

The illicit gun market in Belgium: A lethal cocktail of criminal supply and terrorist demand

NILS DUQUET AND KEVIN GORIS

In recent years Belgium has often been labelled one of Europe's hotspots for illicit firearms, including military-grade assault rifles. Among other things, this label is a result of the evidence indicating that the terrorist networks responsible for the Paris attacks in 2015 acquired some of their firearms in Belgium. Belgium also has a historical reputation as being a 'gun country' due to, among other things, hundreds of years of firearms production and related traditions, its lenient firearms legislation until 2006, and numerous export and trafficking scandals involving firearms. Yet, despite this reputation, very little academic or policy-oriented research has been undertaken on the size and dynamics of the illicit firearms market in Belgium in general and on terrorist access to this market in particular.

In this chapter we will analyse the characteristics and dynamics of the illicit firearms market in Belgium, with a special focus on terrorist access to this market and the Belgian policy that has been developed in recent years to combat this security phenomenon. For this analysis we used a combination of quantitative and qualitative methods (see Box 1).

This chapter on (terrorist access to) the illicit gun market in Belgium consists of three main sections and a conclusion. In the first section we examine Belgian national policy and legislation to combat the illicit firearms market in general and the functioning of and cooperation between the practitioners involved in this process in particular. In the next section we analyse the characteristics of the illicit firearms market in Belgium. In sub-sections we discuss the size of this market (section 2.1), the criminal demand for firearms in Belgium (section 2.2), the different ways in which these firearms end up on the illicit market (section 2.3) and the nature of the transactions that take place on this market (section 2.4). In the third section we focus on terrorist access to the illicit firearms market in Belgium. We

Box 1: Research design

This study is based on different methods. Firstly, desk research was conducted in which scientific literature, data from earlier studies, policy and legislative documents, and open-source media reports were studied. Secondly, we collected and analysed quantitative data from several services (police statistics, the Belgian Central Weapons Register (CWR) and justice statistics).

Thirdly, numerous in-depth interviews with key actors involved in combating (terrorist access to) the illicit firearms market were conducted (see below). On 18 occasions we spoke to 27 different people in total linked to various police services, judicial authorities, the Coordination Unit for Threat Analysis (OCAD) and the Belgian Federal Department of Justice.

Date in 2017: Actor:

24/02	National Institute for Criminalistics and Criminology
03/03	Public Prosecutor's Office at the Court of Appeal, Ghent
15/03	Former head of the Weapons Division of the Federal Department of Justice
22/03	DJSOC/Terro of the Federal Judiciary Police
24/03	Central Weapons Register (CWR)
28/03	Joint interview with representatives of various specialised divisions of the Federal Police
05/04	DJSOC/Weapons of the Federal Judiciary Police
06/04	Weapons Division of the Federal Department of Justice
18/04	OCAD
19/04	Weapons Division of the Province of Antwerp
25/04	Joint interview with representatives of various specialised divisions of the Federal Police
25/04	Federal Prosecutor's Office
04/05	Proof House
08/05	Firearms division of a local police force
10/05	Firearms Division of the Brussels Federal Judiciary Police
16/05	Federal Police Directorate of Police Information and ICT (DRI)
24/05	Terrorism Division of the Antwerp Federal Judiciary Police
07/06	Business Unit for Policy and Management in the Federal Police DRI

start this section with an overview of terrorist activities and attacks in Belgium since the early 1980s and then move to a focus on Islamist terrorist networks (section 3.1), followed by an analysis of right-wing terrorist networks (section 3.2). A final section provides conclusions.

1. Belgian legislation and policies to combat the illicit firearms market

The keystone of the legal framework concerning the possession, domestic trade and use of firearms in Belgium is the 8 June 2006 Federal Act of Regulating Economic and Individual Activities with Weapons (hereafter, the Weapons Act).¹ The stipulations in the Weapons Act are further shaped by various royal decrees and circulars. This regulatory framework is aimed at controlling the legal possession of weapons and the legal trade in weapons. The monitoring, performance and checking of this framework is carried out by a diverse group of government departments at various levels (federal, regional, community, provincial and local).² However, the regulatory framework is also an important aspect of the fight against the illicit firearms market. It draws a legal boundary between legal and illegal activities, thus allowing the prosecution of these illegal activities. The Federal Government determines the policy on illegal weapons, and police departments and the courts are responsible for investigations of illicit firearms possession and trade.

In Belgium, the policy focus on firearms in general, and the illicit firearms market in particular, is cyclical. It is strongly driven by violent incidents that affect public opinion, which hinders attempts to structurally put pressure on the illicit firearms market. In this section of the report we will describe the most important features and evolutions of the federal policy for combating the illegal weapons market in Belgium since 2006.

1.1 The Weapons Act of 2006

In 2006 firearms legislation in Belgium was tightened in the aftermath of a fatal shooting in Antwerp in May that year. In this incident a young man fatally shot two women and a toddler with a shotgun that he had legally purchased earlier that day upon showing his identity card. This incident caused considerable uproar in Belgian politics. Although the process of replacing the previous Weapons Act of

1993 had already been started in 2001¹ and had been included in the federal coalition agreement of 2003,³ the shooting incident accelerated the debate. As a result the blueprint of the new Weapons Act was rapidly approved by Parliament and implemented almost immediately.

The Weapons Act of 2006 is considerably stricter than its predecessor. Firearms that previously had been freely obtainable, such as certain types of shotguns and sports weapons, became subject to licensing. The 2006 Act introduced three categories of firearms: (1) prohibited firearms (e.g. assault rifles); (2) firearms for which no licence was required (e.g. deactivated weapons and alarm pistols); and (3) firearms for which licences were needed (all firearms not belonging to one of the other two categories).⁴ A prior licence is required for the acquisition and possession of all weapons in the third category.ⁱⁱ To obtain a licence, the applicant must meet several criteria. These comprise having reached the age of 18 years, being declared medically fit to handle a weapon, and passing a theoretical and practical test. Also, the local police conduct a background check to exclude citizens with a criminal record that includes certain offences (e.g. infractions of the Weapons Act) or who suffer(ed) from a mental disorder. Together with this, the mandatory criterion of a 'good cause' was introduced.⁵ This refers to a list of six activities that are eligible for weapons possession: hunting and fauna-control activities; sports and recreational shooting; the performance of a high-risk profession; self-defence; collecting historical weapons; and participating in historical, folklore, cultural or scientific activities.ⁱⁱⁱ It is important to point out is that the 'good causes' of self-defence and a high-risk profession are interpreted very restrictively, which means that very few people in Belgium actually qualify for these good causes and are allowed to possess firearms for these reasons.⁶ The Weapons Act also imposes several strict safe storage and transportation requirements.⁷ When a weapons possessor no longer meets the legal criteria, his/her licence can be suspended or withdrawn.⁸

The tightening of the Weapons Act was in line with European Directive 91/477/EEC of the Council of the European Union (EU) of 18 June 1991 dealing with control of the acquisition and possession of weapons. Besides the harmonisation of the firearms legislation with international legislation, the objectives of the new Weapons Act

I The cabinet had already approved a preliminary draft of the new Weapons Act in 2001. This preliminary draft was submitted to Parliament in 2002.

II The Weapons Act makes provision for a more lenient regime for certified hunters and sports shooters. In some instances they can acquire and own certain weapons without a prior licence for every individual firearm.

III There is also the possibility of so-called 'passive weapons possession' for three specific groups: heirs, hunters or sports shooters who cease their activities, and – until the end of October 2008 – people who legally owned weapons prior to the new and stricter 2006 legislation. These groups can retain their weapons, but are prohibited from owning or acquiring ammunition for them.

were the safeguarding of society by improving the registration and traceability of firearms, the centralisation of powers in the person of the minister of justice, a guarantee of uniformity in the issuing of licences – by transferring this power from local police areas to provincial governments – and the improved monitoring of professional firearms dealers. All weapons owners were obliged to comply with the new legislation and register their weapons. In addition, as a means of reducing the level of weapons ownership, an amnesty period (until October 2008) was organised during which more than 200,000 firearms were handed in.⁹

1.2 Increased policy focus on the illicit firearms market since 2010

With the tightening of the Weapons Act in 2006, political focus on the firearms issue in Belgium in the period 2006-2010 related mainly to the control of the illegal possession of weapons. This is shown by the fact that illicit firearms trafficking was not considered to be a priority security issue in the National Security Plan 2008-2011.¹⁰ At the beginning of 2010 the issue of illicit firearms trafficking became a hot topic on the political agenda. In the following years a strong increase in political attention to the illicit firearms market can be observed, often motivated by incidents of gun violence.

In early 2010 the precarious security situation in Brussels, the presence of military-grade assault rifles in the criminal sphere and the increasing use of these weapons raised concerns on several occasions. In January 2010 a policeman was seriously injured in the centre of Brussels in a shooting incident in which a Kalashnikov-type assault rifle was used after a failed robbery. In its aftermath, around seven hundred policemen took to the streets to protest, among other things, ‘the increasing number of cases of extreme violence used against police officers, with disproportionately violent means being employed, such as weapons of war of the Kalashnikov type’.¹¹ The initial policy response was mainly aimed at controlling the illicit firearms market in Brussels and improving European cooperation to deal with this phenomenon. The focus here was on the availability of military-grade assault rifles in the criminal sphere. The Federal Government responded by means of an eight-point programme to deal with security in Brussels. This plan contained a proposal to step up the fight against illicit weapons trafficking, including through improved tracing of seized firearms and better information exchange.¹² Besides this, a weapons task force was set up within the police consisting of eight detectives from the federal and local Brussels police forces to focus on the fight against illicit firearms trafficking in the context of organised crime in the judicial district of Brussels. The Federal Government also made use of its presidency of the EU in the second half of 2010 to

raise the issue of the availability of military-grade assault rifles at the European level,¹³ and in December 2010 the EU announced its Action Plan to combat illegal trafficking in so-called 'heavy' firearms destined for the criminal market.

Despite these steps, the combating of illicit firearms trafficking in Belgium did not become a real national policy priority until a deadly shooting took place at the Christmas market in Liège on 13 December 2011. The perpetrator of this shooting used an illegally obtained firearms to kill five people and injure 123 others.¹⁴ This incident caused a great deal of public concern about the availability of illegal firearms in the country. In the months that followed various measures were announced aimed at better combating illicit firearms trafficking. In effect, the policy comprised three instruments: the Weapons Action Plan of 2012, the National Security Plan 2012-2015 and circular COL 14/2012. Each of these documents concentrated on a different aspect of the fight against illicit firearms trafficking, comprising respectively a legislative, operational and judicial approach.

The Weapons Action Plan of March 2012 was clearly focused on the tightening of the legislative framework dealing with the illegal possession of weapons and the optimisation of relevant procedures. Announced measures included, among other things, the establishment of a new committee to coordinate the fight against firearms trafficking and the abolition of the list of freely obtainable firearms.¹⁵ More operational objectives were addressed in the National Security Plan 2012-2015. In this document firearms trafficking was labelled a priority criminal area of focus for the police. More specifically, 'a priority approach of a judicial nature was intended, supported by a sound intelligence picture and described in a (future) directive from the judicial authorities, with a special focus on the proactive criminal investigation department'.¹⁶ The focus here was on the detection of illicitly held firearms, the seizing of as many illicitly held firearms as possible, and the improvement of the intelligence picture of the phenomena of illicit firearms trafficking and the use of 'heavy firearms' for criminal activities.¹⁷ Confidential circular COL 14/2012, issued in October 2012 by the minister of justice and the Board of Public Prosecutors at the Courts of Appeal, formulated the judicial approach to illicit firearms trafficking.¹⁸

I European Directive 91/477/EEC allows antique weapons to be exempt from licensing and registration requirements. In the royal decree of 20 September 1991 concerning firearms of historical, folklore or decorative value and deactivated weapons, a number of general criteria were established (such as using black powder and the date of manufacture) that weapons had to meet in order to be freely obtainable in Belgium under these rules. In addition, a list was added to this decree as an appendix in which a series of models of firearms that were considered to be freely obtainable were included. This list was extended in 1995 and 2007. This extended list had already been much criticised, on the one hand because its scope was too wide and it allowed private individuals to buy usable firearms without a lawful reason, and on the other because the Belgian list was much more extensive than those of neighbouring countries, which would encourage weapons tourism to the country (Duquet, N. & Van Alstein, M. (2011), *Vuurwapens: handel, bezit en gebruik*, Leuven: Acco, pp. 177-180).

This document sets out a number of priorities for this approach and also contains several measures aimed at improving the operational and tactical intelligence picture, improving information sharing between the various police forces and the Public Prosecutor's Office, and a better division of roles and responsibilities in the fight against illicit firearms trafficking.

1.3 New measures in the aftermath of terrorist incidents since 2015

Combating illicit firearms trafficking has once again featured prominently in the Belgian political debate since early 2015. The background to this was the terror attacks in Paris in January and November 2015 and the associated media reports stating that the perpetrators of these attacks had bought some of their weapons on the Belgian illicit weapons market, the lethal gunfight between members of the Belgian law enforcement services and terrorists in Verviers in January 2015, and the failed terror attack on the Thalys train between Brussels and Paris in August 2015 (see below). In the aftermath of these events various measures were therefore announced and adopted within the wider context of combating terrorism.

For example, in the context of supplementary measures to counter terrorism, the Federal Government submitted a bill to Parliament that enabled the use of telephone tapping to detect infractions of the weapons regulations.¹ The Federal Parliament adopted this bill on 27 April 2016.¹⁹ Moreover, new initiatives were taken to improve information exchange and expertise among the various departments involved. In October 2015, for example, an inter-federal advisory committee on illicit firearms trafficking was set up.²⁰ Almost simultaneously a working group of police weapons experts was set up consisting of representatives of the federal and local police. Furthermore, the fight against illicit weapons trading is addressed prominently as one of the priorities in the most recent security policy plans, with improving the intelligence picture of the illicit weapons trade as an important focal point.²¹ Also in the federal action plan against radicalism, violent extremism and terrorism in the Brussels canal area (the so-called 'Kanaalplan'), launched by the minister of the interior after the November 2015 Paris attacks, explicit attention was given to a more vigorous approach to illicit firearms trafficking. Together with other illegal economic activities, such as drug trafficking and the forging of identity documents, this is considered to be a phenomenon that supports terrorist activities.²² This plan has resulted in the allocation of additional detectives to the

¹ Violations of the Weapons Act of 2006, the federal law of 1991, and the regional decrees of 2012 and 2013 concerning foreign arms dealing.

firearms trafficking division of the Brussels Federal Police. Also, several projects have been set up to enhance the intelligence picture of this market in the Brussels canal area. One of these projects involves sensitising local police forces to focus greater attention on the source of illicit firearms. To this end, an interrogation template has been developed with a series of specific questions dealing with how a suspect acquired his/her weapon. Furthermore, all seized firearms and ammunition in the area will in principle be subjected to analysis by a ballistics expert.²³

1.4 Combating (terrorist access to) the illicit firearms market in Belgium

The discussion above makes clear that the policy focus on tackling illicit firearms market in Belgium is increasing, even though it is largely driven by events. Recently, preventing terrorists from gaining access to this market has also become a specific policy priority. In this section we give a brief overview of the main actors charged with these responsibilities, as well as the challenges they face on the ground.

Although customs services¹ also play a role, the police are the key player in detecting firearms infractions. Belgium has one integrated police service, structured at two levels: the local and the federal. Local police forces are responsible for basic police tasks within the borders of one or more municipalities.²⁴ Among others, these tasks comprise traffic control, emergency interventions, keeping track of radicalising or radicalised inhabitants, and investigating local crimes. In many cases local police officers are the first to record a firearms infraction. In such cases, they seize the illicitly held, used or trafficked firearms and ammunition, after which these firearms become pieces of evidence that are deposited at the clerk's office. During the investigations firearms and ammunition can be subjected to a ballistics analysis by the National Institute for Criminalistics and Criminology or a private expert. In principle, seized firearms should be destroyed by the national Proof House in Liège. In every link of this chain, data on seized firearms' characteristics and status need to be registered in the CWR and other official databases.

The Federal Police deal with nationwide specialised and supra-local investigations and support.²⁵ With regard to its judicial tasks, the force comprises both central and

¹ Customs services also deal with illicit firearms. This can occur both during controls of the country's external (European) borders and during domestic fiscal controls. The vast majority of arms seized by customs are prohibited weapons other than firearms (e.g. flick knives, pepper spray, etc.). When weapons-related violations are detected, they are referred to the Public Prosecutor's office (Sarrazyn, J. (2017), 'De rol van de douane bij de controle van de in- en uitvoer van wapens, met bijzondere aandacht voor de strijd tegen illegale wapens', presentatie op de studiedag 'Illegaal wapenbezit in België', Ghent, 16 March).

decentralised services. Fourteen decentralised judicial police forces conduct specialised criminal investigations into complex phenomena like illicit firearms trafficking and terrorism.¹ However, many of these judicial police forces have no specialised illicit firearms trafficking division. Mostly, this is dealt with by more generic divisions combating all kinds of violent or goods-related crimes.²⁶ The Brussels Judicial Federal Police are an important exception. This police force contains a gradually expanding investigative division dedicated specifically to combating illicit firearms trafficking since the eight-point programme launched after the 2010 shooting incidents in Brussels.²⁷ In principle, detectives from this division should be informed of all illegal firearms seizures by local Brussels police forces and their federal colleagues working on other phenomena.²⁸ At the central level, the Federal Police have a specific national department that specialises in illicit firearms and their trafficking known as DJSOC/Weapons. Its function is to provide support, coordination, and expertise to both local police and decentralised federal police forces (e.g. during a weapons-related house search or seizure).²⁹

The Public Prosecutor's Office takes the lead in and is responsible for criminal investigations conducted by the police.¹¹ It assigns police officers and judicial experts (e.g. ballistics specialists) to carry out investigations. The 14 local public prosecutors are responsible for the criminal and prosecution policy in their judicial districts. The illicit firearms trade has not been given top priority for a considerable time, but circular COL 14/2012 was aimed at changing this situation. Since then, every local public prosecutor's office is required to appoint a specific magistrate functioning as a point of reference for weapons-related infractions.³⁰ One of the main reasons behind this was to encourage and better streamline inquiries into the illicit firearms problem.³¹ Apart from this, Belgium also has a Federal Public Prosecutor's Office, which has nationwide responsibilities for dealing with geographically spread and complex phenomena. Among other crimes, this office takes a leading role in terrorism investigations. Also with regard to illicit firearms trafficking, the Federal Prosecutor's Office was assigned a key role in the 2012 circular. It not only directs the most complex and serious investigations, but also has an important coordinating and sensitising function. To this end it developed an action plan on illicit firearms that has prompted some noteworthy positive initiatives. For example, the federal public prosecutor organises regular joint meetings with the police and local weapons reference magistrates to determine priorities, foster information sharing, detect and resolve bottlenecks, and promote (cooperation in) investigative work.³²

I For terrorism investigations, five of the 14 decentralised federal police forces serve as reference units (Antwerp, Brussels, Charleroi, East Flanders and Liège).

II Or, when the most far-reaching intrusions in the suspects' private lives are in order (e.g. temporary custody), under the supervision of an investigative judge.

In spite of such positive developments and the increased policy attention paid to upgrading the fight against illicit firearms trafficking in the last decade, many of the interviews held for this research reveal that this issue's high priority status is often not accompanied by concrete actions and progress on the ground. The main reasons for this are limited resources, a lack of coordination with and action at the operational level to achieve the planned objectives, and the presence of an extended series of other (competing) prioritised phenomena.³³

More concretely, one of the most important challenges remains the prioritising of and investment in illicit firearms investigations. This starts at the local level, where often rather limited attention is given to detecting the networks behind seized illicit firearms.³⁴ When police are interrogating a suspect about a crime committed with an illicitly held firearm, little attention is often paid to where, how and from whom this firearm was acquired. Assigning the case to a more specialised (federal) police service could be a solution to this problem. However, in practice this does not occur systematically. Many police forces and public prosecutors seem to focus on solving major crimes (e.g. murders or robberies committed with firearms). Uncovering the routes and networks behind the acquisition of the weapons that were used in such crimes is often treated as a secondary task. Since resources and personnel are scarce, this is explained by the complexity and lengthy duration of such additional investigations, which require vast investments of time and resources with often-uncertain outcomes.³⁵

Such problems are not confined to the local level. The fact that most decentralised Federal Police entities do not have a specific investigative division dedicated to illicit firearms trafficking also tends to reduce the investment in this highly complex and concealed phenomenon.³⁶ Furthermore, the number of firearms experts and analysts working in DJSOC/Weapons has been diminishing in the last few of years. As a consequence, a great deal of knowledge and experience have also disappeared. At the expense of more strategic analyses and intelligence exercises, DJSOC/Weapons' main focus today is on providing technical support on the ground.³⁷ The current heightened attention to terrorism furthers these regrettable developments within both local and federal police forces. There seems to be a displacement of resources and personnel to the surveillance, detection and investigation of terrorist threats at the expense of other non-terrorist infractions like drug trafficking, human trafficking, cybercrime and illicit firearms trafficking. Open sources indicate that many Belgian security services have been increasingly struggling with this problem since the 2015 Paris terrorist attacks.³⁸

Another important challenge in Belgium remains information gathering and sharing. Firstly, although policy plans emphasise the need for improving the intelligence

overview of illicit firearms trafficking, in practice not much progress can be noted in this regard. As the discussion of the official figures in the next section will make clear, firearms-related registrations are characterised by several reliability and validity issues, rendering the official data that are available of only limited value for developing a reliable image of the illicit firearms market, the milieus and actors involved, and the crimes committed with firearms. Secondly, cooperation and information sharing among the national services involved – both bottom-up (e.g. from local police officers recording a firearms-related infraction to the specialised federal detectives investigating illicit firearms trafficking) and horizontally (e.g. from specialised drug investigators to firearms investigators) – are still insufficiently systematic.³⁹ Specifically, cooperation and information sharing between services working on terrorism and those involved in investigating firearms trafficking also remain limited. Although the illicit firearms crime-terror nexus has been observed in several recent terrorist incidents in and around Belgium, it seems that there is still little cooperation between police investigators and analysts working on these phenomena on the ground. In other words, terrorism and the illicit firearms market are chiefly treated as two distinct problems by separate police divisions with only a few linkages between them. Also, within other crucial actors invested in the fight against terrorism – like the national OCAD or the civil and military intelligence services – there is still room for improvement in terms of the level of attention focused on the link between terrorism and illicit firearms markets.⁴⁰

Internationally, cooperation mainly occurs on the operational level.⁴¹ Information is shared in specific cases⁴² and through Europol's focal point.⁴³ Also, joint investigations are set up with foreign law enforcement agencies (e.g. from the Netherlands), while the Federal Public Prosecutor's Office has established multiple special cooperation agreements with several other nations (e.g. Albania, Serbia and Romania).⁴⁴ Yet strategic forms of cooperation and information sharing that would allow more proactive intelligence gathering and actions still remain rather limited.⁴⁵

2. Characteristics of the illicit firearms market in Belgium

The previous section showed that combating the illicit firearms market is defined as a priority in recent security policy plans in Belgium, with, among other things, improving the intelligence picture of this market as a specific area of focus for law enforcement agencies. Nonetheless, due to several problems with the reliability and validity of the available data, the official statistics these agencies collect are currently still of little value in attempts to gain in-depth insight into the characteristics and

dynamics of the Belgian illicit firearms market. In this section we first briefly illustrate the weaknesses of official quantitative data by attempting to estimate the size of the illicit firearms market. In the following sections we discuss the findings of our qualitative research with regard to the criminal demand, sources and dynamics of this market.

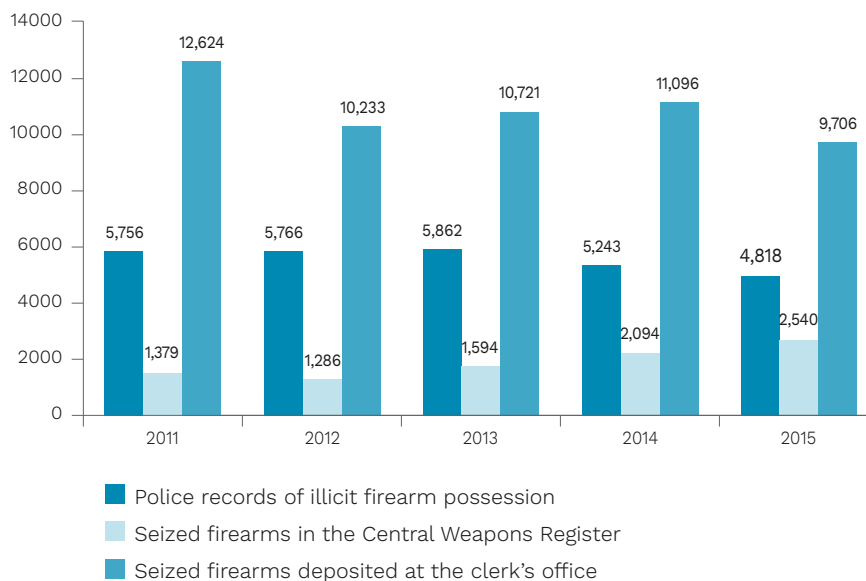
2.1 Size of the illicit firearms market

In the last few years the international press has repeatedly pointed to Belgium as one of the most important European hubs for illegal firearms.⁴⁶ The immediate cause of this phenomenon was the evidence that the perpetrators of the Paris terrorist attacks of January and November 2015 acquired at least some of their weapons in Belgium. Therefore, the first important matter to address is the estimated size of the illicit firearms market in Belgium. According to frequently cited numbers in the national media, between 1.5 and 2 million firearms are in circulation – both legally and illegally – in the country. These figures were also used in the Belgian government's communication on the occasion of the adoption of the new federal Weapons Act in 2006.⁴⁷ Since at that time about 870,000 legal firearms were recorded in the CWR – the national database for monitoring licit firearms possession – this implies an estimate of around 630,000 to 1.1 million illegal firearms in 2006.⁴⁸ To date, however, it remains unclear on which sources this figure of 1.5-2 million was based.

In reality, the size of the illicit firearms market is not known in Belgium. Estimating the size of this market is highly problematic. The official numbers are, of course, marked by well-known limitations characteristic of all official crime statistics. Due to the clandestine nature of the problem, there will always be a significant 'dark number' of illicitly-held firearms. Furthermore, official figures reflect the actions and priorities of law enforcement agencies rather than the actual extent of the phenomenon.⁴⁹ Also, earlier research has unveiled many additional and specific shortcomings of official data on the illicit firearms market. In summary, due to the poor registration of seized firearms, extrapolations based on the official statistics of law enforcement agencies are currently not possible in Belgium. For many years the development of a better intelligence picture of the illicit firearms market was not considered a national priority. In addition, in many police investigations that involve firearms – for example, murder, drug-related or armed robbery investigations – little attention is given to how the perpetrators acquired the firearm(s) that they used. Furthermore, many problems were highlighted regarding the completeness and quality of the recording of firearms on the ground, which were often the result of the lack of firearms expertise of the police officers involved. In addition, the official databases that do contain (potentially) interesting information are

generally not designed to be used for analytical purposes.⁵⁰ The lack of reliable quantitative data thus renders it impossible to credibly and more accurately estimate the number of illicitly held firearms in Belgium. In addition, this situation does not allow the country to comply with international reporting expectations such as UN Sustainable Development Goal 16.4.¹

Figure 1: Comparison of selected official data on illicit firearms, 2011-2015



To illustrate the problematic nature of the official statistics on the illicit firearms market in Belgium, we can compare some of the data registered by several actors in the judicial chain (see Figure 1). In this figure, the dark blue bars on the left represent the annual number of police recordings of illicit firearms possession. Belgian police services recorded almost 27,500 cases of illicit firearms possession between 2011 and 2015. Given that each recorded case refers to at least one illicitly held firearm, this implies that the police deal with at least about 5,500 illicitly held firearms per year. This number is clearly an underestimation, while research shows that not all firearms infractions are registered as such by the police. This is

¹ Which is designed to 'by 2030 significantly reduce illicit financial and arms flows, strengthen recovery and return of stolen assets, and combat all forms of organized crime' (UN General Assembly Resolution 70/1 of 25 September 2015, Transforming Our World: The 2030 Agenda for Sustainable Development, A/RES/70/1 (2015)).

especially the case when they are detected in relation to another – deemed principal – crime (e.g. a drug deal).⁵¹

In theory, the police have seized every recorded illicitly held firearm. Police officers are then obliged to register all these seizures in the CWR. The annual number of registered seized firearms in this database is represented by the lighter blue bars in the middle of the three-bar groupings in Figure 1. In comparison to the average minimum of 5,500 seized guns per year, which would be expected on the basis of police recordings of illicit firearms possession, on average fewer than 1,780 seizures were registered in the CWR between 2011 and 2015. This implies that, notwithstanding the obligation of police officers to do so, not all seized firearms are actually being recorded in the CWR. This observation is further supported by the light purple bars on the right of the three-bar groupings in Figure 1, which reflect the number of firearms deposited at clerk's offices after seizure so they can serve as evidence in criminal courts. Again, major discrepancies can be observed in comparison to the other available data. According to these numbers, annually an average of 10,876 seized firearms were deposited at the various clerk's offices between 2011 and 2015, which is more than six times higher than the seized firearms registered in the CWR.

In conclusion, although the numbers in Figure 1 do not refer to the same entities, their cursory comparison illustrates the flaws in official statistics on the illicit firearms market in Belgium. They are therefore of little value to any attempts to gain insight into this market's size and characteristics.

2.2 Criminal demand for firearms

Criminals are generally considered the most important drivers of European illicit firearms markets. In Belgium too the demand for illegal firearms is strongly linked to various kinds of criminal activities. The underlying motives for criminals' desire to obtain weapons are generally instrumental and defensive by nature.⁵² Besides this, the status that accords with the possession of guns also plays a role in the minds of some criminals. Owning a gun is a status symbol in the criminal world. The possession of top-brand firearms or weapons of war in particular elevates status, because it implies that the owner is engaged in serious criminal activities and, furthermore, has connections with an extensive network that is able to supply such weapons.

The demand for firearms in Belgium comes from various spheres of the criminal underworld, such as armed robbers, drug traffickers and drug dealers, thieves, organised groups involved in prostitution or human trafficking, street gangs, and

the world of outlaw motorcycle gangs (OMGs). Yet the demand from these diverse criminal environments is not identical: different types of criminals are characterised by different patterns of weapons possession and acquisition in Belgium. In the following sections we will go deeper into the possession and use of firearms in the three most important gun-related criminal environments in Belgium: the drug milieu (section 2.2.1), the environment of armed robbers and street gangs (section 2.2.2) and the world of OMGs (section 2.2.3).

2.2.1 Illicit firearms possession and use in the drug milieu

Belgium is generally considered to be one of the most important manufacturing countries of cannabis, amphetamine and ecstasy in Europe. Relatively large numbers of people in Belgium are involved in cannabis cultivation. A significant part of this cannabis production takes place in the criminal milieu and is destined for Dutch coffee shops.⁵³ Also with regard to the production of synthetic drugs such as amphetamines and ecstasy, intensive cross-border connections exist between the Belgian and Dutch criminal drug environments.⁵⁴ In addition, due to its central location and the presence of a major seaport in Antwerp, Belgium is also one of the most important European entry points for the trafficking of hard drugs such as cocaine,⁵⁵ but cannabis is also smuggled into the country on a large scale.⁵⁶ Besides the wholesale trade in drugs, there is also an illicit retail drugs market in Belgium.⁵⁷

In the criminal drug world the issuing of threats and the use of violence are commonplace. The people involved are very often armed, and shootings occur regularly.⁵⁸ According to the police, drug criminals are very often armed with firearms. They mainly possess handguns, which are easy to conceal.⁵⁹ Although we need to interpret police statistics with the necessary caution, they seem to confirm this contention: in the drug milieu mainly handguns and alarm weapons are found. Long weapons such as rifles and carbines are found less often (see Table 1). Yet it is important to emphasise that not all drug criminals acquire and possess the same firearms in Belgium: firearms possession is especially widespread among those involved in the production of and wholesale trade in drugs.⁶⁰

The significant possession and use of illicitly held firearms by drug criminals can be illustrated by the results of recent police operations. For example, during Operation Trefpunt in April 2016 a large-scale network was rounded up that was producing synthetic drugs. In total, over a hundred house searches took place and six large drugs laboratories were dismantled. The epicentre of the action was the Dutch town of Best, close to the Belgian border. But house searches were also carried out in Belgium, in the surroundings of Turnhout and in the cities of Lommel and Leuven.

During the operation the police found handguns, an Uzi and a Kalashnikov, among other items.⁶¹ This example shows that some criminals involved in the drug trade have acquired heavy firearms.

Table 1: Number of firearms registered in a selection of drug-related police records according to type, irrespective of their involvement, 2009-2015¹

Possession of drugs	2009	2010	2011	2012	2013	2014	2015
Handguns	3	4	1	5	3	3	4
Rifles/carbines/machine guns	1	0	3	1	3	0	3
Alarm weapons	5	4	4	5	7	1	5
Cartridges/ammunition	12	6	6	11	14	5	7
Components and accessories	4	0	1	5	2	3	1
Manufacture of drugs	2009	2010	2011	2012	2013	2014	2015
Handguns	0	2	2	3	3	4	1
Rifles/carbines/machine guns	2	0	3	0	1	2	0
Alarm weapons	0	1	2	3	1	2	0
Cartridges/ammunition	3	3	5	0	5	4	2
Components and accessories	0	0	0	0	3	0	3
Drug trade	2009	2010	2011	2012	2013	2014	2015
Handguns	5	7	7	8	9	7	5
Rifles/carbines/machine guns	1	3	3	4	3	3	4
Alarm weapons	4	4	6	10	10	3	7
Cartridges/ammunition	11	17	11	8	16	12	8
Components and accessories	2	4	3	3	8	3	6
Import and export of drugs	2009	2010	2011	2012	2013	2014	2015
Handguns	2	4	0	0	1	3	1
Rifles/carbines/machine guns	0	0	0	1	1	3	0
Alarm weapons	1	0	5	1	4	1	0
Cartridges/ammunition	1	2	1	3	2	5	2
Components and accessories	1	1	0	0	1	1	1

Source: Belgian Federal Police

¹ For the composition of these categories, see Duquet, N. & Goris, K. (2017), *De Belgische illegale vuurwapenmarkt in beeld*, Brussels: Flemish Peace Institute, pp. 93-94.

2.2.2 Illicit firearms possession and use by armed robbers and street gangs

Official crime statistics indicate that the Belgian police report about 4,000-5,000 armed robberies annually.⁶² For this study we requested more detailed data on the firearms used in armed robberies (see Table 2). These data show that between 2009 and 2015, 11,262 firearms were connected to recordings of armed robberies in the police database, mainly robberies with handguns (robberies in which long firearms and alarm weapons were used occur far less frequently in the statistics). Interviews for this study, however, suggest that in Belgium, armed robbers often do not possess or use lethal-purpose firearms. Compared with, for example, drug traffickers, this specific group of criminals often tend to use alarm pistols and fake guns. This is because most armed robbers do not intend to actually use a firearm and therefore do not need a lethal-purpose firearm. Instead, most of them use their weapons purely as a scare tactic.⁶³ As with drug criminals, armed robbers prefer to use handguns, because they can be more easily concealed. Some armed robbers also use military-grade assault rifles, especially in bank robberies and attacks on other heavily secured targets. For example, assault rifles were used in a spectacular diamond heist at Brussels Airport in 2013.⁶⁴ However, in recent years men equipped with military-grade assault rifles have robbed some less heavily secured targets (e.g. a supermarket, a smaller shop, a post office and a discotheque).⁶⁵

Table 2: Number of police records of armed theft according to type of firearm, 2009-2015⁶⁶

	2009	2010	2011	2012	2013	2014	2015
Handguns	1,807	1,597	1,550	1,395	1,121	1,103	1,127
Rifles/carbines/machine guns	263	170	134	110	120	150	107
Alarm weapons	88	70	62	60	52	35	27
Total number of armed thefts with a firearm	2,055	1,763	1,764	1,531	1,254	1,236	1,233
Total number of armed thefts	5,862	5,377	5,548	4,971	4,413	4,054	4,047

Source: Belgian Federal Police

The numbers in Table 2 further seem to suggest a strong decrease in the use of firearms in armed robberies since 2009. Moreover, this decrease appears to be stronger than the decrease in recordings of armed robberies in the same period. It is important to stress, however, that these data need to be interpreted with caution. Whether

or not a firearm is linked to the armed robbery in the police database depends on the recording practices of police officers, which can differ considerably.⁶⁷

Not surprisingly, many armed robberies are committed by young, inexperienced criminals who often lack the necessary criminal connections to obtain lethal-purpose firearms. In 2016, for example, 31% of armed robbery suspects were minors.⁶⁸ It is much easier for these younger armed robbers to obtain a fake gun or a legal (homologated) alarm pistol than a lethal-purpose firearm, because adults can buy these types of weapons legally in Belgium, without a licence. We see a similar picture of weapons possession by street gangs. These gangs generally consist of youths, and their criminal activities mainly involve small-scale drug dealing, theft, smaller robberies and extortion. Although there have been some cases of street gangs possessing firearms,⁶⁹ it is fairly unusual for them to do so in Belgium. Members of street gangs usually use blank-firing weapons during their criminal activities.⁷⁰

2.2.3 Illicit firearms possession and use among outlaw motorcycle gangs

Europol estimates that the number of OMGs in Europe has doubled since 2005.⁷¹ Such gangs are also active in Belgium, with about forty local 'chapters' of major international OMGs being present (like Hells Angels, Outlaws, Satudarah and No Surrender). In recent years there has been a notable increase in the number of such gangs in the country. The border area with the Netherlands is a particularly popular site for new chapters of OMGs.⁷²

The criminal activities of these biker gangs mainly involve the production of and trade in drugs. In the course of judicial investigations in recent years, the Belgian police have found large quantities of drugs among members of various biker clubs and/or their support clubs. This involved, for example, both the discovery of cannabis farms⁷³ and the busting of a cocaine-trafficking operation from Latin America.⁷⁴ Besides the wholesale trade in drugs, some OMGs are also involved in drug dealing on a smaller scale.⁷⁵ OMGs also engage in other criminal activities, such as prostitution, extortion and the fencing of stolen motorbikes.⁷⁶

In view of their criminal activities, it is not surprising that firearms are often found during house searches in police investigations of the Belgian chapters of OMGs.⁷⁷ These are not limited to handguns, but also include hunting rifles with sawn-off barrels and hand grenades. In 2015 even rocket launchers were discovered.⁷⁸ In March 2017, in the context of a coordinated police operation against the OMG No Surrender, house searches were carried out in 61 places across the whole of Belgium

and 34 individuals were arrested. In total, the police found 35 firearms of diverse types, including four pistols with silencers, a P38 pistol, various hunting weapons, a rifle with a sawn-off barrel, a Skorpion sub-machine gun and several assault rifles. Other items that were found included ammunition of diverse calibres, a hand grenade and a bulletproof vest.⁷⁹ This example illustrates the wide variety of firearms and related ammunition biker gangs have access to.

International OMGs are known for their use of extreme violence, which is often combined with the possession of firearms, including assault rifles and hand grenades. This extreme use of violence is primarily directed at rival gangs.⁸⁰ A gang war has been raging in the Netherlands for some years. Because of the increase in activities of OMGs in Belgium, the police also expect an increase in violence, since the criminal cake has to be divided among more and more players and the Belgian gangs are under pressure – from the Netherlands and Germany – to demarcate their territory even further. Moreover, accounts still have to be settled as a result of previous violent incidents.⁸¹ This rivalry is often expressed in minor skirmishes and even shootings. For example, in 2010 in Aalbeke (West Flanders) three people were injured when members of Hells Angels and their support club, the Red Devils, fired multiple shots from a car at a clubhouse of the local chapter of the Outlaws.⁸² Since then, this rivalry has also resulted in fatalities. In 2011 three members of the Outlaws were shot dead by a group of Hells Angels during the opening of a new tyre centre in Maasmechelen (Limburg).⁸³ Their extreme violence is not only directed at rivals. Motorcycle gangs also use their violent reputation to boost their general status in the criminal world.⁸⁴

OMGs use firearms not only for instrumental reasons, but also as merchandise. European OMGs are sometimes also involved in the smuggling of firearms and often choose the sites of new chapters with an eye to existing routes for smuggling firearms, drugs and people.⁸⁵ It is therefore no surprise that the police sometimes arrest individuals from Belgian-Dutch OMGs on suspicion of firearms smuggling. For example, at the beginning of 2015 the Croatian police arrested a man from the Belgian town of Poppel (Antwerp). He was carrying a small arsenal of weapons in his van, including numerous handguns, some Kalashnikov-type assault rifles, ammunition, hand grenades and six rocket launchers. The man was suspected of smuggling these weapons on behalf of No Surrender.⁸⁶

2.3 Sources of the illicit firearms market

In Belgium firearms enter the illicit firearms market in various ways (see Figure 2). Each of these ways is characterised by its own dynamics and specific policy and law enforcement challenges. Despite a lack of reliable and detailed quantitative data, our expert interviews suggest that the most important ways in which firearms end up on the illicit gun market in Belgium are through organised smuggling, the conversion of non-lethal-purpose weapons into firearms and the reactivation of deactivated firearms.⁸⁷

2.3.1 Cross-border smuggling

The cross-border smuggling of firearms is often considered the most important source of supplies for European illicit firearms markets; this is also the case in Belgium. According to the Belgian police services, the organised smuggling of firearms is primarily intended for the criminal market and is usually undertaken to fulfil a specific order and in quite small quantities.⁸⁸

The firearms that are currently being smuggled into Belgium come primarily from the Balkans.⁸⁹ These weapons generally have a long history behind them. They were often surplus weapons, firearms originating from plundered weapons storage facilities, or weapons that in one way or another ended up in the hands of a wide range of non-state players during the conflict in the former Yugoslavia in the 1990s.⁹⁰ It is unclear at what specific time the smuggled guns that are now available on the Belgian black market first entered the EU. Although the Balkans area is currently considered as the prime source for firearms smuggled into Belgium, firearms are also being smuggled from neighbouring countries and other EU member states. Often these are weapons that – whether or not via intermediaries – have been circulating in the criminal world for some time.⁹¹

Firearms are mainly smuggled by road in various types of vehicles (such as cars, passenger buses or vans used by courier companies).⁹² The weapons are hidden in the trunk, behind a false wall, or even in the tyres or petrol tank of these vehicles.⁹³ Since the smuggling of firearms is often secondary to, for example, drug smuggling, it is not surprising that these weapons are smuggled via the routes that are used for smuggling drugs.⁹⁴ Two main routes are used for smuggling firearms from the Balkans to Western Europe: the southern route via Italy or Austria and the northern route via Hungary. Smuggling gangs currently seem to prefer the latter route.⁹⁵ With the abolition of the EU's internal borders and the frequently ineffective control of its external borders, it is relatively easy for people to smuggle weapons into

Belgium. According to the police, it is very difficult to effectively monitor this.⁹⁶ The police are convinced that, in addition to smuggling by road, weapons are also smuggled via ships that dock in the port of Antwerp. They point out that this route is also extremely difficult to monitor. These weapons are, however, generally not intended for the Belgian illicit market: Belgium is considered more as a transit country for organised smuggling via maritime traffic.⁹⁷

According to Europol, the violent conflicts on the periphery of Europe will lead to an increase in the availability of firearms on the illicit market in Europe.⁹⁸ A similar view was expressed several times in our interviews, with the emphasis often being laid on the imminent nature of this threat. Various Belgian police agencies point out that smuggling weapons from Ukraine will likely become a major problem in the near future.⁹⁹ The police expect that this country will become even more important as a source of especially Kalashnikov-type assault rifles and possibly also other types of military-grade equipment.¹⁰⁰ Some interviewees also pointed to the danger of future firearms smuggling from North Africa and Syria. Reference was also made to Turkey as a possible transit country, considering its size, its porous borders, the fragile situation in some of its neighbours and the observation that the country is a hotspot for various types of smuggled goods.¹⁰¹

It is difficult for the police to sketch a specific profile of the criminal associations that smuggle firearms. This is partly due to a lack of reliable and detailed data and because of the finding that firearms smuggling is seldom the main activity of a gang of smugglers. In the vast majority of cases a small number of firearms are smuggled to fulfil a specific order, together with much more lucrative products such as drugs or trafficked people.¹⁰² Earlier research has indicated that groups that smuggle firearms are often small, have a loose structure and only work together for a short time.¹⁰³ In general, firearms smugglers are not part of large-scale and structured criminal organisations, but are mainly people who are in contact with others who have some kind of links to firearms and take advantage of the opportunities that arise. The police also point out that a link often exists between these groups and the source country of the smuggled firearms.¹⁰⁴

Not all the smuggling of firearms to Belgium results from orders from criminal groups and is well organised. People interested in firearms have taken advantage of the differences in national firearms legislation across the EU by ordering firearms, components or ammunition in countries with more liberal legislation. Such people acquire these products by ordering them online and having them shipped by post or by travelling to these countries themselves to legally buy one or more firearms there and illegally bring them back to Belgium. According to the Belgian police, these so-called 'self-shoppers' generally do not buy lethal-purpose firearms, because

this requires having the right (criminal) connections in the source country; instead, they are more concerned with the smuggling of alarm pistols or deactivated weapons that are sold legally in the source country.¹⁰⁵

2.3.2 Illicit firearms production

The illicit production of firearms is not an important source of weapons for the European illicit firearms markets. The vast majority of firearms that circulate were initially produced and stocked legally, but at some stage leaked into the illicit market.¹⁰⁶ There are a number of exceptions, though, such as homemade firearms that were produced in Croatian firearms workshops and have also been found across Europe, such as machine pistols of the R9 Arms, Agram 2000 and Šokac types.¹⁰⁷

In the period 2009-2015 the Belgian police recorded 79 cases of the illicit production or repair of firearms. Most of these cases involved firearms of the types that need to be licenced (47 cases), but also involved prohibited firearms (23 cases). Furthermore, the police recorded nine cases of the illicit production or repair of ammunition and ten cases of the illicit production of firearms components or accessories.¹⁰⁸

Europol warns that technological progress will make 3D printing widely available in the future, and this will also offer opportunities for the illicit production of and trade in firearms. It is, however, highly unlikely that 3D printing of firearms will grow into an important source of weapons because of the technical complexity involved in this type of printing and the availability of relatively cheap firearms on the illicit firearms markets in Europe.¹⁰⁹ According to the Federal Police, to date no 3D-printed firearms have been encountered in Belgium.¹¹⁰

The illicit craft production of firearms is rather exceptional in Belgium, however.¹¹¹ Yet currently a considerable number of firearms are available on the Belgian illicit firearms market that, with the use of the right tools, were converted into lethal-purpose firearms from either deactivated firearms or alarm or gas pistols.¹¹² This type of conversion is considered a very important source of weapons on the illicit firearms market in Belgium (see below), and the phenomenon has also been noted in several other European countries. Europol has pointed out that illicit firearms dealers have taken advantage of differences between the various national legislative frameworks in Europe to legally acquire deactivated firearms or blank-firing weapons and then illegally convert them into lethal-purpose firearms.¹¹³ In the following sections we will elaborate on these dynamics.

2.3.3 Illicit conversion of alarm and gas weapons

The number of converted alarm and gas pistols has shown a sharp increase on the illicit firearms markets in various European countries since the early 2000s. Such converted firearms are also found in Belgium. Yet seizures rarely involve converted alarm pistols that have been approved by the Proof House in Liège.¹¹⁴

In the past the converted alarm pistols encountered in Belgium were often made in Italy. Especially alarm pistols of the Tanfoglio brand were converted (in particular the GT28 model¹) and used in certain branches of the criminal world.¹¹⁵ However, Tanfoglio stopped the production of the GT28 several years ago, precisely because of the persistent conversion of these alarm weapons in several European countries. The converted alarm and gas pistols currently encountered on the Belgian illicit firearms market are primarily manufactured in Turkey, such as the Ekol (Voltran), Zoraki (models 914, 918 and 925) and EKOL ASI.¹¹⁶ These weapons are offered for sale on the internet, and are very cheap, easy to convert and of higher quality than the Tanfoglio GT28.¹¹⁷

Converted alarm pistols are mainly encountered among drug-related criminals and petty offenders. In some cases the owners have themselves converted these alarm pistols after purchasing the weapons abroad or on the internet. The weapons are converted in Belgium, and training videos are available on the internet showing how to do it. In other cases the alarm pistols are smuggled – to a large extent from Turkey – into Belgium and converted before they are sold on the Belgian illicit firearms market.¹¹⁸

2.3.4 Illicit reactivation and assembly of firearms

Since 2014 Europol has observed a significant increase in the supply of poorly deactivated and reactivated firearms to criminals in Europe.¹¹⁹ Reactivated and self-assembled firearms constitute a significant share of the firearms available on the illicit market in Belgium.¹²⁰ A number of examples illustrate this. In 2011 various reactivated firearms were found in a large firearms trade network in Brussels, including an Uzi machine pistol that had once belonged to the former Gendarmerie, but, after the police reform, had been deactivated and sold to a firearms collector.¹²¹

1 This is a non-lethal-purpose version of the semi-automatic Tanfoglio GT27 pistol. In appearance, the two models are barely distinguishable from each other and the GT28 can very easily be converted into a lethal-purpose weapon. For more information, see De Vries, M.S. (2008), *De handel in omgebouwde gas- en alarmwapens: Vanuit een criminaliteitskundig perspectief*, Apeldoorn: Politieacademie, pp. 23-24.

Also in recent years, several people have been apprehended on suspicion of assembling firearms or reactivating deactivated firearms. In 2015, for example, the police seized more than 250 firearms, accessories and rounds of ammunition in Lennik (Flemish Brabant) for which the owner did not have a licence. The weapons included handguns, semi-automatic rifles and assault rifles.¹²² On several previous occasions large stocks of unlicensed firearms had been discovered at his home. The police had suspected the man for years of reactivating deactivated firearms.¹²³

The 'handymen' who assemble or reactivate these firearms to a large degree depend on the legal firearms market for buying the necessary firearms parts and deactivated firearms (both domestically and abroad).¹²⁴ Most reactivated firearms that are available on the illicit firearms market were poorly deactivated in other countries. A large proportion of the reactivated firearms that are found in Belgium originate from Slovakia. These are often surplus weapons of East European armed forces that were deactivated in recent years and converted into acoustic weapons. In recent years Slovakian shops have legally sold these deactivated firearms to adults on the presentation of an identity card. It was, however, fairly easy to reactivate many of these firearms, which was common knowledge in the criminal world and among people interested in firearms. As a result firearms deactivated in Slovakia cropped up on the illicit circuit throughout Europe. According to the German Federal Criminal Police, Slovakian gun shops sold large quantities of deactivated firearms to foreign customers in recent years.¹²⁵ Some of these firearms were reactivated and ended up in the hands of criminals and terrorists (see section 2.2.2).

A number of people in Belgium who possess enough expertise and skills to reactivate weapons have connections to the criminal world. The reactivation process is not undertaken by large-scale criminal organisations, but rather by a limited number of 'handymen' who have the necessary expertise, skills and tools.¹²⁶ A notorious example of such a handyman was Nordine Amrani, the perpetrator of the fatal shootings at the Liège Christmas fair in December 2011. During a search of his premises in October 2007 the police had discovered, in addition to a professional cannabis plantation, a dozen firearms and around 9,500 firearms parts in a shed. As well as handguns, the firearms included an AK-47 assault rifle, an FN FAL assault rifle, an MP40 machine pistol and a pump-action shotgun. A rocket launcher, silencers and hundreds of rounds of ammunition were also found.¹²⁷ However, Amrani was not an isolated case.

In Belgium, two types of handymen can be identified as being involved in reactivating and self-assembling weapons, with each type seeming to supply their own market segment. On the one hand, in some cases they are people who reactivate historically interesting firearms and sell them to people who have no criminal or

terrorist intentions, but only want to collect weapons. On the other hand, a limited number of handymen in Belgium mainly assemble or reactivate firearms for the criminal world.¹²⁸ It should be mentioned that the same people often crop up in criminal cases and have a strong link with certain criminal milieus like OMGs.¹²⁹ Having a handyman or not in their network can have important consequences for certain criminal milieus in terms of obtaining weapons.¹³⁰

Reactivating firearms is sometimes thought of as a Belgian speciality.¹³¹ In Belgium, there is considerable knowledge about firearms, partly due to its history as a firearms-producing country. Unsurprisingly, some handymen work or have worked in the legal firearms industry or are still connected to it in some way.¹³² According to the Federal Police, assembling and reactivating firearms for the illicit market is not a typically Belgian phenomenon, but a practice that has been identified throughout Europe, especially in the regions that manufacture firearms.¹³³ Earlier research has shown the important role of the firearms producer FN Herstal in the large number of Belgians who have the technical expertise to assemble or reactivate firearms.¹³⁴ In 2015, for example, four former FN Herstal employees were arrested after the police had discovered about 50 firearms and a number of hand grenades behind false ceilings and skirting boards at their home. According to the police, these men used their professional know-how to reactivate legally purchased deactivated firearms in order to sell them on to the criminal world.¹³⁵ Belgian police crime figures also show that the illicit production of firearms is particularly prevalent in the province of Liège, where FN Herstal is located.¹³⁶

2.3.5 Blackening

The 'blackening' of firearms is a type of embezzlement that is the mirror image of money laundering: when a weapon is blackened a paper reality is created to allow firearms that are legally available to disappear into illegality. This can take place in various ways, such as organising fake exports or reporting a firearm to the police as 'stolen' or 'lost', even though the firearm in question is still in the person's possession. Private individuals in Belgium frequently used this last form of blackening in the period after the tightening of the 2006 Weapons Act (see section 1.1).

Blackening is not restricted to private individuals who want to make small numbers of firearms disappear in order to be able to retain them. In Belgium, there are examples of blackening of large quantities of firearms with the intention of selling them on the illicit firearms market. The Federal Police have pointed out the practice where people used forged import licences to purchase firearms on the legal firearms market abroad.¹³⁷ In this way, hundreds of firearms of various types have

ended up on the Belgian illicit firearms market in the last few years. The Belgian police, for example, rounded up a number of men in 2015 who pretended to be certified firearms dealers and ordered firearms directly from a German firearms manufacturer using forged import documents from the Walloon Region. The men are said to have imported around 200-250 firearms in this way and sold them on the illicit firearms market.¹³⁸

Legal firearms dealers can also play a role in blackening activities, often precisely because of their firearms expertise and their knowledge of legislation and procedures.¹³⁹ In recent years a limited number of authorized firearms dealers have been arrested and convicted for trading in illicit firearms. A licensed firearms dealer from Beveren (Antwerp), for example, was convicted in 2008 of the illicit sale of 773 firearms and around 3,000 rounds of ammunition between January 2004 and March 2006. He sold these items primarily to a Belgian and a Dutchman, after which some of these firearms ended up in the Dutch criminal world.¹⁴⁰ More recently, a recognised firearms trader from the Mons region, who was also the chair of a shooting club, was apprehended on suspicion of illicit firearms trading. A total of 367 firearms of various types, including military-grade assault rifles,¹ and a large amount of ammunition were found at the man's premises. It was not immediately clear which weapons the man held legally, but the police suspect him of supplying firearms to organised crime networks.¹⁴¹ Despite these examples, the Belgian police state that the overwhelming majority of legitimate arms dealers are not involved in blackening activities because they do not wish to jeopardise their authorisation as arms dealer or risk their legally acquired stock of weapons.¹⁴²

Not only private individuals and arms dealers can embezzle firearms in Belgium. In October 2016 the director of the Proof House was arrested on suspicion of firearms trafficking. He is believed to have misused the lack of a reliable inventory at the Proof House to embezzle 260 firearms that were supposed to be destroyed, but he denies these charges, stating that these weapons were not destroyed because of their historical value and were supposed to be transferred to museums.¹⁴³

1 The police found a loaded Glock 17 pistol, an FN GP 9 mm pistol, a Browning 7.65 mm pistol, a Skorpion vz.61 machine pistol, two Mini Ruger-14 carbines with silencers, an AKSU assault rifle with a silencer and a Colt AR-15 rifle. At the shooting range the police found 125 pistols, 59 revolvers, 63 carbines, 68 rifles, 14 assault rifles, several machine guns, 28 machine pistols and hundreds of rounds of ammunition of various calibres.

2.3.6 Theft

On average the Belgian police record around 850 thefts of firearms, firearms components and/or ammunition each year (see Table 3). This means that at least 850 firearms per year are stolen in Belgium, since a police record can refer to one firearm or more. Based on police data and media reports¹⁴⁴ we can conclude that a wide range of types of firearms are being stolen in the country.

Table 3: Number of police records of thefts of firearms and explosives according to type of firearm, 2009-2015¹⁴⁵

	2009	2010	2011	2012	2013	2014	2015
Handguns	246	240	257	289	302	274	265
Rifles/carbines/machine guns	272	252	262	288	266	293	274
Alarm weapons	140	140	165	174	189	176	161
Collectable/antique firearms (before 1886)	5	8	10	7	10	7	2
Total number of recorded thefts of firearms	779	861	882	940	924	852	827
Cartridges/ammunition	169	134	153	175	155	136	136
Components and accessories	118	249	224	244	228	170	213
Total number of recorded thefts of firearms and explosives	1,728	1,839	1,893	2,011	1,863	1,790	1,637

Source: Belgian Federal Police

Most firearms thefts occur in private homes.¹⁴⁶ This is partly the consequence of the relatively high level of legal firearms ownership in Belgium. This largely includes relatively small quantities of weapons that are stolen at the same time. Thieves who come across guns during a burglary generally take the firearms with them along with other valuable items in order to sell them later. These gangs do not generally sell the stolen firearms directly to other criminals, but to fences who are known to buy and sell arms on the criminal circuit.¹⁴⁷

Besides private homes, firearms have in recent years been stolen from a variety of other locations. In the legal firearms sector, for example, burglaries occasionally take place during which dozens of firearms are stolen at once. Several cases are known of firearms thefts from shooting ranges or firearms shops. In 2013, for example, 47 firearms were stolen from a shop (where there was also a shooting

range) in Knokke (West Flanders) and some of these weapons were later found in the Dutch criminal circuit, including with an OMG.¹⁴⁸ Belgian firearms manufacturers have also been victims of major arms theft. In 2007 the Hasselt criminal court convicted eight men and one woman for their involvement in arms theft and the illicit arms trade. These men included an arms maker from FN Herstal, who stole rejected spare parts of firearms from the factory floor and assembled them at home into lethal-purpose weapons. Two security guards at the ammunition storage depot in Zutendaal (Limburg) also stole cartridges and magazines. The key figure in this gang of thieves was employed as a porter and was responsible for selling the arms. The gang stole at least three P90 rifles, 15 Five sevenN pistols and 20,600 cartridges.¹⁴⁹ The number of robberies of firearms dealers, shooting ranges and arms manufacturers is believed to have declined sharply in recent years as a result of the strict storage requirements prescribed by the Weapons Act and the associated security measures.¹⁵⁰

Other locations where firearms theft takes place in Belgium are from stockpiles of the Belgian armed forces or the police, but this happens rarely. In burglaries of police stations the perpetrators mainly steal handguns, while mostly assault rifles and ammunition are stolen from army barracks.¹⁵¹ In 2013 a major theft of firearms was discovered from the main police station in the Antwerp MINOS police zone (which includes Mortsels, Wijnegem, Wommelgem, Boechout and Borsbeek). The police picked up the trail after a firearm wrapped in a plastic bag was found in the cistern of a toilet in a criminal haunt in Ghent. A check revealed that this weapon was registered as a service weapon, and the police then discovered that 67 weapons had disappeared from the MINOS police zone. These were old police service weapons (Browning GP35 pistols and Smith & Wesson revolvers). Instead of their being destroyed by the Proof House, they were kept under lock and key at the police station. The weapons had probably been stolen over a fairly long period of time by one of the police officers. The police suspect that all 67 firearms have ended up in criminal circles.¹⁵² In the past, thefts have also been discovered from army barracks. This sometimes includes the theft of assault rifles and grenade launchers. The army suspects that these thefts often take place with the knowledge and consent of military personnel.¹⁵³

Our interviews indicate that the *modi operandi* of these thefts differ considerably according to the type of location where the theft occurs. The theft of firearms from private homes frequently takes place by chance, for example during a run-of-the-mill burglary, while the thefts of firearms from arms dealers or shooting ranges are generally deliberate actions that occur in a more organised way.¹⁵⁴ In addition, it is known that many registered thefts at private homes are in fact attempts to embezzle these weapons (see section 1.3.3). The more organised thefts from, for example, firearms trade businesses can be illustrated by a failed robbery at the end of 2016.

Three Dutchmen drove to Knokke (West Flanders) on three consecutive nights to burgle a firearms trade business. Each night, two of the men went round to the back of the premises, where they spent hours hitting the wall with a sledgehammer, while the third kept watch in the car. The arms trader discovered what was happening and notified the police, who were able to apprehend the men.¹⁵⁵

2.3.7 Non-regularised firearms

There is consensus among the judicial and police services involved that the largest group of illegal firearms owners in Belgium are people without any connections to criminal or terrorist networks. These are people who, at some time or another, purchased their firearms legally, but have not regularised them after the changes to the law in 2006 (the implementation of the Weapons Act) and 2012 (the abolition of freely available antique firearms on the HFD list¹) or no longer meet the conditions for the legal possession of their firearms.

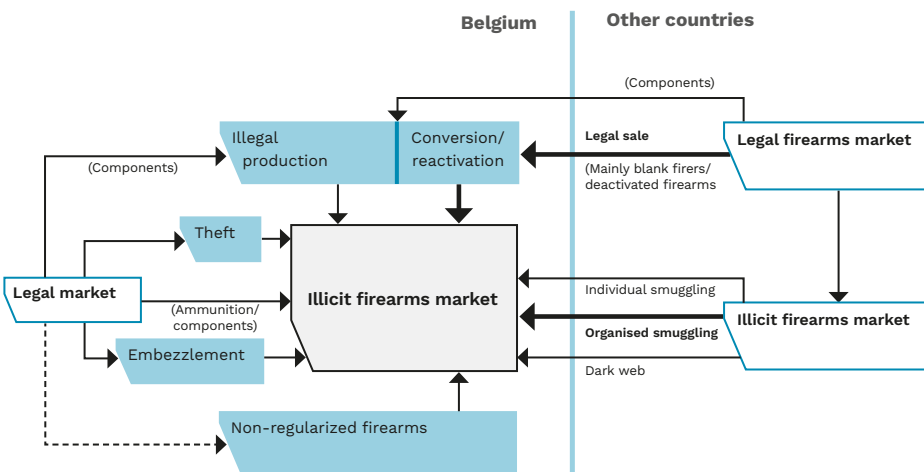
Especially the severe tightening of the Weapons Act in 2006 has had an important impact on illicit firearms possession in the country, because many hunting and shooting weapons previously freely purchasable on the mere presentation of a valid identity card became subject to licensing requirements. A large number of previously legal firearms owners failed to comply with the new rules and continued to illegally own their firearms. According to the police, these owners of illegal weapons generally do not seem to have criminal intentions, but simply do not wish to go through the licensing procedure.¹⁵⁶ However, a number of people have illicitly sold on their weapons. In this way, an unknown number of firearms have found their way onto the illicit firearms market and thus have possibly ended up in the hands of criminals.

After the abolition of the HFD list (the list of antique firearms for which no licence was required) in 2013 a similar dynamic can be observed. The owners of weapons previously on the list were given until the end of May 2014 to register them. Although tens of thousands of such weapons were sold in Belgium between 2007 and 2013, only 6,000 HFD weapons were registered after the abolition of the HFD list.¹⁵⁷ An unknown number of HFD weapons have found their way onto the illicit firearms market. In 2011 the Brussels Federal Judiciary Police dismantled a large arms trafficking network in which HFD weapons were traded. According to the police, Nagant revolvers in particular were valued in criminal circles because large supplies of ammunition were available and because it is the only HFD revolver that

1 Firearms with historical, folklore or decorative value.

can be efficiently fitted with a silencer.¹⁵⁸ In recent years, however, not many HFD weapons have been encountered in criminal circles in Belgium.¹⁵⁹ This is probably because large numbers of these HFD weapons have left the country. Because a number of HFD weapons required a licence in other European countries and they were freely available in Belgium, many foreigners came to Belgium to buy their weapons legally, for example at arms fairs, and then (often illicitly) took them back to their own countries.¹⁶⁰ In this way Belgium was a source country for illicit firearms possession in other European countries. In the period 2010-2012 many Nagant revolvers that had been on the Belgian HFD list and could be freely purchased for around €170 were encountered in Dutch criminal circles. In 2012 someone was shot dead in the Netherlands with such a revolver.¹⁶¹

Figure 2: Sources of the illicit firearms market in Belgium



2.4 Transactions on the illicit firearms market

Our expert interviews strongly indicate that the illicit firearms market in Belgium is a closed entity that can only be accessed by those with the right (criminal) connections. Moreover, trust plays an important role in the firearms market: buyer and seller must trust each other. As a result, not every person and not even every criminal finds it easy to acquire a firearm. Given the importance of (criminal) connections and trust between buyer and seller, it is not surprising that most firearms

transactions happen face to face. The actual transfer of firearms can take place in a wide variety of settings, while there is also no specific profile for illegal arms dealers in Belgium. In general, a distinction can be drawn between people for whom selling a firearm or a small amount of firearms on the illicit market is a one-time activity, and those who are more actively involved in firearms trafficking – specifically, those who sell firearms to the criminal world.¹⁶²

Earlier Dutch research has shown that the illegal owners of lethal-purpose firearms are mainly criminals who ‘have outgrown the level of petty criminal’.¹⁶³ Such criminals have a wide-ranging network of contacts and have often made a name for themselves in the criminal world. It is generally quite easy for them to obtain good firearms. Lower-ranking, often-younger criminals do not have the same connections and tend not to have easy access to genuine firearms, and so often resort to fake guns and gas or alarm guns.¹⁶⁴ This observation is confirmed by the Belgian Federal Police: young and lower-ranking criminals in Belgium generally possess and use converted alarm pistols, antique firearms or even fake guns, while the more experienced, more organised and higher-ranking criminals are generally not satisfied with such weapons (for practical and status reasons) and prefer to obtain real firearms via their networks. Certain groups consciously opt for weapons with a ‘good’ reputation and higher status in the criminal world, such as Glock pistols, and are prepared to pay more for them.¹⁶⁵

Military-grade assault rifles are also present on the illicit gun market in Belgium. Although reliable statistics are lacking, the Belgian police stress that these weapons constitute a very small minority of the firearms on the market and that their availability is generally limited to ‘heavy’ criminals who commit serious crimes.¹⁶⁶ Most of the military-grade assault rifles on the illicit firearms market have been smuggled from the Balkans, while other types of firearms originate from a geographically much wider area.¹⁶⁷ In 2010 some police representatives stated that a new group of young criminals had appeared on the Brussels crime scene¹ who seem to have had easy access to assault rifles.¹⁶⁸ However, according to the Federal Judiciary Police, the significant presence of reactivated firearms and converted alarm weapons in the criminal milieu demonstrates that the availability on the Belgian

¹ This new group differed markedly from the older generations of criminals. They were generally not really organised and worked together in a loosely connected way. They operated in small groups of at most three and with a continuously changing composition. Most came from a number of districts in Brussels. They were often minors and did not appear to have a real strategy. Their choice of targets and modus operandi were often characterised by a high degree of impulsiveness. This was expressed in extremely violent behaviour and the casual discharge of their weapons. This development was often attributed to a sudden large increase in the availability of heavier weapons, e.g. assault rifles.

criminal market of military-grade firearms smuggled from the Balkans and other (post-)conflict areas should not be overestimated.¹⁶⁹

The differences in availability are also reflected in the prices for these weapons on the black market. In general, converted alarm weapons are the cheapest (maximum €400). Most real handguns are sold for €500-1,000. Glock pistols, which have a very good reputation and high status in the criminal world, generally cost €1,000-2,000. Kalashnikov-type assault rifles are more expensive and cost around €2,000-2,500.¹⁷⁰ We have to interpret these prices very carefully, given that these estimates are based on a small number of cases. In addition, the prices of firearms on the illicit firearms market are strongly dependent on typical market conditions such as supply and demand. Other factors influencing prices are, among others, the type of firearm, its quality and origin.¹⁷¹

Interestingly, the Brussels Federal Judiciary Police have observed a decrease in firearms trafficking cases in Brussels since the terrorist attacks in Paris and Belgium in 2015-2016. They believe this is related to the increased focus of law enforcement agencies on terrorism and terrorist-related activities such as firearms trafficking. It seems like firearms traffickers have become aware of the perceived increased risk of getting caught and the heavier penalties if there is a link with terrorist networks. This seems to have resulted in some of them displacing their trafficking activities to other Belgian cities, especially since selling firearms on the criminal market is not a very lucrative business in Belgium. This evolution is believed to have also impacted both the availability of assault rifles in Brussels and current prices. Kalashnikov-type assault rifles are now for sale for €2,000-3,000 (instead of approximately €1,200 it was previously sold for in Brussels), while Glock handguns are for sale for approximately €3,000 (the price was approximately €1,000 a few years ago).¹⁷²

Although most transactions happen face to face, both criminal networks and ordinary citizens are also known to buy firearms online. The growing online buying of firearms has led to an increased use of the postal services to transfer firearms within Europe. Europol expects that the online illegal trade in firearms will expand further in the future.¹⁷³ The Federal Prosecutor's Office states that a significant number of firearms are illegally shipped through the post.¹⁷⁴ According to the Belgian police, it is very difficult to effectively monitor the internet.¹⁷⁵ The police are particularly worried that it will become easier for those without criminal connections to illegally acquire firearms and that these people will no longer have to move around physically to acquire these products, which hinders the effective detection of this type of trafficking.¹⁷⁶ Data specifically requested for this study show that between 2009 and 2015 the Belgian police recorded 85 cases of the illegal sale of firearms for which licences are required by mail or off the internet. The internet's facilitating

role can be illustrated by a recent court case: in 2016 a Belgian IT professional was convicted of using the dark web to order a Kalashnikov assault rifle with 8,000 bullets, a Glock pistol with 2,000 bullets and a silencer from a seller in the United States. The man explained that he wanted to buy these weapons to protect his family against the so-called Islamic State of Iraq and Syria (ISIS).¹⁷⁷ Unfortunately, the limited information currently available on illegal internet sales of firearms makes it impossible to determine trends and evolutions of this phenomenon in Belgium.

3. Terrorist access to the illicit firearms market in Belgium

Like several other EU member states, Belgium has witnessed a number of Islamist terrorist attacks and threats inspired or ordered by ISIS in recent years. In some instances terrorists answered ISIS's call to make use of easy-to-obtain weapons at hand, like the stabbings of soldiers in the streets of Brussels in August 2017, and of policemen in Charleroi in August 2016 and Schaarbeek in October 2016. In other cases Islamist terrorists in Belgium have relied on more sophisticated weapons. In the double attack on Brussels Airport and the city's metro on 22 March 2016 and the failed bomb attack in the Brussels central train station in June 2017 they used explosives. Firearms have also been used in some of the recent terrorist incidents in Belgium.

Belgium's confrontation with terrorism is not new, nor does it exclusively involve Islamists. During the last 30 years the country has experienced threats and violence from both Islamist and other forms of terrorism. Noteworthy examples of Islamist terrorism are the Zaoui network (a propaganda and fund-raising cell of the Algerian Groupe Islamiste Armée), which was neutralised in 1995,¹⁷⁸ and the activities of Nizar Trabelsi, who was arrested just prior to carrying out a planned suicide attack on a US military base in Kleine-Brogel a few days after the 11 September 2001 attacks in the United States.¹⁷⁹ Especially in the early 1980s¹, significant left- and right-wing terrorist violence has also been apparent,¹⁸⁰ These kinds of networks with the potential for violent actions are still currently active in Belgium.

1 Nationalist Palestinian terrorist incidents also occurred in this period. At the beginning of the 1980s two lethal terrorist incidents took place in Antwerp. Both were linked to the tensions in the Middle East, in particular between Israel and Palestine, and were prompted by nationalist Palestinian and anti-Jewish/anti-Israeli motives (VRT NWS, 'Terreur in België, een overzicht', 22 March 2016, <http://deredactie.be/cm/vrtnieuws/binnenland/1.2609157>).

Importantly, throughout the last three decades Belgium has not only been the site of terrorist attacks: it has also functioned as an important logistics base for terrorist cells involved in organising attacks and providing, among other things, propaganda, recruitment, training, housing and weapons.¹⁸¹ This observation is still relevant today. An important example is the high number of terrorist fighters leaving Belgium to join ISIS: since the start of the Syrian civil war 380-481 people have left Belgium to fight for ISIS in Syria or Iraq, making it the European country with the highest number of such migratory fighters per capita.¹⁸²

In this section we specifically address terrorist access to the illicit firearms market in recent years. There are clear distinctions in the possession and use of firearms among different types of terrorist networks in Belgium. Although in the past firearms have been found in the possession of left-wing terrorist groups,¹⁸³ such groups generally no longer use or even possess them, given that their current modus operandi mainly involves arson, letter bombs, sabotage and intimidation. According to the police, some members of these groups could have access to firearms through contacts with serious criminals, but they apparently deliberately choose not to use firearms in their activities.¹⁸⁴ Firearms possession and use among contemporary terrorist groups in Belgium are therefore limited to Islamist and right-wing terrorist networks.

3.1 Firearms among Islamist terrorist networks

3.1.1 Possession and use of firearm

Islamist networks in Belgium have carried out various terrorist attacks in recent years. Firearms have been used in a number of these attacks; for example, the shooting in the Jewish Museum in Brussels in May 2014, and the gunfights between terrorists and the police in Verviers in January 2015 and the Brussels commune of Vorst in March 2016. In addition, a terrorist attack with firearms was foiled on the Thalys train between Brussels and Paris in August 2015. Previous analyses of the firearms used in terrorist activities in Europe clearly indicate a preference for automatic assault rifles, such as Kalashnikov-type rifles.¹⁸⁵ This pattern can also be observed in Belgium, because such weapons were used in the three shootings referred to above and in the foiled attack on the Thalys train. The availability of military-grade firearms to Islamist terrorist networks in Belgium is not a new phenomenon. In 2003 Nizar Trabelsi, a Tunisian national who lived in Belgium and was connected to al-Qaeda, was convicted of plotting a terrorist attack against the US military base in Kleine-Brogel. During a house search following his arrest in 2001 the police found an Uzi machine pistol.¹⁸⁶

The most lethal terrorist attack in Belgian history occurred on 22 March 2016, when 32 people were killed during suicide attacks using explosives at Brussels Airport and in the Brussels metro. Although no firearms were used in these attacks, the perpetrators did have firearms at their disposal. On pictures taken by the perpetrators in their safe house shortly before the attacks three Vz.58 automatic assault rifles, a Kalashnikov, two pistols and a pump-action shotgun can be identified.¹⁸⁷ In an audio message dating from the day before the Brussels attacks that was later found on a computer dumped near one of the safe houses, one of the perpetrators stated that they had decided not to use their firearms because they felt they were not equipped with sufficient magazines. They also feared that many people would be able to escape the attacks if firearms were used and they were deterred by the soldiers patrolling the streets. Instead of using their firearms, they chose only to use explosives, to increase the number of fatalities.¹⁸⁸ It is believed that the firearms in their possession in their safe house were transferred to a box garage a couple of days before the attacks. OCAD confirms that considerable resources were used to search for these weapons. After the attacks the Belgian police searched over two hundred box garages in Brussels, but without success.¹⁸⁹ The Federal Prosecutor's Office suspects that the perpetrators of the attacks left behind an arsenal of firearms for the next wave of terrorists.¹⁹⁰

In the second half of 2017 there were three developments in this case. Firstly, in early July there appeared to be a breakthrough in the investigation after the finding of several Kalashnikovs, ammunition, detonators and police uniforms in a box garage in Anderlecht. According to the Federal Public Prosecutor's Office, however, this find was not connected to the investigations of the Brussels attacks. Indications pointed towards radicalised members of the Kamikaze Riders,¹ a motorcycle gang that had been suspected of plotting a terrorist attack during the Brussels fireworks display on New Year's Eve in 2015.¹⁹¹ Secondly, later in July 2017 the media reported a school in the province of Limburg to be a potential hiding place for the Brussels terrorists' hidden firearms arsenal. On two separate occasions security services searched the school's premises, but with no result. Given the traces of a break-in they found and the fact that the school janitor was related to one of the perpetrators of the Brussels attacks and died fighting for ISIS, they are confident that the weapons had been hidden in the school for some time but were moved before the attacks of 22 March 2016.¹⁹² Thirdly, in September 2017 a Brussels local police officer was arrested on suspicion of leaking sensitive police information to terrorism suspects. According to some police officers, this may help to explain why the weapons arsenal

¹ In 2016 two members of the Kamikaze Riders, Saïd Saouti and Mohamed Kerai, were convicted of belonging to a terrorist group and recruiting youngsters for jihad.

has not yet been found, in spite of numerous searches that were often based on concrete clues.¹⁹³

Since the attacks of 22 March 2016 numerous house searches and arrests have been carried out in Belgium as part of separate terrorist investigations. However, firearms were almost never found in these searches.¹⁹⁴ This could indicate that Belgian terrorist networks' level of firearms possession is lower than it is perceived to be. On the other hand, it is also possible that law enforcement agencies have not yet discovered the hiding place of these weapons, because they do not have an exhaustive overview of the safe houses and storage facilities used by terrorist networks.¹⁹⁵ Also, these networks tend not to store their firearms in their immediate environment, but to keep them hidden until the moment of (once-only) use.¹⁹⁶

Apart from the attacks with firearms and explosives, there is also concern in Belgium about what the Federal Prosecutor's Office calls the 'proletarianisation of terrorism'. This refers to an evolution towards terrorists' use of a wide range of 'weapons', including ordinary consumer goods and vehicles.¹⁹⁷ Islamist terrorists appear to use two types of weapons. They often possess and use firearms when ISIS is the driving force, because as a result they generally have more access to and expertise in the use of firearms and explosives. Lone wolves and younger, less experienced perpetrators, on the other hand, tend to have less access to assault rifles and are more inclined to opt for more everyday weapons.¹⁹⁸ For example, in August 2016 two police officers were attacked with a machete at police headquarters in Charleroi. The perpetrator, who was of Algerian origin and residing illegally in Belgium, was immediately shot, and later died in hospital.¹⁹⁹ With regard to this type of attack, the Federal Police and OCAD refer to the importance of ISIS online publications such as *Dabiq* and *Rumiyah*, which call for terrorist acts to be committed with whatever means are available.²⁰⁰

3.1.2 Obtaining fully automatic assault rifles via the criminal milieu

The link with the criminal milieu is of crucial importance for terrorist networks' acquisition of firearms, especially when there is a preference for automatic assault rifles, (for which the possibilities for legal possession are exceptional in Belgium).²⁰¹ This can also be noted when we analyse the way in which the weapons used by terrorists in Belgium were acquired: the firearms found in Verviers and Vorst and those used at the Jewish Museum originated from the criminal illicit firearms market.²⁰² A similar picture emerges from an analysis of the attacks of 22 March 2016 in Brussels and 13 November 2015 in Paris. It was no coincidence that almost all the (Belgian) perpetrators of these shootings had criminal antecedents. Some

were no longer petty criminals and a number had connections in the criminal milieu that allowed them to obtain automatic assault rifles.²⁰³ An April 2017 seizure of cannabis and two handguns from former friends of Abdelhamid Abaaoud and Salah Abdeslam confirmed the availability of firearms in their network.²⁰⁴

Assault rifles were also used in the gunfight in Verviers. After the gunfight the police found seven firearms, ammunition and the products needed to produce TATP explosives in the safe house used by the terrorist group. Among the firearms were three Kalashnikov-type assault rifles (Zastava M70 AB2, FEG S90 and a WIESA brand assault rifle), three pistols (BUL M-5, CZ M88A and a Tanfoglio 9 mm Parabellum) and one revolver (Hammerless Velo-Dog).²⁰⁵ Marouan El Bali, the only surviving terrorist participant in the Verviers gunfight, was sentenced to 12 years in prison for his role in the terrorist network. The court found evidence that El Bali owned some of the discovered firearms and transported them to the safe house in Verviers, but could not identify which firearms exactly.²⁰⁶ During the police investigation the defendants gave contradictory versions of how the firearms were acquired,²⁰⁷ but given the prohibited nature of some of them, these weapons were almost certainly acquired on the illicit gun market, probably in the Brussels area.

This crime-terror nexus in Belgium,²⁰⁸ particularly in terms of firearms acquisition, is most visible in the case of the El Bakraoui brothers – two of the perpetrators of the Brussels attacks of 22 March 2016 – whom the Belgian Prosecutor's Office strongly suspect of having provided (some of) the weapons used in the Paris attacks of 13 November 2015.²⁰⁹ This was also stated in an article published in *Dabiq*, an official ISIS English-language online propaganda magazine, which pointed to the brothers as the ones responsible for the acquisition of the firearms and explosives used in this attack.²¹⁰ During the attack the perpetrators, who operated in three teams, used at least six firearms. All of these guns were Kalashnikov-type assault rifles (Zastava M70 AB2, AKS47 and Norinco 56-1).²¹¹ The El Bakraoui brothers were able to turn to their previous criminal networks to obtain these firearms.²¹² Both brothers had a history of criminal activities involving Kalashnikov-type assault rifles, and were part of a network of violent criminals that used firearms to carry out armed robberies and carjackings. While the members of this network initially used pistols in their operations, they later started to use Kalashnikov-type rifles.²¹³ In 2010 Ibrahim El Bakraoui opened fire on police officers with a Kalashnikov-type assault rifle while being pursued by police after a failed robbery at a foreign-exchange office in Brussels. He wounded a police officer and was sentenced to ten years in prison. Khalid El Bakraoui was sentenced to five years in prison in 2011 for his involvement in numerous armed carjackings in Brussels.²¹⁴ Both brothers are believed to have been radicalised in prison.²¹⁵

Given their antecedents and that one of them rented the safe house (under a false name), it is very likely that the El Bakroui brothers also acquired the assault rifles used in the gunfight with the police when they were living at the safe house in Vorst. In November 2016 two people who belonged to the El Bakroui brothers' criminal network – Mohammed B. and Aboubaker O. – were sentenced to prison for delivering Kalashnikov magazines to the brothers, but the judge acquitted them of participating in terrorist activities since it could not be proved that they were aware of the brothers' terrorist intentions. Two other members of this criminal network (Yassine L. and Zoher E.H.) were sentenced for acting as intermediaries in these deliveries.²¹⁶

The assault rifle Mehdi Nemmouche used in his attack on the Jewish Museum is also believed to have been acquired on the criminal market. Nemmouche is a French national who was sentenced for violent theft and robbery multiple times and spent five years in prison between 2007 and 2012. There he was radicalised, and immediately after his release in January 2013 he left for Syria, returning to Europe in March 2014.²¹⁷ In the afternoon of 24 May 2014 Nemmouche walked to the Jewish Museum in the centre of Brussels and used a handgun to kill two Israeli visitors who were standing at the museum entrance. He then walked into the museum, took out a Kalashnikov-type assault rifle from his sports bag and fired at two museum employees. He then knelt down, put his guns back in his bag and calmly walked out of the museum.²¹⁸ Six days after the attack Nemmouche was arrested during a random drugs search at the international Marseille Saint Charles bus station in France while travelling on a Eurolines passenger bus from Amsterdam via Brussels to Marseille. In his jacket customs officers found a .38 revolver, while a Kalashnikov-type assault rifle, 57 rounds of ammunition for the revolver, more than 270 cartridges for the Kalashnikov, gun parts and a portable Gopro camera wrapped up in an ISIS flag were found in his luggage.²¹⁹ In July 2014 Nemmouche was extradited to Belgium. During his interrogation he told the police he had stolen his firearms in Belgium from a car through an open window and that he was travelling to Marseille to sell them there.²²⁰ According to the Federal Prosecutor's Office, however, Nemmouche acquired the guns he used in the attack in the Marseilles criminal milieu.²²¹ In December 2014 the French police arrested a criminal with whom Nemmouche spent several years in prison, on suspicion of selling him the firearms he used in the attack on the Jewish Museum.²²² In January 2017 Spanish police, in collaboration with Europol, dismantled a network that sold deactivated firearms (which did not comply with the existing deactivation standards) and lethal-purpose firearms in several European countries, including Spain, France and Belgium. These weapons were bought through legally established channels and later reactivated.²²³ According to Spanish media reports, the investigation into this Spanish network originated in the follow-up to the investigation of the weapons used in the attack on the Jewish

Museum,²²⁴ but it still remains unclear if the guns Nemmouche used were reactivated firearms and if this Spanish network was somehow involved.

According to the Federal Police, there is often no evidence of a specific and explicit division of logistical roles within terrorist networks. It is not generally the intention to deliberately include a firearms supplier when forming (the logistical wing of) such a network. Individuals who obtain firearms for a terrorist network are often already part of it and are then asked to do so because of their expertise and contacts, which make it easier for them to acquire firearms. A terrorist network also sometimes calls on 'externals' to support its terrorist activities. In other words, there is some sort of outsourcing when the network itself does not possess the knowledge or skills that it needs, for example to produce forged identity documents.²²⁵

Although the firearms used in recent terror attacks were obtained on the criminal market, this does not automatically imply that the seller(s) of these weapons had prior knowledge of the buyers' intentions and were therefore deliberately supporting terrorist activities.²²⁶ For most criminals, a terrorist attack that involves many random victims is often a bridge too far.²²⁷ The criminal underworld also prefers to operate in the shadows, while a terrorist attack attracts massive attention from law enforcement services.²²⁸ Equally, the penalty for the illegal sale of firearms is increased if it takes place in a terrorist context. The police indicate that, despite these concerns, not many questions are generally asked when a weapon is sold in the criminal milieu. They add that it is also not always easy to refuse certain business deals, since all kinds of pressure can be brought to bear to force the sale of the weapon. Furthermore, they state that the boundaries between terrorist and criminal networks seem to be becoming blurred because of terrorists' criminal antecedents, for example hold-ups and firearms possession and use.²²⁹

The use of the internet to illegally obtain firearms, especially the dark web, is another possibility. The Federal Prosecutor's Office sees this to be the modus operandi of lone actors in particular.²³⁰ They are less likely to have criminal antecedents, so their access to the illicit firearms market is significantly limited. The Federal Police state further that lone wolves are less likely to use a firearm, partly because, contrary to, for example, Syrian returnees, they have had no experience on the battlefield.²³¹ Returnees, on the other hand, do have such experience.²³² The Federal Police are concerned that returnees can use their contacts in Syria or Iraq to import weapons in order to use them in attacks, sell them on the European illicit firearms market, or build up a weapons arsenal themselves in order to supply radical networks.²³³

3.1.3 Terrorists' exploitation of the opportunities provided by the legal market

Besides the traditional selling of lethal-purpose firearms on the criminal black market, terrorist networks have also been able to obtain their firearms in different ways, for example by acquiring reactivated firearms that were previously sold as deactivated firearms on the legal European firearms market.

A well-known example of this are the firearms Amédée Coulibaly used during his attack on the Hypercacher supermarket in Paris on 7 January 2015 (see also the chapter on France). On that day, just a couple of hours after the Kouachi brothers' attack on the *Charlie Hebdo* office, Coulibaly entered a Jewish Hypercacher supermarket in the east of Paris armed with two Vz.58 assault rifles and two Tokarev TT33 pistols. He used his guns to shoot four people dead and held more than 20 supermarket customers and employees hostage for several hours before French security forces killed him. Following this incident, four additional Tokarev TT33 pistols and a Nagant M1895 dating from 1932 were found in his apartment. With the exception the Nagant revolver, all of these firearms were (poorly) deactivated in Slovakia and were legally sold by the same Slovakian store (AFG Security).²³⁴ In the immediate aftermath of these attacks in Paris it was repeatedly reported in the international media that Coulibaly had bought several of the firearms used by the Kouachi brothers in Belgium. Soon afterwards, Metin K., a man from Charleroi, Belgium, reported to the police that he had been in contact with Coulibaly in the previous months and had intended to defraud him in the sale of a car. During a house search the police found documents that also indicated a possible sale of firearms and ammunition to Coulibaly. Metin K. denied selling firearms to Coulibaly and was released in March 2015.²³⁵ Police investigations into the origin of these weapons quickly pointed to a number of other Belgian connections. One of AFG Security's customers was Patrick H., a Belgian living in Marcinelle, Belgium. This man legally bought around 170 deactivated firearms from the Slovakian store, including at least one of the Vz.58 assault rifles that ended up reactivated in Coulibaly's hands. Patrick H. admitted that he sold this firearm on an online auction site, but claimed it was sold to a Northern European man and denied reactivating the gun. Interestingly, Belgian police had found materials that could be used to reactivate firearms in Patrick H.'s house during an earlier search in May 2014.

Another AFG Security customer was Claude Hermant, a Frenchman living in Comines, Belgium, who is known to be a militant right-wing extremist. The investigation revealed that from his survival shop near Lille, France, Hermant ordered dozens of deactivated firearms from AFG Security, the other Vz.58 assault rifle and two Tokarev TT33 pistols that ended up reactivated in Coulibaly's hands. Hermant

admitted selling a total of 40 to 50 deactivated firearms, but denied selling them to Coulibaly. The person suspected of having supplied firearms to Coulibaly is Antoine D., a Frenchman from Pas de Calais in northern France who is known in right-wing extremist circles and who had worked in Hermant's chip shop. In April 2016 Spanish police arrested Antoine D. during a joint Spanish-French police operation in the vicinity of Malaga, Spain.²³⁶ In April 2017, during a coordinated operation, French and Belgian police arrested several people on suspicion of having provided logistical support to the Paris attackers in January 2015. In Belgium, at the request of a French prosecutor, two people (including Metin K.) were arrested in Charleroi on suspicion of delivering firearms to Coulibaly.²³⁷

Terrorist networks have also been able to take advantage of other opportunities offered by the legal firearms market. In recent years terrorists succeeded in legally acquiring components for their firearms. It was ascertained that Khalid El Bakraoui had legally bought magazines for assault rifles at various times in the summer of 2015 from a firearms retailer in Walloon-Brabant, Belgium;²³⁸ this retailer alerted the law enforcement services. The Federal Prosecutor's Office suspects that these magazines were used in the attacks on 13 November 2015 in Paris, and possibly also in the failed attack on the Thalys train between Brussels and Paris in August 2015.²³⁹ As a direct result of the El Bakraoui brothers' legal purchase of magazines, the Belgian Federal Government is currently preparing an amendment to the Weapons Act in terms of which a licence will be required to buy magazines.

3.2 Firearms among right-wing terrorist networks

Although Belgium has not been the scene of a right-wing terror attack for a very long time, firearms have been found in the possession of extremist groups, some of whom were planning an actual terrorist attacks. At the moment the activities of right-wing extremist groups in Belgium are not believed to be focused on carrying out attacks. According to OCAD, right-wing extremist groups with potentially violent motives are generally limited in size and often disappear very quickly. However, a number of key individuals in the Belgian right-wing extremist milieu keep turning up in potentially violent groups and some of them are known for being gun enthusiasts.²⁴⁰ Besides this, a number of right-wing extremist groups in Belgium are particularly active online.²⁴¹

The best-known recent example of a right-wing extremist group that possessed firearms is Bloed, Bodem, Eer en Trouw (Blood, Soil, Honour and Loyalty, or BBET).¹ In 2006 a number of members of this group were arrested, and sentenced in 2014 for being members of a terrorist organisation and for illegal possession of weapons. BBET was a Belgian splinter group of Blood & Honour, the international right-wing extremist group, and consisted of a hard core of around twenty people, surrounded by a larger group of youngish people who attended BBET activities and visited its website. The leader of BBET was Tomas Boutens, a professional soldier who was stationed in the army barracks at Leopoldsburg. He was said to have had plans to carry out attacks to disrupt Belgian infrastructure. The investigation carried out by the Federal Prosecutor's Office showed that, since 2004, Boutens had been recruiting people with right-wing extremist ideas, often in the army barracks or units where he worked. He also organised paramilitary exercises, survival weekends and firearms training, some of which took place on army property without the knowledge of his superiors. In the context of this investigation, on 7 September 2006 the police carried out searches of several army barracks and private addresses. They seized various firearms, a large quantity of ammunition, detonators for landmines, explosives and a homemade bomb. In addition, a template for a letter claiming credit for attacks and incriminating documents (such as a self-written manual on how to carry out attacks) were also discovered. In total, 17 people, including ten soldiers, were arrested. House searches were again carried out on the following day. More than one hundred weapons were seized, including assault rifles, riot guns and pistols. In addition, weapons parts, ammunition, binoculars and silencers were found. In total the police found around four hundred weapons during the searches, most of which came from Eastern Europe. It is not clear how the BBET members and their network had acquired their arsenal of weapons.

International connections often exist among the various European right-wing extremist groups. These connections occasionally result in specific (Belgian) key individuals supplying weapons to other non-Belgian groups. For example, at the end of 2011 the Dutch police arrested various members of the Dutch right-wing extremist group Ulfhednar, a breakaway group from Blood & Honour. Various firearms were found (including a 'vuurbuks' – a type of rifle – and a hunting rifle with a sawn-off barrel), as well as ammunition. One of the individuals arrested at the time was Tomas Boutens, the key figure in BBET. According to the Public Prosecutor, it was Boutens who had brought firearms from Belgium to the Netherlands. For that,

¹ There was a shooting in May 2006 in the centre of Antwerp, when Hans van Themsche killed a toddler and her Malinese nanny and injured a woman of Turkish origin. Van Themsche was acting from racist motives. It later transpired that he had been visiting the BBET website, among others ('Van Themsche bezocht sites van Blood&Honour en BBET', *Gazet Van Antwerpen*, 12 September 2006, <http://www.gva.be/cnt/oid420633/archief-van-themsche-bezocht-sites-van-blood-honour-en-bbet>).

he was sentenced to ten months in prison, six of which were suspended.²⁴² The investigation into BBET showed that Boutens and one of his associates were dealing in illegal weapons in order to fund their activities.²⁴³

What stands out in the membership list of Belgian right-wing extremist groups is that it often includes people who are, or were, members of the Belgian armed forces. They therefore know how to use and maintain firearms.²⁴⁴ The military intelligence service is monitoring around fifty Belgian soldiers with extremist sympathies, including at least four members of the Soldaten van Odin (Soldiers of Odin).¹ The military intelligence service not only monitors people with extreme right-wing views, but also, for example, those with Islamist views. These soldiers are closely watched because they receive military training and have access to weapons through their professional activities. As long as they do not commit criminal offences they are allowed to remain in the armed forces.²⁴⁵

4. Conclusions

Despite a more comprehensive approach in the policy aimed at combating the illicit firearms market, with a tightening of the legislative framework and the fight against firearms trafficking becoming a priority for both police and the judicial authorities in 2012, in recent years Belgium has often been labelled one of Europe's hotspots for illicit firearms, and the place to go for terrorists looking for guns. At the moment it is impossible to estimate the size of the illicit firearms market due to a lack comprehensive, reliable and detailed quantitative data on seized firearms. In order to analyse the nature and dynamics of the Belgian illicit firearms market, we are therefore dependent on interviews with key actors in the fight against this market.

This study has demonstrated that firearms end up on the illicit market in Belgium in various ways. Each of these sources is characterised by specific dynamics and has a different impact on the illicit market. The most important sources in Belgium are cross-border smuggling, the conversion of blank-firing guns and the reactivation of deactivated firearms. Firearms are generally smuggled by road and in small quantities by opportunistic individuals who are not part of large-scale criminal organisations. Most smuggling currently involves firearms from the Balkans, but Belgian

¹ The objective of this right-wing group is to 'protect Western values' and 'to safeguard the country' against refugees and migrants. Soldiers of Odin originated in Scandinavia and operates there as a kind of civil guard. A branch of this group has been active in Belgium since 2016, mainly online.

police fear that in the future other countries in the European periphery, notably Ukraine, will also become important sources of smuggled firearms. In recent years Belgian police forces have observed a significant increase in the numbers of converted alarm weapons and reactivated firearms on the illicit gun market. Converted alarm pistols, which are usually made in Turkey, are rather cheap and can be converted very easily. The reactivated firearms that have been encountered by Belgian police are generally not deactivated in Belgium, but were poorly deactivated abroad and smuggled into the country. A number of handymen in Belgium have the necessary expertise, skills, and tools to reactivate these firearms, as well as the criminal connections to sell them on to the criminal world. Other significant ways in which firearms can leak into the illicit firearms market are theft (mainly from private homes) and the 'blackening' of firearms.

The Belgian illicit firearms market is largely driven by criminal demand for firearms. Not only international drug traffickers who often require firearms operate in Belgium, but armed robbers and criminal motorcycle gangs also create demand for firearms on the illicit market. Interestingly, different patterns in the acquisition, possession, and use of firearms can be observed between and within criminal environments. Despite a lack of good data on seized firearms, it is clear that mainly handguns and (converted) blank-firing weapons are available on the criminal market for firearms in Belgium. Only specific categories of criminals – such as major drug traffickers, robbers targeting heavily secured targets and OMGs – have access to assault rifles. This difference in access is strongly linked to the fact that the Belgian illicit gun market is traditionally a closed one in which criminal connections and trust between buyer and seller are key factors.

Terrorist networks have also been able to acquire firearms on the Belgian illicit gun market. Various types of terrorist networks have been active in Belgium since the 1980s. The country has not only been the target of several terrorist attacks, but has also served as an important logistics source for terrorist activities in other countries, including the acquisition of firearms. Currently the acquisition, possession, and use of firearms in terrorist networks are mainly limited to Islamist and right-wing terrorist networks. Members of these networks have mostly used their criminal connections to acquire firearms on the illicit firearms market. In addition, terrorists have not only used their past criminal connections to acquire weapons, but their prior criminal activities have trained them in the use of firearms. Not surprisingly, the types of firearms used by terrorist networks are largely a reflection of the types of guns that are available on the criminal illicit gun market and the opportunities offered by the legal firearms market (especially in terms of gun components and deactivated firearms). There is, however, a significant over-representation of military-grade assault rifles in the types of weapons being used in illegal activities.

While this type of firearm is not that easily accessible on the illicit market in Belgium, Islamist terrorist networks in particular have been able to acquire them.

The crime-terror nexus and specifically terrorists' use of criminal connections to acquire weapons are very visible in Belgium, especially in Islamist terrorist networks. On the other hand, several members of right-wing terrorist groups have been part of the armed forces. It could be argued that this has given them easy access to firearms and training in their use in combat situations. Criminals and members of terrorist networks from Belgium have also provided firearms to members of foreign terrorist networks, but the opposite is also the case: the firearms used in the attack on the Jewish Museum in Brussels probably came from the Marseille underworld. This clearly illustrates the transnational nature of the threat posed by terrorists' access to illicit gun markets in Europe: terrorists not only arm themselves on the local illicit firearms market, but also use the criminal firearms markets in other countries to acquire their weapons.

The recent terrorist attacks have further boosted the policy focus in Belgium on the illicit gun market in general and have led to the adoption of important measures. These include the use of telephone taps for gun-related crimes, and increased focus on an improved (national and international) system of information exchange, strengthened police investigations, a stricter prosecution policy, the development of a better intelligence picture of the illicit gun market and improved expertise among key actors.

We can conclude that the current heightened prioritisation of terrorism in Belgium has become a double-edged sword in terms of combating the illicit firearms market. On the one hand – given recent terrorist incidents' links with the Belgian illicit gun market – it has led to additional focus on illicit firearms trafficking and the deployment of greater skills and more personnel to fight the problem. This has mainly benefited specialised police services in the Brussels region. By contrast, at the central level of the Federal Police and in police entities in many other areas the terrorist threat has brought about a displacement of people and resources to the areas of preventing, investigating and analysing the terrorist threat. Moreover, despite the specific terrorist access to the illicit firearms market, Belgian law enforcement and security services still generally treat terrorism and illicit firearms trafficking as two distinct problems. Our research has shown that there is still much room for improving information sharing and developing joint actions between and within the services that combat both of these closely interconnected phenomena.

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