



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 1 March 2000

6031/00

LIMITE

ENFOPOL 11

NOTE

from :	Finnish delegation
to :	Police Cooperation Group
No. prev. doc. :	9318/99 ENFOPOL 47, 13208/99 ENFOPOL 79
Subject :	Route Policing Project in Combating Illegal Trafficking of Firearms - Position of Norway and Iceland

1. INTRODUCTION

At the meeting of the Police Cooperation Group on 1.7.1999 the EU Member States decided on the basis of 9318/99 ENFOPOL 47, to start expert level preparations for a route policing project in combating illegal trafficking of firearms. For this expert level preparatory planning, it was decided to make use of the tables compiled in the context of Schengen cooperation (SCH/I-Ar (98) 32), which illustrated the number of firearms seized in the previous year in each of the Member States, their possible routes and additional data concerning them. Eventhough the idea in the preparatory planning of the project was to make the best use of the earlier basic work carried out in the Schengen firearms working party, it was nevertheless decided unanimously in the Police Cooperation Working Party that this would specifically be a new project begun in the framework of European Union police cooperation. It was decided that it would be a first attempt to implement the Council Resolution 7805/99 ENFOPOL 32 on combating international crime with fuller cover of routes used (OJ C 162, 9.6.1999, p.1).

The Project was agreed to be carried out with a multilevel approach on recognized routes, with the technical support of Europol, by the EU Member States in line with their national legal provisions and jurisdiction and with due respect for their national sovereignty, deploying forces, methods and equipment appropriate to the situation, in order to combat illicit trafficking of firearms. The Project and the multilevel operations of it have been planned to be based on a co-ordinated, jointly accepted Action Plan, which will be prepared by a Project Group set by the PCWG in December, 1999. The Project Group and the Project itself shall be led by Finland acting as a forerunner country in the Project. The Customs, Frontier Guard and other competent authorities in participating MS shall be involved in the Project where appropriate.

The Project Group was set to be responsible for setting the more specific aims of the operation, planning its methods and practicalities, determining resources, timetabling plans and coordinating activity, as well as for the advancement of the project and evaluation of the results.

2. THE OBJECTIVES OF THE PROJECT

The aim of this route policing project was agreed to be to intensify the Member States' joint actions in this area and to develop new means of combating crime, inter alia by identifying weaknesses in the system for monitoring the legal and illegal movement and trafficking of firearms.

The objective of the project has been set to be :

- to control the legal trade of firearms in the Member States and to identify the weak points in that framework,
- to gather as much criminal intelligence and information as possible on illicit trafficking of firearms and to analyze that information in order to target joint regional operations in exposing and investigating crimes related to illicit trafficking of firearms, and
- construct a solid bases for future national and international level actions through collection of experience and information from the project.

The purpose of the Project is to ensure that the police and other relevant authorities achieve optimum results in the prevention and detection of offences related to illicit trafficking of firearms, to improve co-ordination of joint police actions and communication and to obtain new intelligence on criminal behaviour and methods of committing this type of crimes.

The Member States participating in this Route Policing Project shall:

- with the technical support of Europol, undertake a joint evaluation on the Project and problems and achievements in it,
- inform the other Member States, the Commission, the Police Co-operation Working Group and the Article 36 Committee of the results of the Project in order to build solid bases for possible further national and international actions in combating illicit trafficking of firearms in EU.

In this process the principal endeavour will be to develop measures designed further to improve route strategies and strengthen the existing legal systems inter e.g. in producing, marking, purchasing, selling and trafficking of firearms. In doing so, the MS will in particular evaluate what new forms of prevention and detection of cross-border crime could be developed in the future, taking at the same time account of freedom of movement within the European Union.

The results of this route policing project can also be used in assessing the need for changes to the Council Directive (91/477, *the Weapons Directive*) on the control of the acquisition and possession of weapons. It was also felt that the surveillance operation would also improve cooperation on weapons between the various pillars.

3. THE POSITON OF NORWAY AND ICELAND

In making preparations for the project it became clear that illegal movement of firearms and arms-related crime in general presents a varying threat profile in different parts of the EU. For this reason it was decided to be justifiable to implement the route policing project on a regional basis. In each of the three regions (Northern, Central and Southern Europe) the projects implemented would have their own regionally important priorities, but would still also have points in common. Investigation of abuse of the firearms Directive procedures would at least be common to all regions.

Of these regions it has been planned, that the Northern Region would be established of Finland, Sweden and Denmark. However the very close police co-operation between all of the Nordic Countries originating from the 1950's and the fact that both Norway and Iceland are Schengen MS, a question has been raised whether Norway and Iceland could be allowed to participate in the project.

4. PROPOSAL

As a forerunner country in this project and as a presidency of the Project Group Finland would like to turn to the delegations of the Police Co-operation Working Group and propose that the Group could form a speedy and unanimous opinion on whether Norway and Iceland could be allowed to participate the project. If so would they be also allowed to participate as a full co-partner or with limited entitlements.

An example of limited entitlements would be to inform Norway and Iceland on the project and on the tentative action plan and to offer them a possibility carry out a comparable and corresponding project of their own and between themselves. This being the case there would have to be made a principle decision on what kind of information could be released over to Norway and Iceland.

On the other hand since it was agreed in the early phase of the planning this project, that the project would be conducted as a route policing project between the EU Member States, also a standpoint opposing the involvement of Norway and Iceland would be understandable and just as justified.

At this point the Finnish delegation would incline to be in favour of notifying Norway and Iceland of the project and of the operational levels of the action plan on a general level allowing these two States among other things to:

- 1) start planning their own national level operations,
- 2) to form a national contact point,

3) to execute a corresponding project concurrently with the other Nordic Countries that would strengthen and broaden the impact of the law enforcement operations in the Northern Region and could provide the MS with consequential new information on the illegal routes used in trafficking of firearms, and

4) to enable them to exchange relevant information between the EU Member States during the operations and after the project on similar basis as intelligence and criminal information can be exchanged with any third country in the framework of international police co-operation.

It could be discussed at a later stage whether Norway and Iceland should be allowed to have access to the final report of the project or not.
