation with Europol, INTERPOL and the Member States and to regularly inform COSI on the progress achieved with a view to enabling full interoperability between both systems in the near future,

INVITES EUROPOL TO:

10. Closely monitor the threat posed by firearms and in particular to monitor via EC 3 and FP Firearms the open web and the Darknet to detect the illegal trade through these platforms and to coordinate cross-border investigations and operations against online trafficking,

11. Work closely with the European Firearms Experts (EFE) and Interpol to develop a manual for combating the sale of illegal commodities on the internet,

INVITES INTERPOL TO:

12. Make sure that, where possible, any information provided to iARMS and/or the results of the tracing carried out by iARMS is also made available to Europol,

13. Engage with third countries to populate and search the iARMS database and ensure the highest level of quality.

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- [1] 9798/15
[2] 5855/15
[3] 5322/15
[4] 5897/15
[5] 6891/15
[6] 8293/15
[7] 15516/14
[8] OJ L 205, 7.8.2007, p.76
[9] 15516/14

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