



COUNCIL OF  
THE EUROPEAN UNION



**Council Recommendation  
on a standard procedure in Member States for cross-border  
enquiries by police authorities  
in investigating supply channels for seized or recovered  
crime-related firearms**

*2807th JUSTICE and HOME AFFAIRS Council meeting  
Luxembourg, 12 and 13 June 2007*

The Council adopted the following Recommendation:

"THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Whereas:

- (1) In view of the threat posed to public security in the European Union by organised crime and international terrorism, particular importance attaches to combating arms trafficking and other forms of arms crime. Coordinated joint action by all Member States of the European Union is required in order to refine and build on existing cross-border cooperation in combating such crime and eliminate recognised shortcomings.
- (2) Tracing of supply channels, which as a means of international investigation of the source of arms relates to illegal firearms only, provides an important aid in combating arms crime. Swift tracing of the full route taken by a firearm here serves three crucial purposes in combating arms crime.

**P R E S S**

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In the first place, tracing of supply channels seeks to identify the person responsible for the disappearance of a firearm into illegality. It thus involves identifying what is in most cases a hitherto unknown offender. The directly related second purpose is to uncover arms-trafficking market structures within the European Union and detect offenders operating in that market. The third purpose served is to gather and assess material information on the present state of arms crime in Europe, for the production of an EU arms crime situation report based on solid facts.

- (3) The making of cross-border enquiries regarding supply channels for illegal firearms is in line with United Nations General Assembly Decision 60/519 of 8 December 2005, whereby States adopted an international instrument enabling illicit small arms and light weapons to be identified and traced in a timely and reliable manner by way of cooperation to that end. That Decision is expressly referred to by the European Parliament in its Resolution on the Council's seventh and eighth annual reports according to operative provision 8 of the European Union Code of Conduct on Arms Exports (2006/2068 (INI)).
- (4) After signing the UN Firearms Protocol <sup>1</sup>, on behalf of the Community, as part of the 2001 UN Convention against Transnational Organised Crime, the Commission has also been pursuing these aims. Through a number of technical amendments, it has proposed <sup>2</sup>, among other things making it easier to trace weapons covered by the EU Weapons Directive (91/477/EEC) and thereby providing lasting assistance in fighting crime.
- (5) Member States need to improve their use of cross-border tracing of supply channels as a factor in combating international arms crime (quantitative improvement needed). Also, standard procedures and uniform (technical) information standards for cross-border enquiries regarding supply channels for crime-related firearms should be established (qualitative improvement needed). Furthermore, adequate background information should be available within the Community for a nuanced EU arms crime situation report. Such information is essential in order to provide the basis, in the medium term, for coordinated operations by Member States to tackle arms crime effectively at both national and international level (strategic improvement needed).

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<sup>1</sup> Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Resolution adopted by the UN General Assembly on 31 May 2001).

<sup>2</sup> Commission proposal of 2 March 2006 for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (COM(2006) 93 final – 7258/06 of 17 May 2006).

- (6) The manual and form drawn up by the European Firearms Expert (EFE) Working Group in the light of earlier discussions in the Article 36 Committee and preparatory work by the competent Council Working Party together with experts from Member States and Europol should, by means of a user-friendly standard procedure, facilitate information sharing between Member States' police forces in combating arms crime, drive forward cross-border supply channel tracing between Member States and hence steadily advance the process of harmonising cooperation between Member States in this important crime-fighting area,

HEREBY RECOMMENDS THAT MEMBER STATES:

1. make effective use of tracing of supply channels as a crucial key criminal investigation technique in the systematic combating of arms crime. This applies in particular to cross-border investigation of sources;
2. for this purpose, endeavour to have the manual annexed to this Recommendation used and followed by police authorities;
3. make provision for use of the form in this manual for cross-border enquiries in tracing supply channels;
4. regularly assess their own national practice, especially use of the recommended form, and submit their findings to the Council.

Done at Brussels, ...

For the Council  
The President"

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