

Lethal legacies: Illicit firearms and terrorism in France

NICOLAS FLORQUIN AND ANDRÉ DESMARAIS¹

This chapter analyses the illicit firearms market in France, the ways in which terrorist networks have been able to access firearms, and the national policies that have been developed to combat (terrorist access to) the illicit gun market. Particularly since 2015, France has by far been the European country most affected by terrorist attacks involving the use of firearms. The use of fully automatic rifles in the January and November 2015 Paris attacks took an unprecedented human toll, with 147 deaths in those events alone.¹ In 2015 the French authorities made 424 terrorism-related arrests, compared to 238 in 2014 and 225 in 2013.²

The recent attacks have created a push to reform the country's intelligence and security forces in order to adapt to, anticipate and better respond to these threats.³ The government has also identified a series of measures to tackle the issue of illicitly held firearms: the Ministry of the Interior's National Action Plan was launched on 13 November 2015, just hours before the attack on the Bataclan theatre started.⁴ Yet these efforts can only rely on limited information on and analysis of the extent and nature of the illicit arms market in France, owing principally to the fact that levels of gun violence in France were previously moderate, if not low by international standards.

This study constitutes an unprecedented effort to present and analyse data and information on illicit firearms and their acquisition by terrorist actors in France. Indeed, the literature on the illicit firearms market in France is particularly scarce, with only a few notable exceptions. To overcome this lacuna, this study uses a combination of quantitative and qualitative methods (see Box 1).

¹ The authors would like to thank their colleagues at the Small Arms Survey for supporting this research, particularly Anna Alvazzi del Frate for her overall guidance, as well as Moshe Ben Hamo Yeger for his research assistance.

Box 1: Research design

Several methods were used to analyse the illicit gun market in France, terrorist access to this market and the policy that has been developed to combat this security phenomenon.

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, the research team collected and analysed quantitative data from several state services, including statistics on legally registered firearms, weapons seizures, crime forensic and ballistics analyses, gun-related crime and morgue examinations.

Lastly, more than 25 in-depth interviews with key actors involved in combating (terrorist access to) the illicit firearms market in France were conducted between March and May 2017. The research further drew from other research undertaken by the Small Arms Survey in France since late 2016 on the specific but related issue of illicitly converted firearms. Unless specified otherwise, representatives from the institutions listed below were met in person, with interviews often followed by additional written communications and data sharing. The names and affiliations of several informants are kept anonymous in the text through the use of interview codes. This list does not include a number of informants and experts with specific knowledge who were interviewed in their personal capacities.

Central and regional state services

- Direction Générale des Douanes et Droits Indirects (DGDDI), Bureau D3, Lutte contre la fraude, Montreuil
- Direction Nationale du Renseignement et des Enquêtes Douanières (DNRED), Ivry-sur-Seine
- Tribunal de Grande Instance de Paris, by phone
- Section Centrale des Armes, Explosifs, et Matières Sensibles (SCAEMS), Direction Centrale de la Police Judiciaire (DCPJ), Nanterre
- Service Central des Armes (SCA), Nanterre
- Sous-Direction Anti-Terroriste, DCPJ, by phone
- Pole Judiciaire de la Gendarmerie Nationale, Cergy Pontoise
- Institut de Recherche Criminelle de la Gendarmerie Nationale (IRCGN), Cergy Pontoise
- Service Central d'Identité Judiciaire, DCPJ, Ecully

- Institut National de la Police Scientifique (INPS), Ecully
- Direction Interrégionale de la Police Judiciaire, Marseille
- Centre de Déminage, Marseille
- Unité Médico-Légale, Marseille

Municipal-level security actors

- Communauté d'Agglomération Melun Val de Seine, Dammarie-lès-Lys
- Association Nationale des Cadres Territoriaux de la Sécurité, Saint Etienne

Research and training institutions

- Observatoire National de la Délinquance et des Réponses Pénales (ONDRP), Paris
- Ecole Nationale Supérieure de la Police, Saint-Cyr-Au-Mont-d'Or

Other actors

- Banc National d'Epreuve, Saint Etienne
- Chambre Syndicale des Armuriers, by phone

The report consists of three main sections and a conclusion. The first section examines French national policy established in the wake of the 2015 terrorist attacks to combat the illicit firearms market. In doing so, it identifies the main actors involved, the data management tools being developed, the state of international cooperation and remaining challenges identified by interviewed stakeholders. The second section analyses the characteristics of the illicit firearms market in France. It discusses the size of this market, the general typology of illicit firearms in France, black market prices, and the main sources of supply of and actors involved in the illicit firearms market.

The third section focuses on terrorist actors' access to the illicit firearms market in France. It starts with an overview of terrorist activities and attacks involving firearms in France since the early 1990s. This is followed by an analysis of the typology and acquisition of firearms used by terrorist networks in France. Due to the secrecy surrounding ongoing terrorism-related investigations, official information was not available on the proximate sources of supply for firearms used in recent jihadist attacks. French services have nevertheless provided detailed unpublished data on the models of firearms and types of ammunition used in several incidents, as well as on the status of their tracing efforts. Combined with available open-source reporting, this information makes it possible to draw some important conclusions on the links between terrorist acquisition of firearms and organised crime.

1. National policy to fight (terrorist access to) the illegal firearms market

The recent wave of terrorist attacks in France have created a push to accelerate reform of the country's intelligence and security forces in order to adapt to, anticipate and better respond to these threats.⁵ France declared a state of emergency on the night of the November 2015 attacks in Paris, which was extended until new anti-terror legislation entered into force on 1 November 2017.⁶

In parallel, the government has also identified a series of measures to specifically tackle the issue of illicitly held firearms. The Ministry of the Interior's National Action Plan on illegally held weapons was launched on 13 November 2015, only hours before the start of the November 2015 Paris attacks that killed 130 people.⁷ The plan includes a set of 20 measures, grouped under five core pillars. The French customs service devised its own action plan containing 14 measures that focus on giving the institution the judiciary, operational and intelligence means to address the issue.⁸ Regular coordination meetings are organised to ensure the coherence and complementarity of the two plans.⁹

The following section reviews efforts to address each of the five pillars identified in the Interior Ministry's action plan on firearms. In doing so, it identifies the main actors involved, the data management tools being developed, the state of international cooperation and remaining challenges identified by interviewed stakeholders.

1.1 Reinforcing knowledge on trafficking routes and actors

This set of measures includes improving the collection and analysis of intelligence, including the development of a database of seized, recovered and found firearms. It also envisions making the ballistics testing of firearms systematic in all judiciary investigations. The plan further notes the need to improve general knowledge of firearms and of the relevant legal regulations among police officers, gendarmes, and local state officials.¹⁰

The following sections of this report will draw largely from law enforcement agencies' data management systems. The SCAEMS at the DCPJ in Nanterre centralises data on seized, recovered, found and lost weapons recorded by both the police and gendarmerie. Data for 2015 can be disaggregated by legal weapons category and *département*. However, the SCAEMS noted that the current system does not allow

these statistics to be broken down by type of crime or offence, or users to determine the proportion of seized weapons that are or were previously registered.¹¹ Developing these capabilities would help to provide a more detailed understanding of the sources and uses of illicit weapons. It would also be in line with international commitments to reduce illicit arms flows under Target 16.4¹ of the UN's Sustainable Development Goals.¹²

The Fichier National d'Identification Balistique (FNIB, a ballistics database) is hosted by the INPS in Ecully and is based on the Evofinder system.¹³ Created in early 2016, as of 31 December 2016 it included 16,576 ballistics entries from both the police and gendarmerie, including new cases entered since the inception of the system, as well some old cases that could be transferred from the previous CIBLE database. Open cases for which the crime weapon has not been retrieved are also being re-entered into the new system. The system remains in its infancy, however, with less than 50% of seized weapons currently being examined by the laboratories. This proportion has been growing following internal guidelines requesting the security services to systematically submit recovered firearms to forensic analysis, as well as the establishment of 'proximity ballistics' (*ballistique de proximité*) facilities across France since 2010.¹⁴

The FNIB database holds promise for improved ballistics analysis in France and for facilitating ballistics information exchanges with other European partners, especially if its coverage can expand to include all seized firearms. In 2016 alone the system identified 60 ballistic 'hits', establishing links between different criminal cases where the same weapon was used. Several of these hits had been missed by the previous CIBLE database.¹⁵ Given the FNIB database's technical focus, its utility for generating analysis on the nature of arms trafficking could still be improved: while the system allows for disaggregating data by type of offence or crime, many offences are grouped under a catch-all category entitled '*infraction à la législation sur les armes*' (breaches of the firearms law), which would merit further disaggregation. Furthermore, determining whether examined weapons were previously registered in the Application de Gestion du Répertoire Informatisé des Propriétaires et Possesseurs d'Armes (AGRIPPA database) and future Système d'Information des Armes (SIA database) would help better ascertain the origins of the seized weapons.

Police and gendarmerie officials noted the need to train officers in the field to enhance their understanding of the significance of firearms in criminal investigations and improve the quality of their recording of information on seized

1 As of May 2017 the proposed indicator for monitoring progress towards this target is the 'Proportion of seized, found or surrendered arms whose illicit origin or context has been traced or established by a competent authority in line with international instruments'.

weapons.¹⁶ They also highlighted the importance of encouraging and supporting officers to investigate firearms retrieved in the context of other crimes, such as drug trafficking. In such cases, investigators tend to prioritise the forensic investigation of the drugs over that of the firearms.¹⁷ Initiatives are under way in security agencies to address these concerns. The gendarmerie, for instance, created the Plateau d'Investigation eXplosifs et Armes à Feu (PIXAF), a team of four gendarmes working closely with the IRCGN that, among other duties, assists and serves as a resource for field officers by facilitating forensic analysis of the firearms that are retrieved and by disseminating strategic guidance notes on emerging trafficking trends.¹⁸

1.2 Reinforcing targeted interventions to destabilise trafficking actors

The National Action Plan includes a number of measures related to combating internet trafficking; undertaking operations that target specific trafficking sources, actors and hotspots; coordinating controls at the country's points of entry; and reinforcing controls over gun shops and arms fairs.¹⁹

Both the gendarmerie, through PIXAF, and customs, through the DNRED, monitor and investigate the online market in small arms, including the dark web, with particular focus on francophone sites. In 2016 alone PIXAF identified 160 illicit online firearms transactions.²⁰ Since June 2016 these bodies have also been authorised to organise undercover purchase operations and use online avatars to investigate cases. The first such investigation was in progress at PIXAF in late March 2017.²¹

Both institutions also monitor arms fairs, targeting suspicious attendees identified by undercover officers.²² The customs action plan also envisions the creation of teams using dogs trained to detect firearms that will support units that perform controls on roads, at railway stations, and in postal and courier centres.²³

1.3 Modernising the regulatory regime on arms trafficking

The French government first adopted legislation classifying weapons into eight categories in 1939.²⁴ Despite numerous amendments over the years,²⁵ this classification system formed the bedrock of the country's firearm legislation until 2013, even though European Council Directive 91/477/EEC of 1991 called for greater harmonisation within the European Union (EU) by January 1993.²⁶ Between 1991 and

2013 a number of decrees were passed to reclassify specific weapons of concern^I and to strengthen the background checks required for obtaining firearms subject to authorisation.^{II} On 6 September 2013 France passed new arms control legislation²⁷ that effectively moved away from the 1939 eight-category system towards the EU classification system based on four categories of firearms (categories A, B, C and D).

The 2013 legislation has been further strengthened following the 2015 wave of terror attacks. This has included the adoption of decrees to reclassify certain types of replica and deactivated firearms:

- In 2016 blank-firing Zoraki R1 and Ekol Voltran Arda revolvers and other firearms with similar characteristics were classified in Category B.²⁸ In practice, individuals who owned these weapons before the decree was passed had to place them in the custody of a registered firearms retailer and had one year to obtain the required authorisation from the authorities.²⁹ Alternatively, they could surrender them to the authorities for destruction or have them deactivated at the Banc d'Épreuve (proof house) in Saint Etienne.
- Since May 2017 firearms modified to fire blank ammunition in order to create a noise effect ('*armes de spectacle*', which include the 'acoustic expansion weapons' discussed later in this chapter) are to be classified under their pre-modification legal category. In addition, all firearms – including alarm and signal weapons – that are produced and modified in or introduced or imported into France must be tested by the Banc d'Épreuve in Saint Etienne and must be officially classified by the Interior Ministry before being introduced onto the French market.³⁰

Moreover, as foreseen in the National Action Plan, in 2016 prison terms for illicitly acquiring, holding and selling Category A and B weapons were increased from three to five years, and to ten years when such offences were orchestrated by two or more individuals.³¹

I In 1997, for example, the non-lethal MR35 repeating pistol was classified in the former fourth category (now Category B) (Decree of 16 September 1997 on the classification of some specific firearms and ammunitions in the fourth category, *Journal Officiel* 224, p. 13985), while in 1998 slide-action shotguns, and single-shot, rimfire handguns of an overall length greater than 28 cm became classified in the former fourth category (now Category B) (Decree 98-1148 of 16 December 1998, *Journal Officiel* of 17 December 1998, p. 19048).

II In 2003, for example, 'any person applying for the issue or renewal of an authorisation for the acquisition or possession of weapons or ammunition of the 1st and 4th categories ... must present a medical certificate attesting that his or her physical and mental health is not incompatible with the possession of such devices' (Law 2003-239 of 18 March 2003 on internal security, *Journal Officiel* 66 of 19 March 2003, pp. 4761ff).

On 12 January 2017 the Minister of the Interior inaugurated the new SCA in Nanterre to coordinate the ministry's policy on arms control.³² A key task for the new service – staffed with 41 employees as of March 2017 – involves transitioning from the AGRIPPA registry of legally held firearms to the new SIA database. The SIA will allow the tracing of every legally held firearm throughout its life cycle, based on its serial number. Exchanges of information will be possible with the relevant civilian actors, including firearms producers, importers, hunting and sports shooting associations, and the Banc d'Épreuve, in order to keep track of all successive legal owners from a weapon's manufacture or importation to its deactivation, destruction or export. The SIA will be rolled out according to the time lines set under the new EU firearms directive.³³ The SCA acts as the coordinating body and as a resource for local state agencies when they implement the firearms legislation. The SCA is also responsible for establishing the technical norms for firearms deactivation and for certifying firearms as deactivated in France in accordance with EU Regulation 2015/2403 of 15 December 2015.³⁴

1.4 Improving international cooperation

Following the 2015 attacks, and in accordance with the National Action Plan,³⁵ France applied strong pressure on its European partners to fast track the ongoing reform of the EU firearms directive and the development of the new EU regulation on firearms deactivation.³⁶ Officials expressed frustration at the time required to adopt the new instruments; specifically, the reopening of technical negotiations on the new deactivation regulation has further delayed this measure. France appears to be one of only a few countries that have started to implement the deactivation regulation, despite its entry into force in April 2016.³⁷

The key international partners being engaged by French agencies include Interpol, Europol (including EMPACT¹ firearms) and the European Firearms Experts group.³⁸ The French police meet their European counterparts physically every six months, but also communicate regularly with them more frequently to exchange information.³⁹ The SCA in particular takes part in ongoing meetings and working groups dealing with the exchange of information on denials of requests to authorise the ownership of Category A and B firearms, alarm and signal pistols, and deactivation.⁴⁰

Through the SCA, France is until October 2018 the current rotating chair of the Permanent International Commission for Firearms Testing (CIP), the body that provided technical guidance for the EU firearms deactivation regulation.⁴¹ At the request

1 European Multidisciplinary Platform against Criminal Threats.

of the European Commission, the CIP has also established a working group to support work on a definition for alarm pistols.⁴²

In addition to cooperating with neighbouring states, France has also established special cooperation programmes with states in the Balkans, notably in Bosnia and Serbia, to support governments in the region in tracking and stemming illicit firearms proliferation. This has included, for instance, deploying *attachés de sécurité intérieure* (internal security attachés) to these countries and mobilising them to work on this issue.⁴³ A cooperation programme with Serbia has led to monthly meetings between the two countries' police, customs, justice, and administrative officials, as well as the creation of a permanent intelligence unit with Serbia and the carrying out of joint operational initiatives.⁴⁴ The French police have also visited their counterparts in Slovakia to investigate the issue of easily retro-convertible deactivated firearms sold as blank-firing firearms (acoustic expansion weapons) and 6 mm Flobert by Slovakian companies.⁴⁵

With regard to the United States, French police authorities are also in regular contact with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Federal Bureau of Investigation, and liaison officers, while the SCA maintains contacts with the Sporting Arms and Ammunition Manufacturers Institute. Through the EU, contacts are being initiated with countries in the Middle East and North Africa. There are no contacts with Turkey, however.⁴⁶

1.5 Developing interventions for French citizens

Based on the observation that burglaries represent the majority of cases of stolen firearms, and drawing from pilot interventions carried out in French overseas territories, the National Action Plan envisions campaigns to encourage owners of firearms to surrender them voluntarily at police and gendarmerie stations.⁴⁷ There was no publicly available information or statistics about the implementation of such voluntary weapons surrender campaigns at the time of writing.

Several interviewed experts and officials noted the strength of the gun lobby in Europe (and on some specific issues in France), and the politicised nature of the civilian arms control debate, which according to them hindered the implementation of the needed pragmatic reforms.⁴⁸ Some pointed to the recent appearance of groups advocating for looser restrictions on firearms, especially those dealing with the carrying of firearms by private citizens, on the basis that arming responsible citizens may help to deter or counter future terrorist attacks.⁴⁹ In the tense security situation currently prevailing in France it appears that some individuals prefer to

keep weapons at home out of anxiety for the future, while others decide to acquire firearms illicitly for self-defence.⁵⁰ These dynamics and perceptions need to be taken into consideration or they will hinder the success of any voluntary weapons collection campaign.

2. Characteristics of the illicit firearms market in France

2.1 Size of the illicit firearms market

Assessing the size of the illicit firearms market in any country is fraught with challenges. Generally speaking, weapons are considered illicit when they are produced, transferred, held, or used in violation of national or international law.⁵¹ Estimating their volume is therefore not a straightforward task and requires examining the various ways in which weapons become illicit throughout their life cycle. Officials interviewed for this study were reluctant to provide official estimates of the total number of illicit firearms circulating in France, citing methodological concerns.⁵² Key informants state that illicit weapons in France include not just firearms smuggled into the country and used by criminal actors,⁵³ but also firearms left behind after the Second World War, as well as hunting and other firearms that are inherited from generation to generation but never declared. In line with previous EU-focused studies,⁵⁴ available indicators of the extent of the illicit firearms market in France reviewed in this report include estimates of legal and illicit holdings, information on weapons seized by the authorities, and data on the use of firearms in violent crime.

2.1.1 Estimates of legal and illegal firearms possession

Assessing illicit arms holdings in France requires an understanding of the linkages between legally and clandestinely held weapons. Indeed, analysts note that the majority of firearms held or sold illicitly in the country do not originate from foreign sources such as the Balkans or Eastern Europe, but are stolen from legal owners or have been held for generations in France without being declared to the authorities.⁵⁵ Indeed, thousands of firearms are reported stolen every year in France, including 10,572 in 2015 alone.⁵⁶

According to the SCA, as of 30 March 2017 a total of 4,501,235 firearms were registered in the AGRIPPA database. They include 1,221,667 firearms in Category B (firearms subject to authorisation), 3,050,083 in Category C (firearms subject to

declaration) and 229,485 in Category D (this figure refers specifically to sub-category D1a: shoulder-fired, single-shot, smoothbore firearms registered since December 2011).⁵⁷ In addition, the SCA notes that an estimated 2-3 million firearms that belong to sub-category D1 (single-shot, smoothbore, shoulder-fired weapons and shotguns) are not subject to declaration, because they were held or acquired before the declaration requirement introduced in December 2011.⁵⁸ The reliability of this estimate of legally held but unregistered firearms is difficult to assess.⁵⁹ Moreover, this situation hinders the tracing of such unregistered firearms if and when they are used for criminal purposes, and affects the reliability of statistics on both legal and illicit firearms in France.

The pools of illicit firearms are possibly significant, but difficult to estimate. For instance, according to the president of the Syndicat des Armuriers, based on the number of arms typically held by hunters, France's 1-1.5 million holders of hunting permits can be estimated to own about 6 million hunting rifles and shotguns, both registered and unregistered.⁶⁰ The AGRIPPA register currently does not make it possible to determine how many of the almost 3.3 million registered Category C and D shotguns and rifles are owned by hunters, however.⁶¹ As a result, estimating unregistered hunting firearms is currently difficult.

Some insights into overall gun ownership can be gained from representative household surveys and opinion polls that ask respondents if they or their household own a firearm. Generally, survey methodology is likely to result in the under-reporting of firearms ownership – especially illegally held weapons.⁶² Yet it provides important comparative data to supplement existing official data and expert knowledge. According to the most recent survey carried out in the EU, France has the eighth-highest rate of gun ownership in Europe, suggesting significant total holdings. In 2013, 7% of respondents declared that they personally owned a firearm to the Flash Eurobarometer 383 survey.⁶³ Extrapolating these results to France's population of aged 15 or more of 52.7 million in 2015,⁶⁴ this suggests that there are 3.7 million individual gun owners in France who each own one or several firearms.

Expert estimates' on the total number of firearms in France are rather scarce and tend to vary greatly. In 2017, for instance, the president of the Syndicat des Armuriers reiterated earlier assessments that the total of civilian-held firearms stands at about 10 million, based on his above-mentioned calculation of the rifles and shotguns owned by hunters.⁶⁵ Other experts have given numbers as high as 20 million in the past, but no details are available on the methodology used to arrive at this figure.⁶⁶

The wide range of estimates of total civilian firearm holdings in France highlights the current challenges in assessing gun ownership more generally in the country.

The ongoing reform of the national AGRIPPA register, additional polling, and research into gun ownership patterns among the principal categories of gun owners are needed to shed further light on both undeclared and illicit holdings in France.

2.1.2 Seizures of firearms

Data collated from official and media sources show that the police and gendarmerie regularly seize thousands of firearms every year (Table 1). The extent to which aggregated seizure data reflect the size of the illicit firearms market is subject to caveats, however. An increase in the number of weapons seized may instead be the result of the authorities' dedicating more resources to seizing illicit weapons, or of changes in data-recording practices. The SCAEMS – which keeps track of firearms seized by the police and gendarmerie – notes that reforms implemented in 2002 and 2006, followed by the adoption of new software in 2010, contribute to the variations in reported annual seizures. Moreover, the apparent surge in the number of weapons seized in 2016 is to be nuanced by the fact that at the time they were cited by the minister of the interior, the 2016 data had not been fully cleaned and verified by the SCAEMS and may include cases of double counting.⁶⁷

Table 1: Firearms seized by the police, gendarmerie and customs, available years

Year	Police and gendarmerie ⁶⁸	Customs ⁶⁹
2000	8,500	N/A
2005	4,400	N/A
2006	4,000	N/A
2007	3,400	N/A
2008	4,000	N/A
2009	1,463	N/A
2010	2,722	N/A
2011	3,910	N/A
2012	N/A	401
2013	N/A	823
2014	5,300	828
2015	6,145	1,158
2016	9,845	860

Moreover, not all of the seized weapons were necessarily trafficked: they could also have been seized as a result of their links with other types of criminal offences, or because of administrative violations, such as the lack of a licence or the failure to register a weapon.⁷⁰ While the SCAEMS reported that 1,300 firearms (about 20%) were seized in 2015 in the context of drug-related cases,⁷¹ current software limitations do not make it possible to further break down the number of seizures by the specific type of crime and offence.⁷² Moreover, current record-keeping by officers in the field does not allow the SCAEMS to determine the proportion of seized weapons that feature in the AGRIPPA database of registered firearms.⁷³

In addition to the French police and gendarmerie, French customs officers annually seize several hundred firearms being imported, exported or transiting illicitly in the country (see Table 1). Customs officials seize these firearms not only at the country's ports of entry, but in fact primarily in people's homes or vehicles (during traffic control checks) and throughout the national territory.⁷⁴ When seizures are linked to other offences, the majority of cases relate to drug-related charges, with a more marginal number of cases of counterfeiting and forgery. Weapons seized by customs are not systematically cross-checked with the AGRIPPA register of legally held firearms; in cases where registered weapons were seized, they were usually held legally, but were confiscated together with illicit firearms.⁷⁵

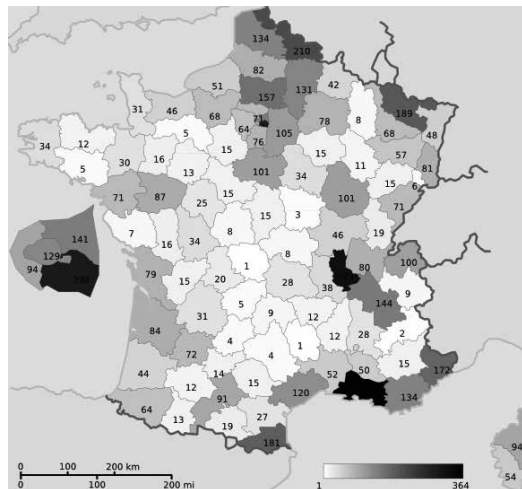
Officials explain that the peak in customs seizures observed in 2015, when almost 1,200 firearms were seized, is primarily due to one exceptional incident.⁷⁶ They consider the overall number of arms seizures to have remained stable since 2014, noting even a decrease in the number of Category A firearms seized between 2015 and 2016. In contrast, customs seizures of ammunition increased significantly from 67,848 units in 2014, to 110,649 in 2015, to 412,624 in 2016.⁷⁷ Much of this increase is attributable to a sharp rise in seizures of Category D ammunition, and in particular 12-gauge shells. While 12 gauge is the most common firearms calibre in France, customs officials could not identify a specific reason for its increased prominence in ammunition seizures.⁷⁸

It appears clear that many weapons are seized by the police and gendarmerie in the context of violations of the country's firearms legislation. The IRCGN, which performs forensic analyses for the gendarmerie, for instance, reports that 82% of the 930 firearms⁷⁹ it examined between November 2015 and October 2016 were linked to cases of violations of firearms legislation (coded as 'ILA'). The remainder are distributed among attempted acts of violence, homicides and attempted homicides; participation in a criminal association; and armed robberies.⁸⁰ Category ILA can include a variety of offences, ranging from the possession of an illicit weapon to the illicit carrying or use of an otherwise perfectly legal firearm. More detailed data

would be helpful for determining more precisely the circumstances of the seizures and for excluding cases of minor administrative violations that do not constitute trafficking (e.g. failure to register an inherited firearm).

Bearing these caveats in mind, the geographical distribution of police and gendarmerie seizures in 2015 is presented in Map 1. Seizures appear to be concentrated in large population centres, including Paris and its surrounds, the north-eastern regions bordering Belgium and Germany, Lyon and its surrounds, and the Mediterranean coast. The picture is slightly different when taking into account population density: Corsica (46 firearms seized per 100,000 people) and the Pyrénées Orientales (39 per 100,000) stand out as the *départements* with the highest rates of seized firearms per 100,000 people (Map 2).⁸¹ In the case of Corsica, the high rates of seizures correspond to an average homicide rate of 6.45 per 100,000 people for the period 1996-2015, which far exceeds those seen in the large cities of Marseille (3.81) and Paris (2.77).⁸² The high seizure rate for the Pyrénées Orientales, located on the Spanish border, is more unusual, and appears to be the result of a single seizure involving dozens of firearms during 2015.⁸³ Taking these observations into consideration, it appears clear that firearms seizures are mostly concentrated in the north-eastern border regions, Paris, Lyon, the Mediterranean coast and Corsica.

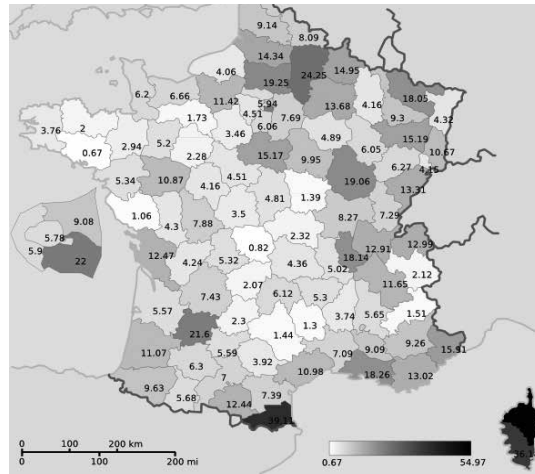
Map 1: Number of firearms seized by police and gendarmerie in 2015, by département¹



Source: SCAEMS⁸⁴

¹ The zoomed in départements on the left-side of the map are those of the 'Île de France region'

Map 2: Rate of firearms seized by police and gendarmerie per 100,000 people in 2015, by département¹



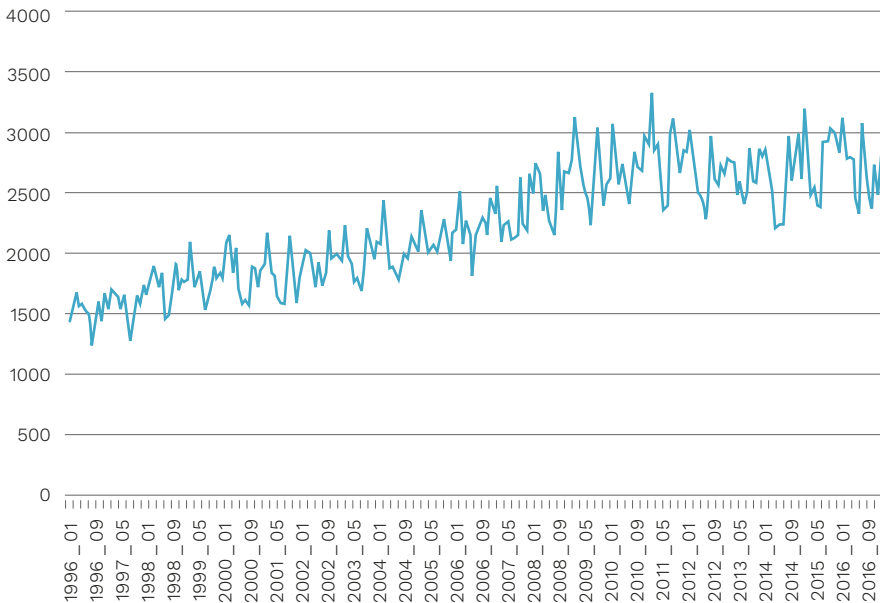
Sources: SCAEMS, INSEE⁸⁵

2.1.3 Illicit use of firearms

The Ministry of the Interior publishes statistics on the number of offences related to ‘carrying or holding prohibited weapons’. These are incidents recorded by police and gendarmerie units in each *département* and compiled in the so-called ‘Etat 4001’ database. Not all these cases involve firearms, however: an undetermined proportion involve the illicit carrying of blunt weapons, teargas self-defence weapons and electric batons.⁸⁶ Figure 1 shows a steady increase in these offences between 1996 and 2010, after which they stabilised until early 2017 above 2,500 incidents per month. Disaggregating these available data by type of weapon would help shed further light on trends in prohibited firearms carrying or holding.

¹ The zoomed in départements on the left-side of the map are those of the ‘Ile de France region’

Figure 1: Monthly incidents of carrying or holding prohibited weapons, January 1996–March 2017



Source: Data.gouv.fr⁸⁷

What is clearer is that, compared with other European states, the use of firearms in lethal violence in France is relatively moderate. Homicide rates in France have been decreasing in the last 20 years, from more than 1,500 in 1996 to less than 1,000 in 2014.⁸⁸ Significantly, the proportion of homicides in Paris that involved the use of a firearm decreased from 30% for the period 1994-2003 to 24% for 2004-2013.⁸⁹ For the period 2010-2015, about 17% of intentional homicides in all of France involved the use of a firearm, slightly lower than the 21% Western European and 24% European average.⁹⁰ France experienced an average of 138 firearm homicides per year for the period 2010-2015, or a rate of 0.2 per 100,000 people. This is roughly equal to the average in Western European states more generally and only about half the average rate for all European states.⁹¹ Data on the types of firearms used to perpetrate homicides are not available nationally, however. Moreover, it is not currently possible to access statistics on the proportion of guns used in homicides that were registered and those that were illicit.

While nationwide statistics on the extent of the use of firearms in lethal violence are generally encouraging, the way these weapons are used can illustrate situations of extreme violence in specific regions. The Institut Médico-Légal in Marseille provided autopsy data on 105 cases of firearm homicides that occurred in the city and its surrounds in the period 2011-2017. This dataset reveals that in 15% of cases the injuries were caused by not one but two firearms (often a 9 x 19 mm firearm together with a shotgun or a 7.62 x 39 mm AK-pattern rifle). The data also make it possible to calculate the number of bullet paths per case, revealing how many shots hit each victim. As Table 2 illustrates, on average there were 10.5 bullet paths per body for each case involving 7.62 x 39 mm firearms, 7.1 for cases involving 9 x 19 mm guns, and 2.3 for cases involving shotguns. Moreover, it could be determined that in at least 19 of these 105 cases, one or more shots were fired from a distance of less than 2 metres from the victim.⁹²

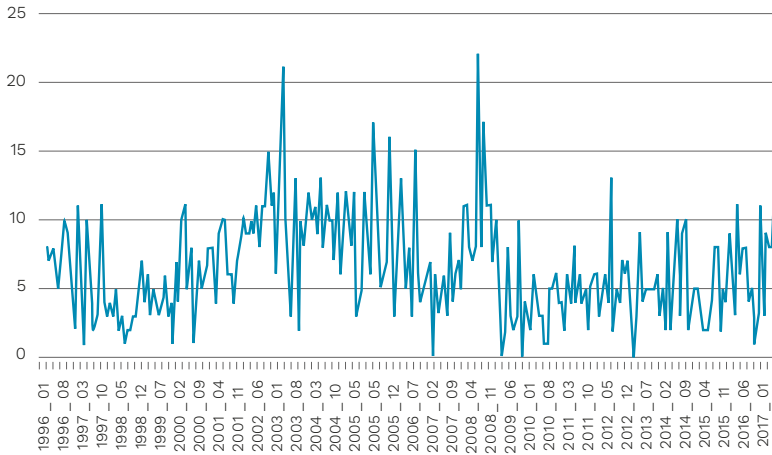
Table 2: Number of bullet paths on victims of firearm homicides examined at the Institut Médico-Légal in Marseille, by calibre, 2011-2017

Calibre	Number of cases	Average number of bullet paths per body
7.62 x 39 mm	21	10.5
9 x 19 mm	18	7.1
Shotgun	14	2.3

Source: Institut Médico-Légal, Marseille⁹³

Indicators for other types of violent crime involving the use of a firearm highlight inconsistent trends. One such indicator is the number of '*règlements de compte*', or incidents of score settling between criminals, most of which involve the use of a firearm.⁹⁴ As Figure 2 illustrates, while the monthly incidence of such score settling appears to have increased in late 2016-early 2017, current levels remain much lower than the previous peaks experienced in 2002 and 2008.

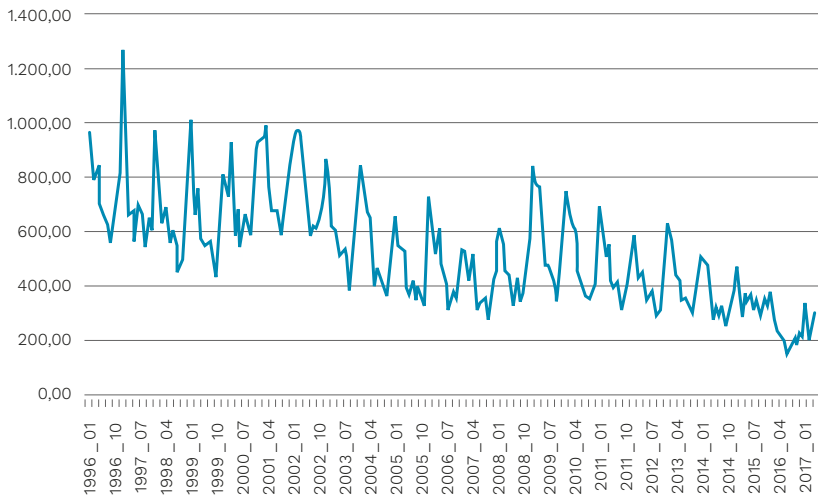
Figure 2: Monthly incidents of score settling by criminals, January 1996–March 2017



Source: Data.gouv.fr⁹⁵

On the other hand, monthly armed robbery statistics reveal a steady decline since 1996 (Figure 3). According to the ONDRP, the reduction in robberies involving a firearm observed since 2013 can be seen across categories of victims. Yet it has benefited businesses (especially jewellery shops, petrol stations and tobacco shops) more than private individuals, who represented 45% of armed robbery victims in 2015.⁹⁶

Figure 3: Monthly incidents of armed robberies, January 1996–March 2017



Source: Data.gouv.fr⁹⁷

Overall, indicators point to relatively moderate levels of illicit firearms use in France, which appear relatively stable, or in several cases to be even decreasing. Similar to weapons seizures, however, rates of violence are unevenly distributed on the national territory, with the Corsica, Marseille and Paris areas emerging as ‘hotspots’ for firearms crime.⁹⁸ Furthermore, available data show that when firearms are used, they can involve significant violence and the firing of multiple shots at the victims.

2.2 Typology of available illicit firearms

Given the seemingly large pool of illicit firearms circulating in France (see above), it is crucial to examine the types most commonly encountered in the illicit sphere. What appears clear from the available firearm seizure data is that only a minority of illicitly held firearms can be considered ‘weapons of war’. The vast majority of illegal firearms in France belong to categories that are legally accessible to the general population, but are not adequately registered with, declared to, or authorised by the authorities. The following paragraphs will elaborate on this finding by presenting the available seizure data from customs, the police and the gendarmerie; forensic and ballistics data; and autopsy data. From the analysis of these different types of available datasets it can be concluded that the primary calibre for illicit firearms is 12 gauge (in use with shotguns), followed in varying order of importance, depending on the nature of the dataset, by 9 x 19 mm ammunition (typically in use with handguns and some sub-machine guns), .22LR (a popular calibre for rifles in France), and 7.65 mm Browning (a popular pistol calibre). Converted replica firearms are of concern, and appear more prominently in the reviewed datasets than reactivated firearms, although the importance of the latter may be under-represented, given their resemblance to original firearms. Also of note is the absence of 7.62 x 39 mm (that of standard AK-pattern assault rifles) in the top calibres of several datasets, although its use is more prominent in the context of the most serious crimes and offences.

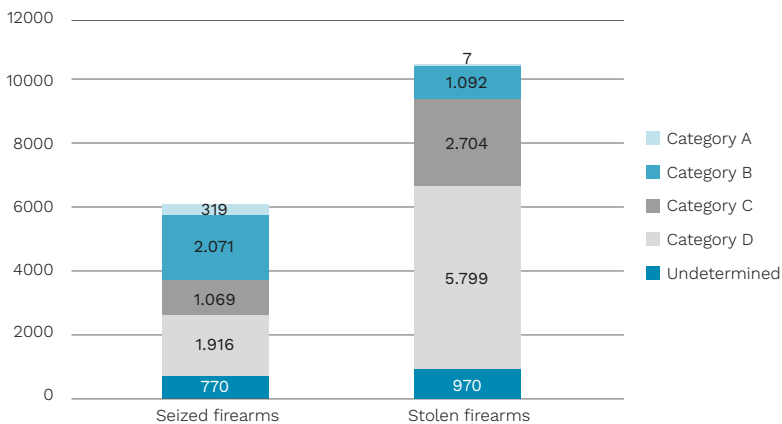
2.2.1 Seizure data

According to customs officials, the most prominent illicit firearms are, by order of importance, single-shot hunting shotguns, semi-automatic hunting rifles, pistols and revolvers.⁹⁹ In 2016, 38% of customs seizures involved Category B firearms (firearms subject to authorisation, including semi-automatic handguns and semi-automatic shoulder-fired weapons with a magazine capacity greater than three rounds), 31% were in Category C (firearms subject to declaration, including semi-automatic firearms with a magazine capacity of less than three rounds), 22% were in Category D (other firearms, including single-shot, smoothbore, shoulder-fired weapons, antiques

and deactivated firearms). Only 9% of custom seizures of firearms involved Category A firearms (prohibited weapons, including automatic firearms).¹⁰⁰

A similar result can be observed when analysing the data provided by the SCAEMS. These data show that among the 6,145 firearms seized by the police and gendarmerie in 2015, only 5% belonged to Category A. In contrast, 34% belonged to Category B, 31% to Category D, and 17% to Category C, with the remainder unspecified.¹⁰¹ Categories D (55%) and C (26%) also dominate the statistics for firearms reported stolen, although these also include a significant number of Category B weapons (10%) (Figure 4). The fact that weapons stolen in 2015 outnumbered those that were seized by the authorities suggests that the pool of illicit arms is growing, even more so if one adds undetermined numbers of weapons entering the country illicitly. It is nevertheless more encouraging that seizures for the more restricted categories of firearms – A and B – vastly outnumber thefts by a ratio of two to one.

Figure 4: Number of firearms seized by and reported stolen to the police and gendarmerie, 2015, by category



Source: SCAEMS¹⁰²

2.2.2 Forensic and ballistics data

The French forensic laboratories of the gendarmerie and police examine almost half of all weapons seized by these agencies. The information they collect is particularly useful because firearms confiscated due to administrative violations are less likely to be included in forensic datasets, which tend to be more representative of

actual ‘crime guns’ – although there are exceptions to this rule.¹⁰³ The data – shown in tables 3 and 4 – illustrate the prominence of 12 gauge and .22LR among the observed firearms, which are common calibres for shotguns and sports-shooting rifles that can be legally held in France. It also reveals the presence of calibres in use with replica firearms (8 and 9 mm alarm) as well as makes of replica or trauma firearms (Baïkal, Bruni, Reck, Umarex). The presence of replica firearms in forensic datasets suggests that they were either used in crime or illicitly converted to fire live ammunition. It is also interesting to note the presence of calibres such as 6 mm ‘à bille’ that are not considered firearms under French law, but whose presence in seizure data suggests they were used in criminal acts.

Table 3: The 20 most common calibres among the firearms examined by police and gendarmerie forensic laboratories, 2014–2015

Calibre	Number of firearms	Percentage
12 gauge	2,352	15.2
.22LR	1,540	9.9
4.5 mm (<i>métal</i>)	811	5.2
9 mm alarm	643	4.2
9 x 19 mm	419	2.7
7.65 mm	362	2.3
16 gauge	317	2.1
Other 9 mm (e.g. Mauser, Winchester Magnum)	272	1.8
6 mm (‘à bille’ – airguns)	256	1.7
9 mm Annulaire Flobert	216	1.4
6.35 mm	184	1.2
7.65 mm Browning (.32 ACP)	180	1.2
.45 ACP	176	1.1
.357 Magnum	175	1.1
7.62 x 39 Kalashnikov (AK-47)	172	1.1
12/50 SAPL	165	1.1
8 mm Alarm	145	0.9
.38 Special	111	0.7
12 mm	99	0.6
14 mm	88	0.6

Source: SCAEMS¹⁰⁴

Table 4: The 20 most common makes among the firearms examined by police and gendarmerie forensic laboratories, 2014-2015

Make	Number of firearms	Percentage
Beretta	284	1.8
Winchester	276	1.8
Browning	249	1.6
Baïkal	245	1.6
Smith & Wesson	220	1.4
Mauser	206	1.3
Manufrance	196	1.3
Remington	192	1.2
MAS	181	1.2
Bruni	178	1.2
CZ (Ceska/Ceskoslovenska Zbrojovka)	172	1.1
Verney-Carron	169	1.1
Kimar	164	1.1
Colt	152	1.0
Glock	139	0.9
Gamo	136	0.9
Walther	133	0.9
SAPL	132	0.9
Reck	121	0.8
Umarex	109	0.7

Source: SCAEMS¹⁰⁵

Nationwide ballistics data provide further insights into the main calibres of firearms involved in or collected at the scenes of various crimes and offences.^I The FNIB, created in early 2016, centralises ballistics information collected by the forensic laboratories of the Gendarmerie Nationale, Police Nationale and Police Judiciaire. As of 31 December 2016 the database included 16,576 ballistics entries¹⁰⁶ associated with

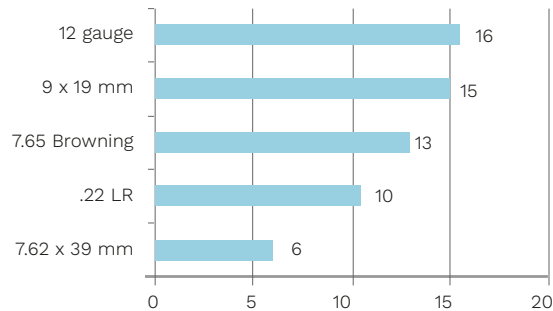
^I This includes information on both:

- 'retrieved firearms', which are weapons that were found at crime scenes or during the subsequent investigations, and with which the laboratories perform ballistics testing; and
- 'inferred firearms', meaning weapons that were not recovered, but were nevertheless entered into a ballistics database on the basis of the unique marks they left on spent ammunition retrieved at the crime scene.

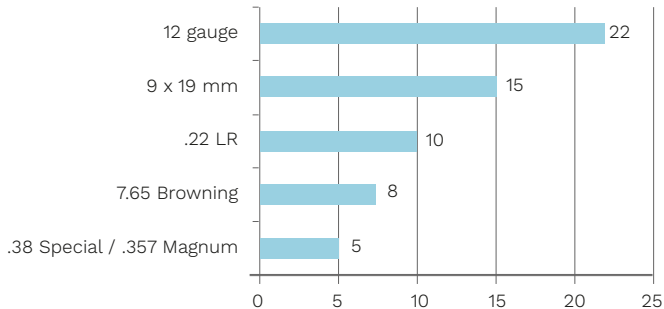
4,764 cases ('saisines'). Among these, 4,870 ballistics entries are associated with 1,451 cases that were opened in 2016. Sixty per cent of the 2016 cases relate to offences, 84% of which are categorised as 'ILA' (violations of the firearms legislation). The remaining 40% were associated with crimes, mainly acts of violence committed with a firearm (30%), homicides (25%) and attempted homicide (25%).¹⁰⁷ In 2016 the most commonly identified calibres in FNIB were 12 gauge, 9 x 19 mm, 7.65 Browning, .22LR, 7.62 x 39 mm, and .38 Special/.357 Magnum (Figure 5).

Figure 5: The five calibres most commonly observed in the FNIB ballistics database in 2016 (%)

Among both retrieved and inferred firearms^I



Among retrieved firearms only^{II}



Source: INPS¹⁰⁸

- I For this bar graph cases were taken from the FNIB database and correspond to a unique firearm that was either retrieved and examined by the laboratories or not retrieved but uniquely identified (or inferred) through traces left on spent ammunition found at the crime scene (written communication with the INPS, 29 May 2017).
- II For this bar graph entries were taken from the FNIB database and correspond to a unique firearm that was retrieved either at the crime scene or subsequently as part of the investigation.

The Ministry of the Interior notes that while 12 gauge dominates the entire FNIB dataset, 9 x 19 mm is the most prominent calibre for cases of delinquency/criminality. Moreover, the proportion of FNIB cases involving 7.62 x 39 mm ammunition (for use with AK-pattern rifles) is increasing, and these entries relate primarily to cases of ILA (31%), homicides (19%) and terrorism (13%).¹⁰⁹ Also of note is the presence of seven entries for 5.56 x 45 mm weapons in the 2016 dataset. This is the calibre for newer-generation AK-74-pattern rifles, which were previously very rarely seen in France.¹¹⁰

2.2.3 Autopsy data

Autopsy data provided by the Institut Médico-Légal in Marseille concerning 105 cases of firearm homicides that occurred between 2011 and 2017 make it possible to determine the calibre of the crime guns used in 89 of these cases. 7.62 x 39 mm calibre weapons were involved in 28% of the cases, 9 x 19 mm also in 28%, shotgun ammunition in 23% (12, 16 and 36 gauge, or 12 mm), and revolver ammunition in 9%, with the remaining calibres comprising 7.62 x 25 mm, .32 ACP and .45 ACP.¹¹¹ Although these data are only representative of the Marseille region, they suggest that AK-pattern rifles, 9 mm handguns and shotguns are common firearm types used in homicides in this part of France.

2.3 Black market prices

Selected black market prices gleaned from media sources, key informant interviews and online trading platforms provide a sense of the prices of different types of weapons that can be accessed on illicit or informal markets (see Table 5). Overall, pricing data reveal lower prices for weapons belonging to categories that are legally accessible to the public, as well as converted, modified or reactivated firearms.

12-gauge shotguns, which constitute the primary category of weapons seized in France, are generally available for €300-1,000, depending on the type and model. On the other hand, 9 x 19 mm handguns, also common in seizures, are more costly, with reported prices ranging between €1,000 and €3,000. Of note is that converted replica handguns sell for much lower prices than regular models, mostly in the €300-550 range, representing an affordable alternative to lethal-purpose pistols and revolvers. On the other end of the scale, prohibited Category A 'weapons of war' such as automatic rifles and rocket launchers top the price list. While prices for AK-pattern rifles in the last five years tend to oscillate between €1,000 and €2,500, some sources point to a great disparity of prices according to the location, with some variants quoted as low as €300-500 in parts of Marseille or on online

platforms. Sub-machine guns also tend to be priced between €1,000 and €3,000, with a reactivated model selling for under €1,000. Other weapons of war, such as rocket launchers, are priced at several thousands euros.

Table 5: Black market and online prices for selected firearms (in euros)

Weapon (calibre)	Year	Black market prices in media and research sources	Black market prices estimated by key informants	Prices on online platforms ¹¹²
Automatic rifles				
Arsenal SLR-106UR (5.56 x 45 mm)	2014			1,150 ¹¹³
Unspecified AK-pattern (7.62 x 39 mm)	2002	150 ¹¹⁴		
	2007	500 ¹¹⁵		
	2009		1,000-3,000 ¹¹⁶	
	2011	400-2,000 ¹¹⁷		
	2012	1,000-2,000 ¹¹⁸		
	2013	2,500 ¹¹⁹		
	2015	250-3,000 ¹²⁰		
	2017		300 (e.g. Marseille), 1,500 (e.g. Lozère) ¹²¹	
AMD 65 (7.62 x 39 mm)	2014			500-1,100 ¹²²
M70 AB2 (7.62 x 39 mm)	2017		2,000-2,500 ¹²³	
vz.58 (reactivated, 7.62 x 39 mm)	2014	600-800 ¹²⁴		
	2015		1,500 ¹²⁵	
Sub-machine guns				
Sten MK II (9 x 19 mm)	2014-2017			1,000-1,500 ¹²⁶
Uzi (9 x 19 mm)	2009	2,500 ¹²⁷		
vz.61 (7.65 mm Browning)	2009	2,500 ¹²⁸		
	2011	700 ¹²⁹		
	2013		3,000 ¹³⁰	

	2015		1,500 ¹³¹	
	2014-2016			525-1,200 ¹³²
v z.26 (reactivated, 9 x 19 mm)	2016			850 ¹³³
Shotguns (12 gauge)				
Pump-action	2014			650-850 ¹³⁴
	2015			375-1,000 ¹³⁵
	2016			415-600 ¹³⁶
	2017			900 ¹³⁷
Self-loading	2014			700 ¹³⁸
	2016			300-650 ¹³⁹
	2017			520-700 ¹⁴⁰
Double barrel side-by-side	2016			320 ¹⁴¹
	2017			230-350 ¹⁴²
Double barrel over-under	2017			340-500 ¹⁴³
Sawn-off	2016			500 ¹⁴⁴
Handguns				
Beretta (e.g. models 92FS, PX4, 9 x 19 mm Parabellum)	2014-2016			1,000-2,000 ¹⁴⁵
CZ 75 (9 x 19 mm Parabellum)	1996	1,200-1,700 ¹⁴⁶		
Glock (9 x 19 mm)	1996	1,850 ¹⁴⁷		
	2009	1,500 ¹⁴⁸		
	2014-2016			1,400-3,000 ¹⁴⁹
	2017		1,500 ¹⁵⁰	
Intratec Tec 22 (.22LR)	2015			900 ¹⁵¹
Rohm RG5S (converted from 8 mm blank to 6.35 mm Browning)	2015			45 ¹⁵²
Bruni Gap and Mini-Gap (converted 9 mm PAK)	2015-2016			200-450 ¹⁵³
Atak Stalker (converted 9 mm PAK)	2016			350 ¹⁵⁴
Tanfoglio GT28 (converted from 8 mm blank to 6.35 mm Browning)	2016			300 ¹⁵⁵

Zoraki (models M906, M914, M925, converted from 9 mm PAK to fire modified, 6.35 mm or 7.65 mm Browning rounds)	2016-2017			200-550 ¹⁵⁶
Zoraki R1 (6 mm Flobert)	2016-2017			220-350 ¹⁵⁷
Other weapons				
Single-use anti-tank rocket launcher	2002	3,000 ¹⁵⁸		
M80 Zolja 64 mm anti-tank rocket launcher	2002	3,800 ¹⁵⁹		
RPG-7 (with one rocket)	2009	4,500 ¹⁶⁰		
Pen gun (converted, .22LR) ¹⁶¹	2015-2016			150-200 ¹⁶²
Inserts to convert calibre 4 military flare pistols into smaller-calibre firearms	2011			60
	2017			70

It was only possible to gather limited time-series price data for this project gleaned from different sources. As a result, no solid conclusions can be drawn as to changes in the prices of specific weapons models over time. Additional research and the more systematic monitoring of the prices of both arms and ammunition have the potential to illuminate the relative accessibility of specific weapons over time and across regions, as has been done elsewhere.¹⁶³

2.4 Sources of supply of and actors in the illicit gun market

The SCAEMS identifies three main categories of sources of illicit firearms in France: international trafficking from outside the EU, intra-European trafficking and domestic sourcing.¹⁶⁴ The main sub-components of these trafficking streams are reviewed below, together with specific cases to illustrate the actors involved.

2.4.1 International trafficking from outside the EU

'Ant trade' from (post-)conflict areas

The trafficking of 'weapons of war' from neighbouring regions, including from formerly conflict-affected countries in the Balkans such as Albania, Bosnia, Croatia (before 2013) and Serbia, is a trafficking route commonly cited in media sources, in academic reports¹⁶⁵ and by officials.¹⁶⁶ Weapons manufactured in the former Yugoslavia, such as the M70AB2 AK-pattern rifle, often feature in organised crime- and terrorism-related seizures (see section 3 of this chapter). However, they are often models produced before the conflicts of the Balkans of the 1990s, and as a result it can be difficult to determine whether they were smuggled into France recently or ten or 20 years ago. Interestingly, associated 7.62 x 39 mm ammunition observed by the authorities tends to be equally old.¹⁶⁷

Officials speak of current trafficking from the Balkans as an 'ant trade': small transactions occurring 'on demand', often involving less than six firearms that are mainly transported by road (in private vehicles or on board buses) and that accumulate over time.¹⁶⁸ In a recent case tried in Marseille in 2013 two French legionnaires from the Aubagne regiment and with personal connections in the Balkans were found guilty of smuggling 14 Skorpion vz.61 sub-machine guns, 24 magazines and ammunition from Croatia. They transported the weapons by car and intended to sell them in France for €3,000 per unit.¹⁶⁹ Beyond reports of such cases, it is difficult to assess the true extent and volume of trafficking from the Balkans.

Interestingly, officials also cited the risks posed by the ongoing conflicts in North Africa, the Sahel, the Middle East and Ukraine as potential sources of illicit firearms in the future, once these conflicts have abated and the weapons are no longer in demand.¹⁷⁰

Convertible Turkish-origin replica firearms

Replica firearms (e.g. blank-firing, alarm and trauma guns) can be used in their original state to perpetrate certain crimes; some can also be easily converted to fire live ammunition.¹⁷¹ Turkish-origin replicas have been of particular concern in recent years. Out of the 72 seized blank-firing firearms examined by the gendarmerie's IRCGN between November 2015 and October 2016, most were of Turkish origin (57%), and primarily of the Zoraki and Ekol makes. In addition to their cheaper market prices, the gendarmerie notes that Turkish handguns' small size and weight, as well as their superior structural strength, make them particularly attractive to criminals.¹⁷²

Some replica firearms are illicitly converted in France: an internal gendarmerie memo states that clandestine conversion workshops are regularly dismantled on the national territory.¹⁷³ Others are converted abroad in workshops run by local organised crime groups, notably in Albania, Kosovo and Macedonia. Once smuggled into France, they tend to be seized in the context of road checkpoints, drug seizure operations or online sales.¹⁷⁴

Replica firearms can usually be sold in France without restrictions – sellers only need to ask for an ID to ensure that buyers are aged 18 or more, but they are not required to keep records of each buyer's identity.¹⁷⁵ In response to the ease with which specific models could be converted, a 2016 decree classified Turkish-origin blank-firing Zoraki R1 and Ekol Voltran Arda revolvers – as well as other models featuring similar characteristics – in Category B, making them subject to authorisation (see section 1.3). Other models of Turkish replicas, including fully automatic types, are not currently restricted, however. In addition, the Banc National d'Épreuve in Saint Etienne does not proof Turkish-origin blank-firing firearms, making their direct legal importation from Turkey to France difficult.¹⁷⁶ These weapons may nevertheless be imported by and proofed in other states with which France has proofing reciprocity agreements,¹⁷⁷ such as the Czech Republic,¹⁷⁸ before being lawfully transferred to France.

Trafficking in components from the United States

A third international source of illicit firearms is the trafficking in firearm components from the United States. This includes trafficking in essential parts for the AR-15 rifle, such as upper and lower receivers.¹⁷⁹ In a case tried in Boston in 2015, for instance, a US citizen was indicted for exporting firearms components to other countries without the required licence or written authorisation from the State Department. The items he exported or attempted to export to France in March 2012 included four AR-15 lower receivers, four M16/AR-15 5.56 x 45 mm barrels and two M16/AR-15 flash suppressors. He organised the sales through Gunbroker.com, a popular auction website based in Atlanta that specialises in the sale of firearms, components and accessories.¹⁸⁰ According to French customs officials, barrels for Glock pistols are also trafficked from the United States to supplement other parts acquired in Europe.¹⁸¹

2.4.2 Intra-European trafficking

The intra-European trafficking of firearms is strongly connected to differences in legislation. Not surprisingly, intra-European sources of illicit firearms destined for France include neighbouring countries with looser firearms regulations,¹⁸² such as Belgium and Switzerland. One Swiss case referred to by the police in Marseille involved a French national who trafficked some 400 handguns from 2012 onwards, which he smuggled in small numbers by visiting his supplier near Geneva twice a month. He was arrested in 2016 on drug-dealing charges, which revealed his firearms-smuggling operation.¹⁸³ Trafficking from Belgium has received prominent attention in the context of the 2015 terror attacks in France (see section 3). Interlocutors met further stressed the smuggling of sports-shooting ammunition, given the fewer restrictions in Belgium placed on the quantities of ammunition an individual can legally buy (in France, this may not exceed 2,000 rounds per year for each Category B firearm held, for instance).¹⁸⁴ A further source of illicit firearms is the trafficking in essential firearms components that are classified as restricted in France but easier to access in other European countries. Officials note, for instance, that it is possible to purchase the slide for a Glock pistol in Austria, its receiver in Luxembourg and the barrel in the United States. Firearms parts are typically shipped using regular mail and courier services, concealed in packages that contain old electronics material. Their lower weight makes them harder to detect.¹⁸⁵

A key intra-European source of illicit firearms are weapons that were deactivated in other European countries and then reactivated illicitly before their transfer to or use in France. Reactivated weapons are of particular concern, because they include not only handguns, but also automatic rifles and sub-machine guns. Recent attention has focused on trafficking in so-called acoustic expansion weapons of Slovakian origin, and notably Arrow PS97 pistols, Vz.58 rifles and Vz.61 sub-machine guns. These firearms, many of which originated from surplus military stocks, were modified in Slovakia to function as blank-firing weapons and therefore sold without restrictions, including on Slovakian gun retailers' websites. The ease with which they could be reconverted to fire live ammunition led to the trafficking of hundreds – and possibly thousands – of these weapons in Europe,¹⁸⁶ as well their use in recent terrorism cases in France (see section 3). Intelligence sources state that AFG Security – one of the Slovakian companies that sold such firearms online – sent more than 4,000 packages to 24 EU member states between January 2013 and November 2014, including more than 740 to France. These figures are difficult to interpret, however, because it is possible that some packages only contained accessories, while others may have included several firearms.¹⁸⁷

In the last decade traffickers have exploited similar gaps in deactivation standards in several other European countries. From 2008, for instance, easily convertible Walther and Norinco pistols were being sourced in Austria at a gun shop.¹⁸⁸ According to police sources, the company bought as many as 2,900 firearms – primarily from Czech surplus stocks – including some 300 automatic weapons. While the retailer sold these weapons as deactivated ones, in reality the deactivation measures were either insufficient or even non-existent.¹⁸⁹ The first high-profile case involving such a weapon was the use of a reactivated Walther P22 pistol in the murder of a Swedish student outside Paris in April 2008.¹⁹⁰

While the countries cited above have taken measures to address the issue, and in spite of the entry into force of a new EU regulation on deactivation, officials noted that reactivated acoustic expansion weapons of Slovakian origin were still entering French territory.¹⁹¹ The IRCGN and SCAEMS also expressed concern over the recent appearance of firearms that are modified to fire 6 mm Flobert ammunition – notably in Slovakia – and which may be easily reactivated.¹⁹² Converting weapons to this unregulated calibre means that they can be sold without restriction – a loophole that traffickers could potentially exploit.

2.4.3 Domestic sources

While much attention is commonly paid to foreign sources of firearms, it is clear that a significant share of illicit arms in France are procured nationally. Prohibited Category A firearms, including AK-pattern rifles, that currently circulate in France were not all necessarily trafficked recently from abroad. Instead, in Marseille some have been held and used for years by various individuals linked to the same gang.¹⁹³ Analysts have noted an upsurge in the use and pooling of local firearms arsenals rather than a constant growth in their numbers.¹⁹⁴ Ballistics data for 2016 tend to support this assessment: when a single firearm is found to be used in two separate criminal cases, the average distance between the crime scenes is only 7 km, and the average time that elapsed between the two cases is less than one year (274 days on average).¹⁹⁵

The three main domestic sources for the firearms that ended up on the black market in France are theft, the conversion of replica and deactivated firearms, and online sales.

Theft

Gun theft from legal owners probably represents the most significant domestic source of illicit firearms in France, with 10,572 weapons reported stolen in 2015 alone (Figure 4). Among them, almost three-quarters (7,800) were stolen from individual gun owners and gun shops.¹⁹⁶ Statistics show that the majority of stolen weapons belong to categories D and C, indicating a large proportion of thefts of hunting rifles and shotguns. Gun thefts are not limited to hunting weapons, however: more than 1,000 Category B weapons, which include semi-automatic handguns and higher capacity rifles, were reported stolen in 2015 (Figure 4).

Gun-theft statistics need to be treated with caution, however. Indeed, officials note that there have been cases of 'embezzlement' whereby legitimate firearm owners decide to declare certain weapons as lost in order to keep them illicitly, especially following the adoption of new regulations aimed at reclassifying and 'over-restricting' certain models.¹⁹⁷ Quantifying the extent of this practice is difficult, but it appears to also exist in other European countries such as Belgium (see section 2.3.5 in the chapter on Belgium).

Reports of thefts from legal gun retailers are relatively frequent. In February 2017, for instance, a 15- and 17-year-old used a stolen pick-up vehicle to break into a gun shop in Arandon-Passins, a town in Isère, and stole more than forty hunting shotguns and rifles and ammunition.¹⁹⁸ Officials further noted that thefts can occur at arms fairs.¹⁹⁹ Associations of hunters, sports shooters, and First and Second World War memorial and municipal associations organise more than 300 arms fairs in France annually. According to the gendarmerie, there are frequent reports of local criminals stealing some of the firearms on display at such events, while some sellers have been caught displaying prohibited Category A firearms, including magazines and grenades.²⁰⁰ Recent cases have also highlighted cases of theft and the improper storage of firearms held by movie companies, which have included AK-74 rifles, PPSH41 sub-machine guns, Famas rifles and pistols.²⁰¹

Individual gun owners with sizeable collections represent another possible source of high-calibre firearms for criminal groups. In June 2011, for instance, near Toulouse, well-informed thieves stole two crates from a professional sports shooter, one containing more than 80 kg of firearms, the other filled with ammunition. Among the stolen goods was the Colt .45 pistol that Mohamed Merah used during the 2012 attacks in Toulouse and Montauban (see section 3).²⁰² The sometimes excessive and illegal arsenals accumulated by so-called 'compulsive collectors' also represent valuable loot for gun thieves. Many official press releases and media reports relate cases of seizures of caches of several dozens of weapons – including

prohibited items such as rocket launchers and mortars – stashed in the homes of individuals presenting themselves as avid collectors or sports shooters.²⁰³

Lastly, media reports show that criminals also target the security forces to steal their weapons. For instance, on 2 February 2017 two assault rifles and ammunition were stolen from an unmarked military vehicle in Isère. The small truck, part of a convoy of several military vehicles, was parked at a restaurant while the drivers were having lunch inside.²⁰⁴ In another case in Essonne a gendarme was found to loan service weapons to local armed robbers, replacing them in his unit's armoury after use.²⁰⁵ In the absence of nationwide statistics, the scale of such diversion from the national stockpile is difficult to assess, however.

Conversion of replica and deactivated firearms

Sizeable reactivation workshops have been discovered on French territory. In June 2007, for instance, such a workshop run by three men aged 20, 30 and 50 and that reactivated and sold 15-20 Eastern European weapons per week was dismantled in the Hauts-de-Seine.²⁰⁶ In October 2014 the 49-year-old owner of a firearms business was found guilty of reactivating firearms and selling them to individuals linked to Corsican organised crime, including AK-pattern rifles and a Skorpion sub-machine gun.²⁰⁷ In another case, a Marseille-based retiree was sentenced to four years in jail in 2014 for purchasing 132 deactivated handguns – including 75 Glock pistols – from a shop in Barcelona, Spain, over several years. He reactivated the guns at home by simply replacing the barrels with others purchased online from the United States and sold them to individuals linked to criminal circles. Several of these reactivated firearms were subsequently used in murder cases.²⁰⁸

The Banc National d'Épreuve in Saint Etienne is the only institution authorised to deactivate firearms in France, and already implements the new European deactivation regulation. While it deactivates thousands of firearms per year (including 3,046 in 2016), the authorities seize very few – in the range of 60-80 per year – in reactivated form.²⁰⁹ A recent case nevertheless illustrates how ingenious individuals can reactivate firearms at home – even weapons that were deactivated according to reputedly stringent standards. On 25 April 2013 a 19-year-old man shot three people dead in Istres using a Romanian AIM AK-pattern-rifle that had been deactivated in Germany – a country known for its high deactivation standards. The investigation revealed that the perpetrator had purchased the rifle for €267 through a German website in 2012,²¹⁰ and that he reactivated the rifle himself using a hydraulic press and instructions he found on specialised online forums.²¹¹ He used ammunition he reloaded himself using old East German primered steel cases that he purchased from another German website.

Internet

Online sales of firearms are legal in France when the gun is an antique weapon (which can be traded without restriction)²¹² or when the seller is a registered retailer.²¹³ Online sales of Category B firearms between individuals are strictly prohibited, as such purchases must be made in the presence of a law enforcement official who must keep a record of the transaction and check that both buyer and seller have all the required documents.²¹⁴ Individuals can sell Category C and D1 firearms online, however. In such cases they are themselves responsible for ensuring that they have the proper documentation and must subsequently inform the authorities of the transaction.²¹⁵

Several cases mentioned above have shed light on the use of the internet for selling and buying firearms, including restricted models and components. Research for this report has revealed the presence of numerous posts offering such firearms for sale – many without adequate reference to the relevant regulatory requirements – on several open trading platforms (see Table 5). A range of deactivated firearms (including Vz.58 rifles, CETME 7.62 x 51 mm rifles and Vz.61 sub-machine guns), replica firearms (some converted) and tools for modifying firearms are also found on display. For instance, one post dated July 2016 offered a reactivated blank-firing Sa. vz.26 sub-machine gun for €850.²¹⁶

Customs and gendarmerie experts state that they closely monitor these platforms to identify suspicious individuals and build up files on the main protagonists. Generally speaking, the authorities claimed to be satisfied with the cooperation they received from the companies running these websites. Customs and the gendarmerie also monitor the dark web. While it is potentially an increasing source of illicit firearms, officials currently consider the dark web to be mainly a space where contacts for acquiring firearms can be found, and where technical knowledge and advice are shared, for instance for modifying or converting firearms.²¹⁷

2.4.4 France as a transit country for trafficking to other destinations

While France is mainly a destination country for trafficked weapons, some weapons and ammunition are also smuggled from or transit through the country to other destinations, mainly the United Kingdom (UK). This includes, for instance, the regular shipping or smuggling of small quantities (a few dozen at a time) of Category B ammunition across the Channel, where handgun ammunition in particular is tightly regulated.²¹⁸

A prominent case of illicit firearms transiting through France is the August 2015 seizure of 22 Czech-made vz.58 automatic rifles, nine vz.61 sub-machine guns, 58 magazines, more than 1,000 rounds of ammunition, and two silencers near Kent in the UK. The seized weapons had been sold in the previous year as acoustic expansion weapons in Slovakia, converted back to live-firing firearms, and transported overland from Eastern Europe to Boulogne-sur-Mer, France, where they were then transported by ship to the UK (for more details, see section 2.3.4 of the chapter on the UK).²¹⁹

In addition, the gendarmerie highlighted the smuggling since 2012 of sub-machine guns from Croatia to the UK, transiting through Slovenia, Austria, Germany, Belgium, the Netherlands and France. Marked with the name of a seemingly fictitious company, 'R9-ARMS CORP USA', it appears that the weapons were produced illicitly in Croatia. In early 2015 Croatian authorities arrested two truck drivers who worked for a Croatian transport company in the possession of bags containing 14 of these 9 x 19 mm pistols; they were scheduled to drive a refrigerated truck to deliver cosmetics in the UK. In France, these weapons were seized in the context of two judicial cases in 2015.²²⁰

3. Access by terrorists to firearms on the illegal market in France

Under the French Penal Code, acts of terrorism refer to cases of breaches of the law – including killings, kidnappings, hijackings, providing support to combat groups, weapons-related offences and money laundering – that are undertaken with the purpose of disrupting public order through intimidation or terror.²²¹ Within this broad definition, terrorism has taken a number of different forms and inflicted a heavy toll in France in the last 25 years. Not all terror events in France have involved the use of firearms,¹ yet firearms have nevertheless been a recurring tool used by a variety of perpetrators of acts that aimed at causing maximal civilian casualties or disrupting symbols of the French state. Some were claimed by foreign jihadi armed groups, or linked to Corsican nationalist or Basque separatist organisations. Others were perpetrated by social outcasts, some of whom adhered to left-wing ideologies. A non-exhaustive list of terrorist attacks with firearms since the 1990s can be found in Box 2.

¹ The terrorist incidents that did not involve firearms were not necessarily less deadly. In 1995 a wave of bombings was attributed to the Groupe Islamiste Armé in retaliation for French support of the Algerian government. The 25 July 1995 attack involved the detonation of a makeshift bomb that killed eight people and injured 117 at the Saint Michel RER train station in Paris. See, for example, 'Retour sur 35 ans d'attentats en France', *Libération*, 15 July 2016 and 'Charlie, Bataclan, Nice ... et maintenant une église: le (très) lourd bilan du terrorisme en France', *Capital*, 15 July 2016.

Box 2: High-profile terrorist attacks with firearms in France in the past 25 years

In Paris on 4 October 1994 two anarchist activists, Florence Rey and Audry Maupin, killed three police officers and a taxi driver using pump-action shotguns, one of which they bought in a department store. The attackers initially targeted the armed guards of a car pound in order to steal their revolvers, which they intended to use to carry out bank robberies to fund their activities. In the car chase that followed they killed the driver of the taxi they had car-jacked and three police officers.²²²

In Ajaccio on 4 February 1998 Yvan Colonna, a member of the Front de Libération Nationale Corse (FLNC), killed the local *préfet*, Claude Erignac, using an MAS G1 pistol that had been previously stolen during an attack on a gendarmerie station. The victim was shot in the back at close range.²²³

In Nanterre on 26 March 2002 Richard Durn, a 33-year-old who lived off social benefits at his mother's house, opened fire during a city council meeting, killing eight and injuring 19 councillors. He used a Glock pistol and a Smith & Wesson revolver that he had bought legally, but for which the licences had expired.²²⁴

In Cap-Breton on 1 December 2007 Mikel Carrera Sarobe, a member of the Basque separatist group Euskadi Ta Askatasuna (ETA), killed two undercover Spanish Guardia Civil officers in their car after encountering them 'by chance' in a restaurant. He used a Smith & Wesson MP9 pistol that had been reported stolen from a firearms import company together with some 400 other handguns.²²⁵

In a series of shootings that took place in the period 11-19 March 2012 Mohamed Merah killed three French soldiers in Toulouse and Montauban, as well as three students and a teacher at a Jewish school in Toulouse.²²⁶ Among the firearms used by the shooter was a Colt .45 pistol that had been reported stolen the previous year from a professional sports shooter's home.²²⁷

On 15 November 2013 a man armed with a shotgun entered the hall of news channel BFM-TV and threatened its staff. Three days later the same individual burst into the office of the *Libération* newspaper and shot and injured an assistant photographer, before firing random shots in the La Défense district and hijacking a vehicle.²²⁸ While the crime weapon was never found, video

recordings of the incident show a pump-action shotgun, with the buttstock either sawn off or replaced by a pistol grip. Two spent 12-gauge ammunition cases were retrieved by the police, with ballistics marks matching those of a Winchester Defender shotgun.²²⁹ The shooter, born in 1965, had previously been involved in the 1994 Rey and Maupin case (see above), helping the perpetrators to acquire one of their shotguns.²³⁰

Between 7 and 9 January 2015 several connected terrorist shooting incidents took place in and around Paris, resulting in 17 deaths. The brothers Saïd and Chérif Kouachi, armed with East European automatic rifles, killed 11 people at the French satirical magazine *Charlie Hebdo* editorial office, as well as a police officer. During the search for the Kouachi brothers, Ahmédy Coulibaly, armed with vz.58 automatic rifles and Tokarev 33TT pistols, entered a Jewish Hypercacher supermarket at the Porte de Vincennes, shot four people dead and held hostage more than 20 people for several hours. Coulibaly had previously shot a young female police officer dead and wounded another person in the street in Montrouge.²³¹

On 13 November 2015 terrorist attacks resulted in 130 people being killed and more than 400 wounded in Paris. Ten perpetrators divided into three teams coordinated attacks targeting the Stade de France, busy restaurant terraces in the 10th and 11th *arrondissements*, and the Bataclan theatre. While the suicide bombings at the Stade de France were largely unsuccessful, the two other teams used automatic rifles and claimed all but one victim. Several of the perpetrators had fought in Syria and/or Iraq; they were also later found to have ties with the perpetrators of the March 2016 attacks on Brussels Airport and metro in Belgium, which resulted in 32 deaths (see the chapter on Belgium).²³²

Since 2015, and the deadly assaults carried out in that year under the banner of radical Islam, terrorism has taken on a new dimension in France and become primarily associated with religiously motivated mass killings. France is by far the Western European country most affected by the recent wave of jihadi terrorism: from 2013 to 2016 it was the target of ten such terrorist attacks (out of 24 for all of Western Europe), four failed attacks (out of six), and 28 plots (out of 64).²³³ A total of 147 people were killed and hundreds injured in the context of the 7-9 January and 13 November 2015 Paris incidents,²³⁴ which were claimed by foreign terrorist groups al-Qaeda and the so-called Islamic State. Firearms – primarily automatic AK-pattern assault rifles and handguns acquired from intra-European criminal sources

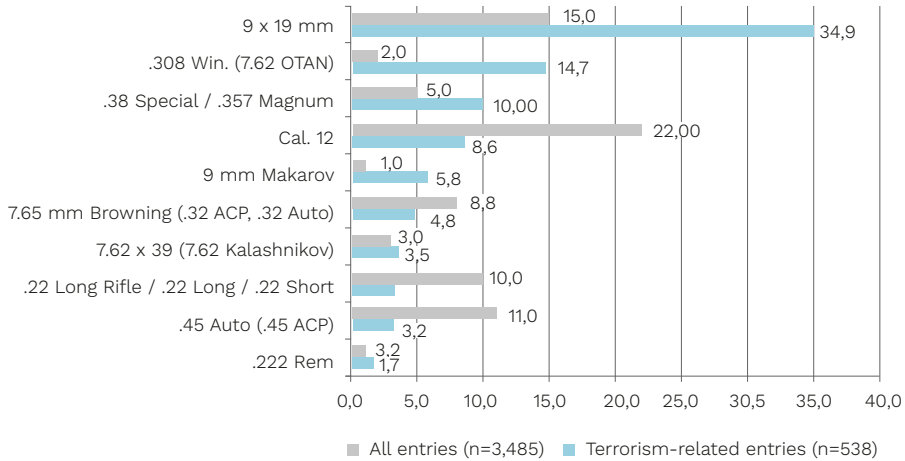
– caused the vast majority of these casualties.²³⁵ In the aftermath of these attacks acts of right-wing terrorism targeting Muslim targets increased, including some involving the use of firearms. Although no fatalities were recorded, shots were fired at six mosques in various French localities following the January 2015 attacks, for instance.²³⁶

Recent events have underscored the devastating effects of terrorist attackers wielding fully automatic AK-pattern rifles in crowded venues. Yet as the listed events in Box 2 illustrate, attackers have also relied on handguns and shotguns in a number of high-profile incidents, suggesting access to a more diverse arsenal than typically portrayed.

Ballistics data from the national FNIB database contain information on the calibre of firearms and ammunition observed by French forensic laboratories in the context of terrorism-related cases. These may be firearms or ammunition used in actual attacks, or seized from the caches of armed organisations and during arrests of their members. As such, the data are potentially illustrative of the wider range of firearms used in terrorist activities and are not limited to high-profile events. While most recent terrorism-related ballistics evidence collected nationally is entered into the FNIB, it currently remains in its infancy and its scope is so far mainly limited to cases that occurred in 2015 and 2016.²³⁷

These caveats in mind, 2016 FNIB data provide a diverse picture of the main calibres linked with terrorism (538 database entries in total). Particularly striking is the fact that 9 x 19 mm and especially 7.62 x 51 mm ammunition comprise the highest proportion of entries (Figure 6). According to officials, this is explained by the seizure of a large ETA arms cache containing 7.62 x 51 mm CETME assault rifles, 9 x 19 mm MAT 49 and Sten sub-machine guns, and GP35 pistols.²³⁸ Other prominent calibres for terrorism-related entries include .357 Magnum, 12 gauge and 9 mm Makarov. Interestingly, 7.62 x 39 mm ammunition – for AK-pattern rifles – is only the seventh most prominent calibre among the 2016 terrorism-related entries. Also of note are the significantly smaller proportions occupied by 12 gauge and .22LR in the terrorism dataset compared with the full dataset.

Figure 6: The ten calibres most commonly observed by French ballistics laboratories in 2016, in percentages for all entries and terrorism-related entries (retrieved firearms only)



Source: INPS²³⁹

Although the FNIB dataset remains in its infancy, it illustrates the wide-ranging diversity of calibres linked to terrorist activity as it is defined in France. Furthermore, terrorism-related calibres differ only partially from those used in other crimes and offences, suggesting that at least in some cases terrorist actors rely on firearms and ammunition that are locally available. Unfortunately, it was not possible for this study to disaggregate the FNIB data by type of terrorist actor, a task that would further illuminate these findings, but it would require time, resources and official clearance to retrieve this information from the associated judicial files.

Because investigations into most of the recent jihadi terrorism cases are still ongoing, interviewed French officials were not able to provide detailed information on the proximate sources of firearms used to arm these attackers.²⁴⁰ A number of pieces of the puzzle have nevertheless emerged from open-source investigative media reporting. Because they have been ably summarised elsewhere,²⁴¹ they are only succinctly reviewed here. The following paragraphs use open-source information and previously unpublished official data on the specific models of firearms used in a number of jihadi terrorist attacks and the status of tracing efforts, and on the firearms that have been seized from Basque separatist and Corsican nationalist networks. The final part of this section will draw some general conclusions on the extent of linkages between organised crime and terrorist acquisition of firearms.

3.1 Firearms and recent jihadi terrorist attacks

Open-source information on recent terror attacks in France demonstrates links between jihadi terrorism and organised crime. According to media reports, Mohamed Merah, the perpetrator of the 2012 attacks in Toulouse and Montauban, was previously involved as a 'go-fast' driver with an organised criminal group smuggling cocaine between Spain and France.²⁴² These connections likely helped him to acquire the .45 Colt pistol he used in the 2012 attack. This claim is supported by the observation that the pistol was part of two crates of arms and ammunition that were stolen from a professional sports shooter in 2011,²⁴³ and other weapons from these stolen crates were also retrieved during the arrest of other Toulouse-based drug traffickers.²⁴⁴ Yet how Merah procured the other six firearms at his disposal remained unknown at the time of research (see Table 6).

More recently, investigative reporting revealed that the weapons used by Ahmédy Coulibaly in Paris in January 2015 were reactivated firearms from Slovakia. The two vz.58 rifles, reportedly produced in the 1960s, and six Tokarev pistols, manufactured in the 1940s and 1950s, had been modified as acoustic expansion weapons by Slovakian companies such as KolArms between 2013 and 2014. They were then sold without restrictions as blank-firing firearms in the Slovakian gun shop AFG Security on the simple presentation of an ID card. A Belgian national is reported to have bought one of the rifles subsequently used by Coulibaly, as part of 170 weapons he purchased from AFG Security between 2013 and 2014. Although he denied supplying Coulibaly directly, in May 2014 Belgian police had found materiel in his house that could be used to reconvert such firearms to fire live ammunition.²⁴⁵ The other vz.58 rifle and two of the pistols were bought in 2014 by Claude Hermant, a right-wing French national who lived in Belgium and owned a survival shop in Lille in northern France. He was reportedly also an informer for the gendarmerie, and played a role in an undercover investigation into illicit arms trafficking.²⁴⁶ He imported dozens of deactivated firearms from AFG Security before reconvertng them into lethal-purpose weapons and reselling them to local criminal circles, although he denied selling the weapons directly to Coulibaly.²⁴⁷ Another Frenchman from Pas de Calais, who had previously worked for Hermant, as well as two Montenegrin and Serbian nationals, were arrested in April 2016 in Malaga, Spain. The French national was identified by Spanish police as the person responsible for the network that provided firearms to Coulibaly. All these suspects have denied providing weapons directly to Coulibaly, however.²⁴⁸

Some information has also surfaced regarding the firearms used in the Bataclan attacks of November 2015. The Zastava M70 rifle was produced in Kragujevac, former Yugoslavia, and delivered in May 1981 to Bosnian self-defence forces that

subsequently became the regular Bosnian Army. The Type 66-1 assault rifle was of Chinese origin, but was produced under licence in Albania and formed part of that country's national stockpile. The third AK-pattern rifle was manufactured in Bulgaria in 1985. While little is known about when and how these rifles were smuggled to Western Europe, Belgian courts suspect the El Bakraoui brothers, two of the March 2016 suicide bombers at Brussels Airport, were involved in supplying the firearms to the November 2015 Paris attackers, several of whom were Belgian nationals or lived in Belgium (see the chapter on Belgium).²⁴⁹

A more recent case highlighted the possibility of suspected terrorists using legally owned firearms. On 19 June 2017 Adam Lofti Djaziri attempted to attack a police convoy on the Champs Élysées in Paris. His car immediately burst into flames and he died a couple of minutes later, inflicting no victims among the police. A search of his car revealed the presence of a gas cylinder, 9,000 rounds of ammunition and a – reportedly Israeli – assault rifle.²⁵⁰ While searching his house, the police also found a Glock and a SIG Sauer pistol, a carbine, and seven Category C firearms.²⁵¹ Although Djaziri featured on France's terrorist suspect watch list – '*fichier S*' – he held the appropriate authorisation for the two Category B pistols and the shooting licence required for the Category C weapons. It appears that this situation was not due to administrative oversight; rather, Prime Minister Edouard Philippe stated that when Djaziri requested the renewal of his shooting licence in late 2016, the Direction Générale de la Sécurité Intérieure (France's internal intelligence service) was informed, but opted to grant the request in order not to arouse Djaziri's suspicion that he was being monitored.²⁵² Nevertheless, President Emmanuel Macron called for a thorough review of such procedures after the incident.²⁵³

For this study, French officials contributed data on the specific models of firearms used or seized in connection with several attacks and attempted recent attacks, providing the most comprehensive official and publicly available account to date of the arsenals at the disposal of jihadi terrorists in France. The data are useful for generating a typology of the weapons types and models used by jihadi terrorist groups, as well as for illustrating the challenges involved in tracing these firearms. Table 6 summarises data provided by the Interior Ministry's SCAEMS on 52 firearms retrieved or seized in relation to eight terrorism cases that occurred between 2012 and 2016. Not included in Table 6 are the three AK-pattern rifles (one Chinese Type 56-1, one Bulgarian AKKS and one Serbian M70 AB1)²⁵⁴ used by attackers during the 13 November 2015 attack at the Bataclan theatre in Paris, which resulted in 89 deaths; AK-pattern rifles were also used during the coordinated attacks on restaurants and terraces in Paris on the same day, but no further details were available at the time of research.²⁵⁵

Table 6: Firearms seized in recent attacks inspired by radical Islamist ideologies

Make, model and country of manufacture	Calibre	Legal category ²⁵⁶	Specific information	Tracing requests
Mohamed Merah (Toulouse and Montauban attacks, 11-19 March 2012)				
Franchi Spas 12 shotgun, Italy	12 gauge	B-2°		Yes, unsatisfactory results
ROF Sten MK II sub-machine gun, UK	9 x 19 mm	A-2-1°		Yes, unsatisfactory results
Micro-UZI sub-machine gun, Israel	9 x 19 mm	A-2-1°	Altered serial number	
Colt Python revolver, United States	.357 Magnum	B-1°		Yes, unsatisfactory results
Remington 1911 A1 pistol, United States	.45 ACP	B-1°		Yes, unsatisfactory results
Remington 1911 A1 pistol, United States	.45 ACP	B-1°	Firearm assembled from parts of several other weapons	Yes, firearm reported stolen
LLama Max-II pistol, Spain	.45 ACP	B-1°	Reactivated – had been deactivated in Spain	Yes, unsatisfactory results
Mehdi Nemmouche (attack on Jewish Museum, Brussels, 24 May 2014; arrested in Marseille on 30 May 2014)				
Zastava M70 automatic rifle, Serbia	7.62 x 39 mm	A-2-1°		Yes, unsatisfactory results
LLama Scorpio revolver, Spain	.38 Special	B-1°	Altered serial number	Yes, unsatisfactory results
Saïd and Chérif Kouachi (Charlie Hebdo attack, Paris, 7-9 January 2015)				
Two Zastava M70 automatic rifle, Serbia ²⁵⁷	7.62 x 39 mm	A-2-1°		Yes, unsatisfactory results
Two Zastava M57 pistols, Serbia	7.62 Tokarev	B-1°		Yes, unsatisfactory results
RBR M80 rocket launcher, Serbia	64 mm rockets	A-2-4°		Yes, unsatisfactory results (traceable only by lot number)

Ahmédy Coulibaly (Fontenay-aux-Roses, Montrouge and Hypercacher attacks in Paris, 7-9 January 2015)				
vz.58 Compact automatic rifle, Czech Republic	7.62 x 39 mm	A-2-1°	Reactivated acoustic expansion weapon from Slovakia	Yes, sold by AFG Security in Slovakia
vz.58 Sub-compact automatic rifle, Czech Republic	7.62 x 39 mm	A-2-1°	Reactivated acoustic expansion weapon from Slovakia	Yes, sold by AFG Security in Slovakia
Six Tokarev TT33 pistols, Soviet Union	7.62 Tokarev	B-1°	Reactivated acoustic expansion weapon from Slovakia	Yes, three were sold by AFG Security in Slovakia, three were deactivated by KolArms in Slovakia
Tula Nagant 1932 revolver, Soviet Union	7.62 Nagant	B-1°	No deactivation mark from KolArms	Yes, unsatisfactory results
Sid Ahmed Ghلام (alleged 19 April 2015 murder of Aurélie Châtelain and planning of attack on a church in Villejuif)				
Four Zastava M70 automatic rifles, Serbia	7.62 x 39 mm	A-2-1°		
Sphinx AT 2000 pistol, Switzerland	9 x 19 mm	B-1°		Yes, firearm reported stolen
SIG Pro 2022 pistol, Germany	9 x 19 mm	B-1°		Yes, firearm reported stolen
Ayoub El Khazzani (Thalys train attack, 21 August 2015)				
Mpi kM-K automatic rifle, former East Germany	7.62 x 39 mm	A-2-1°	Firearm assembled from parts of several other weapons ²⁵⁸	Yes
Luger FEG M80 pistol, Hungary	9 x 19 mm	B-1°	Erased serial number ²⁵⁹	Impossible
Four Zastava M70 automatic rifles, Serbia	7.62 x 39 mm	A-2-1°		One unknown firearm, three unsatisfactory results

Kazanlak AKS 47 automatic rifle, Bulgaria	7.62 x 39 mm	A-2-1°		Yes, unsatisfactory results
Norinco Type 56-1 automatic rifle, China	7.62 x 39 mm	A-2-1°		Yes, unsatisfactory results
Browning GP35 pistol, Belgium	9 x 19 mm	B-1°	Altered serial number	Impossible
Reda Kriket (arrested on 24 March 2016 in Boulogne Billancourt for allegedly planning an attack during Euro 2016)				
Five AK-pattern automatic rifles	7.62 x 39 mm	A-2-1°		
ZAGI-M91 sub-machine gun, Croatia	9 x 19 mm	A-2-1°		
SIG Pro 2022 pistol, Germany	9 x 19 mm	B-1°		Yes, reported stolen in Belgium
Glock 19 pistol, Austria	9 x 19 mm	B-1°		Yes, reported stolen in Belgium
Remington 1911 pistol, United States	.45 ACP	B-1°		
Colt 1911 A1 pistol, United States	.45 ACP	B-1°		
MAB pistol, France		B-1°		
Walter P99 pistol, Germany	9 x 19 mm	B-1°		
Smith & Wesson Model 29 revolver, United States	.44 Magnum	B-1°		
Mohammed Laouej Bouhlel (Nice attack, 14 July 2016)				
Unique pistol, France	7.65 Browning	B-1°		Yes, firearm reported stolen

Source: SCAEMS⁶⁰

The data in Table 6 indicate that semi-automatic handguns of various calibres (legal Category B) represent 50% of the weapons, compared with 40% for automatic rifles (mainly 7.62 x 39 mm AK-pattern rifles). Sub-machine guns represent only 6% of the sample, with the remainder comprising a pump-action shotgun and a rocket launcher. The fact that handguns are more prominent – even if slightly – in this

dataset than fully automatic weapons is noteworthy, and somewhat contradicts common perceptions of terrorist arsenals being composed primarily of AK-pattern rifles. Semi-automatic handguns were actually used to a greater extent than fully automatic weapons in several of the associated attacks, including those in Toulouse, Montauban and Villejuif.²⁶¹ Despite this observation, it is clear that fully automatic rifles were widely used, including in the most deadly attacks. In fact, 7.62 x 39 mm (the calibre for AK-pattern rifles) is the most common calibre in Table 6 (40%), followed by 9 x 19 mm (19%), 7.62 x 25 mm Tokarev (15%) and .45 ACP (10%).

Officials stress the difficulty of tracing the firearms used in these attacks.²⁶² As noted in Table 6, while tracing efforts were made in most cases, those that generated the most useful results involved pistols that were reported stolen in France (four cases) and Belgium (two cases), as well as the two reactivated 7.62 x 39 mm vz.58 rifles and six reactivated Tokarev pistols that were sold as blank-firing firearms in Slovakia. In the majority of cases, however, tracing requests yielded only unsatisfactory results. This is true for a number of handguns and automatic rifles, and particularly so for older weapons produced in the Balkans before the conflicts of the 1990s. Producers provided information on the last known legal end user of the firearms, generally former armed forces of the Yugoslav Republic in the early 1990s. In those cases, tracing was of little use in determining how and when these weapons ended up in France, because too many parts of a potentially long chain of custody are missing.²⁶³ A similar observation can be made regarding the tracing of the ammunition that was found. Markings on 7.62 x 39 mm cartridge cases retrieved at the scene of the Bataclan and Thalys attacks reveal the use of old ammunition manufactured before the mid-1990s primarily in East and South East European countries, including Bosnia and Herzegovina (between 1974 and 1991), Bulgaria (in 1967 and 1988) and Czechoslovakia (in 1991), as well as in Iran (in 1992 and 1993) and China (in 1963 and 1964).²⁶⁴

3.2 Firearms and Basque separatism

While Basque separatist group ETA carried out most of its violent attacks in Spain,²⁶⁵ the 2007 killing of two Guardia Civil officers in Cap Breton served as a reminder of its clandestine armed activities in France.²⁶⁶ The group declared the end of its armed struggle in 2011 and began disarming in 2016. In April 2017 it surrendered eight arms caches containing 3.5 tonnes of arms, ammunition and other materiel to the French authorities.²⁶⁷ Consequently, the number of investigations opened in France related to ETA decreased from 159 in 2007 to 26 in 2013.²⁶⁸ While ETA no longer represents a significant armed threat,²⁶⁹ its past arms procurement patterns are an interesting illustration of the ways in which a group – which featured on the EU's

list of terrorist organisations until 2009 – was able to acquire and maintain an arsenal in south-western France.

ETA favoured local sources of firearms supplies, and initially relied to a great extent on weapons it looted from the stocks of regular security forces (including Spanish service handguns such as the Astra pistol).²⁷⁰ ETA engineers also produced home-made sub-machine guns in the 1980s and 1990s that were inspired by the Israeli Uzi.²⁷¹ Even though these weapons were known for their high failure rate, the group appears to have manufactured several hundred units.²⁷² These weapons usually had 'ETA' marked on the right side of the receiver, as well as 'RTS' or 'ARS' fire selector markings.

Firearms held by the group in the last ten years involved mainly those stolen in 2006 from a local firearms retailer. On 24 October 2006 an ETA commando stormed into the facilities of the SIDAM gun shop in Vauvert, in Gard *département*.²⁷³ The team of three seized 400 handguns – mostly in 9 x 19 mm and .357 Magnum calibres, including new Smith & Wesson MP9 and CZ pistols – and 60,000 rounds of ammunition.²⁷⁴ They also took older weapons that were being repaired in the shop, including a Luger P08 pistol.²⁷⁵ Ballistics analysis of the cartridge cases left behind at the 2007 Cap Breton crime scene revealed the murder weapon to be a Smith & Wesson MP9 pistol that had been stolen from SIDAM. Firearms originating from this source have also been regularly seized from arrested ETA members – they were easily traced because the serial numbers were left intact.²⁷⁶

Caches that ETA recently surrendered as part of its disarmament process generally contained some 50 firearms each, stored in plastic containers. A cache examined at Louhossoa on 16 December 2016 contained a combination of Arminius revolvers, SIDAM-origin handguns, former Spanish Army firearms with milled serial numbers, SIG- and FN-manufactured firearms, and homemade 'Uzi' sub-machine guns.²⁷⁷ A number of Spanish-produced 7.62 x 51 mm CEMTE rifles have also been recovered.²⁷⁸

Most of the ammunition held recently by ETA was also stolen from SIDAM. However, ETA also reloaded a significant proportion of its ammunition (especially in calibres .357, 9 x 19 mm and .45), representing about 10-15% of what has been recovered in recently surrendered caches.²⁷⁹

3.3 Firearms and Corsican nationalism

Since 1976, as part of its campaign for Corsican independence, the Front de Libération Nationale Corse (FLNC) has carried out a number of attacks on and bombings of symbols of the French state, both on the island and in southern France.²⁸⁰ The violent activities of Corsican nationalists have diminished in recent years, however: the number of investigations opened in France related to terrorism in Corsica decreased from 248 in 2006 to 26 in 2013,²⁸¹ and in 2016 the group announced the end of its armed campaign.²⁸² The situation nevertheless remains fragile, and organised crime contributes to the island's high homicide rate.²⁸³ Police sources note that 12 gauge is currently the most predominant calibre in use in crime in Corsica.²⁸⁴ Score settling between organised crime gangs tends to involve pump-action or hunting shotguns.²⁸⁵ Such groups also have access to automatic firearms, however. In October 2014 the 49-year-old owner of a firearms business was found guilty of reactivating firearms and selling them to individuals linked to Corsican organised crime. The weapons he supplied to them included ten AK-pattern rifles, a Skorpion sub-machine gun and a Walther PPK semi-automatic pistol.²⁸⁶

Corsican nationalists' holdings and procurement of firearms provide additional insights into how clandestine organisations acquire weapons in France. Weapons they displayed during their 1990s propaganda efforts suggested international sources of supply. In January 1996 the FLNC invited tens of journalists to a press conference in a forest. There, some 600 militants, dressed in black combat clothing and their faces covered, could be seen carrying a variety of firearms. The diverse weapons they displayed at this and other events typically included Uzi sub-machine guns, Steyr AUG and M16 rifles, rocket launchers, machine guns, and CZ 75 pistols.²⁸⁷ Corsican nationalists have also used automatic weapons in particular to spray bullets at state symbols such as gendarmerie stations.²⁸⁸ Little information is available, however, on the criminal networks used to acquire these diverse firearms. One rare documented example involved the smuggling of Austrian police Glock pistols in the mid-1990s. Four Austrian police officers forged documentation to collect unclaimed service pistols that were reserved for retired officers who requested them. They then sold the firearms to local criminal networks, as well as about 20 units to Corsican militants they were personally acquainted with.²⁸⁹

Corsican nationalists also sourced weapons locally, including through theft from law enforcement services. On 6 February 1998 Préfet Claude Erignac was shot first in the neck then twice in the head on his way to meet his wife at the theatre in Ajaccio. The killer left the firearm close to the scene. Tracing efforts revealed that the 9 x 19 mm MAS G1 pistol – a copy of the Beretta 92FS manufactured under licence in Saint Etienne – was one of two pistols that had been stolen during the

assault on a gendarmerie post in Pietrosella on 6 September 1997.²⁹⁰ The investigation found that Yvan Colonna, a man connected to the FLNC, was the attacker. He was sentenced to life in prison.²⁹¹

3.4 Links between organised crime and the acquisition of firearms by terrorist groups

Due to the secretive nature of ongoing investigations, interviewed officials were not at liberty to share information on the specific proximate criminal networks used by terrorist organisations to acquire firearms. Forensics specialists met for this study nevertheless observed that, to date, not a single firearm examined in relation to terrorism has been linked through ballistics testing to other criminal cases or offences.²⁹² While this statement should be weighed against the fact that France's nationwide ballistics network remains in its infancy, the fact remains that clearly documenting a link between terror actors and organised criminal groups is challenging.

While investigations may reveal more information as they unfold, some observers suggested that connections between the criminal and jihadi terrorism spheres in particular may be limited for a reason. Organised criminal groups would put themselves at greater risk of harassment by the authorities by supplying terrorists, and may in fact be trying to limit such ties.²⁹³ Moreover, other groups have openly expressed their discontent with the jihadi networks. Following the July 2016 jihadi attack in Nice, for instance, the FLNC publicly threatened jihadi terrorists with retaliation should they attempt to carry out attacks in Corsica.²⁹⁴

Overall, with the exception of Mohamed Merah, most jihadi attack perpetrators appear to have been involved in low-level criminality rather than organised crime. As Europol noted, *“foreign terrorist fighters (FTFs) and their facilitation networks are predominantly self-funding (for example, from their employment income, support from family and friends, social welfare and/or bank loans). ... the perpetrators of the January [2015] Paris attacks were not in employment at that time; they made use of a consumer loan obtained with forged documents and cashed out, they had the proceeds of the sale of a car, and had cash linked to the sale of counterfeit goods.”*²⁹⁵

This suggests the discreet and small-scale involvement of jihadi terror cell members in low-level criminal activities with the purpose of financing their activities.

The information reviewed in this report illustrates a wide range of and flexibility in the procurement methods used by terrorist organisations. Indeed, where tracing

was successful, information points mainly to local sources, including thefts from gun shops, lawful individual gun owners, and state security forces, as well as craft production. Little is known about the origins of the AK-pattern rifles used in the deadly November 2015 attacks. While some could be traced back to the Balkans in the early 1990s, their more proximate chains of custody are unclear. Available reporting suggests that the attackers' personal networks in Belgium played a part,²⁹⁶ but when and through which route these firearms were smuggled from the Balkans remain unclear.

4. Conclusions

France has faced several waves of terror attacks in its history, but the violence and human toll of those perpetrated since 2015 is unprecedented. Firearms were the primary weapon used in the most deadly attacks. Data on 52 firearms used or seized in connection with eight recent terror cases show that handguns, followed by automatic rifles, have been the main types of weapons held and used by jihadi terrorists.

Owing to the legacy of the Second World War, a tradition of tolerance towards unregistered rifles and shotguns, and more recent dynamics of cross-border trafficking, France hosts a sizeable pool of illicit firearms. While difficult to quantify, the available estimates suggest that they may number several million, with hunting rifles and shotguns representing the largest share. In fact, the number of illicit guns circulating even appears to be growing – in 2015 firearms that were reported stolen outnumbered those seized by the authorities. Shotguns and handguns are the weapons types most frequently examined by the country's forensics experts. While cases of the illicit possession or use of automatic rifles have increased slightly in recent years, comparatively speaking they remain much less frequent than those involving shotguns and handguns. When used, automatic rifles can inflict particularly devastating violence, however. In the region of Marseille, for instance, homicide victims are shot on average more than ten times when the weapon used is an AK-pattern rifle.

Illicit firearms in France originate from a variety of domestic and foreign sources. Domestically, they include primarily theft from private legal gun owners, gun shops, arms fairs and other actors. Criminal networks exploit differences and gaps in European countries' national legislation and the private networking offerings of the internet to import categories of weapons that are prohibited or heavily restricted in France, including automatic rifles, sub-machine guns, handguns and their

essential components. These are the most expensive types of arms on the black market, with prices that can reach several thousand euros. Experts and officials expressed concern over a growing trade in easily convertible replica firearms, as well as retro-convertible deactivated firearms. These weapons originate from other EU countries or transit through them before reaching French territory. Once converted – in France or abroad – to lethal-purpose weapons, these firearms represent a cheap alternative to real guns and an opportunity for criminals to generate profit.

Tracing the origins of firearms used in terrorism is particularly difficult, and especially so when the weapons are ageing automatic rifles. The AK-pattern rifles used in recent attacks were typically produced in the Balkans in the 1980s. Apart from identifying their last legal owner – often South East European national armed forces before the conflicts of the 1990s – tracing efforts yielded unsatisfactory information about the weapons' more recent chains of custody. On the other hand, the tracing of the reactivated vz.58 rifles helped build momentum to address the trafficking that had developed around easily convertible Slovakian acoustic expansion weapons. While most investigations into the recent attacks are still ongoing, currently available information suggests that some terrorist cells acquired illicit firearms locally and in neighbouring countries. This is notably the case in Belgium, from where several of the Paris attackers originated. Links between the November Paris attackers and the March 2016 Brussels Airport suicide bombers are also strongly suspected, including in terms of firearms procurement.

As governments intensify their efforts to curtail the trafficking of weapons, organised crime groups may feel increasingly reluctant to supply terrorist groups, and terrorists' use of other methods such as trucks, cars and bombs for attacks in France and other European countries may indicate that sources of supply are becoming more limited. Other organisations previously engaged in terrorist activity in France, such as ETA and the FLNC, have demonstrated the ability of clandestine organisations to adapt to such circumstances and identify discreet and local sources of weaponry, such as theft from private actors and even craft production. While addressing the cross-border trafficking of automatic firearms remains essential, efforts should also take into consideration the local sources of supply that jihadi and other terrorists could still seek to exploit.

In response to the recent wave of terrorist attacks, the French government has endeavoured to accelerate reform of the country's intelligence and security forces, and put in place plans of action and a series of associated measures to tackle illicitly held firearms. A key component of these efforts is the improvement of data collection and analysis methods. While the new tools put in place remain in their infancy, this study has showed that centralised SCAEMS and customs data on weapons

seizures and thefts and the networked FNIB ballistics system already help to provide important indicators of the nature and extent of illicit arms flows in the country. Sustaining and building on these efforts would allow for more detailed data analysis of specific patterns of arms trafficking.

In parallel, efforts to reinforce the capacities of police and gendarmerie officers to investigate and record illicit firearms are under way. France adopted new firearms legislation in 2013, increased penal sanctions associated with illicit firearms possession and is working to improve its registry of civilian-held weapons. Following the 2015 attacks, it has also pushed its European partners to accelerate the adoption of the new EU firearms directive and firearm deactivation regulation. Interviewed officials have consistently expressed concern over the slow and uneven implementation of some minimum European standards, including those related to firearms deactivation. Different legislation within the EU regarding the classification of essential parts of firearms means that these components remain easily accessible in a number of EU member states, and are therefore a potential source for weapons traffickers. Indeed, many of the efforts undertaken by France may prove futile unless other member states follow suit.

ENDNOTES

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- 2 Europol, 2016, *European Union Terrorism Situation and Trend Report (TE-SAT) 2016*, The Hague, p.10.
- 3 See, for instance, Fenech, G. and Pietrasanta, S., (2016), *Rapport fait au nom de la Commission d'enquête relative aux moyens mis en œuvre par l'Etat pour lutter contre le terrorisme depuis le 7 janvier 2015*, no, 3922, Assemblée Nationale.
- 4 Ministry of Interior (2015), *Plan national de lutte contre les armes illégalement détenues*, 13 November, <http://mobile.interieur.gouv.fr/Presse/Dossiers-de-presse/Plan-national-de-lutte-contre-les-armes-illegalement-detenués>
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- 17 Verbal communication with source CS17, 30 March 2017.
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- 93 Written communication with the Institut Médico-Légal of Marseille, 3 May 2017.
- 94 Verbal communication with source CS7, 28 March 2017.
- 95 Using data from all services (Police and Gendarmerie), for France métropolitaine, as contained in Data.gouv.fr, (2017), *Chiffres départementaux mensuels relatifs aux crimes et délits enregistrés par les services de police et de gendarmerie depuis janvier 1996*, version updated 6 April 2017, <https://www.data.gouv.fr/fr/datasets/chiffres-departementaux-mensuels-relatifs-aux-crimes-et-delits-enregistres-par-les-services-de-police-et-de-gendarmerie-depuis-janvier-1996/>
- 96 Scherr, M., (2016), *Les Dynamiques Récentes des Vols à Main Armée*, FlashCrim no.8, ONDRP, June.
- 97 Using data from all services (Police and Gendarmerie), for France métropolitaine, as contained in Data.gouv.fr, (2017), *Chiffres départementaux mensuels relatifs aux crimes et délits enregistrés par les services de police et de gendarmerie depuis janvier 1996*, version updated 6 April 2017, <https://www.data.gouv.fr/fr/datasets/chiffres-departementaux-mensuels-relatifs-aux-crimes-et-delits-enregistres-par-les-services-de-police-et-de-gendarmerie-depuis-janvier-1996/> 'Armed robberies' in this chart is the sum of indices 15-19 in the above data source.
- 98 Auffret, S., (2015), 'Marseille et Paris, capitales de la carte du crime,' *Le Monde*, 15 October 2015, http://www.lemonde.fr/les-decodeurs/article/2015/10/15/le-ministere-de-l-interieur-livre-enfin-les-chiffres-de-la-delinquance_4790212_4355770.html
- 99 Verbal communication with source CS9, 12 May 2017.
- 100 Written communication source CS5, 12 May 2017.
- 101 Written communication with the SCAEMS, 13 April 2017.
- 102 Written communication with the SCAEMS, 13 April 2017.
- 103 In the other cases, judges may opt to request forensics analysis by private experts. Written communication with the SCAEMS, 29 May 2017; Written communication with source CS1, 29 May 2017.
- 104 Written communication with source CS1, 15 April 2017.
- 105 Written communication with the SCAEMS, 13 April 2017.
- 106 Each entry corresponds either to a cartridge case, a bullet, or a firearm.
- 107 INPS (Institut National de Police Scientifique), (2016), *FNIB – Bilan 2016*, Ministry of Interior, p2.
- 108 INPS (Institut National de Police Scientifique), (2016), *FNIB – Bilan 2016*, Ministry of Interior, p2; Written communication with the INPS, 16 May 2017.
- 109 INPS (Institut National de Police Scientifique), (2016), *FNIB – Bilan 2016*, Ministry of Interior, p2.

- 110 Written communication with source CS1, 16 May 2017; Written communication with the INPS, 16 May 2017.
- 111 Written communication with the Institut Médico-Légal of Marseille, 3 May 2017.
- 112 With the exception of shotguns and flare pistol inserts, online prices are based on a review of about 400 posts displaying firearms for sale on the www.natuxo.com online trading platform. The review was performed between February and April 2017, and identified 84 suspicious attempted sales (i.e. cases that appeared to circumvent the firearms legislation) that were posted on the site between July 2014 and April 2017. Online prices for shotguns were collected from three websites (www.natuxo.com, www.marche.fr, and www.annonces.france-chasse.com) in May 2017, focusing on 21 posts that failed to specify the legal category of the weapons and the regulatory requirements in place for the acquisition of these firearms. Online prices for flare pistol inserts were observed on the site www.delcampe.net.
- 113 Based on one attempted sale.
- 114 Tourancheau, P., (2002), 'Armes de guerre dans la ligne de mire,' *Libération*, 10 April, http://www.liberation.fr/evenement/2002/04/10/armes-de-guerre-dans-la-ligne-de-mire_399775
- 115 Mandraud, I.,(2007), 'Artillerie lourde en banlieue', *Le Monde*, 21 November, http://www.lemonde.fr/societe/article/2007/11/21/des-banlieues-francaises-tres-armees_980865_3224.html
- 116 Verbal communication with source CS11, 14 October 2009.
- 117 *Atlantico.fr*, (2011), 'Kalachnikov à 400 euros : « Un petit investissement pour un gros business », ' 3 December, <http://www.atlantico.fr/decryptage/kalachnikov-marseille-attaques-fabrice-rizzoli-laurent-appel-237270.html>
- 118 *Midi Libre*, (2012), 'Armes de guerre: 15 000 Kalachnikov seraient en circulation dans les banlieues', 2 July, <http://www.midilibre.fr/2012/07/02/armes-de-guerre-15-000-kalachnikov-seraient-en-circulation,527102.php>
- 119 *Bfmtv*, (2013), 'Qui achète et qui vend des kalachnikovs, comment et à quel prix?', 9 September, <http://www.bfmtv.com/societe/achete-kalachnikovs-a-prix-598948.html>
- 120 Bourdier, M., (2015), 'Un plan contre le trafic d'armes: les chiffres à connaître sur la circulation des armes à feu en France,' *Huffington Post*, 13 November, http://www.huffingtonpost.fr/2015/11/13/armes-a-feu-france-traffic-armes-france-chiffres-bernard-caze-neuve-plan-ministere-interieur_n_8553006.html
- 121 The source stressed that these prices are estimates, vary according to supply and demand, and that it is generally easier, so cheaper, to acquire firearms in urban centers than in rural areas. Verbal communication with source CS9, 11 May 2017.
- 122 Based on two attempted sales in 2014.
- 123 Compared with EUR 150-250 in Serbia, and EUR 10,000 in the UK. Verbal communication with source CS2, 28 March 2017.
- 124 Duquet, N., (2016), *Armed to kill: An exploratory analysis of the guns used in public mass shootings in Europe*, Flemish Peace Institute, June, p21
- 125 Verbal communication with source CS12, 18 April 2017.
- 126 Based on three attempted sales.
- 127 *Le Point*, (2009), 'Des armes au marché noir,' n° 1914, 20 May, <http://www.lepoint.fr/actualites-societe/2009-05-20/des-armes-marche-noir/920/0/345160>

- 128 *Le Point*, (2009), 'Des armes au marché noir,' n° 1914, 20 May, <http://www.lepoint.fr/actualites-societe/2009-05-20/des-armes-marche-noir/920/0/345160>
- 129 *Le Parisien*, (2011), 'Il voulait se défendre avec un pistolet-mitrailleur,' 5 October, <http://www.leparisien.fr/trappes-78190/il-voulait-se-defendre-avec-un-pistolet-mitrailleur-05-10-2010-1095475.php>
- 130 Verbal communication with source CS13, 18 April 2017.
- 131 Verbal communication with source CS12, 18 April 2017.
- 132 Based on three attempted sales.
- 133 Based on one attempted sale.
- 134 Based on two attempted sales (from cheapest to most expensive, models Maverick 88 and Rapid Manufrance).
- 135 Based on three attempted sales (from cheapest to most expensive, models Armscor, Maverick 88, and Fabarm).
- 136 Based on two attempted sales (from cheapest to most expensive, models Fabarm 7 rounds + 1, and Winchester Defender).
- 137 Based on one attempted sale (model Maverick 88).
- 138 Based on one attempted sale (model Verney Carron).
- 139 Based on two attempted sales (from cheapest to most expensive, models Fabarm and Breda).
- 140 Based on two attempted sales (from cheapest to most expensive, models Benelli Super 90 and Browning Phoenix).
- 141 Based on one attempted sale (model Hardy Bros).
- 142 Based on three attempted sales (from cheapest to most expensive, models Manufrance Robust, Helice, and Baikal IJ43).
- 143 Based on three attempted sales (from cheapest to most expensive, models Franchi Falconet, Fabarm, and Browning B425).
- 144 Based on one attempted sale (sawed off double barrel over-under shotgun).
- 145 Based on 4 attempted sales.
- 146 Euro amounts are converted from the former French Franc values quoted in the source. Antoine, J.C., (2012), *Au Coeur du Trafic d'Armes: Des Balkans aux Banlieues*, Vendémiaire, p107.
- 147 Euro amount is converted from the former French Franc value quoted in the source. Benhamou, G., (1996), 'Des ripoux autrichiens,' *Libération*, 23 January, http://www.liberation.fr/france-archive/1996/01/23/des-ripoux-autrichiens-ament-le-flnc_159403
- 148 *Le Point*, (2009), 'Des armes au marché noir,' n° 1914, 20 May, <http://www.lepoint.fr/actualites-societe/2009-05-20/des-armes-marche-noir/920/0/345160>
- 149 Based on nine attempted sales of Glocks 17, 19 and 34.
- 150 Verbal communication with source CS9, 11 May 2017.
- 151 Based on one attempted sale.
- 152 Based on one attempted sale.
- 153 Based on eight attempted sales. Sold with modified 9 mm PAK rounds
- 154 Based on one attempted sale.

- 155 Based on one attempted sale.
- 156 Based on eight attempted sales.
- 157 Based on three attempted sales. Two were not modified and priced at EUR 110-250, but their sale should have been restricted following a January 2016 Decree that upgraded this firearm to Category B. The modified version was sold in 2016 for EUR 350.
- 158 Tourancheau, P., (2002), 'Armes de guerre dans la ligne de mire,' *Libération*, 10 april, http://www.liberation.fr/evenement/2002/04/10/armes-de-guerre-dans-la-ligne-de-mire_399775
- 159 Tourancheau, P., (2002), 'Armes de guerre dans la ligne de mire,' *Libération*, 10 april, http://www.liberation.fr/evenement/2002/04/10/armes-de-guerre-dans-la-ligne-de-mire_399775
- 160 *Le Point*, (2009), 'Des armes au marché noir,' n° 1914, 20 May, <http://www.lepoint.fr/actualites-societe/2009-05-20/des-armes-marche-noir/920/0/345160>
- 161 Two models of pen-flares are commonly converted to pen-guns. These are the Erma SG67E and DNS, both designed to propel 15 mm flares. By replacing the flare with a cylinder that is screwed at the end of the pen, these firearms can shoot .22 LR ammunition. Molinié, W., (2014), 'Armes dissimulées: Quand des armes dangereuses sont cachées dans des objets de la vie courante,' *20 Minutes*, 31 March, <http://www.20minutes.fr/societe/1338569-20140331-armes-dissimulees-quand-armes-dangereuses-cachees-objets-vie-courante>
- 162 Based on two attempted sales. Modified to fire .22 LR cartridges.
- 163 See Florquin, (N), 2013, 'Price Watch: Arms and Ammunition at Illicit Markets,' in *Small Arms Survey*, (2013), *Small Arms Survey 2013: Every Day Dangers*, Cambridge University Press.
- 164 Written communication with source CS2, 13 April 2017.
- 165 See, for instance, Antoine, J.C., (2012), *Au Coeur du Trafic d'Armes: Des Balkans aux Banlieues*, Vendémiaire, p95.
- 166 Written communication with source CS2, 13 April 2017; Verbal communication with source CS9, 11 May 2017.
- 167 Written communication with source CS1, 15 April 2017.
- 168 Verbal communication with source CS9, 11 May 2017; Verbal communication with source CS14, 21 April 2017; Verbal communication with source CS13, 18 April 2017. See also Baumgartner, C., and Felkay, M., (2012), 'Le trafic d'armes dans les Balkans occidentaux,' *La Revue du GRASCO*, no. 2, 2 July, pp.39-41, http://www.larevuedugrasco.eu/documents/revue_n3_octobre_2012.pdf
- 169 The Vz.61s were in their original state and not modified or reactivated. Verbal communication with source CS13, 18 April 2017. See also *Le Monde*, 2013, 'Deux légionnaires écroués à Marseille pour trafic d'armes,' 4 July, http://www.lemonde.fr/societe/article/2013/07/04/trafic-d-armes-dans-la-region-marseillaise-six-interpellations_3442447_3224.html#qr2t312rGwD9Y5Zd.99
- 170 Written communication with source CS12, 13 April 2017.
- 171 *Europe 1*, (2015), 'Saisie de 92 pistolets d'alarme transformés en armes létales,' 3 December, <http://www.europe1.fr/faits-divers/92-pistolets-dalarme-transformes-en-armes-letaales-saisies-en-region-parisienne-2630441>

- 172 PIXAF (Plateau d'Investigation eXplosifs et Armes à Feu), 2016, *L'arme à blanc modifiée : arme factice, menace réelle*, Veille Stratégique, Gendarmerie Nationale, 30 December.
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- 174 PIXAF (Plateau d'Investigation eXplosifs et Armes à Feu), 2016, *L'arme à blanc modifiée : arme factice, menace réelle*, Veille Stratégique, Gendarmerie Nationale, 30 December.
- 175 Written communication with source CS3, 21 June 2017.
- 176 Verbal communication with Patrice Renaudot, Director, Banc National d'Epreuve, Saint Etienne, 20 April 2017.
- 177 These include the 13 other members of the Permanent International Commission for Firearms Testing (CIP). See <http://www.cip-bobp.org/fr>
- 178 For an example of a Czech-proofed Turkish replica sold online in France, see <http://www.boutique-sd-equipements.fr/pistolet-d-alarme/687-revolver-viper-chrome-9mm-380-rk.html>
- 179 Verbal communication source CS9, 11 May 2017; Verbal communication with source CS14, 21 April 2017.
- 180 United States District Court of Massachussets, (2015), United States of America vs. David L. Maricola and Arto Laatikainen, Indictment criminal action no. 15cr40023, p1,22-23, obtained courtesy of Matt Schroeder, Small Arms Survey.
- 181 Verbal communication with source CS9, 11 May 2017.
- 182 Verbal communication with source CS9, 11 May 2017; Verbal communication with source CS14, 21 April 2017
- 183 Verbal communication with source CS13, 18 April 2017.
- 184 Verbal communication with source CS14, 21 April 2017; Décret no 2017-909 of 9 May 2017, Article 312-40, https://www.legifrance.gouv.fr/jo_pdf.do?id=JORFTEXT000034637794
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- 187 Written communication with source CS28, 28 March 2017.
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- 192 Written communication with source CS6, 2 December 2016; Written communication with the SCAEMS, 13 April 2017.
- 193 Verbal communication with source CS12, 18 April 2017.
- 194 Antoine, J.C., (2012), *Au Coeur du Trafic d'Armes: Des Balkans aux Banlieues*, Vendémiaire, p90.
- 195 INPS (Institut National de Police Scientifique), (2016), *FNIB – Bilan 2016*, Ministry of Interior, p3.
- 196 Written communication with source CS2, 28 March 2017.
- 197 Written communication with source CS2, 13 April 2017.
- 198 *Le Dauphiné*, (2017), 'Plusieurs dizaines de fusils dérobés dans une armurerie,' 7 February, <http://www.ledauphine.com/faits-divers/2017/02/07/plusieurs-dizaines-de-fusils-derobes-dans-une-armurerie>
- 199 Verbal communication with source CS9, 11 May 2017.
- 200 PIXAF (Plateau d'Investigation eXplosifs et Armes à Feu), 2017, *Les Bourses aux Armes : Réseaux de Circulation Illicite*, Veille Stratégique, Gendarmerie nationale, 17 February.
- 201 Verbal communication with source CS15, 26 april 2017; *La République de Seine et Marne*, (2016), 'Tournage de film: les gendarmes saisissent un arsenal de guerre dans un camion banalisé,' 16 March, <http://www.larepublique77.fr/2016/03/14/info-la-rep-tournage-de-film-les-gendarmes-saisissent-un-arsenal-de-guerre-dans-un-camion-banalise/>, consulted on 24 April 2017
- 202 Dasquié, G. (2013), 'Mohamed Merah au cœur de la pègre salafiste,' *Le Nouvel Obs*, 11 April.
- 203 See, for instance, Ministère de l'Economie et des Finances, (2014), 'Saisie de 1 323 armes et munitions chez un particulier à Tours,' Archives, 9 October; Ministère de l'Economie et des Finances, (2015), 'Arsenal d'armes et de munitions chez un particulier,' Archives, 3 November; *France Info*, (2016), 'Importante saisie d'armes dans l'Aisne, dont deux bazookas et un lance-roquettes,' 20 May.
- 204 *Le Parisien*, (2017), 'Isère: vol d'armes dans un véhicule militaire, un quartier ratissé,' 2 February, <http://www.leparisien.fr/faits-divers/isere-vol-d-armes-dans-un-vehicule-militaire-un-quartier-boucle-02-02-2017-6649380.php>
- 205 Verbal communication with source CS23, 29 March 2017.
- 206 Antoine, J.C., (2012), *Au Coeur du Trafic d'Armes: Des Balkans aux Banlieues*, Vendémiaire, p95.
- 207 *L'Obs*, (2014), 'Neuf ans de prison requis contre un ancien instituteur reconverti dans les ventes d'armes,' 30 October, <http://tempsreel.nouvelobs.com/societe/20141030.AFP9596/neuf-ans-de-prison-requis-contre-un-ancien-instituteur-reconverti-dans-les-ventes-d-armes.html>
- 208 Written communication with source CS1, 15 April 2017.
- 209 Verbal and follow up written communication with source CS16, 20-21 April 2017.
- 210 State prosecutor file n° 1311700001, related to the trial held at the Aix-en-Provence Criminal court from 5 to 13 January 2017. Access to the criminal file was granted by Mr. Pierre Cortes, Avocat Général.
- 211 He had previously unsuccessfully tried to reactivate two other AIM rifles, purchased on a French website.

- 212 Typically a copy of a black powder firearm, or a firearm produced before 1 January 1900 – legal Category D2.
- 213 This implies having a permanent, physical office, keeping a record of all transactions involving firearms, declaring such sales to the local prefecture, and, since 2012, taking the official gunsmith test. Decree n° 87-977 of 4 December 1987, JO of 5 December 1987, Pages 14178 and 14179; Decree n° 83-1040 of 25 November 1983, JO of 7 December 1983, Pages 3531 and following; Decree n° 95-589 of 6 May 1995, JO of 7 May 1995, pages 7458 and following; Ministerial ruling of 30 October 2012, JO n°0265 of 14 November 2012, pages 17976 and following.
- 214 Decree n° 95-589 of 6 May 1995, JO of 7 May 1995, pages 7458 and following.
- 215 Decree n° 2013-700 du 30 juillet 2013, JO of 2 August 2013, pages 13194 and following, article 46.
- 216 The post read: « *vz26 convertie en 9 mm para, canon avec vis et bouchon en bout aucune broches enlevé par l'ancien propriétaire, tir uniquement en full livré avec 5 chargeurs [...] livraison Colissimo pas de visite a domicile* ». natuxo.com, consulted on 13 August 2016.
- 217 Verbal communication with source CS17, 30 March 2017; Verbal communication with source CS9, 11 May 2017.
- 218 Verbal communication with source CS9, 11 May 2017.
- 219 NCA (National Crime Agency), (2016), *Media Briefing: Operation Seventy*, 19 February.
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- 222 Jamet, C., (2013), 'Les 25 minutes de destruction de Florence Rey et Audry Maupin,' *Le Figaro*, 21 November, <http://www.lefigaro.fr/actualite-france/2013/11/21/01016-20131121ARTFIG00491-octobre-1994-l-equipee-sanglante-de-florence-rey-et-d-audry-maupin.php>
- 223 See the following section on Corsica.
- 224 *Le Monde*, (2006), 'Richard Durn: carnage «politique» à Nanterre,' 24 August, http://www.lemonde.fr/ete-2007/article/2006/08/24/richard-durn-carnage-politique-a-nanterre_806023_781732.html ; *La dépêche*, (2002), 'Armé en toute légalité,' 28 Mars, <http://www.ladepeche.fr/article/2002/03/28/356563-arme-en-toute-legalite.html>
- 225 BBC, (2007), 'ETA blamed for killing in France,' 1 December, <http://news.bbc.co.uk/2/hi/europe/7122899.stm>; Verbal communication with source CS19, 3 April 2017.
- 226 BBC, (2012), 'Obituary: Toulouse gunman Mohamed Merah,' 22 March, <http://www.bbc.com/news/world-europe-17456541>; Dasquié, G., (2013), 'L'origine du Colt 45 + parcours criminel de Mohamed Merah,' *Le Nouvel Obs*, 11 April 2013, <http://www.guillaume-dasquie.fr/mohamed-merah-au-coeur-de-la-pegre-salafiste/>
- 227 BBC, (2012), 'Obituary: Toulouse gunman Mohamed Merah,' 22 March, <http://www.bbc.com/news/world-europe-17456541>; Dasquié, G., (2013), 'L'origine du Colt 45 + parcours criminel de Mohamed Merah,' *Le Nouvel Obs*, 11 April 2013, <http://www.guillaume-dasquie.fr/mohamed-merah-au-coeur-de-la-pegre-salafiste/>

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- 229 Written communication with source CS1, 15 April 2017.
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- 231 See *Armed to kill: An exploratory analysis of the guns used in public mass shootings in Europe*, Flemish Peace Institute, June, p19
- 232 See *Armed to kill: An exploratory analysis of the guns used in public mass shootings in Europe*, Flemish Peace Institute, June, p23-24
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- 236 Europol, 2016, *European Union Terrorism Situation and Trend Report (TE-SAT) 2016*, The Hague, p.41.
- 237 Verbal communication with source CS10, 19 January 2017.
- 238 Verbal communication with source CS10, 16 May 2017.
- 239 For this Figure, entries were taken from the FNIB database and correspond to a unique firearm, which was retrieved either at the crime scene or subsequently as part of the investigation. Written communication with the INPS, 16 May 2017.
- 240 Correspondence with source CS18, 7 April 2017.
- 241 See, for instance, the chapter on Belgium on reported sourcing through criminal networks in Belgium, as well as Duquet, N., (2016), *Armed to kill: An exploratory analysis of the guns used in public mass shootings in Europe*, Flemish Peace Institute, June, pp19-20,23-25
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