

Illicit firearms proliferation in the EU periphery: the case of Ukraine

**FRANCESCO BUSCEMI, NILS DUQUET,
EKATERINA GOLOVKO AND ERIC WOODS**

As the second-largest country in Europe, with a history of firearms stockpiles and an active conflict zone, Ukraine presents one of the most complex firearms proliferation cases in Europe. The barrier for access to firearms in Ukraine is low, creating easy access in both the licit and illicit spheres. It is impossible to estimate the current number of illegally held firearms in Ukraine in a reliable and detailed way. Yet experts agree that this number is very high and significantly surpasses the number of legally held firearms in the country. The Small Arms Survey estimates that Ukraine is currently home to around 2 million registered and at least 2 to 3 million unregistered firearms. The Ukrainian Ministry of the Interior affirmed the presence of 3-4 million guns in the illicit sphere, while others have spoken of up to 5 million illegal weapons in the country.¹ While difficult to quantify, the armed conflict in the Donbass and the persistence of hostilities have clearly exacerbated the state's already tenuous control over firearms and accelerated illicit weapons flows in the country.

Uncertainty as to the scale of illicit firearms proliferation is exacerbated by the lack of a comprehensive legal framework for legal firearms possession in Ukraine. Since the collapse of the Soviet Union there has been no primary law regulating the circulation of firearms in Ukraine's civilian sphere. This legal vacuum was filled with a main bylaw issued by the Ministry of the Interior and a series of other bylaws.² Under this kind of fragmented regulation, many grey areas remain within licit firearms supply chains that not only facilitate illicit circulation, but also make for unclear lines around legal and illegal ownership. One of the major loopholes in Ukraine's firearms control regime relates to the acquisition of firearms components. Until recently this remained completely unregulated.³ In addition, permits for firearms can be easily forged, as was the case when a Chinese national in Odessa pretended to be a member of the Ukrainian armed forces in an attempt to access

firearms.⁴ Compounding these issues is the lack of central registries for civilian firearms at both the national and regional levels.⁵

While much of the firearms trafficking in Ukraine currently takes place within its borders, fears of criminal cross-border smuggling and of terrorists accessing weapons from Ukraine to commit terrorist attacks in the European Union (EU) were fanned in 2016 when a 25-year-old French national, Grégoire Moutaux, was arrested for trying to bring five Kalashnikov-type assault rifles, 5,000 bullets, two anti-tank grenade launchers, detonators, and 125 kg of TNT across the Polish border. According to Ukrainian officials, Moutaux was planning to carry out 15 attacks on synagogues, mosques, public buildings, and key infrastructure just before and during the European football championship a couple of months later.

Box 1: Research design

Data underpinning this study were gathered from open sources. Press releases from Ukraine's leading law enforcement organisations, the Security Service of Ukraine (SBU) and State Border Guard Service of Ukraine (DPSU), provide the bulk of primary source data. Press releases retrieved from these sources were structured in a dataset that allowed for a qualitative analysis of trafficking sources, the number of firearms seized, the types of firearms seized, trafficking routes, prices and the actors involved.

SBU press releases were published on two websites, www.sbu.gov.ua and www.ssu.gov.ua, the former containing data until the end of 2015, and the latter containing data for 2016 and 2017. The two websites were merged in late July 2017 and the majority of press releases appearing on the older website were deleted. For this reason, several links that we consulted during our data collection activities are no longer accessible. They are nonetheless cited in the text, since these data were included in the dataset.

Because arms seizures can play a political role in how institutions want to be perceived, we supplemented our analysis with press reports and investigative pieces. Ukrainian- and Russian-language sources were prioritised when possible. This provides a more holistic picture of firearms trafficking in Ukraine rather than linking analysis to official data alone. Sources such as Armament Research Services, the Small Arms Survey and the Norwegian Initiative on Small Arms Transfers (NISAT) provided some background for analysis. For reasons of quality and scale, we were unable to map a dataset of firearms seizures by local and regional law enforcement agencies.

This chapter analyses the main characteristics of Ukraine's illicit firearms market and the dynamics shaping it. The study is based on the collection and analysis of publicly available seizure data and an analysis of secondary literature (see Box 1). In the following sections we will analyse more specifically the sources of illicit firearms proliferation, the various trafficking routes and dynamics, and the various actors involved in these activities. We will start, however, with a concise description of the analysis of the available seizure data.

1. Seizure data

Data on weapon seizures traditionally constitute one of the most relevant and accurate indicators to measure the levels of illicit arms flows. Despite a number of significant data limitations, we were able to identify 514 cases of seizures of small arms and light weapons between 2014 and the first half of 2017 on the basis of the publicly available official data from the SBU and DPSU and the NISAT database (see Box 1). In total, 3,771 small arms and light weapons were seized in these cases (see Table 1).

SBU press releases were accessible for 2014-2017. Although we need to interpret these data with the necessary caution, a strong increase in seized firearms can be observed in the first half of 2017. In this period more firearms were seized than in the whole of 2016. Yet it remains unclear to what extent this would suggest an increase in illicit flows or an increase in efforts to control arms proliferation. It is also important to note that one single case detected by SBU forces strongly affected the amount of ammunition seized in 2014. On 24 April of that year the authorities seized 1 million rounds of small-calibre ammunition during a search of the warehouses of a weapons-importing company based in Kyiv.⁶ The seizures reported by the DPSU are scarce and partial, but coincide with the information contained in the NISAT database, which suggests a low number of illicit cross-border flows of firearms.⁷ Furthermore, it should be borne in mind that the Ukrainian context is characterised by fluidity in terms of territorial control and border porosity, especially those areas in the eastern parts of the country under the control of the Donetskaya Narodnaya Respublika (DNR) and Luganskaya Narodnaya Respublika (LNR).⁸ It is interesting to observe that our analysis based on the data collected for this chapter resembles the recent finding of the Small Arms Survey that between 2013 and 2016, 770 cases of seizures were identified that included 1,600 small arms, 1.5 million small arms cartridges, 5,000 hand grenades, 20 man-portable air defence systems, and 900 rocket-propelled grenade launchers (RPGs).⁹ In addition, on the basis of

official data from the Office of the Prosecutor General of Ukraine, the Small Arms Survey observed annual seizures of firearms ranging from 1,000 to 2,500 small arms and light weapons in 2014-2017.

Table 1: Small arms, light weapons and ammunition seized, 2014-June 2017 (514 cases)

Source/year	Small arms	Light weapons	Ammunition (rounds)
SBU	1,993	1,042	1,660,893
2014	1,229	97	1,084,668
2015	263	454	199,303
2016	221	177	161,411
First half of 2017	280	314	215,511
DPSU	56	6	1,278
2014	51	6	1,228
2015	–	–	–
2016	5	–	50
First half of 2017	–	–	–
NISAT	557	117	55,610
2014	431	25	22,156
2015	65	38	21,089
2016	61	54	12,365
First half of 2017	–	–	–
Totals	2,606	1,165	1,717,781

Our data analysis further indicates that the predominant types of small arms that can be acquired on the illicit market in Ukraine are self-loading pistols, rifles and assault rifles. The most common types are Makarov and Tokarev pistols, AK-pattern assault rifles (in particular the AK-47, AKM, AKMS and AK-74U variants), and Dragunov sniper rifles. Older small arms such as Mauser rifles, Walther pistols, PPS sub-machine guns, SKS semi-automatic carbines and Mosin-Nagant rifles are also present. Although fewer in number, light machine guns are frequently seized by the authorities. Weapons in this class include the RPK, RPK-74 and PKM. They are often seized together with heavier items, such as anti-tank weapons and explosives.

When looking at the data collected, it is immediately clear that levels of illicit firearms seizures (that were made public) are not uniformly spread across the country (see Figure 1). Differences are to be found between regions, both in terms of quantity and accessibility. Significant concentrations of firearms are located in the so-called Anti-Terrorist Operation (ATO) zone:¹⁰ firearms seizures were unsurprisingly largest in the Donetsk and Luhansk oblasts, where fighting has been the most intense. The ATO zone constitutes a major source of illicit flows for the rest of the country. Illicit weapons are widespread along the Black Sea, Sea of Azov, and regions adjacent to the ATO zone. Outside of the Donbass, firearms seizures were most common in the Dnipropetrovsk and Kyiv oblasts. While the hostilities that have swept the Donbass in recent years have significantly increased firearms trafficking, it is important to note that in western Ukraine political activism and extreme right-wing movements historically proliferated, which corresponds to pronounced levels of firearms ownership, according to some observers.¹¹

Figure 1: Concentration of firearm seizure cases by location



Source: Nations Online Project, adaptation by the authors.

2. Sources of illicit firearms proliferation

In the following subsections we will give an overview of the different types of sources of proliferation that can be identified in Ukraine, with the exception of the cross-border smuggling of firearms. This last source will be included in the description of the various trafficking routes to and from Ukraine in the final section of this chapter.

2.1 Historical legacy of surplus weapons

A significant number of the illegally held firearms that are currently in circulation in Ukraine can be traced back to the armed conflicts that Ukraine experienced in the 20th century. Between the First and Second World War the area that constitutes present-day Ukraine was swept by several armed conflicts. Eastern Galicia was the theatre of the Polish-Ukrainian war fought in 1918 and 1919 following the First World War. In the same years the rest of the country was experiencing a civil conflict that later led to the formation of the Ukrainian Soviet Socialist Republic (SSR) in 1922. Two decades later the fragmented configuration of the country re-emerged once again with the outbreak and unfolding of the Second World War. Many of the weapons used during these armed conflicts remained stored in arms stockpiles after the Soviet revolution and became obsolete after the introduction of the AK assault rifle.¹²

Weapons originating from the conflicts experienced by the country in the first half of the 20th century have also traditionally been stored in households.¹³ Insurgents taking part in the 1917-1922 civil war and earlier revolts regularly buried their weapons so that they could dig them up if the rebellion were reignited. In the aftermath of the 2014 Euromaidan demonstrations the process re-emerged of weapons being held legally or illegally by the civilian population in both pro-government and separatist ranks.¹⁴

Another important historical element that partially explains the high levels of illegal firearms in the country is the fact that the Ukrainian SSR was home to huge military stockpiles and troop deployments. As part of the Soviet Union, Ukraine was critical to the Warsaw Pact's military-industrial complex and defence apparatus.¹⁵ With the dissolution of the Soviet Union, Ukraine inherited 1,810 defence enterprises with a total workforce of 2.7 million employees, which amounted to 30% of the Soviet Union's defence industry.¹⁶ In the stratified Soviet military strategy, the country formed the third defence echelon of the former Warsaw Pact states

in the event of war.¹⁷ Part of this historical tradition has remained: Ukraine is currently still home to several small arms and light weapons manufacturers.¹⁸

2.2 State stockpile capture

Leakage and capture from state arms depots has been a recurrent problem across the former Soviet Union, and particularly in Ukraine. It is important to highlight that during the dismantling of the Warsaw Pact, Soviet troops deployed in Eastern Europe left 2.5 million tons of conventional munitions and more than 7 million rifles, pistols, mortars and machine guns in Ukraine when they withdrew.¹⁹ The subsequent downsizing of the Ukrainian military apparatus created an even larger surplus of firearms. In recent decades many of these weapons have been diverted into the hands of various types of non-state actors as a result of criminal activities or the recent armed conflict in the country. The political upheaval that Ukraine has experienced since 2014 has clearly exacerbated these dynamics. Arms captured from state stockpiles during the first phases of the conflict in the so-called ATO zone represented a crucial source of supply for separatist formations.²⁰

Leakages occur in a variety of ways. Small-scale thefts of firearms stored in state warehouses and embezzlement by state officials constitute two of these ways. In May 2016, for example, a small group of armed criminals were caught breaking into military stockpiles, where they were planning to steal weapons and explosives.²¹ Much attention has been given to the significant numbers of thefts of firearms that belong to the armed forces. Yet leakages from army depots do not represent the only source of diversion from state stockpiles: leakages from SBU and Ministry of Internal Affairs stockpiles have also been recorded.²² For example, in February 2014 SBU officers discovered firearms that had been stolen from an SBU office in Ivano-Frankivsk oblast and hidden in a Kyiv park.²³ Similarly, on 6 May 2014 a tramway driver informed the SBU of a suspicious package in a tram. Nine Makarov pistols and some magazines were discovered in the package; investigations revealed that the weapons had been stolen in February from the Ministry of Internal Affairs in the Lviv region.²⁴

In other cases, separatist fighters have claimed that some of their weapons had been purchased from sympathetic or corrupt Ukrainian forces officials.²⁵ A number of these accusations have been corroborated. In July 2016 Ukraine's defence minister, Stepan Poltorak, was dismissed after the deputy commander of the 53rd Mechanised Brigade was detained after being accused of trading in ammunition.²⁶ The commander was subsequently prosecuted for having allegedly sold more than 5,000 rounds of ammunition.²⁷ The embezzlement of firearms and their

subsequent trafficking by members of the security services appear in the SBU database, but are generally limited to members who trafficked weapons to pro-Russian factions, such as the May 2014 case of a former SBU officer moving 120 firearms and 21,798 rounds of ammunition to mainland Ukraine from Crimea.²⁸ The small-scale embezzlement of firearms by current or former state officials very rarely appears in the database.

2.3 Political transfers to non-state actors

After the Euromaidan protests and the Crimea crisis, various militias formed across Ukraine as defenders of Ukraine's revolution. Perceived corruption and mismanagement in Ukraine's armed forces, as well as the fear of imminent armed conflict, provided a fertile environment for the formation of independent armed groups. These groups – which often labelled themselves 'battalions' – emerged parallel to state structures, and were only subordinated to state structures after they had amassed considerable influence and firepower. Some militias were given the status of territorial self-defence units, while others were put under the command of the Interior Ministry or Ministry of Defence, which acknowledged the military effectiveness of these groups. The various militias appeared on social media wearing body armour and carrying military firearms, while some militias had the backing of regional politicians and businessmen.²⁹

Despite extensive reporting on the financial and political support³⁰ given to Ukraine's various militias, open sources are generally unclear about the exact origin of their military firearms. Several of these pro-Kyiv militias took older model rifles into battle with them.³¹ These were often very old weapons: various videos have appeared from the ATO front lines showing fighters using rifles from the Second World War. These fighters have very happily shown off their weapons to Ukrainian TV.³² Whether the rifles came from civilian stockpiles or were simply found abandoned is currently unknown. It is important to highlight that several examples have been uncovered of Ukrainian units sharing weapons with right-wing militias³³ during training; the militias then post pictures online of their members holding military weapons. These and other items are also traded and sold among the various armed factions operating in Ukraine. This can occur between allied factions, or across the lines of control.

2.4 Craft production and firearms conversion in the criminal underworld

Craft production and the conversion of replica firearms to lethal weapons can be considered significant sources of illicit arms, especially for criminal milieus rather than conflict-affected areas. This is in part due to weak regulation of civilian arms possession in Ukraine, as the Small Arms Survey has illustrated.³⁴ In criminal milieus the craft production of weapons has represented a consistent source of illicit firearms.³⁵ In the 1990s and 2000s a special role had apparently been played by Chechen criminals based in Ukraine who have replicated some of the craft-produced models commonly manufactured in the Chechen criminal underworld.³⁶ In recent years, several workshops have also been discovered that specialise in assembling firearms from parts and components. For instance, a criminal detected and arrested by the SBU in September 2016 manufactured pen pistols in his house. According to the SBU, he worked on demand and produced limited batches that he distributed only to a reliable clientele through a middle man,³⁷ producing the weapons in the back room of his house.

Conversion activities are predominantly carried out outside the ATO zone. Yet in recent years some conversion workshops have also been discovered in the conflict-affected areas. Conversion workshops in Ukraine are mainly established by single individuals or very small groups who primarily produce weapons for criminal networks or single individuals interested in carrying out criminal activities. Although there are not enough data on the profile of clients, given the types of weapons most commonly converted or manufactured in illicit workshops (mainly pistols, revolvers and rifles),³⁸ it is plausible that petty criminals are the primary pool of customers for converted weapons. Some of these converted firearms have also ended up in the ATO zone, however. An SBU press release, for example, reported the arrest of a 42-year-old man who converted arms and sold them to various regions of Ukraine, including Donetsk, Luhansk and Crimea.³⁹

3. Actors

3.1 Organised criminal groups

The leading players in Ukraine's organised crime underworld vary by city and by region. The dynamics are opaque and often only become evident when a power vacuum arises⁴⁰ or when the police raid meetings of criminal kingpins.⁴¹ Cities like Kyiv have a different criminal milieu⁴² to that of Odessa, which has a different

criminal milieu to those of Kharkiv or Lviv, making it almost impossible for outside observers to obtain a clear picture of the situation in the country as a whole. These crime syndicates raise revenue from a variety of sources. For example, a group that trafficks women to Turkey may also be involved in trafficking cigarettes, but not in trafficking firearms, while in turn a group elsewhere in the country may be involved in trafficking women and firearms, but not cigarettes. Sometimes, of course, a syndicate may be involved in all three types of trafficking.⁴³

Understanding the role of organised crime syndicates in trafficking firearms is a complex process, because Ukraine has seen isolated cases of huge illicit transfers. In these cases a number of high-level state officials have facilitated massive arms flows to embargoed third parties, often states under international embargo. The most prominent case was that of the MV *Faina*, a Ukrainian cargo ship⁴⁴ that was caught trafficking tanks, artillery and AKM assault rifles to Sudan⁴⁵ after it was captured by pirates.⁴⁶ The infrastructure required for operations of this scale is beyond the capability of most criminal gangs and organised crime groups.

3.2 Individuals and loosely structured networks

The proliferation of firearms in Ukraine has unsurprisingly made access to them easier for civilians. When confronted by the authorities, some will justify their illicit possession of firearms by claiming they simply found them abandoned somewhere,⁴⁷ such as in a forest. In order to deal with this phenomenon, the SBU and other law enforcement agencies organise voluntary surrender periods twice a year. When one of these amnesty periods was held in Kyiv, 400 firearms were handed over to the authorities.⁴⁸ Alternately, rather than voluntarily surrendering weapons and ammunition to the authorities, citizens may either keep them for themselves or attempt to sell them. Due to corruption and mismanagement throughout the country, firearms trafficking can serve as an attractive source of income for those with the opportunity to do so.

It is usually assumed that mafia-like criminal organisations are the main perpetrators of arms trafficking. However, according to the available data, most of the groups involved in arms trafficking are not as hierarchically structured as one might think. Frequently, networks are formed by several individuals working together, in person or remotely. These groups constitute highly flexible, loosely and horizontally structured networks. These connections may be established through personal networks, familial or other social bonds, needs, and the capacity to access arms. If individuals are not embedded in social networks that include militia

members, criminal groups or others interested in acquiring firearms, these attempts at entrepreneurship will often fail.

Cases of firearms trafficking by individuals without connections to organised crime groups are quite numerous. Often these firearms are trafficked from the ATO zone to other parts of Ukraine. In April 2015, for example, the SBU seized firearms and explosives that had been taken from the ATO zone. In this case, locals had been trying to sell RPGs, light machine guns, smooth-bore rifles and hunting carbines that had come into their possession.⁴⁹ Another example from 2015 was when a person living in an oblast west of Kyiv was caught planning to sell a silenced Kalashnikov rifle and armour-piercing rounds for \$2,000. The activist had planned to supply the weapons through contacts in the ATO zone.⁵⁰ A very similar case that led to the discovery of such a network occurred at the Kyiv Central Station in May 2017, when an individual was arrested and six foreign-produced carbines and a fake licence to carry a firearm were seized. The individual acted alone and created his own network of clients by linking locations where firearms were more available (in particular in the ATO) and places with lower availability, but higher demand.

3.3 Conflict actors

The above-mentioned examples demonstrate that the recent armed conflict in Ukraine has clearly facilitated access to firearms in the country and significantly increased trafficking opportunities. There are concerns that some pro-Ukraine militias operating in the ATO, for example, have been selling equipment. Unfortunately, for research purposes many of these allegations come from Russian-based outlets and are difficult to confirm. That said, evidence in the database shows examples of light weapons being seized from territorial defence units, as noted earlier when weapons were taken from a territorial defence unit based in Kyiv.⁵¹ Militias supporting the Kyiv government are resourceful and able to access firearms when they want or need to. One volunteer battalion in particular was caught by the Main Directorate for Fighting Organised Crime, National Police, and DPSU hoarding a 'record amount' of stolen weapons and explosives.⁵²

The Russian government has also been accused of providing a wide range of arms, munitions and armoured vehicles to separatist fighters.⁵³ Some of these accusations have proved to be demonstrably false, while the veracity of others remains uncertain.⁵⁴ Yet it is important to remember that the independent researchers at Armament Research Services (ARES) found that existing stockpiles were the most important source of weapons in insurgents' hands.⁵⁵ It is difficult to confirm Russian support in the form of weapons supplies to parties to the conflict, given the

similarities between weaponry in Ukrainian stockpiles and the arsenals of former Soviet countries, and due to a lack of reliable information – which can often assume extremely different meanings depending on the source that releases it. ARES found that it is likely that separatist forces received some level of support from one or more external parties. Such weaponry would have likely included small arms and light weapons.

4. Trafficking routes

In general terms, the trafficking routes of illicit firearms do not necessarily represent linear movements from point A to point B, but rather follow more complex and fragmented trajectories that can only be partially traced by law enforcement. Data reported by the SBU and other state agencies are partial, depict only a small portion of trafficking patterns, and frequently do not indicate the intended final destination of the firearms. Despite these caveats, several main trajectories can be identified. In this section we will distinguish among (1) *intra-Ukraine trafficking*, where firearms are trafficked between different cities and oblasts in Ukraine; (2) *regional trafficking* to and from neighbouring countries and other countries in the broader region such as Russia, Belarus, Moldova, Georgia, Turkey and the former Yugoslavia; and (3) *trafficking to and from EU member states*. It is important to stress that our analysis has indicated that information on transnational movements of firearms is considerably less than that on intra-Ukraine trafficking. This suggests that the relative ease with which firearms are available in Ukraine allows entrepreneurial individuals and networks to traffic firearms without becoming involved in the acquisition and transport of other traditionally illicit goods.

4.1 Intra-Ukraine trafficking

Intra-Ukraine firearms trafficking often involves illicit movements to and especially from the ATO zone. Examples of firearms moving out of the ATO zone include the SBU's August 2015 seizure of grenade launchers and small arms of various calibres in Transcarpathia.⁵⁶ An illustrative example of arms flowing into the ATO zone involves the seizure of a large batch of firearms, ammunition and explosives in a Kyiv hotel hosting volunteer battalions. The individuals occupying the hotel room in question explained that the seized weapons were supposed to go to the ATO zone.⁵⁷ It is unclear at this time if firearms follow the same routes as the well-documented cigarette, alcohol and fuel trade from the ATO zone to the rest of Ukraine.⁵⁸

Illicit weapons movements occurring outside the ATO zone have also been documented. The cities of Odessa, Dnipropetrovsk, Kharkiv and Kyiv are important logistic hubs for criminal networks. Odessa in particular has been a haven for smugglers since the 1990s and has a vibrant market that finds itself positioned at the crossroads of Ukraine's illegal gun trade. Press reports suggest that repaired weapons⁵⁹ are accessible to the Odessa underworld. These weapons can come from outside the city, but are also modified by small-time gunsmiths⁶⁰ in Odessa itself. Police have even found custom-made firearms manufactured using machine tools.⁶¹ Parts for sniper rifles and other items are easily transported through the city's postal system.⁶²

4.2 Regional trafficking

At the regional level, wars in Eastern Europe have been an important source of illicit firearms in Ukraine during the last 25 years. In particular, the civil war in the adjacent Transnistria, conflicts in the former Yugoslavia, and two wars in Chechnya contributed to the establishment of regional networks of illicit trafficking and influxes of firearms originating from these war-torn subregions into Ukraine.⁶³ The small-scale movement of firearms in cars or on buses continues to be an issue for Ukraine's border service.⁶⁴ Further north, trafficking to Belarus via either Chernihiv oblast or Kyiv oblast remains an issue. Belarus saw a rise in firearm seizures in both 2015 and 2016. The issue was so serious that in April 2016 Belarus announced it had launched a 'special operation' to tackle the issue of arms coming in from Ukraine, but it is unclear what measures were taken and what the results of this operation were.⁶⁵

4.3 Trafficking to and from the EU

Transnational firearms-trafficking routes into the EU are less understood than the transnational trafficking of drugs and people from Ukraine into the EU. Several hubs for the cross-border smuggling of all kinds of products to the EU, including firearms, can be identified. As mentioned earlier, Ukraine's port city of Odessa is a key hub in the so-called 'Black Sea Route' for the trafficking of cocaine and heroin⁶⁶ into the EU. Elements of the city's elite benefit financially from goods and services travelling through Odessa. Because of the political sensitivities around weapons trafficking, it is often difficult to pinpoint which elements of the city's criminal milieu are involved in the process.

The border between Ukraine and Poland remains a point of concern. The case of Grégoire Moutaux (see above) exemplifies how relatively easy it is to transport large amounts of goods across the border. In the video that the SBU released to the public, hidden cameras show a man purported to be Moutaux loading a van with box after box of weapons and explosives. When laid out for the cameras, the sheer volume of weapons that Moutaux was reportedly able to move in one shipment is thrown into stark relief.⁶⁷

Straddling Ukraine and Poland lie Volyn and Lviv oblasts, both of which are known for their illicit networks. Volyn is known for its notorious ‘amber mafias’, which control the region’s lucrative – and violent⁶⁸ – amber trade. Amber is transported from Volyn to Poland primarily via land border crossings,⁶⁹ but also sometimes by air. In June 2016 the SBU seized an aircraft trafficking amber, cigarettes and weapons into Poland.⁷⁰ This confirms that some level of overlap exists between the trafficking of firearms, cigarettes and amber. It would not be surprising if local officials were tacitly involved. In December 2017 the SBU broke up a sophisticated human-trafficking operation in Volyn that had the backing of corrupt local officials.⁷¹

Further south lies the Ukrainian oblast of Lviv. The capital of the same name is notorious as a smuggling hub. Cigarette and drug trafficking are so prevalent there are even Polish-language guides for how to move drugs and cigarettes across the border.⁷² The region has been documented as a smuggling and trafficking hub since at least the late 1990s.⁷³ Goods include cigarettes and a variety of other products that can be sold at a large markup in the EU. This incentivises sectors of society who would otherwise not associate themselves with the trafficking of goods to become involved, especially in times of economic hardship. According to a *Kyiv Post* report, there are at least six main border crossings between Lviv and Poland alone.⁷⁴ Press reports indicate that between 2013 and the 18 months following the outbreak of violence in Ukraine, firearm seizures at the Polish-Ukrainian border jumped from three to 53.⁷⁵ Whether the firearms were seized on the Ukrainian or Polish side of the border is unclear.

Little is known about firearms trafficking from Zakarpatska oblast, sometimes translated as the ‘Transcarpathia region’, which borders Slovakia, Hungary and Romania, and lies on the southern border of Lviv oblast. Isolated incidents such as the July 2014 seizure of a revolver from an individual crossing the Ukrainian-Hungarian border are recorded in the database,⁷⁶ but there is no evidence of the existence of systematic weapons-trafficking routes. Nevertheless, press reports suggest that from late 2016 local customs officials had been providing ‘*krisha*’ or official cover to smugglers in the region.⁷⁷ In 2017 large seizures of other products

such as amber were still occurring.⁷⁸ While indicative of the continued illicit trade, press reports do not indicate large numbers of weapons crossing the border.

5. Conclusion

Ukraine's illicit firearm's market can be characterised as a relatively accessible environment for individuals with the opportunity and willingness to participate in the market. While massive amounts of firearms are not available to every single individual, firearms in considerable quantities and variety remain fairly accessible through illicit circuits. Although several historical elements have contributed to the proliferation of firearms in Ukraine, criminal activities and the recent outbreaks of armed violence in the country have significantly increased the opportunities for illicit firearms trafficking. Arms leakages from the ATO in eastern Ukraine to the rest of the country have been documented and persist today. As the conflict there reaches a stasis and demand for weapons subsides, the risk of more weapons proliferating to central and western Ukraine increases. The presence of entrepreneurial networks of individuals and more structured but opaque criminal and conflict-related networks form the basis of this threat. Their activities are facilitated by endemic corruption at the regional and local levels.

The illicit proliferation of firearms observed in Ukraine also gives individuals with malign intentions access to these weapons and the possibility of smuggling them into the EU. As mentioned earlier, the number of weapons seizures on the Polish border jumped from three to 53 following the outbreak of hostilities in Ukraine. Although until now relatively few cases of cross-border arms trafficking have been documented, a consistent threat exists of small arms and light weapons proliferating from Ukraine in the future. This perception has been explicitly stressed by law enforcement officials from several EU member states during the Project SAFTE research process (see earlier chapters of this book). In addition to firearms, the weapons seized by Ukrainian authorities include everything from firearms to anti-tank weapons, heavy anti-personnel weapons and explosives. The potential availability of these weapons makes the threat of proliferation all the more conspicuous and relevant, especially in light of the increased terrorist threat in the EU.

ENDNOTES

- 1 Yaffa, J., 'Ukraine, a "Supermarket for Guns' (17 January 2017), <http://www.newyorker.com/culture/photo-booth/ukraine-a-supermarket-for-guns>, consulted in June 2017; and Georgiy Uchaikin, head of the Ukrainian Gun Owners Association, reported by various media sources.
- 2 Martyniuk, A. (2017), note 3: "The main relevant by-law—Interior Ministry Instruction No. 622—was promulgated on 21 August 1998; see Ukrainian Parliament (1998)."
- 3 The Ukrainian government proposed to amend the country's Criminal Code to criminalise the trafficking of these items in May 2017. SBU, http://www.sbu.gov.ua/sbu/control/en/publish/article?art_id=124510&cat_id=124353, consulted in June 2017, no longer available.
- 4 Dumskaya, September 4, 2015, "In Odessa a Chinese citizen pretended to be a member of the armed forces in order to obtain weapons", <http://dumskaya.net/news/v-odesse-gragdanin-kitaya-prikinulsya-voennoslug-050009/>.
- 5 Martyniuk, A. (2017).
- 6 14 April 2014 the President of Ukraine published the decree about the start of anti-terrorist operation in the regions of Donetsk and Luhansk. ATO zone is the zone controlled by insurgents and is not under effective control of the Ukrainian government. The surface and extensions of the ATO zone has changed over the years as a consequence of armed confrontation between the Ukrainian army and the insurgents from the DNR and LNR.
- 7 Martyniuk, A. (2017), p.4.
- 8 Written communication with Alessandra Russo, 1 June 2017.
- 9 Martyniuk, A. (2017).
- 10 Ferguson, J. and Jenzen-Jones, N.R. (2014), Armament Research Services (ARES), Raising Red Flags: An Examination of Arms and Munitions in the Ongoing Conflict in Ukraine, Report No. 3, <http://armamentresearch.com/Uploads/Research%20Report%20No.%203%20-%20Raising%20Red%20Flags.pdf>; Martyniuk, A. (2017), p.4; Yaffa, J., The Chaos Engulfing Eastern Ukraine (23 May 2014), <http://www.newyorker.com/news/news-desk/the-chaos-engulfing-eastern-ukraine>, consulted in June 2017.
- 11 Gilley, C. (2015), Otamanshchyna? The self-formation of Ukrainian and Russian warlords at the beginning of the twentieth and twenty-first centuries, *Ab Imperio*, 2015: 3, pp. 73-95; Himka, J.P., (2015).
- 12 SBU, http://www.sbu.gov.ua/sbu/control/en/publish/article?art_id=124772&cat_id=124353, no longer available; SBU, http://www.sbu.gov.ua/sbu/control/en/publish/article?art_id=124642&cat_id=124353, no longer available.
- 13 Gilley, C. (2015), Otamanshchyna? The self-formation of Ukrainian and Russian warlords at the beginning of the twentieth and twenty-first centuries, *Ab Imperio*, 2015: 3, pp. 73-95, pp. 87-88.
- 14 Griffith, H. and Karp, A. (2008), Ukraine: Coping with Post-Soviet Legacies, *Contemporary Security Policy*, 2008: 29:1, pp. 202-228.

- 15 UNODC (2010), *The globalization of crime a transnational organized crime threat assessment*, chap. 6, *Firearms*, Wien: United Nations Publications, 129-149, <https://www.unodc.org/documents/data-and-analysis/tocta/6.Firearms.pdf>.
- 16 Griffith, H. and Karp, A. (2008).
- 17 Chivers, C.J., *Post-Soviet Danger: Vulnerable Munitions Depots* (16 July 2005), <http://www.nytimes.com/2005/07/16/world/europe/postsoviet-danger-vulnerable-munitions-depots.html?mcubz=1>, consulted in June 2017.
- 18 Ukroboronprom, <http://ukroboronprom.com.ua/en/category/struktura/za-regionom/kyyivska-oblast/page/2>.
- 19 Chivers, C.J., *In Ukraine, Spent Cartridges Offer Clues to Violence Fueled by Soviet Surplus* (24 June 2014), <https://atwar.blogs.nytimes.com/2014/07/24/in-ukraine-spent-cartridges-offer-clues-to-violence-fueled-by-soviet-surplus/>, consulted in June 2017.
- 20 SBU, <https://ssu.gov.ua/ua/news/1/category/21/view/1031#.ub5BZ1LC.dpbs>.
- 21 See for instance a case of the SBU discovering a group of (at least) three people (two Ukrainians and one Russian) who were trying to sell weapons allegedly stolen from military stockpiles: SBU, СБУ викрила злочинне угруповання, що викрадало зброю з військових складів (25 May 2016), <https://ssu.gov.ua/ua/news/1/category/21/view/1031>, consulted in June 2017.
- 22 SBU, http://www.sbu.gov.ua/sbu/control/en/publish/article?art_id=126013&cat_id=124945, no longer available.
- 23 SBU, http://www.sbu.gov.ua/sbu/control/en/publish/article?art_id=124904&cat_id=124945, no longer available.
- 24 Ferguson, J. and Jenzen-Jones, N.R. (2014), p.84.
- 25 LB.ua, *Senior army officer arrested for selling ammunition* (22 July 2016), https://en.lb.ua/news/2016/07/22/1459_senior_army_officer_arrested.html, consulted in June 2017.
- 26 Ibid.
- 27 SBU, https://ssu.gov.ua/sbu/control/en/publish/article?art_id=126001&cat_id=124945, no longer available.
- 28 LB.ua, July 10, 2014. “Тарута хочет убрать батальон “Днепр” из Донецкой области” https://lb.ua/society/2014/07/10/272477_taruta_hochet_ubrat_batalon_dnepr.html.
- 29 Sergatskova, Katerina, Hromskade, October 13, 2016, “Ми намагаємося прийти до влади через вибори, хоча маємо всякі можливості” — як “Азов” стає партією, <https://hromadske.ua/posts/мы-намагаємось-прийти-до-влади-через-выборы-хоча-маємо-всі-які-можливості-як-азов-стає-партією>.
- 30 *ibid.*
- 31 Nemtsova, Anna, *The Daily Beast*, May 27, 2014, “War and Murder in Eastern Ukraine”, <https://www.thedailybeast.com/war-and-murder-in-eastern-ukraine>.
- 32 TSN Brazhe, May 17, 2015, “Чеченці, що боролися за свою незалежність, тепер воюють за Україну”, <https://www.youtube.com/watch?v=HFO-B69iVnk&t=314s>, accessed January 21, 2018.
- 33 Toler, Aric, January 16, 2018. <https://twitter.com/AricToler/status/953328838100094976>. In reference to DFR lab “American Lethal Weapons Could Already Be on the Ukrainian Front Line”.
- 34 Martyniuk, A. (2017).
- 35 Ferguson, J., Jenzen-Jones, N.R. (2014).

- 36 ImproGuns (2013), Examples of criminally made and modified firearms seized in Ukraine, *The Firearm Blog* (8 August 2013), <http://www.thefirearmblog.com/blog/2013/08/08/examples-criminally-modified-firearms-seized-ukraine/>, consulted in June 2017. Although reported in the literature, in 2014-2017 SBU and other sources analysed for this study have never reported a seizure of these type of firearms.
- 37 Newsme, In Transcarpathia found a workshop for manufacturing weapons (10 September 2016), <http://newsme.com.ua/en/society/3529452/>, consulted in June 2017.
- 38 SBU, <https://ssu.gov.ua/ua/news/47/category/21/view/3016#.VmMgbNHJ.dpbs>, no longer available.
- 39 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=129326&cat_id=128580, no longer available.
- 40 Holmov, Nikolai, Odessa Talk, July 31, 2016, "A bubbling underworld – Odessa", <http://www.odessatalk.com/2016/07/bubbling-underworld-odessa/>.
- 41 Segondaya, July 1, 2016, "В Киеве полиция накрыла "сходку" "воров в законе", <https://kiev.segodnya.ua/kaccidents/v-kieve-policiya-nakryla-shodku-vorov-v-zakone-729586.html>.
- 42 Fakti, February 2, 2017, "Полиция Киева задержала известного во многих странах «воравзаконе», <http://fakty.ua/230340-policiya-kieva-zaderzhala-izvestnogo-vo-mnogih-stranah-vora-v-zakone>.
- 43 US Department of Justice, Federal Bureau of Investigation, "Semion Mogilevich Organization Eurasian Organized Crime", 1996, p. 1.
- 44 CNN, February 5, 2009, "Pirates release ship carrying tanks, other arms", <http://edition.cnn.com/2009/WORLD/africa/02/05/somalia.piracy.ukraine/index.html>.
- 45 OCCRP, Springe, Inga; Graham Stack, March 15, 2012, "The Latvia Proxies", <https://www.reportingproject.net/proxy/en/the-latvian-proxies>.
- 46 The Guardian, Jones, Sam; Chris McGreal, February 6, 2009, "Somali pirates release Ukrainianarmsship", <https://www.theguardian.com/world/2009/feb/05/somali-pirates-free-military-ship>.
- 47 National Police of Ukraine, Работники полиции харьковщины изъяли у мужчины оружие (30 March 2017), <https://hk.npu.gov.ua/ru/publish/article/252267>, consulted in June 2017.
- 48 Korrespondent.net, В Киеве добровольно сдали более 400 единиц оружия (9 August 2016), <http://korrespondent.net/city/kyev/3729265-v-kyeve-dobrovolno-sdaly-bolee-400-edynyts-oruzhyia>, consulted in June 2017.
- 49 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=141394&cat_id=139770, no longer available.
- 50 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=146654&cat_id=145089, no longer available.
- 51 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=155044&cat_id=153334, no longer available.
- 52 Ukrainska Pravda, July 6, 2016, "Рейд на полк "Днепр-1": изъято оружие, украденное в зоне АТО", <https://www.pravda.com.ua/rus/news/2016/07/6/7113856/>.
- 52 Ukrainska Pravda, July 6, 2016, "Рейд на полк "Днепр-1": изъято оружие, украденное в зоне АТО", <https://www.pravda.com.ua/rus/news/2016/07/6/7113856/>.
- 53 See Mille (2014), Reuters (2014), Seldi (2014) and МЗС (2014) quoted in Ferguson, J. and Jenzen-Jones, N.R. (2014), p. 84.

- 54 Ferguson, J. and Jenzen-Jones, N.R. (2014), p. 84.
- 55 Ismay, J., Tracking the Weapons Used to Fight Ukraine's War (2 February 2015), http://atwar.blogs.nytimes.com/2015/02/02/tracking-the-weapons-used-to-fight-ukraines-war/?smid=tw-share&_r=3, consulted in June 2017; Ferguson, J. and Jenzen-Jones, N.R. (2014).
- 56 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=154853&cat_id=153334, no longer available.
- 57 SBU, http://www.sbu.gov.ua/sbu/control/uk/publish/article?art_id=155044&cat_id=153334, no longer available.
- 58 Polukhina, Yulia, Novaya Gazeta, October 24, 2016, "Власть взяла контрабанда", <https://www.novayagazeta.ru/articles/2016/10/24/70277-vlast-vzyala-kontrabanda>.
- 59 Dumskaya, January 13, 2018, "Аккерманец переделывал травмы в боевое оружие, и продавал по интернету", <http://dumskaya.net/news/akkermanetc-peredelyval-travmaty-v-boevoe-oruzhi-081396/>.
- 60 Dumskaya. May 10, 2017, "Одессит наладил подпольное производство оружия и боеприпасов, переправляя заказы по почте", <http://dumskaya.net/news/odessitaladil-podpolnoe-proizvodstvo-oruzhiya-072044/>.
- 61 National Police of Ukraine, January 19, 2018, "В ОДЕСІ ПІСЛЯ СТРІЛЯНИНИ ПОЛІЦІЯ ВИЯВИЛА ЦЕХ З ВИГОТОВЛЕННЯ АТИПОВОЇ ЗБРОЇ (ФОТО, ВІДЕО)", <https://www.npu.gov.ua/uk/publish/article/2223714>.
- 62 Dumskaya, September 1, 2017, "Одессит наладил контрабанду оружия: он разбирал по деталям винтовки с пистолетами и отправлял их по почте", <http://dumskaya.net/news/sbu-presekla-kontrabandu-oruzhiya-foto-076450/>.
- 63 Martyniuk, A. (2017); and Sibirtsev, A., Как менялся рынок оружия Одессы. Часть третья: от перестройки и «лихих 90-х» до войны на востоке (24 December 2015), <http://dumskaya.net/news/kak-menyalsya-rynok-orugiya-odessy-chast-tretya--053823/>, consulted in June 2017; Munteanu, M., "Moldova: Criminal Underground Feeds Ukrainian Civil War With Russian Weapons" (3 July 2014), <https://reportingproject.net/occrp/index.php/en/ccwatch/cc-watch-indepth/2505-moldova-criminal-underground-feeds-ukrainian-civil-war-with-russian-weapons>, consulted in June 2017.
- 64 DPSU, May 15, 2014, "Unknown person put more than 60 rounds into glass cans with meat", <http://dpsu.gov.ua/en/news/unknown-persons-put-more-than-60-rounds-into-glass-cans-with-meat/>.
- 65 Wesolowsky, T., Flood of Weapons Makes Eastern Ukraine Ripe for Arms Trade (14 June 2016), <https://www.rferl.org/a/ukraine-flood-of-arms-east-conflict-smuggling/27797454.html>, consulted on June 2017.
- 66 EUROPOL, OCTA 2011: EU Organised Crime Threat Assessment, <https://www.europol.europa.eu/activities-services/main-reports/octa-2011-eu-organised-crime-threat-assessment>.
- 67 SBU, June 6, 2016, "СБУ попередила теракти у Франції під час Євро-2016", accessed January 22, 2018.
- 68 Kozac Michal, Financial Observer, November 28, 2015, "An amber war breaks out in western Ukraine", <https://financialobserver.eu/cse-and-cis/an-amber-war-breaks-out-in-western-ukraine/>.
- 69 112 Ukraine, March 17, 2016, "Smugglers seized trying to haul a record batch of amber from Ukraine to Poland", <https://112.international/ukraine-top-news/smugglers-seized-trying-to-haul-a-record-batch-of-amber-to-poland-3326.html>.

- 70 SBU, SBU confiscates smugglers' plane in Volyn Region (14 June 2016), <https://ssu.gov.ua/ua/news/225/category/21/view/1184#sthash.Tj9qZROD.dpuf>, consulted in June 2017.
- 71 Unian, December 17, 2017, "SBU busts human smugglers in EU-bordering Volyn region", <https://www.unian.info/society/2302691-sbu-busts-human-smugglers-in-eu-bordering-volyn-region.html>.
- 72 Cebulski Kamil, Blog, March 19, 2015, "O ukrywaniu narkotyków przed złodziejami", <https://kamilcebulski.pl/o-ukrywaniu-narkotykow-przed-zlodziejami/>.
- 73 Wines, Michael, New York Times March 1, 1999, "Rava-Ruska Journal; The Border Is So Near, the Smuggling So Easy", <http://www.nytimes.com/1999/03/01/world/rava-ruska-journal-the-border-is-so-near-the-smuggling-so-easy.html>.
- 74 Romanyshyn, Yuliana, Kyiv Post, October 5, 2016, "Lviv Oblast's border with Poland is clogged daily with opportunistic small traders", <https://www.kyivpost.com/business/lviv-oblasts-border-poland-clogged-daily-opportunistic-small-traders.html>.
- 75 Porter, Tom, IB Times, June 6, 2016, "Poland: Weapon smuggling following Ukraine war arming organized crime and terrorists in western Europe", <http://www.ibtimes.co.uk/poland-weapon-smuggling-following-ukraine-war-arming-organised-crime-terrorists-western-europe-1533683>.
- 76 DPSU, March 8, 2014, "Ukrainian citizen was detained in diving suit and with weapons near the border with Hungary", <http://dpsu.gov.ua/en/news/ukrainian-citizen-was-detained-in-diving-suit-and-with-weapons-near-the-border-with-hungary/>.
- 77 Novoe Vrema, December 7, 2016, "На Закарпатті викрили митників, які "кришували" контрабанду", <https://nv.ua/ukr/ukraine/events/na-zakarpatti-vikrili-mitnikov-kryshuvah-312516.html>.
- 78 Segodaya, January 18, 2018, "Закарпатський таможенник пропустив в Венгрию около тонны янтаря", <https://www.segodnya.ua/regions/lvov/zakarpatskiy-tamozhennik-propustil-v-vengriyu-okolo-tonny-yantarya--1106696.html>.