



# **European Crime Prevention Network**

## **Theoretical Paper** Trafficking in Illicit Firearms

### **Trafficking in Illicit Firearms: a global and European overview**

In the framework of the project 'The development of the observatory function of the European Centre of Expertise on Crime Prevention within the EUCPN' - EUCPN Secretariat, February 2015, Brussels



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*Abstract*

This theoretical paper is published by the EUCPN Secretariat in connection with the theme of the Dutch Presidency, which is trafficking in illicit firearms. With the terrorist attacks that shook Europe the past months in hindsight, the subject is more relevant than ever. Trafficking in illicit firearms is a dangerous and deadly business, which should not be taken lightly. Because of the cross-border aspect of trafficking in illicit firearms, it is important to have a global overview. Where do the weapons come from, how do they enter the illicit market and what are the modus operandi of the traffickers?

This paper should function as a base for a more prevention-orientated manual in which we will look at the difficulties and attempts to prevent trafficking in illicit firearms. Furthermore we will focus at the main international weapons and what the international agencies already do against the phenomenon.

Through these actions, we hope to raise awareness concerning trafficking in illicit firearms, to exchange good practices and hopefully to propose general guidelines for a trafficking in illicit firearms policy.

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# Trafficking in Illicit Firearms

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## 1. Definition

Small arms and light weapons (SALW) are being called the weapons of mass destruction of this era. Of course in the big cities of Europe this is of a different order than in areas of conflict like the Middle-East, however it is still problematic, because in the hands of the wrong person, firearms can, and will, be deadly. For example the firearms violence between juvenile gangs in London, but also more recently the terrorist attack on the satiric weekly paper Charlie Hebdo and after that the series of terrorist attacks on November 13<sup>th</sup> that both happened in Paris. These are just a few examples of the problematic situation around illicit firearms. The United Nations Firearms Protocol defines the illicit trafficking in firearms as such:

*“Illicit trafficking” shall mean 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.”<sup>1</sup>*

The illicit trafficking in firearms is often being named in the same sentence and is closely linked with other illegal activities such as drug smuggling, trafficking in human beings, financial crimes, terrorism, gang violence etc. The firearms trade causes more social and political problems than economic problems because of the durability of firearms, one can be in circulation for several decades.

There are also discrepancies between national and international legislation. Players in the trade find themselves in a grey area because the legal qualification is not clear: is it legal or illegal? The question is which legal base is being used: national or international legislation. National authorized transactions are not always legal transactions, they can be in conflict with own national legislation or wider international legislation. An example is when Wallonia, the southern part of Belgium, allowed weapon deliveries to the Khadafy-regime while on a federal level there was being raised awareness for the human rights situation in Libya<sup>2</sup>.

## 2. A global overview

It is being estimated that in the regions of the United Nations there are 640 million illicit firearms in circulation, which is around 1 illicit firearm per 11 people. Yearly around 500.000 people die as a result of the use of illicit firearms; whereof 300.000 die in armed conflicts. Still around 8 million legal firearms are being produced every year<sup>3</sup>. Most

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<sup>1</sup> Article 3 Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations convention against transnational organized crime, 31 May 2001.

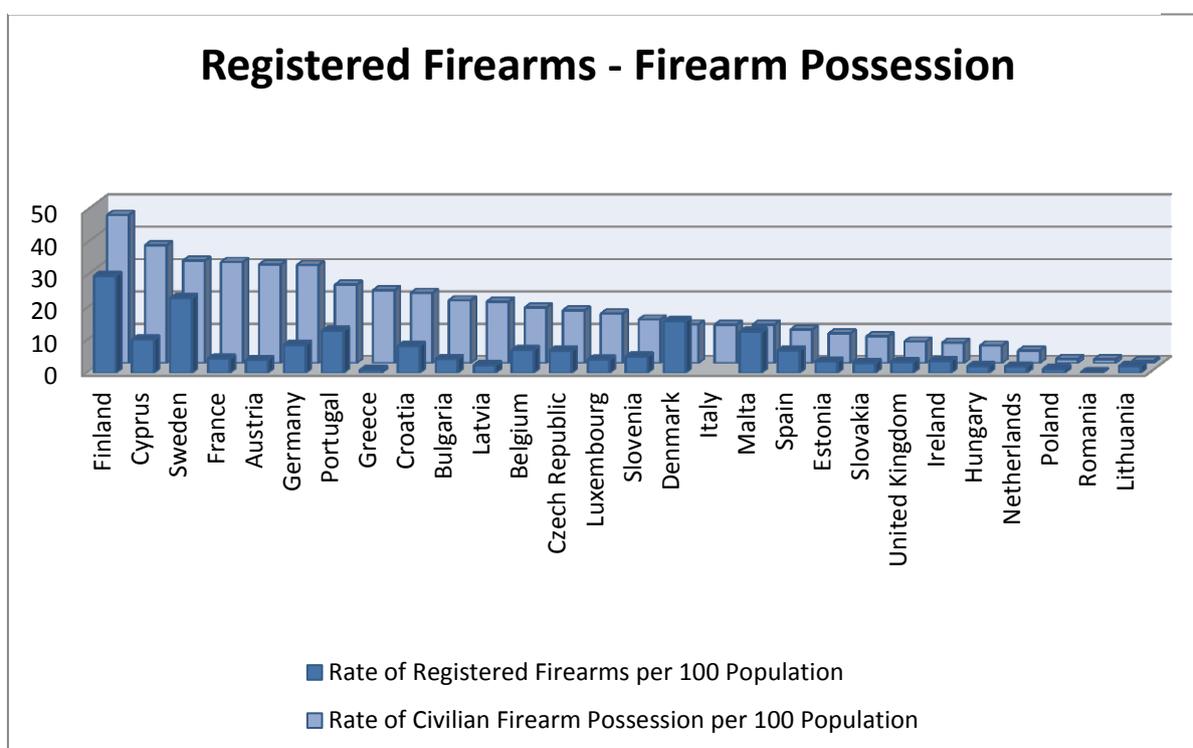
<sup>2</sup> Amnesty International (2014). *Wapens en gerelateerde goederen* (Thematische Fiche). Antwerp: Amnesty International, p.3. Retrieved from [https://www.aivl.be/sites/default/files/bijlagen/VERK2014\\_03\\_WAPENSENGERELATEERDEGOEDEREN\\_17-3.pdf](https://www.aivl.be/sites/default/files/bijlagen/VERK2014_03_WAPENSENGERELATEERDEGOEDEREN_17-3.pdf)

<sup>3</sup> Fijnaut, C. (2008). De bestrijding van de illegale vuurwapenhandel. Het beleid van de Verenigde Naties en de Europese Unie. *Justitiële Verkenningen*, 34(4), pp. 9-28. Retrieved from: <https://www.wodc.nl/onderzoeksdatabase/jv200804-illegale-wapenhandel.aspx>

firearms will be produced and traded legally, and will only later on arrive in the illegal circuit.

A significant limitation to collecting and analyzing reliable data on the number of illicit firearms seizures is the absence in all Member States of central databases for reporting information on recovered firearms and ballistic material<sup>4</sup>. Using data retrieved from [www.gunpolicy.org](http://www.gunpolicy.org) we can compare the Member States with each other. Below, in Graphic 1, 2 numbers have been set out. The rear bars are the estimates for civilian firearm possession per 100 civilians<sup>5</sup>. This estimate contains both licit and illicit firearms. It is important to remember that illicit firearms cannot be counted. So in this category, only estimates can be attempted. The bar in front of this one gives an estimate of the registered number of firearms in given country<sup>6</sup>. This estimate is also not perfectly reliable, since the data is sometimes dated and gunpolicy.org uses the last available data<sup>7</sup>. The two estimates can be subtracted from each other, the difference that remains will be a rough estimation of the number of illicit firearms in given country.

**Graphic 1: Registered Firearms - Firearms Possession**



<sup>4</sup> European Commission (2014). *Study to Support an Impact Assessment on Options for Combatting Illicit Firearms Trafficking in the EU* (Final Report). Luxembourg: Publications Office of the European Union, p.20. (Hereafter: Impact Assessment Report (2014). Retrieved from: [http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/organized-crime-and-human-trafficking/general/docs/dg\\_home\\_-\\_illicit\\_firearms\\_trafficking\\_final\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/organized-crime-and-human-trafficking/general/docs/dg_home_-_illicit_firearms_trafficking_final_en.pdf)

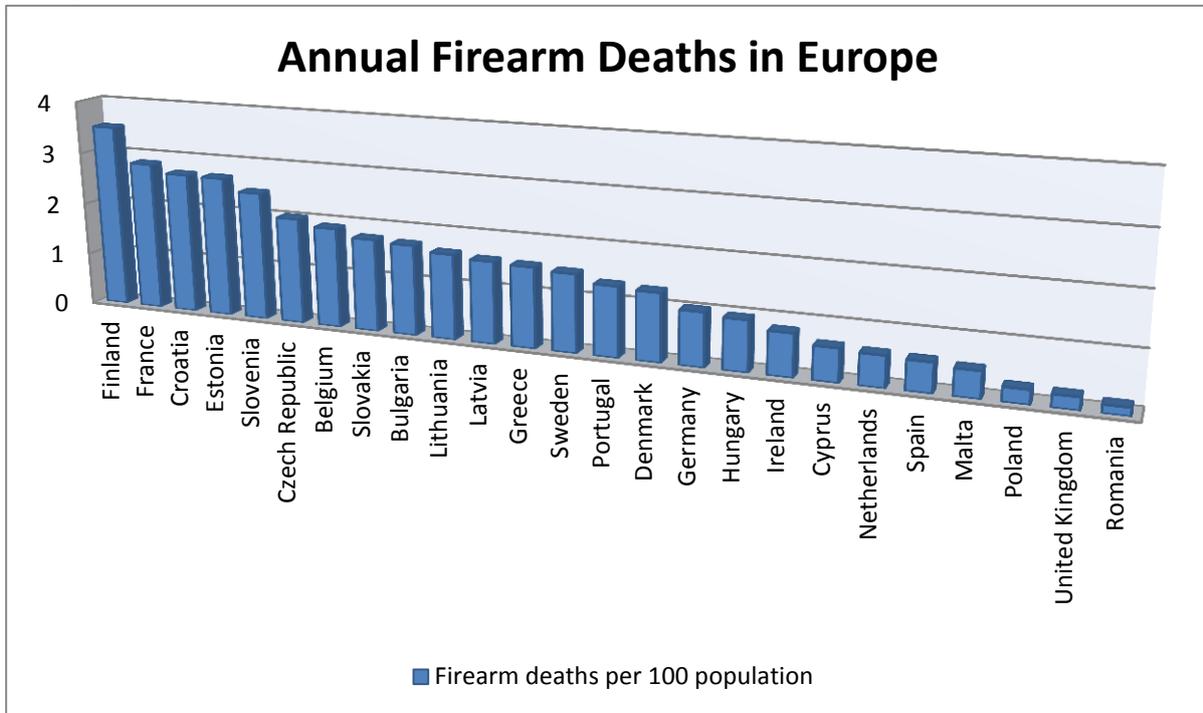
<sup>5</sup> Alpers, Philip, Amélie Rossetti and Leonardo Goi. 2016. *Guns in France: Rate of Civilian Firearm Possession per 100 Population*. Sydney School of Public Health, The University of Sydney. GunPolicy.org, 23 February. Accessed 9 March 2016. at: [http://www.gunpolicy.org/firearms/compare/66/rate\\_of\\_civilian\\_firearm\\_possession/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192](http://www.gunpolicy.org/firearms/compare/66/rate_of_civilian_firearm_possession/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192)

<sup>6</sup> Alpers, Philip, Amélie Rossetti and Leonardo Goi. 2016. *Guns in France: Rate of Registered Firearms per 100 Population*. Sydney School of Public Health, The University of Sydney. GunPolicy.org, 23 February. Accessed 9 March 2016. at: [http://www.gunpolicy.org/firearms/compare/66/rate\\_of\\_registered\\_firearms\\_per\\_100\\_population/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192](http://www.gunpolicy.org/firearms/compare/66/rate_of_registered_firearms_per_100_population/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192)

<sup>7</sup> In Malta and Denmark, for example, there are more registered firearms than there are licit and illicit firearms according to this graphic, which is not possible. This is because the data is dated. See Annex 1 for exact dates and numbers.

It immediately stands out that Finland has most firearms per civilian. To be exact 45 firearms (licit/illicit) per 100 population. The data for firearm possession is not enough to suggest whether or not firearm possession is problematic in a given country, since this is dependent on different factors. In Graphic 2<sup>8</sup> the number of firearm related deaths in a given country are set out.

**Graphic 2: Annual Firearm Deaths**



Now, Graphic 1 and Graphic 2 can be compared. At this point we should be careful with drawing conclusions, but we can interpret the numbers. Finland ranks the highest in firearm deaths and in firearm possession. They have easy access to firearms, and tend to use them quicker when intoxicated<sup>9</sup>. The same goes for Croatia, they score above average on firearm possession, and they score high on firearm deaths. Estonia and Lithuania score low on firearm possession, but high on firearm related deaths, therefore the number of deaths per firearm is high. Sweden, for example, ranks third in firearm possession, but in firearm deaths Sweden ranks twelfth. On average they possess more firearms than other countries, however they have an average number of deaths by firearms compared to other countries. The same goes for Germany and Portugal.

This indicates that there are discrepancies between countries in their firearm possession and firearm deaths, but a high number of firearm possession does not implicitly mean a high number of firearm deaths. Other factors need to be taken into account. Now we have given a global overview on the scale of the firearms market and the deaths that go with it. In a next part we will explore who are the main actors of this market.

<sup>8</sup> Alpers, P. & Wilson, M. (2016). *Guns in Germany: Rate of All Gun Deaths per 100,000 People*. Sydney School of Public Health, The University of Sydney. GunPolicy.org, 23 February. Accessed 9 March 2016. at: [http://www.gunpolicy.org/firearms/compare/69/rate\\_of\\_all\\_gun\\_deaths\\_per\\_100\\_000\\_people/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192](http://www.gunpolicy.org/firearms/compare/69/rate_of_all_gun_deaths_per_100_000_people/18,28,46,48,49,50,61,65,69,71,81,86,99,112,104,125,148,149,152,163,247,177,172,192)

<sup>9</sup> Yle Uutiset News (21.12.2015). *Something terrible has happened”: Does Finland need to wake up to its gun problem?* Retrieved from: [http://yle.fi/uutiset/something\\_terrible\\_has\\_happened\\_does\\_finland\\_need\\_to\\_wake\\_up\\_to\\_its\\_gun\\_problem/8535425](http://yle.fi/uutiset/something_terrible_has_happened_does_finland_need_to_wake_up_to_its_gun_problem/8535425)

## 2.1. Demand: Two markets

There are a lot of reasons why someone would want to possess firearms: for criminal purposes; ideological purposes; for collecting; hunting or for leisure purposes. In this part, two of the most important criminal demand markets will be discussed, which are Organized Crime Groups and Political Groups.

### 2.1.1. Organized Crime Groups

We can distinguish between direct and indirect damage caused by the criminal use of firearms. The number of killings, the direct impact, in the EU alone was over 10.000 the first decade of the 21<sup>st</sup> century, and an additional 4.000 suicides by firearm each year<sup>10</sup>. The indirect impact is the use of firearms by organized crime groups (OCG's) involved in the illegal drugs market and trafficking in human beings to intimidate and coerce their victims, which cannot be measured. There are clear connections between the trafficking in illicit firearms and OCG's, such as: carrying firearms as an intrinsic aspect of trafficking operations; transnational criminal networks that to some extent specialize in illicit firearms trafficking; and the already mentioned intimidation of victims and self-defense by local and national gangs<sup>11</sup>. These three categories are likely to co-exist.

The 2011 Europol Review showed that the possession of firearms by OCG's is rising in Europe. They are forming a significant threat to themselves, the general public and law enforcement personnel because of their willingness to misuse these firearms. Civilians are often caught in the crossfire between rival gangs. Most OCG's prefer firearms, but we can also notice an upward trend in the use of SALW such as the AK-47 and explosive devices. The OCG's rely on the commercial rules of supply and demand. Areas in which SALW are prohibited and areas of conflict present business opportunities for OCG's. For example Russian and Italian criminal organizations were dealing in illicit firearms in the midst of the Yugoslav conflicts<sup>12</sup>.

### 2.1.2. Political Groups

Whereas OCG's are part of the market that buys firearms for criminal purposes, there is also a market that buys firearms for political ones, which emerges when a set of militants finds the resources to equip an unauthorized force, which is of a lesser extent in the EU than in areas of conflict such as the Middle-East and Africa. Three separatist movements in Europe that belong in this category and remain heavily armed are: the Northern Ireland paramilitary groups, the Spanish ETA group and the Corsican nationalist movements. They possess vast arsenals of weapons, which OCG's do not require.

According to Europol's recently published 'EU Terrorism Situation and Trends Report' (TE-SAT 2013), an increased use of firearms has been observed across a variety of terrorist and extremist groups. Thus, "terrorists and violent extremists have also been found in possession of a significant amount of firearms and ammunition over the reporting period. The use of firearms by terrorists and violent extremists has increased in recent years. This modus operandi appears to be emerging across a range of ideologies and is of

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<sup>10</sup> UNODC (2011). *Global study on homicide: trends, context, data*. Vienna: United Nations Office on Drugs and Crime. Retrieved from [https://www.unodc.org/documents/data-and-analysis/statistics/Homicide/Globa\\_study\\_on\\_homicide\\_2011\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/statistics/Homicide/Globa_study_on_homicide_2011_web.pdf)

<sup>11</sup> Impact Assessment Report (2014), p.31.

<sup>12</sup> Hurst, C., Mariani, B. & Davis, I. (2001). *Organized crime, corruption and illicit arms trafficking in an enlarged EU*. London: Saferworld, p.25. Retrieved from: <http://www.saferworld.org.uk/resources/view-resource/76-organised-crime-corruption-and-illicit-arms-trafficking-in-an-enlarged-eu>

concern<sup>13</sup>. The number of terrorist attacks and use of firearms kept increasing in 2014<sup>14</sup>. Furthermore, when looking at the recent events, this can also be stated by 2015 and the beginning of 2016.

In a key stakeholder<sup>15</sup> survey from the European Commission some questions were asked about the illicit firearms market. One of them can be viewed in Table 1, below<sup>16</sup>.

**Table 1: "Who are the main groups involved in illicit firearms trafficking in your country?"**

Options	Most Important		Least Important	
	Nº	%	Nº	%
Terrorists	<b>3</b>	3.8	<b>8</b>	10
Organized Criminal Groups	<b>12</b>	15	<b>1</b>	1.3
Non-Organized Criminal Groups	4	5	5	6.3
No answer	61	73.3	66	82.5
Total	80	100	80	100

Twelve stakeholders answered that OCG's are the most important actors in trafficking illicit firearms, and one stakeholder answered that OCG's were the least important actors. Only 3 stakeholders answered that Terrorists are the most important actors in trafficking illicit firearms, and 8 answered that they were the least important. Since OCG's use firearms to protect their illegal activities and to establish a base of income, they can be a serious threat to security within the EU. Dr. Domitilla Sagramoso describes the threat as such:

*"Although the influx of weapons into the European Union (EU) is not overwhelming, there is a regular trickle of small arms primarily from the Balkan region, as well as from Eastern Europe, which could increase as the EU and the Schengen Rim both expand to the east and south-east. The collapse of the Soviet Union, the end of the Warsaw Pact and the wars in former Yugoslavia have resulted in a relaxation of border controls and an excess supply of light weapons, some of which have found their way into Europe. Small arms and light weapons (SALW) have fed the local criminal underworld as well as European terrorist groups, such as the Real IRA, thus contributing to the undermining of West European public safety."*<sup>17</sup>

<sup>13</sup> Europol (2013). *EU Terrorism Situation and Trends Report 2013*, p.7. (Hereafter: TE-SAT). Retrieved from: <https://www.europol.europa.eu/content/te-sat-2013-eu-terrorism-situation-and-trend-report>

<sup>14</sup> Europol (2015). *TE-SAT 2015*, p.9. Retrieved from: <https://www.europol.europa.eu/content/european-union-terrorism-situation-and-trend-report-2015>

<sup>15</sup> Stakeholders are for example law enforcement agencies, national authorities, entities covered by the UN Firearms Protocol, judges, public prosecutors and academics.

<sup>16</sup> Impact Assessment Report (2014), p.151.

<sup>17</sup> Sagramoso, D. (2001). *The proliferation of illegal small arms and light weapons in and around the European Union: instability, organized crime and terrorist group*. London: Saferworld & Centre for Defense Studies, p.5. Retrieved from: <http://www.saferworld.org.uk/resources/view-resource/77-the-proliferation-of-illegal-small-arms-and-light-weapons-in-and-around-the-european-union> (Hereafter: Sagramoso (2001))

If there is demand, either from political groups or OCG's, there must be supply according to the commercial rules of the market. Where do the firearms come from and how do they enter the illicit market if most of the firearms are produced legally? We will look at just that in the following chapter.

### 3. Logistics

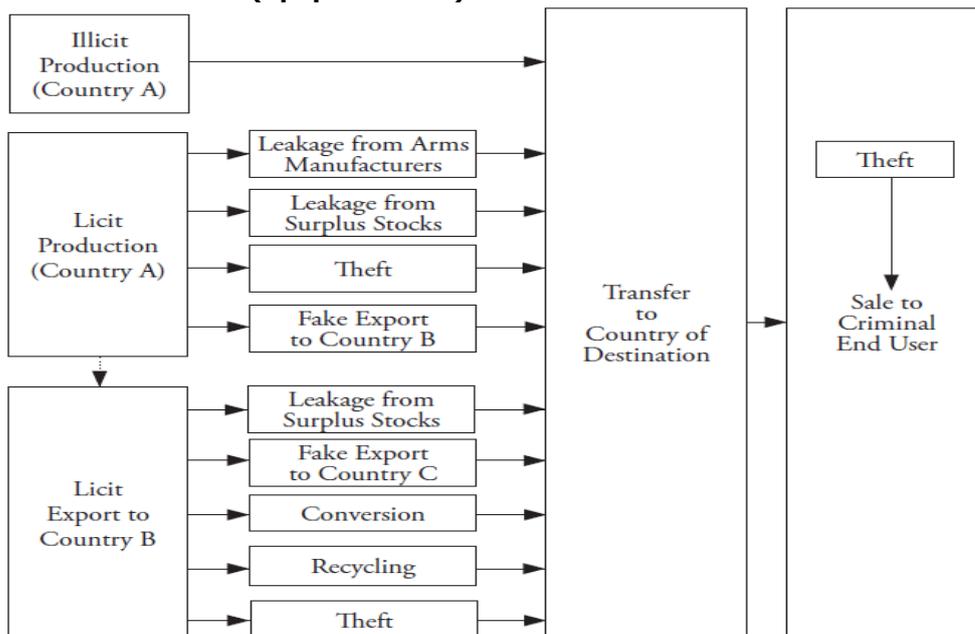
#### 3.1. Supply of the illicit market

The supply of firearms which are being trafficked illicitly since the 1990's can be originated to three main sources, which have replaced each other:

- First of all the former Soviet Union and Warsaw Pact were a source of illicit firearms in the aftermath of the collapse of the iron curtain;
- Then, during the wars of Yugoslav succession, the Western Balkans became an important source of illicit firearms;
- More recently, North Africa has superseded the former, with a pool of weapons available and following some of the main drug trafficking routes into the EU.<sup>18</sup>

As an example we can name the Soviet Army's military base in Estonia. At the end of the 1980's, when the communist regime was collapsing and the control over the Soviet Army's weaponry decreased, a considerable number of firearms and military equipment were illegally obtained by some of the civilians residing in Estonia when the Soviet Union left. They exchanged money, alcohol, food and other goods for Kalashnikov rifles, Makarov pistols and ammunition. The number of weapons using this scheme range from several hundreds to several thousands<sup>19</sup>. This is just one of the ways how licit weapons enter the illicit market. We can distinguish between 7 different ways. The following diagram, obtained from Spapens (2007), gives a clear view in the logistical progress of the illicit market:

**Figure 1: Licit to illicit (Spapens 2007)**



<sup>18</sup> Impact Assessment Report (2014), p. 34.

<sup>19</sup> Impact Assessment Report (2014), p. 35.

### 3.1.1. Illicit production

In the upper left corner of Figure 1, you can see the 'Illicit production'. Although an estimated 95% of the illicit firearms seized in the Netherlands between 1998-2000 could be traced back to a legal manufacturer<sup>20</sup>, there remains a small portion that is being produced in an illicit way. This can occur in three ways: original designs are being manufactured at home or in workshops by amateurs; illicit copies of existing designs are produced in factories and third; the production of legitimate arms manufacturers is fraudulently diverted<sup>21</sup>. Amateurs tend to get handy when it comes to crafting firearms: At the end of the 90's guns were seized that looked like key chains throughout Europe. In 1999 the Dutch police seized 135 of these handcrafted weapons, whose bullets are smaller, but are nonetheless deadly. The weapons probably came from Bulgaria<sup>22</sup>. A second way of illicit production is the production of firearms in a legal twilight area. This happened for example during the wars between the countries of the former Yugoslavia in the 1990's, when several small scale weapons factories were set up in Croatia to be able to meet the great demand for weapons independently of foreign countries. These weapons, so called 'Croatian Uzi's' were found in the Dutch criminal world between 1998-2000<sup>23</sup>. Thirdly, firearms can be illicitly manufactured by legitimate arms producers which is only possible when internal controls are defective at these manufacturers. In this way FN pistols that were completely identical to the legally manufactured weapons but lacking serial numbers or test-bench marks appeared regularly in the Netherlands<sup>24</sup>. A thorough investigation revealed that some of the employees had stolen components in order to assemble them into working weapons at home.

### 3.1.2. Leakage from the factory

Besides the illicit production it is more common that the firearms are produced licit and due to fraud or theft of complete weapons from the factory they enter the illicit market before they were transported to the buyers. A Yugoslav residing in the Netherlands was arrested in 1996 on the German-Austrian border at Passau with 200 pistols in his van, which leaked from the Zastava company in Belgrade. It was not his first time: previously he already smuggled a few hundred weapons to the Netherlands and had sold them on to criminals. When his house was searched they found the original packaging complete with warranty certificates<sup>25</sup>. In this regard the EUCPN network got the assignment in 2010 to develop a handbook including guidelines for national authorities in order to prevent thefts of firearms at critical distribution points<sup>26</sup>.

### 3.1.3. Fake exports

One of the most lucrative methods of transferring firearms from the licit to the illicit market is fake export, because it happens in large quantities and depends on corruption

<sup>20</sup> Krause, K. (2000). *Small Arms and Light Weapons: Proliferation Processes and Policy Options*. Canada: Department of Foreign Affairs and International Trade, p.18. Retrieved from: <http://www.smallarmssurvey.org>

<sup>21</sup> Spapens, A. C. M. (2007). *Trafficking in Illicit Firearms for Criminal Purposes within the European Union*. European Journal of Crime, Criminal Law and Criminal Justice, 15(3), 359-381, p.363. Retrieved from: <https://pure.uvt.nl/ws/files/923753/fulltext.pdf> (Hereafter: Spapens (2007))

<sup>22</sup> Kuijper, R. & Leest, Van der, S. (2002). *Vuurwapencriminaliteit op basis van het Vuurwapendatasysteem in 2001*. Zoetermeer: Korps Landelijke Politiediensten, Landelijk Bureau Wapens en Munitie, p. 11.

<sup>23</sup> Spapens, A.C.M. & Bruinsma, M.Y. (2002). *Vuurwapens gezocht: vuurwapengebruik, -bezit en -handel in Nederland 1998-2000*. Tilburg. Retrieved from: <https://www.wodc.nl/onderzoeksdatabase/aard-en-omvang-van-de-vuurwapencriminaliteit.aspx>

<sup>24</sup> Korps Landelijke Politiediensten (1997). *De aard en omvang van vuurwapencriminaliteit in Nederland, periode 1991-1995*. Zoetermeer.

<sup>25</sup> Spapens (2007) p. 365.

<sup>26</sup> Council of the European Union (2010). *Draft European Action Plan to combat illegal trafficking in so called "heavy" firearms which could be used or are used in criminal activities*. Brussels: 29 November 2010, p.10. Retrieved from: [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/118171.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/118171.pdf)

in the country of destination. If the applicable export requirements are met, firearms can legally be delivered to foreign purchasers. A central role here is being played by the 'end-user-certificates', whereby the receiving country guarantee that the transaction is legitimate. This is why it depends on corruption, since the end-user-certificate must be bribed. Then the 'transaction' can take place, which only happens on paper while the weapons disappear with an unknown destination.

Another case of false documentation appeared in the course of 2012, when authorities identified a new trend in the illegal trade of firearms and ammunition involving legal entities in the former Yugoslav Republic of Macedonia. Companies registered in compliance with domestic law and the regulations appeared to engage in illegal sales of firearms and ammunition, however they were found to be falsifying documentation, such as through false declarations of theft, in order to facilitate illicit exports<sup>27</sup>.

Normally they choose a country that is not in the possibility to check if the weapons arrived. But they can also be exported directly from the producing country to unknown destinations. The Croatian company HS, for example, sold 3700 pistols to post-office box companies in the United States, Nigeria and the British Virgin Islands. These weapons never arrived, but where confiscated in the Netherlands, Belgium, Germany, France, Denmark, Spain and the Czech Republic<sup>28</sup>.

A last case of fake exportation that needs to be discussed is exportation via detours. Weapons are delivered by the factory to a broker, who can export the weapons on paper to another country of destination if he has the required licenses. An example is when firearms were purchased from various foreign manufacturers by two Belgian arms dealers in 1998. They were sold on paper to a Dutch broker who 'exported' them, but they already entered the illicit domain from Belgium. Using this technique, some Belgian arms dealers diverted a few tens of thousands firearms<sup>29</sup>. Because of the large amounts they were also smuggled outside the EU. To this day, some of these weapons are still emerging all over Europe.

### **3.1.4. Conversion of non-lethal firearms**

A fourth way is the conversion of non-lethal firearms to lethal barreled firearms for the purpose of selling them in the criminal milieu. This happens on a large scale since non-lethal firearms are freely available and some types can be converted quite easily through a couple adaptations. An example is the conversion of a gas- or an alarm pistol. They are, however, less reliable and potentially dangerous for the user since the materials are not designed to withstand the higher gas pressure that occurs with live ammunition. Besides that, the converted firearms have not been subject to tests on test benches<sup>30</sup>. In the Former Yugoslav Republic of Macedonia this form of trafficking was identified. Authorities reported the trafficking of gas or signal pistols initially purchased abroad and subsequently converted in the country to fire explosive ammunition. The converted firearms then sell within the country for €100-€150 each or are trafficked to other

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<sup>27</sup> UNODC (2015). Study on firearms 2015. Vienna: United Nations Office on Drugs and Crime, p.50. [https://www.unodc.org/documents/firearms-protocol/UNODC\\_Study\\_on\\_Firearms\\_WEB.pdf](https://www.unodc.org/documents/firearms-protocol/UNODC_Study_on_Firearms_WEB.pdf) (Hereafter: UNODC (2015))

<sup>28</sup> Information provided by the *Bundeskriminalamt* during the European Firearms Experts Meeting, Noordwijk, 7 and 8 December 2004.

<sup>29</sup> Korps Landelijke Politiediensten (1997). *De aard en omvang van vuurwapencriminaliteit in Nederland, periode 1991-1995*. Zoetermeer.

<sup>30</sup> Spapens (2007), p.366.

European countries where they are sold for approximately €300-€500<sup>31</sup>. Another common example of this situation is the modification of gas pistols that can be purchased without a permit in Latvia and transferred to another country (e.g. Estonia or Lithuania, or the UK) where they are modified<sup>32</sup>

Furthermore there are more ways to convert firearms. They can be converted in a physical matter, as described above, but they can also be converted in a legal matter. If a government decides that a previously legal firearm should be illegal, a whole category of firearms becomes illegal and are, by law, subject to the illicit market.

### **3.1.5. Recycling of discarded weapons, re-use of the surplus parts and 3D printing**

A fifth way of obtaining illicit firearms is by recycling weapons that have been withdrawn from service, in other words, have been neutralized. In Germany and Austria, for example, there are wholesale firms that buy up scrapped firearms by the lot and have them converted to alarm pistols or to deactivated weapons for decoration. Criminal gangs soon figured out that these weapons could be reactivated into lethal firearms<sup>33</sup>. This process has been happening in Europe for several decades now. In 2004 the Dutch police seized Walther's PP's (James Bond's pistol) that had been used by the Swedish police. Soon after they discovered<sup>34</sup> that Sweden sold a lot of these firearms to a German junk dealer a similar case happened in different European countries. Makarov pistols were turning up left and right in Europe and it turned out that these pistols had been used by the East-German police and had been sold to an Austrian junk dealer, who converted them into alarm pistols. A Croatian group succeeded in buying considerable numbers of these pistols and converting them back to lethal weapons. The German Bundeskriminalamt estimates that some 9000 Makarov, FEG, and Tokarev pistols have been recycled of which some 400 have been seized in Western-Europe up to the end of 2004<sup>35</sup>.

In a similar way, weapons from surplus lots for which there was no more use leak into the criminal circuit. The Dutch police investigated a Croatian criminal gang that smuggled weapons to the Netherlands. These weapons were from different type of brands that were left over from the conflicts in the '90's. Another example is when the British weapon law was tightened in 1997 and legal arms dealers were left with weapons they could not sell. A few criminals let them leak into the illicit market and a few years later they began to appear in the Dutch underworld<sup>36</sup>.

Furthermore one more way of recycling weapons needs to be mentioned. The advances in technology increases the risk that sectors that used to be unable to obtain illicit firearms, now are able to gain access to them. 3D printing, for example, can be used to manufacture firearms and produce essential components to reactivate deactivated firearms<sup>37</sup>. The world's first gun made with 3D printing technology was fired for the first

<sup>31</sup> UNODC (2015), p.51.

<sup>32</sup> Impact Assessment Report (2014), p.14.

<sup>33</sup> Spapens (2007), p.366.

<sup>34</sup> With information obtained through Interpol

<sup>35</sup> Information provided by staff of the *Bundeskriminalamt* during the European Firearms Experts Meeting, Noordwijk, 7 and 8 December 2004.

<sup>36</sup> Spapens, A.C.M. & Bruinsma, M.Y. (2004). *Illegale vuurwapens in Nederland: smokkel en handel*. Politiewetenschap (26). Zeist: Uitgeverij Kerckebosch, pp. 71-73. Retrieved from: <http://www.politiewetenschap.nl/download/72GgOfZ7kOIbBm4iqAz77y8JBqFvzmrBXWwn6SGf/Ptf5pWFBWvQf4iqSsU7PCfMa5nNcHwZFk8rxqTgo/> (Hereafter: Spapens & Bruinsma (2014))

<sup>37</sup> Impact Assessment Report (2014), p. 35.

time in 2014, in the United States. The gun was printed from separate printed components made from ABS plastic, except the firing pin, which was made out of metal<sup>38</sup>. 3D technology works by building layer upon layer of, usually, plastic to build solid objects. This new technology poses a major risk, because the 3D printers become cheaper and more accessible for certain parts of society where we would rather not see the use of this kind of technology, especially if it involves lethal weapons.

### **3.1.6. Theft or fraud from legal dealers or private owners of legal firearms**

Stocks of legally-held firearms are vulnerable to loss, theft or unauthorized misuse. Whether they are being held privately, by the police, armed forces or other government agencies, some degree of vulnerability of authorized holdings is inevitable. Moreover, national regulatory requirements for secure storage and regular stock checks and reporting are not always stringent or actively enforced<sup>39</sup>.

Besides theft, there is also a possibility that the legal dealers or private owners intentionally subverted the firearms by filing a false report of theft, also for insurance reasons, while the firearm was actually sold illicitly: 'double the money'. An example is when in 1998, Germany, there were 6.405 firearms reported stolen or lost by private owners<sup>40</sup>. How many of these weapons end up in the criminal environment is impossible to trace. Just as it is impossible to trace if the owners committed fraud or that they were, in fact, stolen. It occurs not only from private individuals, but also from dealers. An example is when a criminal gang in the Netherlands carried out a series of ram raids on arms stores and got away with dozens of weapons<sup>41</sup>. Another example is when, at the end of the 1990's, 138 Glock pistols disappeared from the customs warehouse at Schiphol. They were waiting for shipment to Nicaragua and were temporarily stored. The shipper had not reported this theft to the Dutch authorities and the incident came only to light by chance<sup>42</sup>.

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<sup>38</sup> BBC News (6.5.2013). *Working gun made with 3D Printer*. Retrieved from: <http://www.bbc.co.uk/news/science-environment-22421185>

<sup>39</sup> Spapens (2007), p.368.

<sup>40</sup> Sagramoso (2001), p.17.

<sup>41</sup> Spapens & Bruinsma (2004), p.91.

<sup>42</sup> Spapens (2007), p.368.

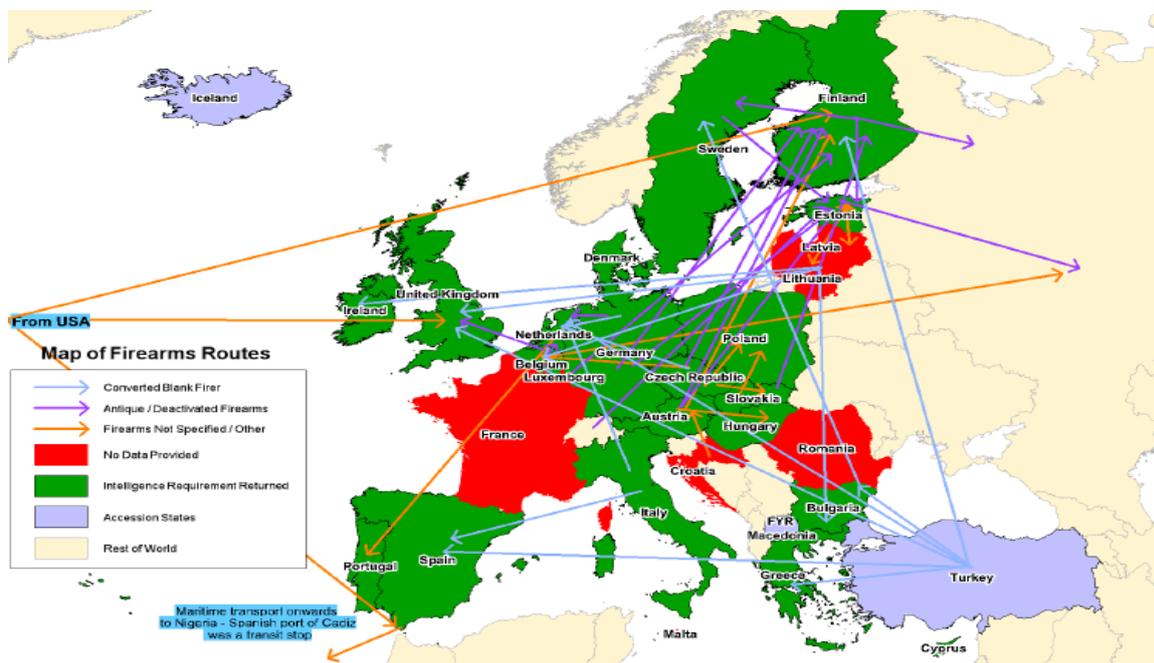
### 3.2. Firearm routes

When the weapons are produced and have entered the illicit market, they also follow different routes to enter the country of destination. The transfers of illicit firearms happen in a variety of different ways and by the use of different intermediaries. Methods range from transfers on an individual level, small groups or firms who break the law deliberately, but also transfers that are facilitated by governments or state officials. Corruption plays a large role on different levels in the trafficking in illicit firearms<sup>43</sup>. Besides these actors there is a large part of the illicit firearms trade that is being facilitated by OCG's. Motorcycle gangs, for example, have opened chapters in the Western-Balkans and use existing criminal routes to traffic firearms. The illicit firearms trafficking is almost exclusively a supplementary rather than a primary source of income for the OCG's involved in this business<sup>44</sup>. As mentioned before, the firearms trade goes hand in hand with drug-smuggling, trafficking of human beings and other illegal businesses. The OCG's enter the illicit firearm trafficking business through other criminal activity; they expand their contacts and get knowledge about smuggling routes and infrastructure. The limited research that is available estimates that 80% of the illicit trafficking in firearms within the European Union has a destination within the European Union itself.

#### 3.2.1. Inside Europe

In Figure 2<sup>45</sup>, below, the weapon flows in Europe are given, based on input from several European countries<sup>46</sup>.

**Figure 2: Firearm Routes Inside Europe**



<sup>43</sup> For more information on corruption in Europe, we kindly refer you to the monitor about corruption written by the EUCPN Secretariat. This monitor can be found here: <http://eucpn.org/document/european-crime-prevention-monitor-2014>

<sup>44</sup> Impact Assessment Report (2014), p.33.

<sup>45</sup> COM (2013) 716 final. *Firearms and the internal security of the EU: protecting citizens and disrupting illegal Trafficking*. Brussels: 21.10.2013. Retrieved from: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-firearms/docs/1\\_en\\_act\\_part1\\_v12.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/trafficking-in-firearms/docs/1_en_act_part1_v12.pdf)

<sup>46</sup> Based on input from Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Ireland, Estonia, Germany, Greece, Hungary, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, UK.

As we can see, the reactivation of firearms and the conversion of alarm pistols are common methods of converting the firearms and trafficking them inside Europe. In Partizánske, Slovakia, there is a shop located in a basement called AFG Security which is the source of thousands of deactivated weapons that have been sold across Europe<sup>47</sup>. These firearms ended up in the hands of terrorists in France, gangsters in Great Britain and neo-Nazi's in Germany. Looking at the online store <http://www.afg-defense.eu/> there is a wide variety of deactivated army weapons for sale. The AFG website continues to claim that the weapons are just "for fun" -- for the reenactment of World War II battles, for example, but the key part comes later: "Most of the expansion weapons (Eds. Note: alarm weapons) are originals (originally 'sharp') with minor modifications which disable the shooting with original - 'sharp' ammunition." The word "sharp," refers to the ability to fire live ammunition<sup>48</sup>. Companies like Kol Arms bought containers of these decommissioned weapons from the Slovak military and converted them from lethal weapons into alarm rifles. When these weapons left AFG Security, they were considered harmless by law. According to the German Federal Criminal Police Office (BKA) they sold 14,000 alarm weapons abroad over the internet. It took a French locksmith only 2 hours to reopen the barrel and thus reactivate it. These easily converted alarm pistols are a hot and easy market for criminals and terrorists<sup>49</sup>. Figure 3<sup>50</sup> gives a clear view on the flows of deactivated firearms which can easily be reactivated, and the flows of lethal firearms to Western Europe. According to a European Investigative Collaboration<sup>51</sup> some reactivated firearms (with a hallmark from the Slovakian Kol Arms manufacturer, mentioned above) found their way to a kosher supermarket in Paris and were used for taking 17 people hostage, and killing 3 people<sup>52</sup>. According to the same European Investigative Collaboration some Kalashnikovs found their way from the Balkan area via

**Figure 3: Firearm routes to Western Europe (Spiegel.de)**



<sup>47</sup> Canda, S., Dahlkamp, J., Schmitt, J., Ulrich, A. & Wiedmann-Schmidt, W. (2016). *The Path to Death: How EU Failures Helped Paris Terrorists Obtain Weapons*. Retrieved from: <http://www.spiegel.de/international/europe/following-the-path-of-the-paris-terror-weapons-a-1083461.html> (Hereafter: Canda, S. et al. (2016))

<sup>48</sup> Canda, S. et al. (2016).

<sup>49</sup> Canda, S. et al. (2016).

<sup>50</sup> Figure 3 retrieved from Canda, S. et al., (2016) at: <http://www.spiegel.de/international/europe/following-the-path-of-the-paris-terror-weapons-a-1083461.html>

<sup>51</sup> Spiegel (24.3.2016). *European Investigative Collaboration: DER SPIEGEL and Eight Other Media Found Investigative Network*. Retrieved from: <http://www.spiegel.de/international/der-spiegel-and-eight-other-media-found-investigative-network-a-1084054.html>

<sup>52</sup> Canda, S. et al. (2016).

the lethal firearms routes, as displayed below, to Paris where they left 90 people dead, and hundreds injured.

### 3.2.2. Balkan's Bazar

The dissolution of the former Soviet-Union left the remaining countries with huge stocks of firearms. The destruction of these weapons is an expensive cost, and until this day there remain stockpiles of functional firearms. After the dissolution, Ukraine inherited 30% of the Soviet-military complex. The country now holds the third-largest stockpile in the world with an estimated 7 million firearms, after China and the Russian Federation<sup>53</sup>. Since the early 90's this has proven to be a lucrative market for firearms trafficking; especially for states in Africa involved in regional conflicts. Africa experienced a bloody decade, and the surplus weapons from the Balkans were the fuel for the fire. According to the head of the Ukrainian parliamentary commission investigating cases of illegal arms and munitions sales, Between 1992 and 1997 approximately 28 billion euro's worth of military equipment and munitions was stolen and illegally sold abroad<sup>54</sup>.

Just like many Balkan countries, Bulgaria has massive warehouses filled with stockpiles of old guns. The standard practice for these countries had been to sell whatever they could and to destroy what was left over. The same goes for Romania (surplus of 1.25 million firearms), Albania (259,000), Serbia (90,000) and Bosnia-Herzegovina (53,000)<sup>55</sup>. These are only the weapons found in government arsenals. This nuance is an important one, because in 1997 Albanians plundered their army's warehouses, stealing 550,000 weapons and more than 1.5 billion rounds of ammunition. Weapon supplies of private individuals could be larger than those of the government arsenals<sup>56</sup>. The Balkan countries did not choose for these weapon supplies that they got from the Soviet Union, so deactivating or destroying them is an international responsibility. The EU and UN donated a few million euro's to destroy the firearms in the Balkans, but this did not come close to the amount of money and effort that was needed to destroy the entire stockpiles.

Figure 5<sup>57</sup>(p. 15) gives a case study of Romania, a country located far east in the Balkans. It gives the percentages of all the seized firearms and distinguishes between the country of manufacture, the country of destination and the country of departure. It becomes clear that most of the firearms are manufactured in Europe (Germany, Italy, Spain, Bulgaria) and Turkey (30%). An interesting fact is that Spain (24%) and Turkey almost have the same manufacture percentage, which means firearms travel both ways in and out of Europe. Most of the firearms were destined for Romania (80%), and some for Italy (18%). It is plausible that the seized firearms in Romania were destined for Italy and manufactured in Turkey and were only passing through Romania. The 'departure' country is the country where the traffic route starts. Countries of departure are Germany, Italy, Portugal and Spain (Total: 46.5%) and Bulgaria (29.1%). When we look at the data and at the geographic location of these countries it becomes clear that the firearms depart from South-Western Europe to Romania and from Bulgaria to Romania, so the firearms enter the country from both ways.

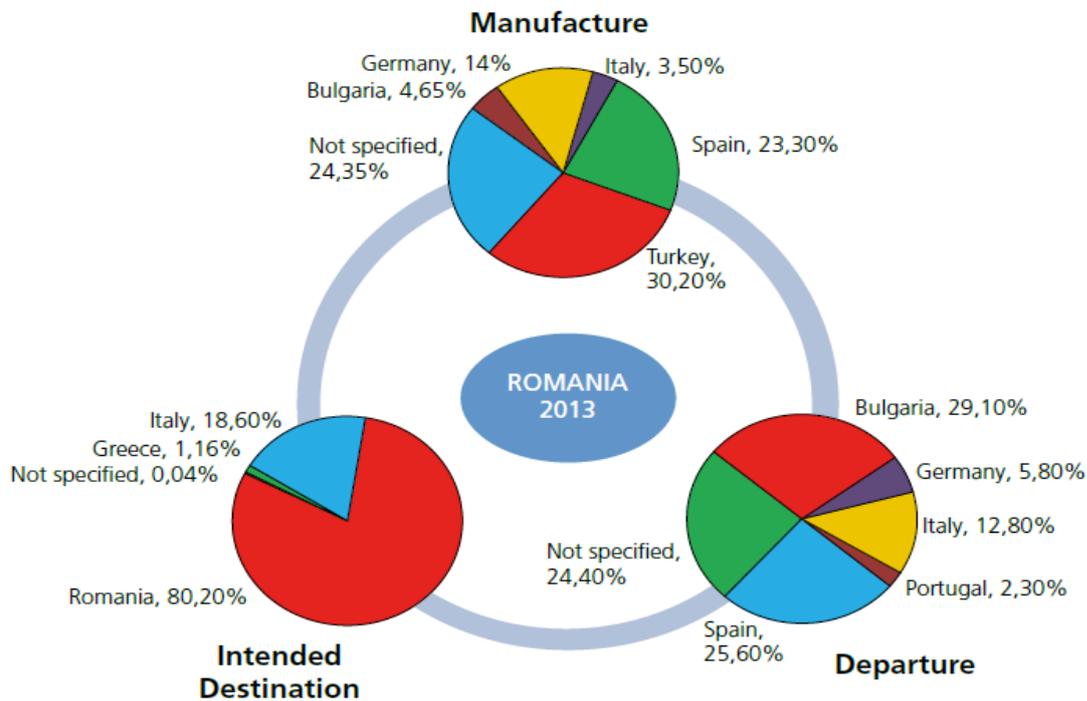
<sup>53</sup> UNODC (2010). *Globalization of Crime: A Transnational Organized Crime Threat Assessment*. Vienna: United Nations Office on Drugs and Crime, p. 142. Retrieved from: [http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA\\_Report\\_2010\\_low\\_res.pdf](http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf) (Hereafter: UNODC (2010))

<sup>54</sup> UNODC (2010), p. 145.

<sup>55</sup> Candea, S. et al. (2016).

<sup>56</sup> Candea, S. et al. (2016).

<sup>57</sup> UNODC (2015), p. 54.

**Figure 5: Seized Firearms in Romania, 2013**

### 3.2.3. Dark Markets

In the 21<sup>st</sup> century, with the extension and modernization of the internet and the online-world new ways of buying, selling and shipping illegal firearms have established. These are markets that initially cannot be reached without certain browser programs, like Tor<sup>58</sup>. The 'normal' internet blocks these markets out. Buyers and sellers of illegal firearms can use these as a base for their sell or purchase because, until recently, they thought they could not be traced and they paid with Bitcoins<sup>59</sup>. In a Q&A by Vocativ, with a seller from the dark market, he sheds some light about the shipping methods they wield:

*"Our favorite is power tools. Take the tool apart, mill out space for the firearm component and seal it back up. If done carefully, the item can even continue to operate. We've used Drills, saws, other power tools, tanks, engines, computers, furniture, and even some items costing well over several thousand dollars. The key is to find an item that has a similar density to the metal as to skew the X-ray taken in customs. Not a complete preventative measure, but it helps."*<sup>60</sup>

<sup>58</sup> Tor, an acronym for The Onion Router, is a free network designed to anonymize your real Internet Protocol (IP) address by routing your traffic through many servers of the Tor network. Tor is used by a variety of people for both illicit and licit purposes.

<sup>59</sup> Untraceable, electronic money.

<sup>60</sup> Matthews, S. (24.2.2014). Q&A With a Deep Web Arms Dealer. Vocativ. Retrieved from: <http://www.vocativ.com/tech/bitcoin/q-deep-web-arms-dealer/>



In 2014, on November 6, 16 European countries<sup>61</sup>, alongside counterparts from the United States, brought down several marketplaces as part of a unified international action from Europol's operational center in the Hague<sup>62</sup>. This action aimed to stop the sale, distribution and promotion of illicit firearms, and other harmful items like drugs which were being sold on a Dark Market. Operation Onymous resulted in 17 arrests of vendors and administrators running these online marketplaces and more than 410 hidden services being taken down, alongside with the dark market Silk Road 2.0<sup>63</sup>. In addition, bitcoins worth approximately USD 1 million, EUR 180 000 euro in cash, drugs, gold and silver were seized.

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<sup>61</sup> Bulgaria, Czech Republic, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Romania, Spain, Sweden, Switzerland, United Kingdom.

<sup>62</sup> Europol (7.11.2014). *Global action against dark markets on Tor Network*. The Hague, The Netherlands. Retrieved from: <https://www.europol.europa.eu/content/global-action-against-dark-markets-tor-network> (Hereafter: Europol (7.11.2014))

<sup>63</sup> Europol (7.11.2014).

## 4. Conclusion

In this theoretical paper we have explored trafficking in illicit firearms. Firstly we put the definition of trafficking in illicit firearms that is being wielded by the UNODC into the context of this paper and after that a problem definition. It is clear that the firearms business is a big market, but usually comes alongside other markets like drugs or trafficking in human beings.

In a second part there has been given a global overview of the issue illicit firearms for the member states. In this part the number of firearm possession and the number of registered firearms has been set out together, which gives a clearer view on the number of illicit firearms in a given country. After this the annual deaths by firearms have been set out for given countries. When these two graphics are compared, it gives a clearer view of the Member States where firearm possession is most problematic. In a second part of the global overview the demand for illicit firearms focused on organized crime groups and political groups (terrorists). The OCG's are the most important actors in trafficking in illicit firearms, however when in the hands of terrorists, the firearms cause more damage to innocent people.

In the third part the logistics of the illicit firearm market have been explored. Firstly, in a continuation of the demand side, the supply side was treated. There are many different ways in how a firearm can enter the illicit market: from theft, to illicit production, to reactivation of deactivated firearms and the conversion of non-lethal firearms. Another part of logistics was the trafficking routes. With information from different publications we explored the trafficking routes inside Europe, the routes from the Balkans and lastly the dark markets, which is an increasing market can be seen as where the future expand will happen

Because the trafficking in illicit firearms is periodically and is not a steady supply it is much harder to reveal these markets than, for example, drug markets. Firearms are only delivered when they are needed and the market does not work in a way that somewhere, for example every 2 weeks, a delivery happens.. To combat trafficking in illicit firearms member states should tighten their legislation on the area of non-lethal firearms and deactivate firearms better. Also, there should be invested in destroying the huge amounts of firearm remains that are left behind after the cold war because these weapons are waiting to be stolen, and almost literally are a ticking time bomb. Lastly, because of the modernization there should also be invested in shutting down online, untraceable markets. If this is the new way of order and delivery and buyers and sellers are negotiating freely over the world wide web, the investigation bureaus should be right on top of that to reveal large pieces of the market.

## 5. Annex 1: Data Graphic 1

Country	Firearm Possession		Registered Firearms	
	Firearms per 100 pop.	Date	Firearms per 100 pop.	Date
AT	30.4	2007	4.08	2015
BE	17.2	2007	7.1	2014
BG	19.4	2006	4.34	2015
HR	21.7	2007	8.36	2015
CY	36.4	2007	10.35	2015
CZ	16.3	2007	6.94	2015
DK	12	2007	15.98	2015
EE	9.2	2007	3.53	2014
FI	45.7	2007	30	2010
FR	31.2	2007	4.44	2015
DE	30.3	2007	8.73	2015
EL	22.5	2007	0.94	2014
HU	5.5	2007	2.1	2015
IE	6.35	2014	3.73	2014
IT	11.9	2007	-	-
LV	19	2007	2.48	2015
LT	0.7	2007	2.16	2015
LU	15.3	2007	4.16	2015
MT	11.9	2007	12.75	2015
NL	3.09	2007	2.02	2015
PL	1.3	2007	1.3	2007
PT	24.22	2015	13.04	2015
RO	1.2	2006	0.28	2015
SK	8.3	2007	3.14	2015
SI	13.5	2007	5.08	2015
ES	10.4	2007	6.98	2015
SE	31.6	2007	23.09	2015
UK	6.7	2007	3.43	2013

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