

REPORT 

# PROJECT TARGET

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## Gun violence in Spain: analysing the nexus of firearms and drugs trafficking

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## Colophon

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Gun violence in Spain: analysing the nexus of firearms and drugs trafficking

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# Introduction

According to comparative research into homicide and the detailed Mortality Database of the World Health Organization (WHO), Spain has a strongly declining gun homicide rate, which is also one of the lowest in Europe.<sup>1</sup> In recent years, however, this ‘peaceful’ picture has been marred by increased gun violence, especially in the drug-trafficking milieu along the country’s southern coasts. In this context, law-enforcement agencies are stepping up their crackdown on illegal arms dealers who supply, among other criminals, organised gangs in the south. This report takes these seemingly contradictory observations of generally low gun violence rates coupled with regional outbreaks of criminal violence as a starting point to examine the influence of illegal gun-trafficking on gun violence in Spain. To the best of the author’s knowledge, no previous studies provide a systematic analysis of this topic. Therefore, the present investigation contributes to the sparsely studied field of the legal possession of firearms, illegal firearms trafficking and gun violence in Spain.

The research followed several steps. As a basis for understanding the use of legal firearms in violent acts and the risks of firearm diversion, we first describe the firearm laws and the general characteristics of the legal firearm market in Spain (chapter 1). Next, we analyse the scope, main features and dynamics of the illegal firearm market (chapter 2). Then we examine the extent and characteristics of gun violence (Chapter 3.1 and 3.2). Finally, we combine our analyses to ascertain which firearms are used in gun crime in Spain (Chapter 3.3). The report ends with a section on Spain’s national initiatives to combat illicit firearms trafficking and gun violence (chapter 4) and a conclusion (chapter 5).

## Box 1: Research design

This study used various research methods. First, we analysed official statistics, government reports on gun violence and firearms trafficking and academic studies through desk research. Media reports on the legal and illegal firearm market and gun violence were also consulted. The bulk of the review concentrated on information from 2015–2020, complemented by some long-term statistics covering data from 2000 to 2020.

Desk research was supplemented by information acquired in interviews with firearm experts from five public agencies. Interviews were conducted as part of Project TARGET (2020–2021) and Project DIVERT (2019–2020).<sup>1</sup> In total, 13 people were interviewed, both in individual conversations and in focus groups.

### Interviews conducted for Project TARGET and Project DIVERT

| Date (place)                                    | Organisation  |
|---|---|
| October 2019 (Madrid)                           | Spanish Customs (experts on legal control and investigations into firearms trafficking)   |
| October 2019 (Madrid),<br>October 2021 (online) | Civil Guard ( <i>Guardia Civil</i> ) (experts on legal control, investigators of firearms trafficking, experts on international affairs, experts on gun violence) |
| October 2019 (Madrid)                           | Ministry of Foreign Affairs (expert on firearms exports and import)   |
| October 2019 (Madrid),<br>May 2021 (online)     | National Police (experts on firearm-related investigations)   |

<sup>1</sup> For more information on these research projects, see: <https://vlaamsvredesinstituut.eu/en/target/> & <https://vlaamsvredesinstituut.eu/en/divert/>.

# 1

## Legal firearms possession in Spain

### 1.1 Regulatory framework for firearm possession and trade

Spanish firearms legislation can generally be divided into dedicated laws setting out rules on the overall life cycle of firearms and in regulations that focus on their trade. A large part of the legal rules regarding firearms is consolidated in the Spanish Arms Regulation (*El Reglamento de Armas*).<sup>2</sup> The law covers many aspects of the life cycle of civilian firearms, such as their production, trade, ownership, penalties and firearm deactivation or destruction. Furthermore, it defines the ministries responsible for different aspects of the regulation of weapons and the authorities tasked with enforcing them. A law on citizen security specifies the administrative violations regarding firearms.<sup>3</sup>

Generally speaking, Spanish police experts judge their firearm legislation as being strict. Among other reasons, this view is rooted historically in the fight against the terrorist group, *Euskadi Ta Askatasuna* (ETA), which had made restrictive firearm regulation a priority in previous decades.<sup>4</sup>

The most common legal justification for owning firearms in Spain is hunting. The country has a complex system of categorising weapons and licences to allow civilians to own firearms or to prohibit them from owning firearms. It includes a nine-part categorisation of firearms (and knives) and an additional nine-part classification of licences to possess them (see also the Annexure).<sup>5</sup>

In order to apply for or renew a licence, an applicant needs an identity card, a clean criminal record, a mental-health certificate and a proven aptitude for handling and conserving a weapon. A hunting permit and membership of a hunting federation are

also required for weapons owned for hunting purposes. For sports shooting, firearm-owners need to demonstrate that they practice the particular sport regularly.<sup>6</sup> Depending on the type of weapon, a licence will be reviewed and renewed every three to five years. When this happens, the gun needs to be presented to the relevant state authority during the review.<sup>7</sup> This physical check-up is used to ensure that the firearms have not been modified or their serial numbers erased.<sup>8</sup> If two attempts to review a licence fail, the licence will be withdrawn.<sup>9</sup> Collectors' licences are valid permanently if the requirements are fulfilled.

The rules on the acquisition, storage, trade and possession of ammunition are linked to the legal possession of the weapons for which they can be used.<sup>10</sup> The number of rounds of ammunition a person is allowed to purchase varies according to the licences and the weapon owned. For example, a person who has a licence to own a hunting rifle may buy up to 1,000 rounds a year. The fixed amount of ammunition that a person can buy per year can be increased only through an official allowance granted by the responsible authorities. Some sports shooting ranges sell unlimited amounts of ammunition, as long as it is used for target shooting on their premises.<sup>11</sup>

Various ministries, law-enforcement agencies and specialised authorities are involved in legal gun control and the investigation and prosecution of offences that violate the firearm legislation.

- The Ministry of Interior is the main agency responsible for the legislative procedures regarding the Arms Regulation. In addition, it is the superior of the two main national police forces: the *Guardia Civil* and the National Police.
- The Ministry of Defence is involved in matters relating to the export and import of defence goods. Its General Directorate of Armament and Material oversees the authorisation of factories producing weapons of war and granting permission for such weapons.
- The Ministry of Industry of Trade and Tourism (*Ministerio de Industria Comercio y Turismo*) coordinates the licensing process for the legal import and export of firearms. It is also in charge of authorising (civilian) arms production.
- Through the Directorate-General for International Economic Relations, the Ministry of Foreign Affairs is responsible for approving the transit of goods through Spanish territory. It is also involved in the licensing procedures regarding the import and export of firearms and acts as an international contact for firearm-related treaties.<sup>12</sup>

The distribution of policing in Spain is complex. It is divided into national, sub-national and local forces but also distinguishes between rural and urban areas and specific core competencies such as the control of legal weapons. The *Guardia Civil* has exclusive competence to exercise legal control throughout the country. It is also deals with gun crime in rural areas. Responsibilities regarding firearms within the agency are divided roughly into three units that cooperate to resolve crimes:<sup>13</sup>

- The intelligence unit is in charge of investigations regarding illicit trafficking and schemes of diversion.

- The judiciary police (JPJ) are responsible when firearms are used to commit crimes (eg murder, manslaughter, etc).
- The Central Inspectorate for Arms and Explosives (*Intervención Central de Armas y Explosivos* (ICAE)) is in charge of the administrative control of weapons and explosives. In other words, it is in charge of preventing, stopping and combating illicit trafficking in arms and explosives through legal and administrative controls. This encompasses, for example, controlling the manufacture and repair of weapons, their imitations and replicas, and their fundamental components. It also includes controlling the legal circulation, storage, trade, acquisition, disposal, possession and use of regulated weapons, including the safe storage of firearms.<sup>14</sup>

In its work on legal gun control, the ICAE is supported by the National Proof Bank (*Banco Oficial de Pruebas de Armas de Fuego*) based in Eibar in the north of Spain. Some of the tasks carried out by the National Proof Bank are the certified deactivation of firearms, the marking of weapons, issuing certificates for replica weapons and certifying the antiquity of firearms.<sup>15</sup>

The second major national police force is the National Police. In contrast to the *Guardia Civil*, whose investigative activities focus mainly on rural areas, the National Police are concerned primarily with gun crime in Spain's large urban centres. Two separate units within the National Police deal with firearm crimes. An illicit firearms trafficking unit, which is part of its counter-terrorism division, is responsible for providing threat assessments, collecting data and analysing trends to establish the National Police's strategy for fighting illicit firearms trafficking in urban areas. It also represents the National Police in international forums on the topic of firearms.<sup>16</sup> As is the case with the *Guardia Civil*, the National Police also has a Judicial Police division that investigates violent crimes, including those committed using firearms.<sup>17</sup>

The work of the different police forces in Spain is coordinated through a Ministry of Interior-led intelligence centre (*Centro de Inteligencia contra el Terrorismo y el Crimen Organizado* (CITCO)).

Local police forces are not generally involved in work on firearms. If they encounter them during the course of their work (eg a coincidental seizure), they cooperate with one of the national police forces. Sub-national police forces in the autonomous regions of the Basque Country, Cataluña and Navarra are an exception to this rule, because they are responsible for investigations and public security in their respective regions, including investigations into firearms.<sup>18</sup>

In addition to the police forces, the Spanish Customs Agency (*La Aduana*) plays a vital role in the legal control of firearms. The agency, which falls under the Ministry of Economy and Finance, acts in two capacities. First, it controls all weapon exports and imports leaving and entering Spain from outside the European Union (EU). This entails checking licence applications, the validity of customs declarations and physical check-ups, if necessary.<sup>19</sup> Second, the customs agency has investigative capacities that are



carried out by a dedicated unit, the Customs Surveillance Service (*Servicio de Vigilancia Aduanera*). The unit's work focuses on three key areas: smuggling, money laundering and fiscal crimes. Investigations by the surveillance service are concerned mainly with border and cross-border matters. Yet, they can also occur in any other part of Spain – for example, if firearms are smuggled through Spanish territory. If firearms are involved, the customs' investigative teams will often cooperate with another police force in Spain that is competent in the area in which an operation takes place (eg National Police in urban areas, *Guardia Civil* in rural areas).<sup>20</sup>

## 1.2 Scope and characteristics of legal firearm possession and trade

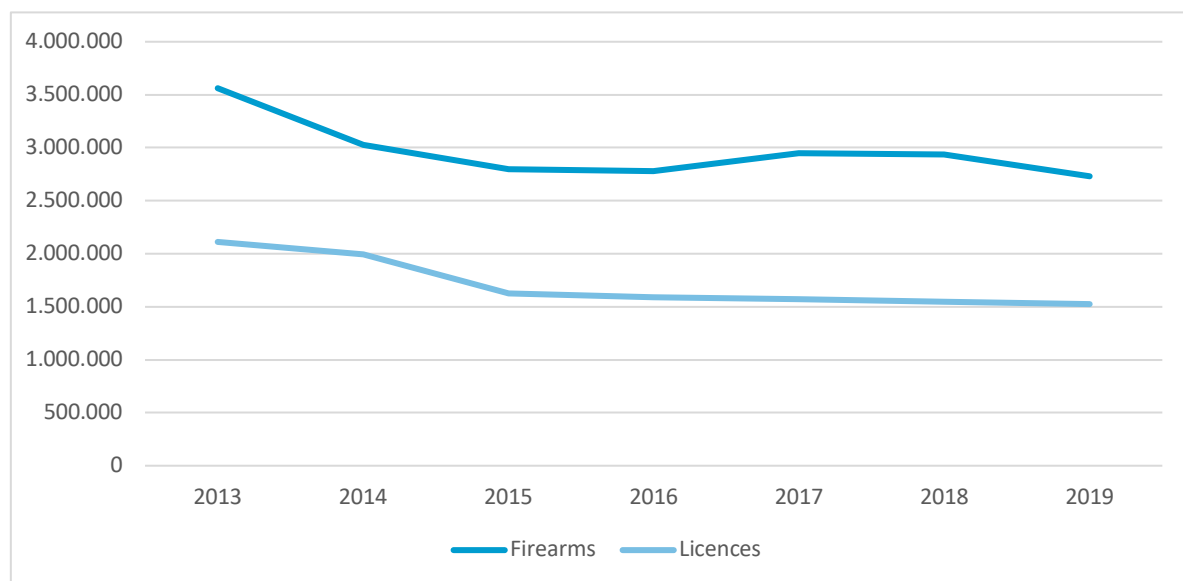
Equipped with a basic understanding of regulations on the legal possession of firearms and the actors who legislate and enforce it, we now examine the scope and characteristics of the legal possession of firearms and trade. Knowing the nature of the legal firearm market is critical to understanding the supply and demand for illicit firearms in a country. On the one hand, the characteristics of legally possessed firearms often indicate which firearms are diverted in a country and end up in the illegal market (eg via theft or loose regulations). On the other hand, strict legislation and a national 'firearm culture' can influence the demand for illegal goods. This goes about, for example, the demand for illegal ammunition for hunting or the wish to own weapons for self-protection illegally if they are not available legally.

Data of the Ministry of Interior suggests a strong decline in legal firearms possession in Spain: the number of legally held firearms decreased from more than 3.5 million in 2013 to about 2.9 million firearms in 2019. However, the statistics in this section must be read against the backdrop of a process aimed at improving the databases on firearms during 2014–2015. During this process, errors (eg double entries, expired licences which were still registered) were corrected. This data-cleaning makes it challenging to compare data from 2014–2015 and earlier with data from 2015–2016 onwards.<sup>21</sup> <sup>1</sup>

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<sup>1</sup> The statistical reports of the Ministry of Interior do not disaggregate between all categories of firearm. It must be assumed that a range of blank-firing firearms are among them.

**Figure 1: Firearms owned legally by civilians in Spain, 2013–2019**



Source: 2013–2019 Annual Statistical Reports, Ministry of Interior<sup>22</sup>

A survey by Eurobarometer estimates gun ownership among the Spanish population at 5% in 2013.<sup>23</sup> Given the decline in licences since 2013, this number may now be slightly lower. Without taking into account data prior to 2015, the number of firearms held in Spain remained relatively stable between 2015 and 2019. Regarding firearm licences, a slight but steady decrease can be observed between 2015 and 2019. These numbers suggest that in 2019 fewer firearm-owners possessed (on average) slightly more firearms than they did in 2015. In 2019 law enforcement experts estimate that all licences and registered weapons belonged to roughly 1.1 million citizens.<sup>24</sup>

Hunting, sport shooting, collection purposes and self-defence are legally permitted reasons for gun possession in Spain. Spain's gun culture is one of hunting, driven by its popularity in rural areas of the country. Table 1 below also reflects this. It provides a breakdown of the different categories of firearm licences between 2015 and 2019.<sup>1</sup>

<sup>1</sup> The table excludes data on licences held by security and surveillance guards (C licences) and those held privately by members of security forces (A Licence).

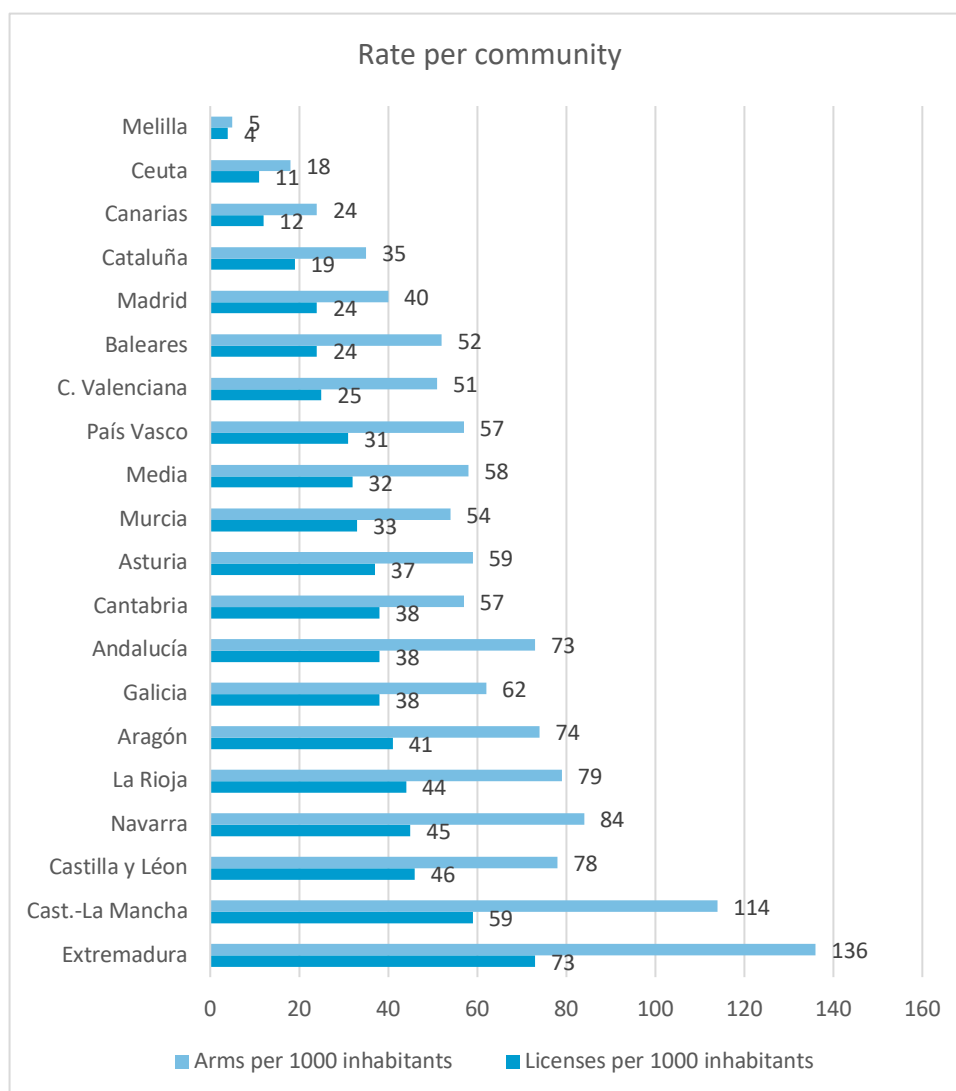
**Table 1: : Licences for legal firearm possession, 2015–2019**

| Licences  | 2015             | 2016             | 2017             | 2018             | 2019             |
|---|------------------|------------------|------------------|------------------|------------------|
| B. Private short firearms (self-protection)                 | 8,638            | 8,459            | 8,514            | 8,476            | 8,501            |
| D. Long firearms [big-hunting licence]                      | 365,868          | 370,224          | 372,874          | 378,301          | 382,828          |
| E. Long firearms (shotguns) (small hunting licence)         | 1,043,538        | 1,007,895        | 974,238          | 953,328          | 929,246          |
| F. Sport shooting   | 35,301           | 33,689           | 34,404           | 35,152           | 35,340           |
| AE. Muzzle-loading, antique/historical and Flaubert weapons | 31,275           | 32,236           | 38,446           | 39,490           | 39,913           |
| L. Special authorisation collector's book                   | 10,149           | 9,663            | 9,754            | 10,747           | 11,091           |
| AEM. Special authorisation for use of weapons for minors    | 3,812            | 3,739            | 3,949            | 3,917            | 3,952            |
| Te. European Firearms Pass                                  | 11,457           | 11,384           | 11,541           | 10,747           | 11,895           |
| <b>Total</b>  | <b>1,510,038</b> | <b>1,477,289</b> | <b>1,453,720</b> | <b>1,441,080</b> | <b>1,422,766</b> |

Source: Ministry of Interior;<sup>25</sup> licences held in Spain for legal firearm possession. Note that one individual may possess multiple licences

From the table it emerges that 92% of all firearm licences were held for hunting purposes in 2019, 2,5% for sports shooting, 0.7% for collection purposes and 0.6% for self-defence. Those numbers remained relatively stable between 2015 and 2019. In addition to knowing who holds firearms and for what reasons, it is also interesting to observe where and by whom firearms are owned. There are clear differences between the regions of Spain regarding the possession rate of weapons. There is also a variance between the types of weapon owned in different areas, as depicted in Figures 2 and 3.<sup>26</sup>

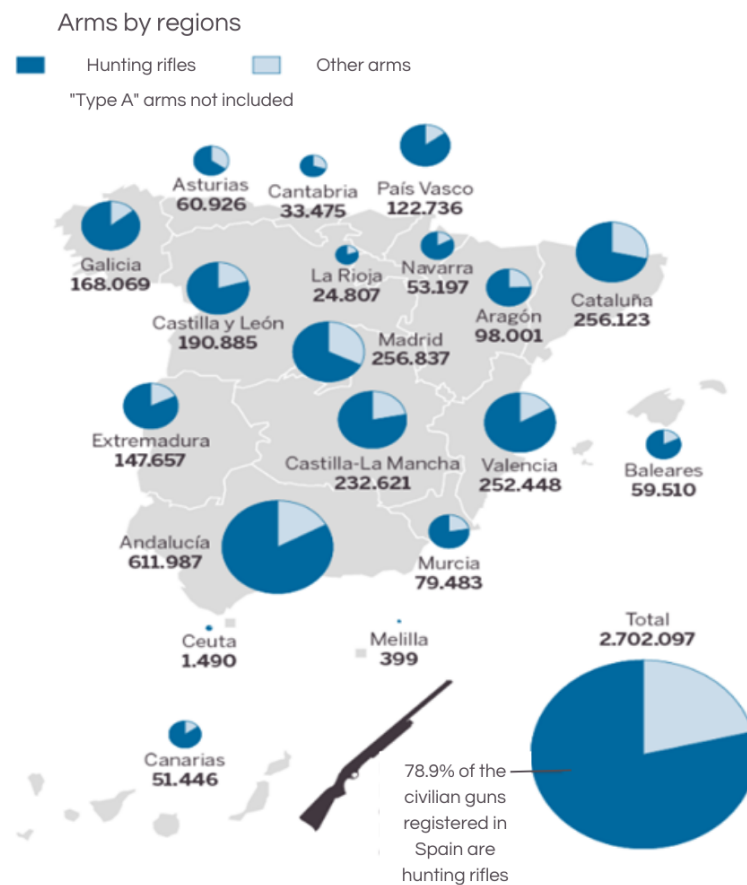
**Figure 2: Licences for legal firearm possession in different regions in Spain "**



*Calculated per population 1 January 2016*

Source: El País<sup>27</sup>

**Figure 3: Licences for legal firearm possession in different regions in Spain**



Source: El País<sup>28</sup>

The list of firearms possessed per citizen is led by Extremadura, one of the country's most rural areas. In contrast, the city enclaves of Melilla and Ceuta have very low per capita ownership of weapons (Figure 2). In general, possession rates seem much lower in the country's major urban agglomerations than in other places. This is exemplified by a low per capita ownership in two major cities: Madrid and Valencia. Figure 3 shows that most licensed weapons in Spain are hunting shotguns (79%). This matches our observation that hunters own most firearms in Spain. The popularity of these weapons applies to the whole country, although there are differences between regions (see Figure 3). Madrid, for example, has the highest per capita share of guns registered as self-defence licences, which, according to interviewed police experts, is due to the high number of public employees and licences related to security.<sup>29</sup>

# 2

## Illegal firearm market

### 2.1 Scope of illicit firearm possession

In 2017 the Small Arms Survey estimated that civilians in Spain held a total of 3,464,000 firearms, of which approximately 780,000 are believed to be illegally held. Compared to previous estimates of illicit possession by the same organisation, this would mean a steep downward trend in illegal firearms possession in the country took place in the past two decades (see Table 2). The estimated current rate of illegal gun possession is relatively low when compared to that of other EU Member States covered by the same estimation method.<sup>30</sup> Estimates of illegal firearms possession should, however, always be treated with caution due to a lack of accurate data.

**Table 2: Estimates of illicit firearm holdings in Spain, 1998–2002, 2007, 2017**

| Firearm holdings       | 1998–2002 | 2007      | 2017      |
|------------------------|-----------|-----------|-----------|
| <b>Civilian</b>        | 4,552,000 | 4,500,000 | 3,464,000 |
| – registered           | 3,051,588 | 3,051,588 | 2,683,542 |
| – unregistered         | 1,500,000 | n/a       | 780,458   |
| <b>Law enforcement</b> | n/a       | n/a       | 264,196   |
| <b>Military</b>        | n/a       | n/a       | 333,660   |
| <b>Total</b>           | –         | –         | 4,061,856 |

Source: Small Arms Survey<sup>31</sup>

Data such as the number of surrendered, seized and confiscated firearms can also be used to gain insight into the extent of illegal firearm possession in Spain. Before starting our analysis, it must be noted that while seizure data are one of the best indicators for the illicit possession of firearms, it is no perfect marker. Indeed, analysis by Spain's National Firearms Focal Point shows that in 2019 and 2020, well below 25% of the guns seized were possessed illegally.<sup>32</sup> In total, about 9% of firearms seized during 2016 to 2020 were seized on the ground of illicit possession.<sup>33</sup> The majority of weapons that are seized are held legally at the time of seizure. Many of these seizures of legal firearms involve preventive measures because the legal holder committed other crimes unrelated to the use of firearms.<sup>34</sup> With these cautionary remarks in mind, Table 3 below still represents the best data on seizures of firearms available to us.

**Table 3: Live-firing firearms seized<sup>1</sup> in Spain, 2008–2018**

| Types            | 2008         | 2009         | 2010         | 2011         | 2012         | 2013         | 2014         | 2015         | 2016         | 2017          | 2018         | 2019         | 2020         |
|------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|--------------|--------------|--------------|
| Pistols          | –            | 971          | 801          | 878          | 2,249        | 1,590        | 1,480        | 1,262        | 1,549        | 4,389         | 2,235        | 2,726        | –            |
| Revolvers        | –            | 356          | 261          | 315          | 1,022        | 692          | 561          | 507          | 1,216        | 1,185         | 653          | 963          | 777          |
| Rifles           | –            | 1,092        | 990          | 1,061        | 1,302        | 1,268        | 1,305        | 1,177        | 1,563*       | 1,597*        | 1,458*       | 2,007        | 1,684        |
| Shotguns         | –            | 4,079        | 3,667        | 3,731        | 4,595        | 3,951        | 3,525        | 3,177        | 4,657        | 3,303         | 2,794        | 2,947        | 2,775        |
| Sub-machine guns | –            | 59           | 4            | 24           | 208          | 14           | 18           | 36           | 17           | 125           | 24           | 55           | 41           |
| Machine guns     | –            | 0            | 0            | 4            | 2            | 0            | 8            | 2            | 1            | 3             | 1            | 6            | 6            |
| Other            | –            | –            | –            | –            | –            | –            | –            | –            | 1,534        | 1,550         | 53           | 20           | 9            |
| <b>Total</b>     | <b>3,528</b> | <b>6,557</b> | <b>5,723</b> | <b>6,013</b> | <b>9,378</b> | <b>7,515</b> | <b>6,897</b> | <b>6,161</b> | <b>9,003</b> | <b>10,602</b> | <b>7,194</b> | <b>8,724</b> | <b>7,782</b> |

Sources: *Guardia Civil*,<sup>35</sup> National Report on the Implementation of the Programme of Action on SALW (PoA) and the International Tracing Instrument (ITI);<sup>36</sup> UNODC;<sup>37</sup> numbers with an \* include assault rifles: in 2016: 29, 2017: 47 and 2018: 24

The total number of seizures in Spain varies widely from 3,528 in 2008 to 10,602 in 2017 (see Table 3). Overall, the number of seizures increases over time; however, not in a linear fashion. The increase in firearm seizures can be attributed in part to a stronger focus on detecting, seizing and investigating illicit supply channels following the 2015 introduction of the *Guardia Civil*'s Comprehensive Firearms Control Plan (*Plan Integral para el Control de las Armas de Fuego* (PICAF)). Increased efforts by law-enforcement

<sup>1</sup> The original numbers include blank-firing firearms and a category named 'other' (these amounts have been subtracted for the sake of this mapping).

agencies to improve the reporting of seizures, especially since 2014, have also probably led to improved reporting of firearms seized.<sup>38</sup>

The seizure data show that in 2018, 40% of all firearms seized were handguns (revolvers and pistols). This number has increased significantly in recent years. In the same year, 39% of the firearms seized were shotguns, a type of weapon for which seizures are strongly declining over time. Rifles accounted for 20% of the firearms seized in 2018, and their share has increased slightly in recent years. Finally, few sub-machine guns and very few machine guns are seized each year.<sup>139</sup>

The fact that increasing numbers of handgun have been seized over the past decade deserves close attention. We showed above that only very few handguns are held legally by civilian firearm-owners in Spain. By way of contrast, it is known that criminals prefer easily concealable handguns over rifles and shotguns in many contexts.<sup>40</sup> This suggests that strongly increasing handgun seizure numbers can be attributed largely to the criminal milieu. However, as mentioned above, it is difficult to say whether this surge in seizures is due to the higher availability of these guns or increased law-enforcement attention being given to the illicit possession of firearms in the criminal milieu.

From data provided by Spain to the UN PoA it is clear that the overwhelming majority of firearms seized in 2018 were legally manufactured (96%), with converted (2.4%), modified (1%) and reactivated firearms (0,6%) accounting for the minority of seizures.<sup>41</sup> As we shall see in later sections, the conversion, modification and reactivation of weapons seem to occur almost exclusively in the criminal milieu, where they make up a substantial part of the seized weapons.

Data on the number of parts or components of firearms and rounds of ammunition seized in Spain were available only for 2016 and 2017. According to data submitted by Spain to the 2020 United Nations Office on Drugs and Crime (UNODC) study on illegal firearms trafficking, 2,270 parts and components were seized in Spain in 2016 and 118 in 2017. Likewise, 8,813 rounds of ammunition were seized in 2016 and 10,191 in 2017.<sup>42</sup>

In addition to data on seizures, the Ministry of Interior's annual statistical reports provide a broader dataset that display the numbers of surrendered, seized and confiscated firearms as part of a single figure. This figure is relevant to assessing illicit possession in Spain because it must be assumed that a major proportion of the firearms that are handed in are illicitly possessed. This is because no substantive weapons amnesties have been held in Spain in the recent past. Instead, 'found' firearms can be handed to the authorities at any time. Firearms that remained in the possession of families and have never been registered, for instance, can be reported to the authorities as having been found without any punitive measures being applied, unless the authorities suspect that the weapon was used in a crime. A ballistics check to determine whether this suspicion is correct is carried out subsequently. Nevertheless, no punitive

<sup>1</sup> See the Annexure for a comprehensive overview of types of firearm seized in the past ten years.



measures are taken unless it is proven that the crime had been committed by the individual who surrendered the firearm and not, for instance, by a deceased relative. Holders of unregistered firearms are therefore encouraged to hand them in and not destroy or sell them illegally on the black market.<sup>43</sup>

**Table 4: Firearms surrendered, seized and confiscated in Spain, 2013–2019**

| Types                | 2013           | 2014           | 2015           | 2016           | 2017           | 2018           | 2019           |
|----------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Revolvers            | 15,771         | 14,691         | 14,333         | 15,763         | 17,813         | 15,472         | 16,299         |
| Pistols              | 26,303         | 26,156         | 28,388         | 28,890         | 35,020         | 35,415         | 38,122         |
| Carbines             | 9,472          | 9,416          | 12,733         | 13,220         | 14,530         | 14,017         | 15,818         |
| Rifles               | 6,484          | 6,574          | 8,795          | 8,990          | 9,336          | 7,823          | 8,213          |
| Shotguns             | 74,528         | 74,213         | 140,477        | 143,625        | 150,413        | 114,701        | 117,423        |
| Blank-firing weapons | 93,397         | 90,152         | 1,088          | 929            | 1,322          | 6,373          | 19,933         |
| <b>Total</b>         | <b>225,955</b> | <b>221,202</b> | <b>205,814</b> | <b>211,417</b> | <b>228,434</b> | <b>193,801</b> | <b>215,808</b> |

Source: Ministry of Interior (2015–2019);<sup>44</sup> the category 'other weapons', which presumably includes crossbows, harpoons and other non-firearms, has been omitted

From this table it emerges that the proportion of surrendered, seized and confiscated shotguns decreased steadily from 68% in 2015 to 54% in 2019, whereas the proportion of handguns grew from 21% to 25% during the same period. The proportion of carbines and rifles remained relatively constant around 11% during this period. The proportion of blank-firing weapons fluctuated substantially over this period, from 41% in 2013 to 0.5% in 2015 and up to 9% in 2019. The high number of blank-firing weapons handed in during 2013 and 2014 may have been influenced by a new law that made it obligatory in 2015 to register such weapons with a licence. A transition period in which to hand over firearms before the law went into effect had been organised by the authorities before 2015.<sup>45</sup>

In summary, although it is not possible currently to estimate the number of illegal firearms in Spain accurately, the number of surrendered, confiscated and seized firearms suggests that a sizeable number of illegal firearms are circulating in Spain. However, according to estimates by the Small Arms Survey, the rate of illicit gun possession is believed to be significantly lower than the rate of legal firearm possession and relatively low by European standards. On the other hand, press reports have expressed concern at the growing black market for firearms in Spain in recent years.<sup>46</sup> For some regions, notably in the south of Spain, the police also reported an increase in the use of “automatic firearms” by drug criminals.<sup>47</sup> This raises the questions, first, of the extent to which illegally possessed firearms are trafficked within Spain and, second, the degree to which illegal firearms are smuggled into Spain.

## 2.2 Scope of illicit firearm trafficking

According to a firearms expert of the *Guardia Civil*, the level of firearms trafficking and diversion can be considered moderate in Spain and is not perceived to be one of the most critical public-safety problems.<sup>48</sup> The same experts explain that Spain is predominantly a transit country for the international trafficking of firearms due to its geographic position in the Mediterranean and its sea borders with North Africa.<sup>49</sup> This involves, in particular, guns trafficked to the African continent and Arab countries which pass through Spanish harbours.<sup>50</sup>

However, frequent law-enforcement operations within Spain, particularly against clandestine workshops reactivating and re-converting firearms and selling them to criminal end-users, suggest that a fair share of trafficking occurs within Spain's borders. Finally, firearms reactivated in clandestine workshops in Spain have also been smuggled to destinations in Europe, which suggests that Spain is also a country of origin for illegal guns.<sup>51</sup>

Given the clandestine nature of illicit firearms trafficking, it is challenging to verify expert assessments of the phenomenon's scope with reliable quantitative data. Regarding illegal cross-border trade, the number of weapons seized by Spanish Customs is relatively low compared to the total number of firearms seized in Spain.<sup>I</sup> Moreover, the number of border-control seizures fluctuates considerably every year. This is related to the fact that these numbers are influenced by significant individual seizures.

**Table 5: Firearms seized by Spanish Customs at the borders, 2014–2019**

| Year     | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 <sup>II</sup> |
|----------|------|------|------|------|------|--------------------|
| Firearms | 114  | 189  | 827  | 43   | 34   | 24                 |

Source: For 2014–2015,<sup>52</sup> for 2016–2019, Spanish Customs<sup>53</sup>

Although in most cases the legal grounds for firearms seizure is unknown<sup>III</sup>, a breakdown of the number of firearms seized in Spain between 2016 and 2017 on legal grounds can provide insight into the extent of the illegal firearms trade (see Table 6).

<sup>I</sup> This is true even if one assumes that almost all weapons seized by Spanish Customs are possessed illegally and if one compares them with approximately 25% of the overall firearms seizures that involve illegally held firearms in Spain.

<sup>II</sup> The number for 2019 is only for the period January to October.

<sup>III</sup> The very large group of firearms that are seized with a legal justification that is unknown can be attributed to the observation that not all of the law-enforcement agencies collected or reported on detailed data regarding firearm seizures. Moreover, most firearms seizures in Spain are preventive measures and do not relate to the abuse of firearms. Therefore, it can be concluded that a large part of the 'unknown' category can be assigned to this type of preventive seizure. The Spanish National Focal Point on firearms is currently improving data-collection across the law-enforcement agencies in Spain and integrating all data in one central database. It can be expected that this will radically diminish the number of seizures labelled without being assigned a legal category.

**Table 6: Legal justification for seizure of firearms in Spain, 2016–2017<sup>54</sup>**

| Spain               | 2016            |             | 2017            |             |
|---------------------|-----------------|-------------|-----------------|-------------|
|                     | Seized firearms | % of total  | Seized firearms | % of total  |
| Illicit possession  | 568             | 6           | 429             | 4           |
| Illicit use         | 301             | 3           | 332             | 3           |
| Illicit trafficking | 936             | 10          | 98              | 1           |
| Illicit manufacture | 4               | 0.04        | –               | –           |
| Altered markings    | –               | –           | –               | –           |
| Unknown             | 6,858           | 76          | 9,394           | 89          |
| Other               | 336             | 4           | 349             | 3           |
| <b>Total</b>        | <b>9,003</b>    | <b>100%</b> | <b>10,602</b>   | <b>100%</b> |

Source: *Guardia Civil*<sup>55</sup>

From these data, it emerges that 10% of all seizures in 2016 and only 1% in 2017 can be attributed to illegal firearms trafficking. But this table should be interpreted with caution since previous research has shown that offences are often recorded as illegal possession rather than illegal trafficking in firearms because the former is easier for law enforcement to prove. This can lead to overestimating the number of offences related to illegal possession and underestimating the number of offences related to illegal trafficking.

As previously mentioned, the significant difference in the number of firearms seized due to illicit trafficking in 2016 and 2017 can be attributed to single seizures of large weapon arsenals.<sup>56</sup> The overall assessment that illicit trafficking activities have remained consistent over the past few years is supported by the relatively stable prices of illegal firearms between 2014 and 2020 (see the next section).

According to the law-enforcement experts interviewed, various factors contribute to the observation that Spain does not have a significant problem with illegal firearms trafficking. First, there is no major local firearm manufacturing sector from which firearms could be diverted on a large scale or through which potentially fraudulent shipping could occur to other countries. Spanish manufacturers currently specialise in manufacturing moderate numbers of high-end hunting weapons and, more generally, ammunition.<sup>1</sup> In particular, the artisanal hunting weapons now produced are not

<sup>1</sup> Firearm production in Spain has declined significantly over the past three decades, as the once important commercial Spanish firearm manufacturers (Llama, Astra, Star) ceased production towards the end of the last century. Currently, production is carried out in smaller quantities and focuses mainly on high-end hunting rifles. The manufacturers of these firearms are located primarily in the north of the country, particularly in the Basque Country. (Interview with Guardia Civil expert on international matters relating to firearms, Madrid and Brussels, 24 and 28 October 2019)

typically used by organised criminal groups (OCGs), terrorists or armed groups in Spain or abroad.<sup>57</sup>

Second, there are no significant armed conflicts within Spain's or on the adjacent mainland that could be a substantial source of firearms being trafficked to Spain from other countries. The only noteworthy conflict-related firearms found on the Spanish black market that were trafficked from abroad come from the Balkans. Firearms from conflict areas in North Africa, such as Libya, are potential sources of illicit firearms but are not currently circulating in Spain.<sup>58</sup> The terrorist group, ETA, which has played a significant role in firearms trafficking in previous decades, is no longer a significant factor.<sup>59</sup>

Third, Spain has a restrictive firearm law preventing diversion avenues that could lead to further trafficking (such as large-scale theft).<sup>60</sup>

According to the authorities, illegal firearms are not a significant security issue in Spain, but it must be noted that this assessment is put partly into perspective by a concentration of illegal firearms trafficking in the south of Spain, and by a large number of illegal workshops that reactivate weapons and sell them to criminals. The next section is devoted to describing these and other features of the Spanish illicit arms trade.

## 2.3 Demand for illicit firearms<sup>I</sup>

Even though experts judge the level of firearms trafficking as being moderate, several criminals and non-criminal milieu actors are in the business of purchasing illegal firearms. The authorities believe that the market for illegal firearms in Spain is driven mainly by demand from different criminal environments.

In the case of OCGs, it is well known that the purchase and sale of firearms is closely related to organised illicit drug-trafficking and its milieu. In this milieu, weapons are used to settle disputes but also for self-protection. The most popular weapons among OCGs are handguns and, to a lesser extent, rifles.<sup>61</sup> In some regions, especially in the south of Spain, police also report the increased use of military-grade weapons among drug criminals. This is due to an arms race-like scenario between antagonistic OCGs, including groups of non-Spanish nationality who bring with them a different culture of military grade firearms.<sup>62</sup>

Lower-level and petty criminals such as armed robbers and thieves also have a strong need and desire for owning firearms. As later sections show, they rely mostly on lower-level types of gun, such as converted blank-firing guns.

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<sup>I</sup> This section excludes a detailed analysis of the actors who possess firearms illicitly but who do not plan to sell them or to buy additional illicit firearms (eg heirs of illicit firearms, persons who own firearms from a previous armed conflict).

Armed political groups have traditionally also played a role in the illegal arms market in Spain. With ETA's disarmament (2017) and its dissolution (2018), the longest-running terrorist group in the illicit arms market has ceased its activities.<sup>63</sup> However, there is still a threat from 'jihadist lone wolves', who try to buy whatever firearms are available, often on the internet, and who have no connection to illicit arms dealers. In addition, some isolated operations during the past 15 years have uncovered the possession of firearms by small radical independent movements.<sup>64</sup> However, overall, the demand for illicit firearms by terrorist groups has played a minor role in recent years.<sup>65</sup>

Besides criminals and terrorists, some illegal collectors and hunters are also involved in the illicit firearm market. Some hunters acquire rifles illegally, some with silencers and prohibited military night-vision accessories.<sup>66</sup> Firearm collectors (some of them recognised legally) are also involved in purchasing and selling illegal firearms. The cross-border trafficking in historical firearms between France and Spain and the unlawful sale of deactivated guns are examples.<sup>67</sup> <sup>1</sup> Whereas these actors are typically not connected to the criminal milieu, there is a constant risk that they try to sell illicit firearms to the highest bidder (criminal or not) in a moment of financial crisis. Such sales can, for example, take place through online platforms. Law-enforcement authorities have observed this phenomenon in the aftermath of the 2008 global economic recession, and it remains an issue to this day.<sup>68</sup>

Finally, there is concern by the Spain's National Rifle Association (ANARMA) that some civilians purchase weapons for target-shooting legally while concealing their intent of using them for self-defence.<sup>69</sup> Although self-defence is permitted legally as a reason for possession of a gun in Spain, B licences are granted only if the applicants can prove that they are at risk of being attacked. Therefore, very few people hold firearms for self-defence in Spain, the majority of them being politicians, jewellers, arms dealers, judges, magistrates and former military personnel. In total, in 2019, only 8,501 licences to own handguns for self-protection were valid in Spain.<sup>70</sup> Owing to the rigorous licensing conditions for firearms held for self-defence, ANARMA believes that some Spaniards who have been refused a B licence have resorted to buying a target-shooting pistol in order to use it for self-defence.<sup>71</sup>

## 2.4 Supply of illicit firearms

The main source of illegal firearms in Spain is the re-activation of de-activated firearms and the conversion of alarm firearms. Trafficking in conflict legacy firearms and stolen firearms also contribute to the illegal firearms market, but to a lesser extent.

To better understand the source of illicitly trafficked weapons and who is involved in supplying them, we can refer to the analysis of seized weapons by a *Guardia Civil* unit

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<sup>1</sup> See Box 2 Case study – Operation Alpes.

that specialises in combating illicit trafficking.<sup>72</sup> It should be borne in mind that the following paragraphs are based mainly on the law-enforcement analysis of firearms seizures in the criminal milieu; therefore, the figures in this section do not match precisely the seizure data mentioned in the previous paragraphs, which also included many seizures of legal firearms.

Before we examine the different forms of illicit firearm supply, it is essential to point out that firearms are not one of the primary sources of income for the players in Spain's criminal underworld. This role is mainly reserved for drug-trafficking, with firearms trafficking being a side business at best for most criminals. In other words, only very few individuals are strictly focused on the trafficking and sale of illicit firearms.<sup>73</sup>

#### 2.4.1 Reactivation of deactivated firearms and acoustic expansion firearms

Reactivated firearms and acoustic expansion firearms (AEW)<sup>I</sup> make up 50% of the seizures analysed by the *Guardia Civil*'s unit specialised in combating illicit firearms trafficking. As subsequent sections on gun violence show, reactivated firearms are used by common criminals and increasingly also in the drug-trafficking milieu in Spain's south.

Deactivated firearms that can be reactivated can be obtained illegally in Spain, although deactivation standards were tightened in 2011 to prevent this. This is because the new standards apply only to deactivated firearms intended for sale.<sup>II</sup> As a result, thousands of deactivated firearms are still held in Spain that have not been updated to the new standards. This involves many types of firearm.<sup>74</sup> For example, forensic experts point out the popularity of reactivated Glock pistols that were deactivated by pre 2010 standards. These firearms have also been trafficked abroad.<sup>75</sup>

Operation Portu, a large-scale police operation in 2017, seemed to reveal that legal collectors and sellers were involved in the illegal sale and possible reactivation of deactivated firearms in large quantities. Police suspected that the individuals involved were motivated by the plummeting profit margins on the legal sale of deactivated weapons following the 2011 amendments to the law. The dwindling profits were due to the high cost of updating firearms to the new reactivation standards and the simultaneous decline in popularity of such newly deactivated firearms among customers. While this police action has been called one of the toughest blows against arms trafficking in Europe, a Spanish court found in March 2021 that not enough evidence had been presented to sustain the charges. All 11,000 firearms and weapons parts seized had to be returned to the former defendants. Even after this ruling, the

<sup>I</sup> Live-firing weapons that were modified to prevent their use with regular ammunition but which allow the discharge of blank cartridges.

<sup>II</sup> See above for details.

example highlights the significant amount of circulating firearms that have not yet been deactivated according to European standards.<sup>76</sup>

The method of reactivating weapons is also made possible by ordering essential components through the internet (sometimes the darknet) and parcel delivery services. These components can be used to replace parts of deactivated weapons that would prevent the guns from firing.<sup>77</sup> The following case illustrates this.

### Box 2: Case study – Operation Alpes

In 2018, as part of Operation ALPES, the Spanish authorities arrested an individual who had been trafficking different models of Glock frame from Austria to Sevilla since 2016. He imported parts and components illegally and used some of these to reactivate firearms that were deactivated. The purchaser ordered the components online from several suppliers and used different strategies to conceal his identity, such as using a straw email address and making payments via PayPal or using straw individuals as receivers of the shipments. The firearms were later sold on the local black market. Two house searches were conducted that led to the confiscation of two automatic sub-machine guns together with several pieces to be reactivated, different types of rifle, 14 Glock frames, other parts and components, 5.56 calibre ammunition and more than 5,000 9 mm cartridges.<sup>78</sup>

In addition to the sale of reactivated firearms, there has been a well-known influx of AEWs, which have reached Spain through international trafficking routes, often originating in Slovakia.<sup>79</sup> Similarly to reactivation, these firearms are usually converted into live-firing firearms before they are sold. Opinions on whether these firearms are mainly converted before or after they reach Spain differ. However, in recent years, the police have closed down several illegal workshops in Spain that reactivate and re-convert weapons into live-firing guns to sell them on the criminal market. It is not always clear whether those involved are directly linked to other illegal sectors such as the drug business or specialise in the firearm reactivation niche.<sup>80</sup> Interestingly, the police have also uncovered isolated cases of people illegally reactivating and converting firearms in Spain in order to sell them abroad for profit.<sup>81</sup>



### Box 3: Case study of arms traffickers specialising in reactivation and conversion

In June 2020, the Spanish National Police dismantled one of the largest arms trafficking networks involved in the reactivation and conversion of weapons. During the operation, 32 house searches were carried out in 15 provinces, resulting in the confiscation of 731 firearms, a large amount of ammunition, hand grenades and anti-tank mines, and 21 people were arrested. The trafficking operation came to light after an arms dealer in Costa del Sol's Malaga was brought to the attention of the police. During the subsequent investigation, the National Police discovered that the dealer was connected to a large network of arms dealers spanning the country.<sup>82</sup>

#### 2.4.2 Conversion of blank-firing firearms and Flobert firearms

Approximately 25% of the seizures analysed by the *Guardia Civil*'s investigative unit can be attributed to the conversion of blank-firing firearms and Flobert firearms. A trend towards using these weapons increasingly has been observed since 2011, when the law made it more challenging to purchase deactivated weapons that are easy to reactivate.<sup>83</sup> These weapons are in high demand because they are easy to convert. Several models of popular Turkish-made blank-firing weapons are even near-replicas of existing models of live-firing firearms.<sup>84</sup> Legislative amendments were therefore introduced in 2017, requiring the registration of blank-firing weapons.

The law-enforcement experts interviewed suggest that the actors involved in selling (converted) blank-firing guns, as both buyers and sellers, are common and petty criminals. This type of firearm is often trafficked in specific neighbourhoods known in criminal circles for small-scale firearm- trafficking in urban areas.<sup>85</sup> The popularity of those guns among lower-end criminals is partially connected to their low prices on the illicit market.



**Table 7: Black market prices of different types of firearm, Spain, 2014, 2016–2017, 2020**

| Type of firearm     | Model       | Prices in 2014 | Prices in 2016–2017                  | Prices in 2020 |
|---------------------|-------------|----------------|--------------------------------------|----------------|
| Pistol              | Unspecified | €1,500–2,000   | €1,500 (for Glock model unspecified) | €1,500–2,000   |
| Sub-machine gun     | Uzi vz.61   | from €3,500    | €3,500 <sup>1</sup>                  | €3,500–5,000   |
| Blank-firing weapon | Ekol        | unknown        | €250                                 | unknown        |
| Converted weapon    | Unspecified | €300–500       | unknown                              | unknown        |

Sources: *El País* (2020), UNODC (2016–2017), *La Sexta* (2014)<sup>86</sup>

Table 7 suggests that blank-firing and converted weapons are generally the cheapest and most readily available guns, while original pistols and sub-machine guns tend to be more expensive.<sup>87</sup> A recent UNODC report on the firearm trafficking notes that ‘a converted pistol in Spain was about six times cheaper than a reactivated pistol’.<sup>88</sup>

It is also interesting to note that the conversion of blank-firing weapons, primarily Turkish-made handguns, often occurs together with the manufacture of homemade ammunition. The following example illustrates the trafficking patterns of blank-firing guns.

#### Box 4: Case study – Operation Bosphorus

As part of Operation Bosphorus, a series of international actions focused on the trafficking of alarm weapons, particularly Turkish-manufactured models that were obtained legally in Bulgaria and smuggled to other European countries where their possession is regulated. The Spanish Police arrested 46 individuals and seized 247 alarm weapons and more than 22,750 rounds of ammunition. One of the cases involved an Italian national who imported 129 alarm weapons from Bulgaria via express parcel services between January 2017 and March 2018 and converted them in Spain. He was also converting blank ammunition (9 mm PAK) into lethal ammunition. He was caught after making tutorial videos about converting alarm weapons and posting them on YouTube.<sup>89</sup> At least four illicit workshops about converting blank-firing weapons and ammunition production were identified and dismantled.<sup>90</sup>

<sup>1</sup> The source states ‘€350’, but other sources state that the price for sub-machine guns was €3,500 before and after 2016–2017; the authors have assumed that this was a typographical error in the UNODC report.

The range of converted weapons also includes so-called 'Flobert' firearms. They were initially developed in the 19th century for indoor shooting and they shoot percussion caps filled with a small projectile instead of traditional cartridge-based ammunition. However, Flobert-calibre weapons can easily be converted to fire more lethal ammunition, mainly if live-firing firearms which have been downgraded (converted) to shoot Flobert ammunition are involved. These firearms can be purchased legally in several EU Member States, including Slovakia. Since a legislative change in Slovakia regarding the deactivation standards of firearms, the companies that previously manufactured these weapons shifted their production to Flobert-calibre weapons.<sup>91</sup> Criminals have accordingly made a business of buying these firearms (legally) and re-converting and trafficking them across the EU illegally.<sup>92</sup>

### 2.4.3 Local conflict legacy weapons and other historical firearms

The third category of firearms circulating on the Spanish black market are those diverted from Spanish Civil War stocks and other unspecified, non-regularised historical firearms. They account for about 15% of the seizures analysed. These firearms emerge mostly when their owners die. With the advent of internet sales, these firearms are also increasingly sold on secondhand and collector websites and social media forums. It is often claimed that those firearms are deactivated either knowingly or unknowingly, misleading the buyer because they often have the capacity to fire live ammunition. But it is also known that (illegal) collectors buy and sell them, well aware of their live-firing capacity.<sup>93</sup>

### 2.4.4 Other sources of illicit firearm supply

In addition to the three leading illicit supply chains, there are also a range of other, minor sources. According to the firearm expert interviewed, approximately 5% of all firearms analysed have been stolen. Firearm theft in Spain mainly involves home burglaries in which usually small quantities of firearms are taken as a by-product, in addition to other valuable goods.<sup>94</sup> Legal gun-dealers, shooting ranges, and police and army facilities are affected by theft to a much lesser extent. However, cases from past years have shown that large numbers of firearms can be diverted if these actors are successfully targeted by thieves.<sup>95</sup>

If stolen firearms end up on the illegal market, they are often sold by middlemen. In urban areas, this takes place in specific neighbourhoods known for illicit trading.<sup>96</sup> Stolen firearms are also known to be possessed and traded by groups involved in the drug trade. In 2019, for instance, police forces dismantled a criminal group in Andalusia involved in selling firearms stolen from private homes and other OCGs. During the operation, the police uncovered several firearms in a clandestine workshop where the serial numbers of the weapons had been erased and ammunition was being produced illegally. The firearms and ammunition were sold to criminals involved in drug-trafficking.<sup>97</sup> Moreover, it is known that hunters have also been identified as customers

for firearms stolen from private homes (for the most part shotguns and hunting rifles, which are of limited value to criminals) and also illegally manufactured ammunition.<sup>98</sup>

An additional source of illicit possession is those firearms entering Spain from the Western Balkans. These are often legacy firearms related to the armed conflicts in the region in the 1990s. They account for about 5% of the firearms analysed.<sup>99</sup> This method is used primarily by OCGs involved in drug-trafficking in order to access pistols, revolvers and assault rifles.<sup>100</sup> Lower-level criminals often do not have connections to those involved in trafficking these firearms.<sup>101</sup>

Lenient firearm legislation in other EU Member States has also lead to the entry of illicit firearms into Spanish territory. Besides Slovakia, this involves two of Spain's neighbouring countries. France, for example, has weaker laws than Spain regarding historical firearms. These firearms are occasionally trafficked by collectors and end up on the Spanish black market. In Andorra, it is easier than in Spain to acquire ammunition and shotguns. According to a criminal investigator of the Guardia Civil such weapons are, on occasion, brought illicitly to Spain.<sup>102</sup>

In April 2021 Spanish security forces, for the first time, dismantled an illicit workshop that produced 3D-printed components for assembling illicit firearms. During the raid, the National Police confiscated two 3D printers, gun parts, and a replica assault rifle. The authorities also found manuals on terrorism, urban guerrilla warfare, and white supremacist material with the accused.<sup>103</sup> The law-enforcement officers interviewed in 2021 for this report stated that the threat of printed 3D-printed firearm components is increasing but is not yet a big issue. They stated that from the known cases, it seems that criminals in Spain cannot print fully functioning rifles. Instead, they can print some firearm components (frame, trigger) but not other parts (barrel).<sup>104</sup>

# 3

## Gun violence



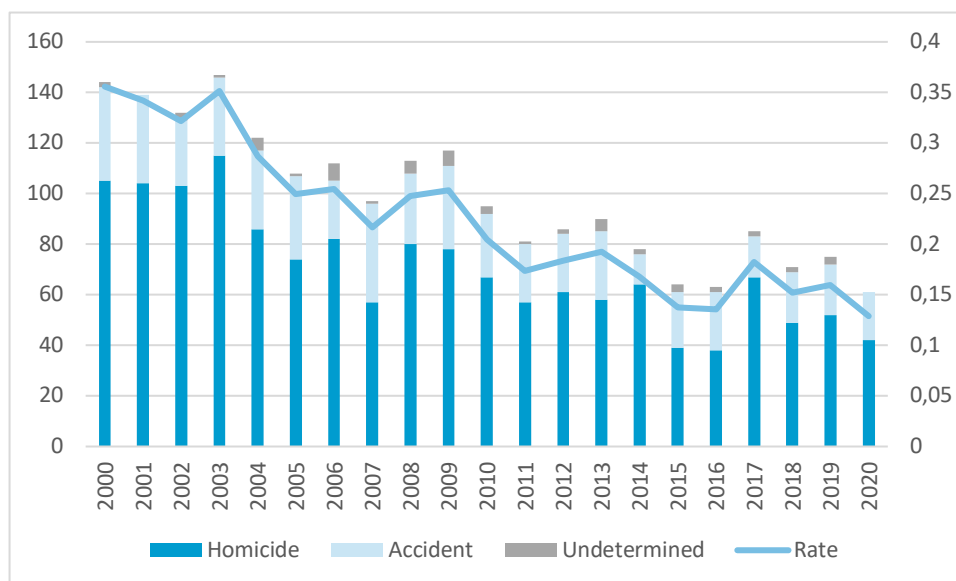
In this section, we elaborate on the phenomenon of gun violence in Spain. We turn first to describing the scope and nature of gun violence. Then, we describe the guns used in crimes in Spain. We focus particularly on their licit and illicit origins.

### 3.1 Scope of gun violence

Lethal and non-lethal firearm-related violence has strongly decreased in Spain. Official statistics of the Spanish National Institute for Statistics (INE) show that the number of lethal outcomes due to gunshot wounds, including homicides, accidents and undetermined deaths, was more than halved between 2000 and 2020 (see Figure 4). Homicidal deaths, in particular, have decreased even more: from 105 cases of firearm homicide in 2000 to 42 cases in 2020. This amounts to a decrease of 60%.<sup>105</sup> In comparison to other European countries, the firearm death rate in Spain is one of the lowest.<sup>106</sup>



**Figure 4: Lethal gun violence by type, Spain, 2000–2020**

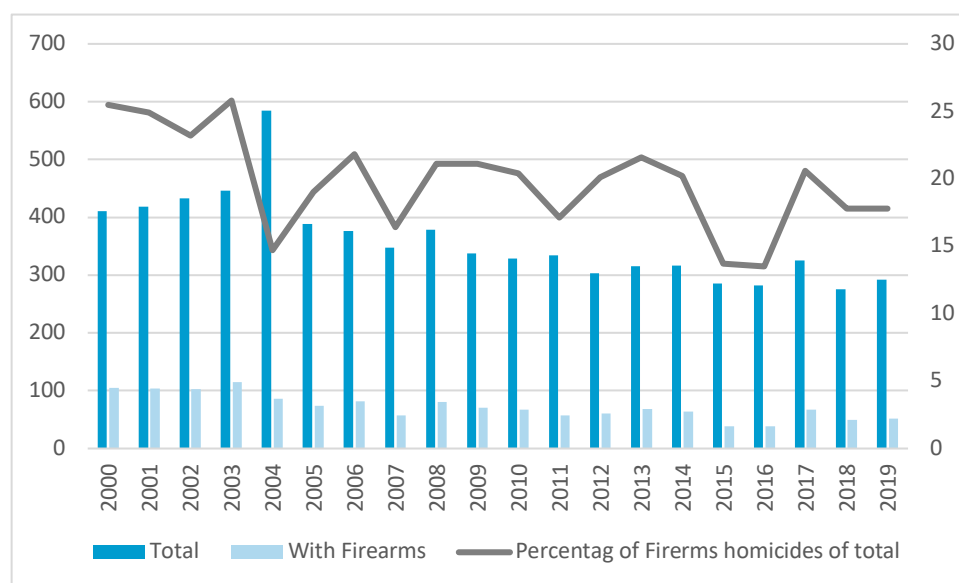


Source: National Institute of Statistics;<sup>107</sup> firearms death captured by the number of deceased persons. Firearms rate captures firearms death per 100.000 inhabitants.

The downward trend in homicides with firearms is reflected in the overall downward trend in homicides in Spain over the past 20 years. Interestingly, gun homicides have declined at a steeper rate than general homicides<sup>1</sup>. The spectacular downward trend in gun homicides in Spain, however, seems to have halted around 2015–2016. At the moment it is unclear whether the recent figures represent a normal fluctuation or a trend change.

<sup>1</sup> This does not include 2004, when the terrorist attacks of 11 March in Madrid resulted in a high number of homicides.

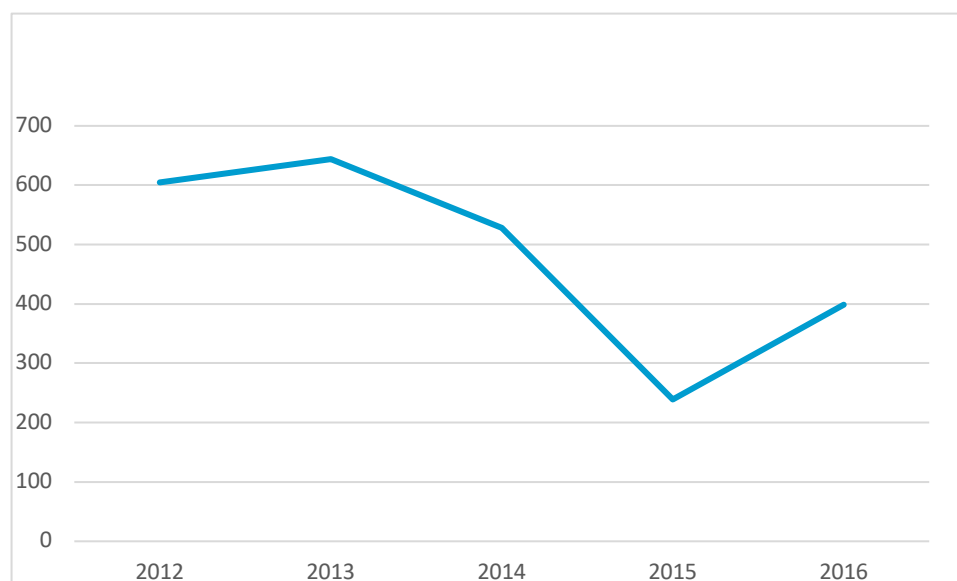
**Figure 5: Intentional firearm homicides as a percentage of overall intentional homicides, Spain, 2000–2019**



Source: National Institute of Statistics;<sup>108</sup> homicides and firearms homicides captured by the number of deceased persons. Percentage of firearms homicides of all homicides in per cent (green line)

Similarly to lethal gun violence, non-lethal gun violence has decreased drastically. For example, between 2012 and 2016, cases of non-lethal firearms injuries decreased by 33%.<sup>109</sup> However, these numbers are slightly less informative as they combine instances of assault, accidents and attempted suicides. A 2019 publication of forensic experts in Spain noted that firearms are responsible for 2% of all cases of injury to people in Spain. In general terms, it can be said that there is about one incident per day in which firearms cause wounds.<sup>110</sup>

Figure 6: Instances of injuries due to gun violence, Spain, 2012–2016



Source: Data provided to the Spanish Senate after a formal question raised at government level; they are based on a combination of sources from Spanish Security Forces (National Police Corps, *Guardia Civil*, Chartered Police of Navarre, Local Police); data include incomplete information from the Basque Country and Cataluña;<sup>111</sup> overview of non-lethal GV incidents (accounting for both minor and severe injuries by gunshot), according to the number of people injured; includes cases of assault, attempted suicides and accidents

More recent data on injuries, which are also disaggregated for gun assaults, are available through the Ministry of Health. The data show that, on average, between 2016 and 2019, 60 initial hospital admissions for assault-related gunshot wounds occurred every year. These data are informative for understanding the approximate scope of injuries caused by gun assaults. However, they also come with several challenges. First, detailed hospitalisation data on injuries due to gun assaults seem to be available only since 2016 – this impedes the analysis of long-term trends. Second, comparing injuries due to gun assault to the data on firearm homicides shown above seems to challenge the validity of the hospitalisation data. In other words, the previous statistics showed that on average 51 firearm-related homicides occurred annually between 2016 and 2019. This is in contrast to hospitalisation data suggesting that, on average, during the same period, only two people have died of injuries caused by gun assault in hospitals annually. Whereas gunshots are lethal, and gun-shot victims might die on the spot and not in hospitals, it still seems likely that such low numbers have to do with under-reporting. We can only speculate that a lack of disaggregation for the intent or cause of an injury (such as assault or an accident) during hospitalisation has led to the low numbers. Despite the stated shortcomings of the data, the figures suggest significantly more non-lethal than lethal gun shootings. For example, the average of 51 homicides involving firearms between 2016 and 2019 contrasts with an average of 60 hospitalisations involving firearms over the same period. As discussed, the latter is likely an underestimate that only reinforces our assumption.

**Table 8: Hospital admissions due to assault-related gunshot wounds, Spain, 2016–2019**

|                             | 2016 | 2017 | 2018 | 2019 |
|-----------------------------|------|------|------|------|
| Hospitalisation             | 59   | 70   | 72   | 40   |
| Died during hospitalisation | 4    | 0    | 5    | 0    |

Source: Ministerio de Sanidad. Subdirección General de Información Sanitaria. Registro de Actividad de Atención Especializada – RAE-CMBD;<sup>112</sup> the hospitalisation was due to assault with live-firing firearms and non-live-firing guns (including gas pistols, air pistols, etc)

In addition to first-time hospital admissions, data on the long-term effects of assault-related gunshot wounds are available publicly through the Ministry of Health website. According to these data, between 2016 and 2019, only three individuals who incurred gunshot wounds due to assault were transferred to a socio-health centre where patients receive stationary long-term rehabilitation or palliative care. In contrast, an average of seven hospitalisations occurred between 2016 and 2019 for treatment for the long-term effects of injuries sustained by assault-type shootings.<sup>113</sup> Whereas capturing such data and making them publicly available is laudable, the very low numbers of long-term treatment of gunshot wounds suggest that under-reporting may be a challenge.

In sum, even limited data available suggest a monetary cost of treating physical wounds of non-lethal gunshots in Spain that cannot be ignored. The immense cost of physical treatment of firearm injuries has previously been discussed in the case of the United States.<sup>114</sup> In addition, it can be assumed that costs may also arise for psychological support in the aftermath of the trauma of being shot, for both victims and their families.<sup>115</sup>

## 3.2 Characteristics of gun violence

After reviewing the scope of firearm-related violence in Spain, we now examine the characteristics of the phenomenon under the following headings: use of firearms versus other weapons; gun violence in the criminal and private spheres; geography and location of gun crimes; location of crime; and demographic characteristics.

### 3.2.1 Use of firearms versus other weapons

Firearms are the second most common *modus operandi* for committing homicides in Spain. Data from 2013 to 2017, which are limited to the analysis of data from regions under the control of the *Guardia Civil*, indicates that knives are used in 38% of homicide cases and firearms while firearms are used in 18%.<sup>116</sup> This is in line with data on homicides between 2010–2012 that shows that knives were used in 41% of homicides while firearms account for 16% of all cases during that same period.<sup>117</sup>



The *Guardia Civil* data shed further light on the context in which perpetrators favour firearms over other *modi operandi* to kill their victims. Table 9 shows that firearms are most commonly used in lethal incidents related to arguments (11), gender-based violence (11) and score-settling (9). It also shows that firearms are the most common homicide method only in score-settling, while other weapons dominate in other contexts.

**Table 9: Context in which firearms are used to kill, Spain, 2015–2017**

| Typology <sup>1</sup>           | Firearms  | Cold weapon | Suffocation | Blunt object | Other     | Total      |
|---------------------------------|-----------|-------------|-------------|--------------|-----------|------------|
| Arguments                       | 11        | 33          | 4           | 7            | 23        | <b>78</b>  |
| Gender violence                 | 11        | 22          | 12          | 4            | 9         | <b>58</b>  |
| Economic motives                | 2         | 10          | 4           | 7            | 9         | <b>32</b>  |
| Without obvious rational reason | 3         | 13          | 3           | 3            | 5         | <b>27</b>  |
| Revenge                         | 4         | 6           | 3           | 2            | 2         | <b>17</b>  |
| Score-settling                  | 9         | 0           | 1           | 0            | 2         | <b>12</b>  |
| Sexual delicts                  | 0         | 1           | 3           | 1            | 0         | <b>5</b>   |
| Total                           | <b>40</b> | <b>85</b>   | <b>30</b>   | <b>24</b>    | <b>50</b> | <b>229</b> |

Source: Santos Hermoso et al 2020;<sup>118</sup> these represent homicides investigated by the *Guardia Civil* between 2015 and 2017 for which sufficient information was available

### 3.2.2 Differences between the criminal and domestic spheres

In general, homicides in Spain are typically committed in the domestic sphere. Older data show that 78% of lethal violence in Spain between 2010 and 2012 has been categorised as violence within the domestic sphere. This includes homicides among intimate partners, other family members or acquaintances. Less prevalent are cases of criminal violence (18%).<sup>119</sup> Yet, when firearms are used to commit homicides, this seems to happen relatively more often in the criminal sphere when compared to homicide cases overall. Data on homicides committed in areas under the control of the *Guardia Civil* show, for example, that in 2019 of 116 homicides, 24 were committed with firearms (21%). Of these, half were linked to activities in the criminal milieu. These cases were about homicides related to score-settling in the criminal milieu (eight

<sup>1</sup> Some notes on the typology: In Spain, the legal concept of gender-based violence is more restricted than what is understood at the international level, as it refers specifically to violence by men against women in intimate partner relationships (according to Organic Law 1/2004). The category 'without obvious reason' includes those homicides where no material or psychological gain from the commission of the act was identified. These tend to occur in cases where the perpetrators registered some kind of severe mental disorder (such as schizophrenia or borderline personality disorder). The categories of revenge and score-settling both cover revenge-related crimes: the former takes place in the non-criminal milieu, whereas revenge acts in the criminal milieu have been coded as score-settling.

cases), homicides during drug robberies between criminals (on marijuana plantations) (three cases) and one deadly shooting during an attempted theft of a car. The cases unrelated to the criminal milieu included gender violence (seven cases), (other) domestic violence (one), brawls (one) and cases of unknown motivation (three).<sup>120</sup> Yet, to substantiate the assertion that the majority of gun homicides can be attributed to the criminal milieu rather than domestic violence or public violence (such as shootings after arguments) more comprehensive data is needed (preferably for multiple years and for the whole territory of Spain).

Unlike homicides, the data tell a much clearer story regarding non-lethal crimes committed with guns. Here, a criminal background is clearly predominant. A 2020 *Guardia Civil* report on gun crime, for example, points out that in Spain most of these crimes are committed during armed robberies and in the drug milieu. Whereas the former instances of gun violence often serve to intimidate regular citizens, the latter are usually limited to crime within the criminal milieu.<sup>121</sup> This assessment, which is based mainly on data from rural areas under the control of the *Guardia Civil*, is also shared by the National Police, who are responsible for fighting crime in urban areas.<sup>122</sup>

Data provided by the government in response to a formal question posed to the responsible government minister in the Spanish Senate illustrate these assessments numerically. The data show that in 2012 more than 67% of all assault-type crimes committed with live-firing firearms were related to thefts and armed robberies. The armed robberies involved either intimidation by or the use of violence with guns. Live-firing firearms seem to be used much less in other crimes that can be directly attributed to the private sphere. These involve, for example, cases of domestic violence or sexual aggression (see Table 10 below).

These statistics from 2012 also show that only very few offences committed with live firearms ended deadly (130 of 2,743) or in a non-lethal injury (159 of 2,743). According to a recent *Guardia Civil* report on gun crimes, this is related to criminals involved in property crime, which commit most offences involving a gun, use them almost exclusively as a form of intimidation.<sup>123</sup> Furthermore, the same report demonstrates that in high-crime groups engaged in, for example, drug-trafficking, the use of violence is often directed primarily against rival groups. However, the total number of homicides in that milieu is also relatively low, as we have shown above.<sup>124</sup>

**Table 10: Live-firing firearms used in different crimes, Spain, 2012**

| Type of crime/offence   | Total        |
|---|--------------|
| Murder  | 10           |
| Homicide  | 130          |
| Injuries  | 159          |
| Thefts and armed robberies (involving intimidation or violence) | 1,672        |
| Domestic violence   | 79           |
| Sexual aggression   | 10           |
| Kidnapping and illegal detention                                | 67           |
| Quarrels  | 11           |
| Pet abuse and abandonment                                       | 57           |
| Threat  | 495          |
| Damage to objects   | 58           |
| <b>Total</b>  | <b>2,748</b> |

Sources from Spanish Security Forces (National Police Corps, *Guardia Civil*, Chartered Police of Navarre, Local Police);<sup>125</sup> types of firearm used in acts of gun violence; unit = number of specific perpetrations committed by a specific type of weapon

### 3.2.3 Geography and location of gun crimes

In addition to the criminal and domestic contexts, we have also analysed data on the geographical and physical location of gun crime in Spain.

An analysis of the data from *Guardia Civil*-controlled areas in 2019 reveals that, in absolute terms, Andalucía records the highest number of gun crimes. The region also encounters a disproportionate number of gun crimes compared to its population size: whereas approximately 18% of the Spanish population live in Andalucía, slightly more than 31% of all gun crimes are committed in the region. This situation can be attributed to the concentration of drug-trafficking and related OCGs in the South of Spain<sup>1</sup>. Several experts interviewed for this report pointed out that these groups are often involved in firearms trafficking and that shootouts between them regularly occur.<sup>126</sup>

<sup>1</sup> Our analysis of the situation included a search of the *Guardia Civil* news portal, which led us to news items providing information on 30 different operations against firearm-trafficking between 2015 and 2020, which are often concentrated in the South of the country.

**Table 11: Crimes committed using firearms, communes of Spain, 2019**

| Total | Autonomous communes    | Percentage of population (%) | Gun crime as share of all gun crimes (%) |
|-------|------------------------|------------------------------|--|
| 1     | Andalucía              | 17.84                        | 31.16                                    |
| 2     | Cataluña               | 16.40                        | 1.17                                     |
| 3     | Comunidad de Madrid    | 14.29                        | 8.37                                     |
| 4     | Comunidad Valenciana   | 10.64                        | 14.12                                    |
| 5     | Galicia                | 5.69                         | 5.11                                     |
| 6     | Castilla y León        | 5.05                         | 6.44                                     |
| 7     | País Vasco             | 4.69                         | –  |
| 8     | Canarias               | 4.59                         | 2.59                                     |
| 9     | Castilla-La Mancha     | 4.31                         | 9.24                                     |
| 10    | Región de Murcia       | 3.18                         | 6.55                                     |
| 11    | Aragón                 | 2.80                         | 2.88                                     |
| 12    | Islas Baleares         | 2.47                         | 2.61                                     |
| 13    | Extremadura            | 2.24                         | 3.98                                     |
| 14    | Principado de Asturias | 2.15                         | 1.33                                     |
| 15    | Navarra                | 1.39                         | 0.64                                     |
| 16    | Cantabria              | 1.23                         | 2.68                                     |
| 17    | La Rioja               | 0.67                         | 0.42                                     |
| 19    | Ceuta                  | 0.18                         | 0.23                                     |
| 18    | Melilla                | 0.18                         | 0.42                                     |

Source: *Guardia Civil* (on gun crime);<sup>127</sup> National Institute of Statistics (on population)<sup>128</sup>; firearms offences committed in areas policed by the *Guardia Civil* (predominantly rural areas) in 2019. The statistics depict the aggregation of various crimes, including illicit possession and armed robberies and poaching in areas under the control of the *Guardia Civil* in 2019. Numbers are provided per region. No data were available for the Basque Country. Owing to the very low rate of crimes in Cataluña, numbers from this region must also be considered incomplete.<sup>129</sup>

Other regions that seem to have relatively major problems with gun violence (compared to their population size) are the region of Valencia, Castilla-La Mancha and Murcia. On the other hand, the regions of Madrid and Cataluña seem to face more minor gun-violence issues relative to their population. However, these latter observations have to be read with caution – the information in the above table represents crimes only recorded by the *Guardia Civil* and not, for example, those by the National Police or the

police forces in the autonomous communities. For example, the relatively low number of gun crimes in Madrid probably reflects the fact that data from the National Police, which polices the city of Madrid, are not included. Similarly, data from the autonomous police forces of Cataluña – which, for example, are responsible for policing Barcelona – are not part of these numbers. In other words, better nationally aggregated data would be needed to analyse differences in gun crime between different regions in Spain with greater accuracy and certainty.

Analysis of the national statistics shows that most lethal gun assaults in Spain occur at home (likely often associated with domestic violence) and on streets and highways (likely often related to criminal violence or escalating arguments). A substantial minority of cases also occur on farms and in trade and service areas. Few incidents occur in other settings, such as schools or administrative buildings and industrial sites. It must be noted that a significant number of lethal assaults are not assigned a specific location in the national statistics.

**Table 12: Location of lethal assaults using firearms, Spain, 2014–2018**

| Location/Year  | 2014      | 2015      | 2016      | 2017      | 2018      | Total      |
|--|-----------|-----------|-----------|-----------|-----------|------------|
| Home   | 19        | 12        | 14        | 21        | 16        | <b>82</b>  |
| School, other institution and public administrative area | 0         | 1         | 2         | 1         | 3         | <b>7</b>   |
| Sports and athletics areas                               | 0         | 0         | 0         | 0         | 1         | <b>1</b>   |
| Streets and highways                                     | 16        | 8         | 12        | 7         | 11        | <b>54</b>  |
| Trade and service area                                   | 5         | 2         | 1         | 3         | 1         | <b>12</b>  |
| Industrial and construction areas                        | 0         | 1         | 0         | 2         | 0         | <b>3</b>   |
| Farms  | 5         | 1         | 0         | 11        | 2         | <b>19</b>  |
| Unspecified places                                       | 19        | 11        | 9         | 12        | 14        | <b>65</b>  |
| <b>Total</b>   | <b>64</b> | <b>36</b> | <b>38</b> | <b>57</b> | <b>48</b> | <b>243</b> |

Source: National Institute of Statistics: causes of death<sup>130</sup>

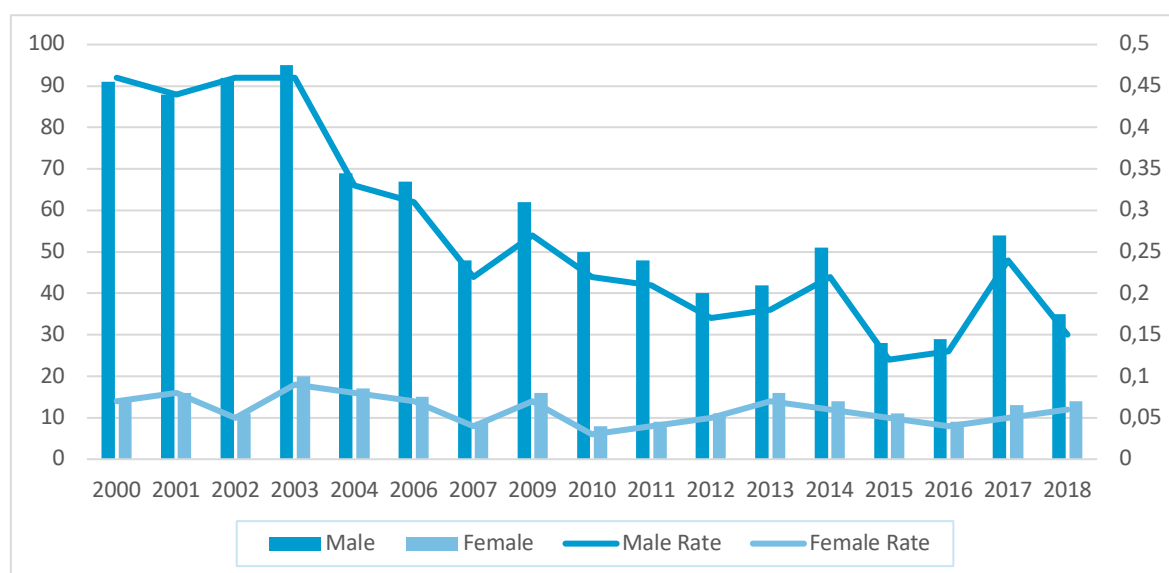
### 3.2.4 Perpetrators and victims

Apart from understanding the context in which firearm crimes occur, it is also critical to examine the profiles of the victims and the perpetrators of gun crime. As in many

other European countries, gun violence in Spain is considered to be a male problem, as most perpetrators and victims of lethal gun violence are males.

Data on the causes of death of the National Institute for Statistics indicate that between 2014 and 2018, on average, 17% of homicides were carried out using a firearm. During the same period, 21% of homicides with men as a victim were perpetrated with a gun compared to 11% of female victims.<sup>131</sup> At its peak in 2000, Spain recorded around 6.5 times as many male victims killed as female victims. Since then, however, the firearm death rate among males has declined from 0.46 male firearm deaths per 100,000 inhabitants in 2000 to 0.15 in 2018.<sup>132</sup> A comparable decline is not visible in female firearm deaths, which remained relatively stable at around 0.06, with only slight fluctuations.

Figure 7: Death by firearm assault by gender, Spain, 2000–2018



Source: National Institute of Statistics;<sup>133</sup> lethal firearms death by assault aggregated by gender: total numbers (0–100) and rate per 100,000 inhabitants (0.0–0.5)

The observation that firearm violence is a ‘male problem’ also holds for the perpetrators. An analysis of homicides in *Guardia Civil* territory between 2010 and 2012 found, for example, a statistically significant relationship between the sex of the perpetrator and the means used to commit homicides. Men were reported using firearms more often than women (18% vs 9% respectively). Women resorted relatively more to suffocation as a method than men (17% vs 4%). No differences were observed in the other categories, with men and women equally using bladed weapons, blunt objects and their physical bodily force.<sup>134</sup>

In addition to the victims’ and perpetrators’ gender, the national statistics also cover the age of gun homicide victims. Interestingly, female victims of gun homicide are on average older than the male victims. Almost 70% of the male victims is aged between

20–39 years old. Among women, the age distribution is spread out more evenly. Almost 30% of the female victims of gun homicide are aged 60 or older compared to less than 15% of the male victims.

**Table 13: Age and gender of gun homicide victims, Spain, 2012–2018**

| Gender/Age | 0–9       | 10–19      | 20–29       | 30–39       | 40–49       | 50–59       | 60–69       | 70–79       | 80–89     | 90–99+    | Total |
|------------|-----------|------------|-------------|-------------|-------------|-------------|-------------|-------------|-----------|-----------|-------|
| Men        | 1<br>0.8% | 9<br>3.1%  | 51<br>7.7%  | 84<br>29.1% | 65<br>22.5% | 36<br>12.5% | 25<br>8.7%  | 16<br>5.5%  | 2<br>0.7% | 0<br>0%   | 289   |
| Women      | 2<br>2.3% | 3<br>3.5%  | 18<br>20.7% | 15<br>17.2% | 15<br>17.2% | 9<br>10.3%  | 13<br>14.9% | 10<br>11.5% | 1<br>1.2% | 1<br>1.2% | 87    |
| Total      | 3<br>0.8% | 12<br>3.2% | 69<br>18.4% | 99<br>26.3% | 80<br>21.3% | 45<br>12.0% | 38<br>10.1% | 26<br>6.9%  | 3<br>0.8% | 1<br>0.3% | 376   |

Source: National Institute of Statistics: causes of death;<sup>135</sup> number and total of deceased victims from 2012 until 2018, by age and gender, death due to assault with firearms (excluding accidents and self-harm)

### 3.3 Firearms used in gun violence

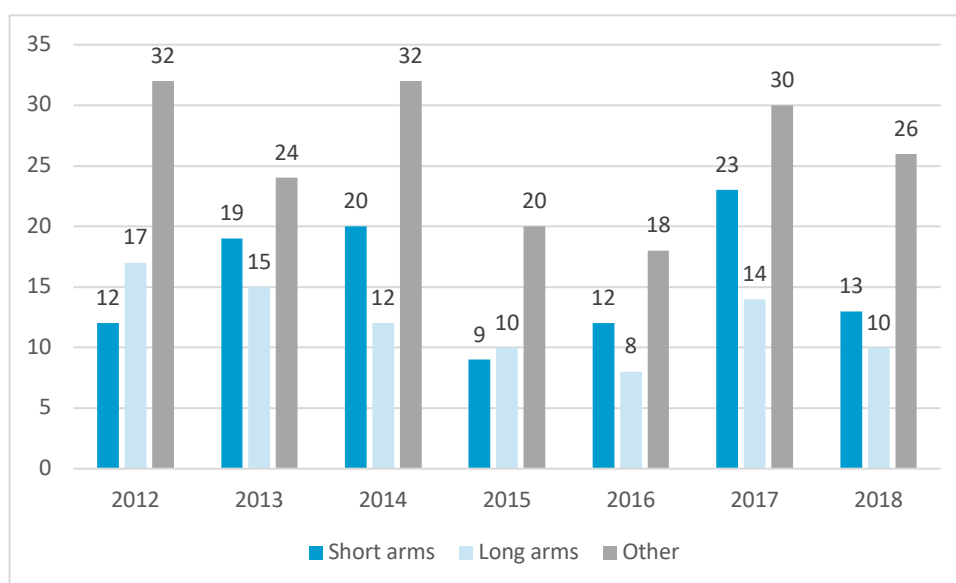
After analysing the scope and characteristics of the legal and illegal firearm market and the nature of gun violence, we now turn to the two central questions of this report: Which types of firearm are used in different contexts of gun violence and where do these guns originate? To answer this question we can use data collected and analysed by the *Guardia Civil*.<sup>136</sup> It must be noted that this data focuses on crimes committed by professional criminals and not opportunistic crimes or administrative offences. In addition, the *Guardia Civil* analysis encompasses both committed and attempted crimes that may either have been solved or not. In any case, the weapon constitutes the means or instrument for their commission. The accuracy of the data is affected by several factors. For example, the weapon may have been seized, leading to a clear assessment of its type. On the other hand, the data have also considered complaints by victims, which were based on the evaluation of the victim, who may not have been able to differentiate the type of weapon correctly.

#### 3.3.1 Type of firearms

The use of handguns stands out among all the offences committed with a gun in the jurisdiction of the *Guardia Civil* in 2019: 39% (1,037 incidents) of all gun crimes were committed with handguns in this year, followed by 792 incidents involving long weapons (28% of total).<sup>137</sup> The predominance of handguns in various contexts of gun crime seems to present a common thread. For example, lethal assaults involving firearms were committed with handguns in 55% of all cases between 2012 and 2018. In

45% of all cases, long guns were identified as the weapon of choice. It is also notable that the use of handguns in homicides has increased relative to the use of long guns over the years. However, caution should be exercised when interpreting these figures, as this calculation excludes cases where the type of weapon was not reported (the 'other' category in Figure 10 below).

**Figure 8: Lethal incidents of gun violence, Spain, 2012–2018**

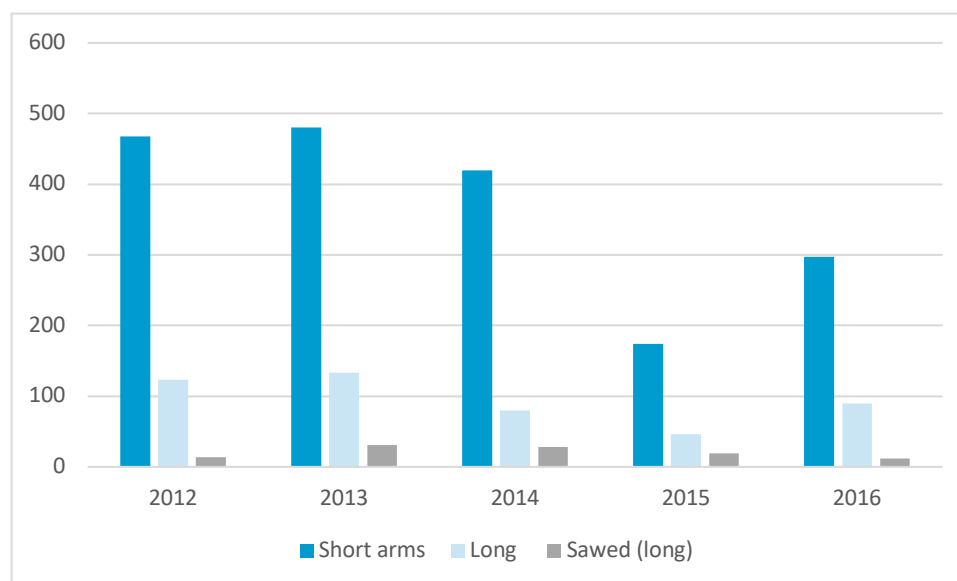


Source: National Institute of Statistics: causes of death;<sup>138</sup> lethal assaults with guns (excluding accidents, self-harm, fatal injuries due to legal interventions). The category 'other' may also include guns that are not considered 'firearms' according to the definition set out in the introduction, such as air guns or gas-powered guns

The predominant use of handguns is even more pertinent in non-lethal incidents in which people are injured by a gun. For example, between January 2012 and October 2016, handguns were used in 76% of these cases. Long arms were used in only 19.5% of the cases – sawed-off long guns were used in 4.5% of incidents. However, these results have to be treated with caution because they include attempted suicides and accidents in addition to assaults.



**Figure 9: Non-lethal incidents of firearm use leading to injury, Spain, 2012–2016**



Source: Answer by the government to a formal question posed to the government in the Spanish Senate. The original sources of information for these statistics are various security force databases (National Police Corps, *Guardia Civil*, the Chartered Police of Navarre, Local Police);<sup>139</sup> overview of non-lethal gun-violence incidents (accounting for injuries by gunshot), according to the number of people injured between 2012 and 2016; includes cases of assault, attempted suicides and accidents

Live-firing handguns are rarely held legally in Spain, as we have seen above. Consequently, we must assume that the overwhelming majority of handguns used in professional crimes reflected in the above two tables have been committed with illegally held handguns. These guns are known to be one of the most popular weapons with criminals in Spain (and globally) due to their concealability. This assessment is emphasised by the observed use of sawn-off long rifles in incidents leading to injury. This type of gun is unlikely to be held by many citizens who are not active in the criminal milieu.

More detailed data on the use of different types of firearms in various types incidents of gun violence in 2012 confirms that mainly live-firing handguns are used in acts of gun violence, and especially in incidents of thefts and armed robberies, threats and incidents of kidnap and/or illegal detention. Live-firing handguns are thus clearly associated with activities that are predominantly committed by criminals.

**Table 14: Types of weapon used in different crimes, Spain, 2012**

| Type of weapon used <br>Type of crime/ offence                         | Short barrel | Long barrel | Sawn-off  | Total live-firing | Gas/compressed air |
|--|--------------|-------------|-----------|-------------------|--------------------|
| <b>Murder</b>  | 5            | 5           | 0         | <b>10</b>         | 0                  |
| <b>Homicide</b>  | 88           | 40          | 2         | <b>130</b>        | 0                  |
| <b>Injuries</b>  | 87           | 70          | 2         | <b>159</b>        | 142                |
| <b>Thefts and armed robberies (involving intimidation or violence)</b> | 1,577        | 65          | 30        | <b>1,672</b>      | 42                 |
| <b>Domestic violence</b>   | 43           | 33          | 3         | <b>79</b>         | 21                 |
| <b>Sexual aggression</b>   | 7            | 2           | 1         | <b>10</b>         | 2                  |
| <b>Kidnap and illegal detention</b>                                    | 61           | 4           | 2         | <b>67</b>         | 4                  |
| <b>Quarrels</b>  | 6            | 5           | 0         | <b>11</b>         | 0                  |
| <b>Pet abuse+ abandonment</b>  | 2            | 54          | 1         | <b>57</b>         | 58                 |
| <b>Threat</b>  | 306          | 177         | 12        | <b>495</b>        | 70                 |
| <b>Damage to objects</b>   | 28           | 29          | 1         | <b>58</b>         | 182                |
| <b>Total</b>   | <b>2,210</b> | <b>484</b>  | <b>54</b> | <b>2,748</b>      | <b>521</b>         |

Source: Data provided to the Spanish Senate in answer to a formal question posed to the government; they are based on a combination of sources from various Security Forces databases (National Police Corps, *Guardia Civil*, Chartered Police of Navarre, Local Police);<sup>140</sup> unit = number of specific offences committed with a specific type of gun.

Also in cases of murder, homicide and injuries, which are not necessarily associated with criminal activities, handguns are more often used than long barrelled guns, but the difference is much smaller.

The available data suggests that different types of homicides are committed with different types of firearms. More recent data on the location of lethal gun assaults, for example, indicates that handguns are most frequently used in gun homicides on streets and highways (see Table 15 below). Again, this suggests criminal rather than domestic motives for the lethal use of handguns.

**Table 15: Location of deaths caused by lethal gun violence through assault**

| Location   | Handgun   | Rifle, shotgun and larger firearm | Other and unspecified firearms (includes airguns, BB guns and flare guns) | Total      |
|--|-----------|-----------------------------------|---|------------|
| Home   | 23        | 22                                | 37  | 82         |
| School, other institutions and public administrative area    | 2         | 1                                 | 3   | 6          |
| Sports and athletics area                                    | 0         | 0                                 | 1   | 1          |
| Street and highway   | 29        | 8                                 | 27  | 64         |
| Trade and service area                                       | 3         | 1                                 | 8   | 12         |
| Industrial and construction area                             | 1         | 1                                 | 1   | 3          |
| Farm   | 5         | 11                                | 3   | 19         |
| Other specified places (not declared) and unspecified places | 12        | 10                                | 43  | 65         |
| <b>Total</b>   | <b>75</b> | <b>54</b>                         | <b>123</b>  | <b>252</b> |

Source: National Institute of Statistics: causes of death;<sup>141</sup> unit = number of victims deceased through gun violence assaults between 2014 and 2018 (excluding self-harm, accidents, acts of unclear intent)

Long guns seem relatively more prevalent in contexts of domestic gun violence. About 75% of all homicides committed with long guns for which a location could be identified were committed at homes or farms, suggesting a domestic background of the crime (table 15). This is underlined by the fact that long guns are used in 43 % of all domestic violence cases (Table 14). Proportionally, this is a much larger number than is the case, for example, with armed robbery. In addition to long-guns, the use of gas-pistols is relatively more prominent in domestic settings, accounting for 21% of incidents in 2012 (table 14). This is a lot when comparing it, for example, to the 2,5% used in armed robberies.<sup>1</sup> The fact that long-guns and gas pistols are relatively prominent in domestic violence concurs with the assessment of interviewed law enforcement experts who confirm that legal firearms are frequently seized in domestic crime contexts. As we

<sup>1</sup> The actual use of non-live firing guns is probably much higher in incidents of domestic violence and armed robberies. However, the available statistics have aggregated non-live firing guns under categories such as fake weapons and imitation weapons that potentially include bladed weapons. We could therefore not use those numbers for our analysis. Furthermore, it must be assumed that not all weapons listed in the statistics have been correctly identified. Especially in cases of armed robberies, security authorities often have to rely on the description of the victims, who do not necessarily have firearms knowledge to distinguish between gas guns and live firearms.

have seen before, long-guns (particularly hunting shotguns) are by far the most legally possessed type of firearms in Spain.<sup>142</sup> Nevertheless, the question remains where individuals from the non-criminal milieu acquire the significant proportion of handguns used in domestic violence. This is something we were unable to establish with the data available.

Finally, the choice of firearm may also be related to the geographical location of a crime. Statistics on lethal gun assaults tell us that the vast majority of all lethal assaults with a firearm that take place on farms are committed with a long gun. We can only speculate about the motivations for such crimes (eg criminal vs domestic). However, it seems likely that the greater availability of hunting shotguns and rifles in rural areas characterised by a hunting tradition may explain why long guns are used more frequently for homicides on farms.

What also stands out in the above statistics is that almost half of all cases of non-lethal injuries are resulting from gas-pistols in 2012 (47%) (see Table 14 above).<sup>1</sup> Yet, the original source for these statistics does not make clear if these numbers exclude non-assault-related incidents such as accidents. Data on hospital admissions resulting from assault-related gunshot wounds are better suited to help us understand which firearms are used in assault-type incidents.

**Table 16: Firearms used in assaults leading to hospitalisation (first admission), Spain, 2016–2019**

| Type of gun/Year     | 2016      | 2017      | 2018      | 2019      | Total      |
|----------------------|-----------|-----------|-----------|-----------|------------|
| Handgun              | 13        | 12        | 16        | 5         | 46         |
| Shotgun              | 7         | 5         | 7         | 4         | 23         |
| Other large firearms | 3         | 0         | 3         | 0         | 6          |
| Other firearms       | 34        | 38        | 38        | 29        | 139        |
| Air gun              | 0         | 6         | 4         | 3         | 13         |
| <b>Total</b>         | <b>57</b> | <b>61</b> | <b>68</b> | <b>41</b> | <b>227</b> |

Source: Ministerio de Sanidad. Subdirección General de Información Sanitaria. Registro de Actividad de Atención Especializada – RAE-CMBD;<sup>143</sup> categories 'other' combine values that are indicated as 'specified' and 'unspecified' in the database (the category 'specified' is not disaggregated in the database).

<sup>1</sup> The data limitations mentioned in the previous footnote also apply here.

These statistics show that most gun assaults leading to hospitalisations are committed with handguns. Fewer assaults are committed with shotguns, other large firearms and air guns. This observation, of course, is based on only those incidents for which a firearm was specified (excluding the category 'other firearms'). This further supports our argument that most gun offences, including assaults in which firearms are discharged and lead to injuries, are committed by criminal actors.

### 3.3.2 Sources and supply chains

Following the analysis of the types of weapon used in gun violence in Spain, the question that remains to be answered is how offenders in Spain come to possess their firearms.

#### Criminal violence

Criminals commit most acts of gun violence in Spain. However, in the previous sections, we were able to show differences between criminal groups. These differences are about the types of violent crime committed with weapons, the types of weapon used and the methods by which these weapons are illegally obtained.

High-level criminal groups, particularly those involved in the drug trade in the south of the country, use firearms for different purposes, including for *vuelcos* (drug thefts between rival groups), score-settling and to protect warehouses in which illegal products are stored. Our research in previous sections has shown that OCGs involved in drug-trafficking are commonly the only ones with access to all types of firearm, including assault rifles. Which gun such groups use and in which context tends to differ depending upon circumstances. Media sources suggest that shotguns and rifles are often used to protect warehouses, while handguns and assault rifles are mainly used in score-settling and when criminals rob other criminals of their drugs.<sup>144</sup> Yet the data analysed in previous sections suggest that handguns are the most possessed and used firearm types in these circles. Yet, to make a generalisation regarding the criminal use of firearms, a larger amount of data would be required.

### Box 5: The Mocro Mafia and violence along the Costa del Sol

Acts of score-settling with firearms have been on the rise in recent years in Spain's south, specifically in the area of the Costa del Sol and the Strait of Gibraltar. A police officer interviewed for a newspaper report sheds some light on the groups involved in driving up gun violence in the area:

Many of these deaths are due to open warfare in Holland and Belgium for control of territory. These are wars between Moroccan clans known as the Mocro-Mafia, taking place in various parts of Europe, especially in Amsterdam, Brussels and Stockholm neighbourhoods. These battles for control of the business have also spilt over into Spain. We collaborate very closely with the Dutch police because some of these leaders are located in the Malaga area. We have recently arrested six people who are hitmen connected to these groups.<sup>145</sup>

While we can hardly generalise on the ways in which organised drug-traffickers and drug wholesalers obtain their weapons, a few general observations can be summarised. Police experts have stated that such groups are typically the only ones with access to international traffickers who smuggle firearms from the Western Balkans, which may explain their access to assault-type rifles from the region.<sup>146</sup> Yet, these groups also access weapons through other channels. A 2018–2020 spike in gun crime in the drug-trafficking milieu of Spain's south can, for example, be attributed to a reactivation scheme. Typically, deactivated weapons are sourced in Spain, whereas Flobert and acoustic firearms that are re-converted illicitly often come from Eastern Europe.<sup>147</sup>

As the following case illustrates, such trafficking schemes are often carried out by individuals with previous connections in illicit firearm- and drug-trafficking, allowing them to gain access to guns and establish connections with the buyers in the drug milieu.

### Box 6: Operation Nongreta

In December 2020, Spanish police dismantled an international arms trafficking network involved in reactivating weapons from Eastern Europe and supplying weapons to drug-trafficking organisations in the south of Spain. Three suspects, a British national (who had previously been arrested for drug-trafficking) and two German nationals (one of whom was wanted for arms trafficking in Germany) were arrested in Malaga and charged with several related crimes.

For three years, the group had been importing deactivated weapons from Eastern European countries into Spain and reactivating them in what has been described by the police as 'a sophisticated clandestine workshop'. The workshop was discovered in the home of one of the German nationals. The police investigations revealed that the gangsters stored the reactivated firearms on a rented industrial ship in Alhaurín el Grande, where they awaited their distribution.

The group's third member, the British national, acted as an intermediary, arranging transactions with drug-trafficking networks in the Costa del Sol and Campo de Gibraltar in southern Spain and hiding the weapons in double bottoms of high-end vehicles for transactions. Police investigations began late in 2018, after a sudden sharp increase in gun violence among drug-dealers in the Costa del Sol and Campo de Gibraltar areas, including several murders committed with AK-47 assault rifles.

During the operation, the police discovered 160 firearms, including 121 hand guns, 22 AK-47 assault rifles and eight sub-machine guns, more than 10,000 rounds of ammunition, an anti-tank grenade with 1.5 kg of military explosives, eight silencers and 273 magazines.<sup>148</sup>

Besides OCGs, lower-level criminal groups also employ firearms.<sup>1</sup> These firearms are mostly used in armed robberies. Some of the weapons most commonly used by these criminals are reactivated firearms, often originating in Spain, converted blank-firing arms of Turkish origin or converted Flobert or acoustic expansion weapons (AEW) that are often smuggled from Slovakia.<sup>149</sup> These firearms are often brought into the country by land or through fast parcel delivery. If they reach Spain and are not yet prepared for live-firing, they are often modified in specialised workshops. Criminals may run these workshops as a side business or some specialised handymen may make this their main business.<sup>150</sup> After they are prepared for live firing, these firearms can often be acquired through intermediaries. In urban areas, these transactions often occur in specific areas known to the National Police.<sup>151</sup> Yet, as the case below shows, they can also be sold directly through encrypted messaging services or via the internet.

<sup>1</sup> For a more detailed analysis and references see above.

The following case illustrates a law-enforcement operation that brought down a trafficking scheme that was supplying common criminals with re-converted AEW. In line with our arguments above, the *Guardia Civil* highlights the value of this operation in stopping the supply of such firearms to common criminals, who frequently use them in ‘violent acts’ (such as robberies).

### Box 7: Operation Treta

As part of Operation Treta, the *Guardia Civil* carried out house searches in various parts of the country. As a result, nine people were arrested and six others were investigated, among other reasons, for the alleged offences of arms trafficking, the possession of prohibited weapons and the storage of ammunition.

The operation began with a suspicion of firearms trafficking involving a Romanian citizen with residency in Alicante. The investigations revealed that the man had actively acquired firearms from abroad for several years. He then sold them in Spain through the internet and encrypted instant messaging applications. Based on these initial findings, the investigation dismantled an organised criminal structure that imported AEW, which are easily convertible into real firearms. The criminal network had acquired the arms in Eastern European countries before manipulating them to fire live ammunition in a clandestine workshop in the province of Alicante. These firearms were distributed to buyers throughout the national territory.

Among the items seized were 26 handguns (pistols and revolvers), ten long guns and 9,928 metal cartridges of various calibres (including war ammunition), machines and tools for weapon modification, three machines for the artisanal manufacture of metal ammunition, 42 kg of marijuana and falsified police and military identifications.<sup>152</sup>

### Non-criminal violence

Evidence collected throughout this report suggests that lethal gun assaults unrelated to the criminal milieu can be attributed to two categories: the domestic sphere, especially gender-based violence, most often perpetrated by male (ex-)partners, plays a substantial role; and killings after disputes or in brawls. We have not found data that show explicitly which types of gun were used in lethal, non-criminal milieu assaults. In domestic incidents, long-barrelled guns are used only slightly less often than handguns. This observation highlights a considerable difference from the criminal milieu, where handguns dominate.

Experts interviewed for this report suggest that firearms seized in domestic crime are relatively more often legally possessed than in instances of criminal violence.<sup>153</sup> However, we were not able to acquire seizure data to back up this assertion. Future research should focus on analysing the legal or illegal origin of handguns used in domestic gun violence. For example, even though handguns make up a minority in



domestic crimes, they were nevertheless used in 43% of the analysed cases (see, for instance, Table 16 above). Because few people legally own handguns, the questions that arise are how and where the perpetrators of domestic crimes acquire them and what their quality is (eg type, models live-firing, converted).

# 4



## National initiatives to combat illicit firearm trafficking and prevent gun violence

This section elaborates briefly on the strategies of the Spanish law-enforcement community to gather intelligence on firearms-related incidents, to use this intelligence to deal with fire arms trafficking and to combat and prevent gun violence.

### 4.1 Improving the intelligence picture on gun crime

During the research for this report, the impression was created that the law-enforcement agencies in Spain have a good grasp of the possession, use and misuse of firearms in their country. Their intelligence picture is built on prioritising firearms, which allowed the authorities to construct a good base of quantitative data for internal analysis.

#### 4.1.1 Firearms trafficking

The *Guardia Civil*'s efforts to make access to illegal firearms more difficult are pooled in the Comprehensive Firearms Control Plan (*Plan Integral para el Control de las Armas de Fuego* (PICAF)). PICAF's main objectives are to improve the *Guardia Civil*'s capacities to detect, investigate and eradicate illicit firearm supply channels.<sup>154</sup>

One cornerstone of the PICAF is to understand the scope and characteristics of arms trafficking and the use of trafficked arms in criminal activities.<sup>155</sup> A central aspect of generating more fine-grained knowledge on firearms trafficking is investigating the guns that are seized in the investigation of crimes. The *Guardia Civil*'s Judicial Police elaborates on this need in their operating procedures and a recent report on gun crime. They state that it is essential to record the (criminal) context in which a gun is seized and register detailed data on the seized weapon (make, model, serial number and type). This helps the authorities to trace the origin and to investigate possible (illicit) distribution channels of firearms.<sup>156</sup> The importance and prioritisation of analysing

seizures and systematically collecting data was also pointed out to the author by various Spanish law-enforcement officers who specialise in combating illicit firearms who were interviewed for both this report and a previous research project.<sup>157</sup>

The *Guardia Civil* collects data on firearms seizures and violent gun crime via the Integrated Operational Management System (*Sistema Integral de Gestión Operativa – SIGO*). This database is used to record most operational activities, including inspections, arrests and seizures of all types of object.<sup>158</sup> Data relevant to investigations of serious crime and terrorism are collected through the SINVES database. This repository is part of the wider SIGO environment but accessible only to units combating the crime types indicated above.<sup>159</sup> Finally, once a firearms is seized, its status and exact location (eg police station) is also updated in the national register for legal firearms (RNA).<sup>160</sup>

Data reviewed for this report show that Spanish law-enforcement authorities collect a wealth of information on seized firearms. Tracing and detailed analysis of seized guns is made possible by a well-functioning data system on legal firearms (as most guns seized in Spain have a legal history in the country). In addition, the *Guardia Civil* unit that investigates trafficking also analyses seized weapons for different methods of trafficking, firearm diversion and modification. The types of data that are collected by authorities in the national context include:

- the recording of criminal contexts in which guns are seized;
- the types of gun that are seized;
- the country of manufacture;
- the trafficking routes (if firearms are seized in connection with international trafficking);
- the legal status of a gun;
- markings (eg altered, no markings, accurate markings); and
- if guns seized were modified (eg reactivated).<sup>161</sup>

The scope of this report does not allow for a comprehensive analysis of the strengths and weaknesses of Spain's data-collection mechanisms on firearms trafficking. A brief comparison of national datasets delivered to the UNODC as part of a multinational exercise to study illicit firearms trafficking suggests that Spain's quantitative data on firearms trafficking are among the most complete in Europe.<sup>162</sup> In addition, it is worth noting that the *Guardia Civil*'s intelligence division distributes four annual intelligence bulletins on illicit firearms trafficking. These reports are for internal use only. They contain information on national and international firearms trafficking trends, approaches for combating these new phenomena (including examples of recent operations), and current legislative initiatives and amendments.<sup>163</sup>

However, in an interview in late 2019, the Spanish Focal Point on Firearms also pointed out some of the challenges faced by the authority with generating an intelligence picture on illicit firearm trade based on the available data.

### Box 8: The Spanish National Focal Point on Firearms

The National Firearms Focal Point is an important place where expertise and communication on firearms are concentrated. It is hosted by the *Guardia Civil's* agency on legal gun control (ICAE). Nationally, the focal point is the main contact for firearm-related matters and is responsible for resolving overarching issues such as improving firearm databases and improving the processes for seizing firearms. The focal point is also involved in tracing firearms and patrolling the internet and the darknet to prevent and combat illicit trafficking.

Internationally, it is the central body to represent Spain, at the law-enforcement level, in all forums that deal with firearms and are not directly concerned with the political decision-making on international treaties (which is the responsibility of the Foreign Ministry). It also needs to brief national actors on relevant global developments (eg new trafficking routes or methods, regulatory changes at the EU level). This may include producing strategic analysis products when needed.

Owing to its embeddedness in the *Guardia Civil*, the focal point can integrate both a legal control and an investigative perspective into its work. It also benefits from drawing on the administrative and technical expertise in its host organisation, the ICAE. This involves, for example, drawing on expertise in document fraud.<sup>164</sup> Finally, the focal point is responsible for providing statistics on firearms at both a national and an international level.<sup>165</sup>

One of the current challenges of data-collection and -analyses is developing processes that make it easier for field officers to register correctly the often complex information on seized firearms (eg type, serial numbers, reactivated or modified gun). In addition, it is vital to raise awareness of the importance of such information for combating firearm crime.<sup>166</sup> A review of the data used for this report shows that such improvements are necessary: many of the statistics on trafficking that we reviewed for this report contain large numbers under categories such as 'seized in unknown criminal contexts' or 'unknown seizure locations' (eg harbour, street).<sup>167</sup> A second challenge is improving the way in which the SIGO database, designed mainly for operational purposes, can be adapted to allow for easier data extraction. Such extraction is needed to generate broader intelligence pictures on trafficking and information exchange internationally (eg via Eurostat or for various international surveys on firearms).<sup>168</sup>

#### 4.1.2 Gun violence

Data-collection is also essential in the realm of gun violence. It provides authorities with the basis on which to judge the impact of firearm crime on public health and security, for instance.

Our analysis has revealed the availability of data on various characteristics of lethal gun crimes. These numbers are often publicly accessible through Spain's National Institute of Statistics. They include, for example, statistics on the victims and perpetrators of deadly gun violence (eg age, gender), the location of crimes and the types of gun used in crimes. The intelligence picture is complemented by answers to parliamentary interpellations (formal questions raised with the government) and public and non-public reports on homicides and gun crimes by national security agencies. This includes an annual situation report on the use of firearms in the commission of crimes (including violent crimes).<sup>169</sup>

For example, these sources provided data on the context of different types of assault carried out with guns (eg robberies, gender violence, score-settling among criminals). Finally, publicly available hospital data include numbers on the frequency of admissions to emergency and rehabilitation facilities as a result of gun violence. Based on the above data and the information provided by interviewed experts, it was possible to draw a relatively detailed picture of gun violence in Spain for this report.

The challenges arising from the intelligence picture on gun violence seem to arise from the lack of detail for some data. For example, the authors of a recent (2018) study on homicides point out the need for more systematic data-gathering. They urge that further details of the characteristics of the act, perpetrator and victim of homicide cases, and for the whole national territory, should be more systematically gathered.<sup>170</sup> In addition, they stress the need to create a better data-processing component that is able to analyse this homicide data more accurately and efficiently so as to develop better results for predictive policing that can be used in complicated homicide investigations.<sup>171</sup>

Another challenge we encountered pertains to the partly scattered data on gun violence, which impedes painting a more comprehensive national picture of the phenomenon. As mentioned above, some of the data on gun violence are available at a national level through the National Institute of Statistics. But we found that two of the three major reports by security agencies dealing with homicide (two) and gun violence (one) rely solely on data from the *Guardia Civil*'s areas of responsibility. To the best of the author's knowledge, no similar reports exist for the National Police-controlled areas. This creates a serious lacuna in the national picture. Moreover, data analysis of answers to interpellations regarding gun violence shows that data from some autonomous regions of Spain seem to be incomplete.

Of course, there are valid operational reasons for individual police authorities to analyse homicide and/or gun violence exclusively in the areas in which they are responsible for policing. But since perpetrators do not care much for borders, there would be equally good reasons to generate intelligence reports on gun crime for the whole national territory.

In the result, cooperation and data-sharing issues between different police authorities in Spain may be impeding national scale data analysis – a topic we cannot expand upon

at any length in this report. Generally speaking, operational cooperation is channelled through the digital multi-agency platform, the Intelligence Centre for Counter-Terrorism and Organised Crime (CITCO).

### Box 9: CITCO – Operational Cooperation

Regarding investigations, an interagency platform – CITCO – managed by the Ministry of Interior, exists to alert agencies if and when they are looking into the same case. For example, if one agency starts an investigation, including into specific individuals or objects (eg known criminals, firearms), this has to be entered into a data system run by CITCO. The system will then raise a flag if another agency (eg National Police or *Guardia Civil*) is already investigating the individual or the object. Those agencies then have to coordinate their investigations accordingly.<sup>172</sup> Having said that, the *Guardia Civil* often cooperates closely with other agencies on firearms. For example, a joint operation with the customs department's investigative unit that targets import- and export-related smuggling or fraud is a common way of working together.<sup>173</sup>

However, as pointed out by an National Police expert interviewed in 2021 about the international trafficking of firearms, it may help to extend the current National Firearms Focal Point on firearms by integrating a member of the National Police. Currently, the body is operated solely by the *Guardia Civil*, which, according to the interviewee, can impede or slow down information-sharing (regarding data and operational information).<sup>174</sup>

## 4.2 Operational measures to combat illicit firearms trafficking and gun crime

The 2019 report of the Judicial Police of the *Guardia Civil* on gun crime summarises the national task of limiting criminal access to legal and illegal firearms to prevent their misuse in (violent) crimes:

It is a national and international priority to establish preventive and regulatory measures to prevent criminals, criminal groups or terrorists from taking undue advantage of legitimate channels for the acquisition and possession of firearms. It is also a priority to limit or close illegal channels (trafficking) for the acquisition of firearms (especially so-called small arms and light weapons), their parts or ammunition.<sup>175</sup>

### 4.2.1 Firearms trafficking

As mentioned in the previous section, the overarching strategic plan against firearms trafficking for the *Guardia Civil* is the PICAF, whose stated objective is detecting, investigating and eradicating illicit firearm supply channels.<sup>176</sup>

Regarding operations against firearms trafficking, it is evident that the security forces act against illegal arms trafficking with great regularity. The frequency has increased significantly since the introduction of the PICAF. According to information provided in December 2020 by a unit of the *Guardia Civil* specialised in combating firearms trafficking, the agency carried out more than 87 operations against arms trafficking networks between 2016 and 2020. The operations resulted in the arrest of 422 people, the confiscation of 4,737 firearms (for the most part weapons of war), 581,281 metallic cartridges, 185 kg of explosives and more than €700,000, and the dismantling of 20 clandestine workshops.<sup>177</sup> In comparison: between 2010 and 2014, the *Guardia Civil* carried out 13 macro-operations against illegal firearms trafficking, arrested 63 people and seized 479 firearms (primarily handguns) and 60,000 rounds of ammunition.<sup>178</sup> This listing refers only to the *Guardia Civil*. The National Police have also successfully carried out significant strikes against arms dealers in recent years.<sup>179</sup>

The nature of investigations can be diverse. Of particular interest to this report are operations targeting illicit supply channels linked to cases of gun violence or the criminal milieu. In the case of the criminal milieu, it is likely that firearms will eventually be used in gun crime.

Law-enforcement agencies use two general operational approaches to combine their investigations against gun violence and illegal arms trafficking. First, if a murder is committed with a firearm, this firearm is systematically traced and sent for examination by ballistics experts. A DNA analysis of the gun is conducted. This analysis may be used to find the perpetrator of the murder and link guns to ongoing or closed trafficking cases. Given the dominance of reactivation and (re-)conversion as supply modes for criminals in Spain, this may either happen through identifying markers of the ways guns are modified or, on occasion, also through identifying the DNA of the person who reactivates or (re-)converts these firearms.<sup>180</sup>

Similarly, the *Guardia Civil*'s unit that specialises in trafficking is systematically transferring guns they seize in anti-trafficking operations to their ballistics unit. Their experts will then establish whether seized guns can be linked to ongoing or closed cases of firearms trafficking and/or reactivation or (re-) conversion or gun crime. Such information is vital from an operational point of view as the penalties for gun-trafficking are not very high in Spain. If a trafficked or modified gun can be linked to another (capital) crime, the punishment for traffickers is more severe.<sup>181</sup> Another important process for improving the intelligence base for action against illicit trafficking is the collection of ballistics reports at the National Focal Point. The agency uses this data to provide an up-to-date overview of the techniques used to modify and illegally manufacture firearms, their essential parts or ammunition.<sup>182</sup>



In Box 7 we described in detail the *Guardia Civil*'s Operation Nongreta, which investigated a group of illicit handymen supplying the drug milieu in Spain's south with reactivated and re-converted firearms. This operation is also exemplary of linking gun violence and the supply of illegal firearms to the criminal milieu. The investigation began when the *Guardia Civil* detected an alarming increase in firearms used in *vuelcos* – drug robberies – and the violent settling of scores between drug-traffickers on the Costa del Sol and Campo de Gibraltar. In many of those incidents, similar guns were used, which seemed to come from the same supplier. This initial discovery led to investigations which revealed that the guns were all connected to the same criminal group. These in turn led to further investigations into supply modes. As described previously, the operation ultimately led to dismantling a professional group of international firearm-traffickers with previous links to the drug milieu.<sup>183</sup>

#### 4.2.2 Gun violence

According to the law-enforcement experts interviewed for this report, gun violence is not tackled as part of a single dedicated policy or strategic plan.<sup>184</sup> One of the reasons for the absence of such a dedicated plan is the low levels of threats of gun violence in most regions of Spain. As described in the previous section, most gun violence in which firearms are discharged to kill or hurt is concentrated in the drug-trafficking milieu on the Costa del Sol, between Malaga and Gibraltar. In this context, automatic and semi-automatic rifles are also used more often. Such firearms are very rarely used in the criminal underworld in the rest of the country.<sup>185</sup>

To respond to the increase in narco-trafficking and (gun) violence within and around the drug-trafficking milieu in the country's south, the Secretary of State for Interior launched a Special Security Plan in 2018. The plan is implemented separately (but in a coordinated manner) by the National Police and the *Guardia Civil*. The National Police's response is formulated in its Southern Security Plan. The *Guardia Civil* uses a two-pronged approach. On the one hand, it uses its coordinating body against narco-trafficking *Órgano de Coordinación Contra el Narcotráfico* (OCON SUR) to combine different units in the area. It is used, for example, to mobilise rapid response units such as the *Grupos de acción rápida* (GAR) to investigate or raid drug-trafficking outfits. OCON is supported by the *Centro Regional de Análisis e Inteligencia contra el Narcotráfico* (CRAIN), an intelligence centre that focuses on drug-trafficking in the southern provinces.<sup>186</sup> The strategies of both national police forces led to reinforced police capacities and tighter cooperation between different police units to disrupt the drug networks in the region. Regarding firearms, the collaboration of the OCON and CRAIN with the firearms trafficking unit of the Intelligence Headquarters of the *Guardia Civil* and its local intelligence units stands out. This cooperation is crucial to detect and dismantle possible supply chains for illegal firearms used by drug trafficking organisations.<sup>187</sup>

According to police officers of both the *Guardia Civil* and National Police, three years of a focused combat against the networks in the south has helped to weaken the drug networks in the area. Many have been dismantled based on increased intelligence and police capacity and also through better cooperation with the justice system. In addition,



it is becoming increasingly difficult for the traffickers to ship their illicit goods, as the authorities have become better at monitoring the most popular trafficking routes. However, the police officers interviewed in the press are also fully aware that they will not stop drug-trafficking completely. Instead, the goal is to decrease the volume of drug-trafficking and both the (gun) violence and the corruption linked to it.<sup>188</sup> In addition to focused efforts to combat drug-related crime in southern Spain, Spanish police forces also follow more generic investigating approaches. Homicide research on the Spanish context has shown that homicides are a priority for police forces around the country, resulting in great efforts and resources being put into their investigation. Consequently, the resolution rates of homicides are around 85–90% in national areas investigated by the *Guardia Civil*.<sup>189</sup> <sup>I</sup> Unfortunately, we have not found similar information for homicides related to gun deaths. In addition to classical investigation strategies to resolve homicides, recent reports on homicides commissioned by law-enforcement agencies have highlighted the potential of predictive policing. Regarding homicide investigations, they can help investigators to create perpetrator profiles if insufficient clues exist to solve a case.<sup>190</sup>

In addition to investigating crimes already committed, Spanish police forces also use more general approaches to prevent firearms from falling into the wrong hands or being used in crime. For example, Spain's 2020 UNPoA report explains that relatively low percentages of seizures overall can be attributed to illicit possession, illicit use and illegal firearms trafficking. Instead, large numbers of firearms were seized as a preventive measure because the legal holder committed other violent crimes.<sup>191</sup>

Preventively seizing firearms or revoking licences seems a particularly pertinent practice to prevent gender violence. According to a *Guardia Civil* officer interviewed for a newspaper article, 33% of withdrawn or denied firearm licences can be traced back to ongoing or previous judicial procedures for gender violence. In Cataluña, for example, such preventive interventions are based on a system of real-time information-sharing between police authorities, which allows the authorities to seize weapons as quickly as possible and protect potential victims.<sup>II</sup> Firearms can also be temporarily taken from alleged perpetrators while judicial proceedings are ongoing. Besides gender violence, another common reason to revoke licences is if individuals who own a firearm threaten or injure another individual.<sup>192</sup>

<sup>I</sup> No similar data were found for homicides investigated by the National Police.

<sup>II</sup> Through an inter-police coordination room, the *Guardia Civil* is notified automatically about ongoing processes of gender violence.

# 5

## Conclusions

In order to assess the impact of illegal firearms trafficking on gun violence, we described the scope, characteristics and context of firearm violence in Spain, and the extent and nature of firearms trafficking.

In general, both lethal and non-lethal firearm-related violence has strongly decreased in Spain. This has led to a situation where the death rate from firearms in Spain is low compared to other European countries. The observed decrease in lethal firearm violence, however, seems to have halted around 2015–2016. At the moment it is unclear whether the recent figures represent a real trend change.

The data we have collected indicate that firearm-related homicides in Spain are predominantly committed in the criminal milieu. More specifically, they often occur in the context of score-settling between OCGs in the drug-trafficking milieu. In the domestic sphere gender-based violence perpetrated most often perpetrated by male (ex-)partners in particular plays a substantial role. Killings after disputes or in brawls form another, albeit less significant, category. In situations of violent firearm use with a non-lethal outcome the context of armed robberies predominates.

Our analyses also provided some answers to the question of which guns are used in violent crime. In lethal violence, the ratio between short and long live-fire guns is 55% to 45%. The use of handguns is even more pertinent in non-lethal assaults in which live firearms are used to injure people, according to hospitalisation data (61% of cases). In addition, gas pistols play a significant role in causing injuries. Handgun use also strongly predominates in armed robberies. In these cases, robbers usually use guns in order to intimidate victims without anybody being injured.

The analysed data suggest that in the criminal milieu handguns are most commonly possessed and used. One of the most critical features of the restrictively regulated legal firearm market is that few handguns are in circulation legally. Since it is difficult for violent criminals to obtain firearms legally, they resort to various illegal methods of

firearms trafficking. First and foremost, criminals in Spain are supplied with reactivated and converted firearms. These are reactivated firearms from Spain, converted Flobert and AEW from Eastern Europe (mainly from Slovakia) and converted gas pistols. These firearms are frequently modified and converted in Spain, as evidenced by several arrests of criminals operating illegal workshops. In addition to reactivation and conversion, firearms are shipped from the Balkans in smaller quantities. Other smaller supply channels include non-legalised weapons (especially from the Spanish Civil War) and stolen firearms.

Different groups of criminals generally have access either to all or only to some of these trafficking channels. High-level criminal groups, particularly those involved in drug-trafficking in the south of the country, have access to all types of weapon, including assault rifles. They often use reactivation and international trafficking routes to obtain weapons. Which weapons these groups use and in which context can vary. For example, we found indications of the use of shotguns and rifles to protect warehouses and the use of handguns and assault rifles in drug robberies and score-settling. A more detailed analysis based on more data is needed to make stronger claims on this issue.

In addition to OCGs, lower-end criminal groups also use firearms, primarily in armed robberies. Some of the weapons most commonly used by petty criminals are converted alarm guns of Turkish origin, which have less fire power than weapons used by OCGs. However, they also use reactivated and/or converted (Flobert and AEW) firearms.

If live-firing firearms are used in gun violence unrelated to the criminal milieu, long-barrelled guns play a more prominent role than in the criminal milieu (however, handguns are still the most used). Data that do not distinguish between lethal and non-lethal attacks suggests that an important minority of domestic violence is perpetrated with gas pistols. In line with the fact that hunting rifles and gas pistols are often owned legally in Spain, experts interviewed for this report suggest that firearms seized in domestic crime are more likely to be legally possessed than in instances of criminal violence.

To limit access to illegal weapons and therefore prevent acts of violence, the Spanish authorities have prioritised the fight against illicit arms trafficking in recent years. The authorities' approach includes improving the information about illegal gun-trafficking and instituting numerous police operations against illegal gun-traffickers and the drug milieu.

The amount of data collected by the Spanish police authorities on illegal weapons is considerable by European standards. Nevertheless, there is still room for improvement, as too many statistics include categories such as 'other firearms' and 'other legal grounds for weapons offences'. However, the police focus on raising awareness and training local police officers in correct gun registration to improve the situation. Regarding gun violence, the National Institute of Statistics and law-enforcement reports contain considerable data and evidence. What appears problematic about the data about gun violence is that it is not sufficiently detailed. Most of the more detailed

information we found was available only for those geographical areas controlled by the *Guardia Civil*. Moreover, not all of these data are published systematically or annually.

Creating a better intelligence picture also supports anti-trafficking operations. Such operations have increased significantly in frequency over the past few years. Strikes by national police authorities are directed against various types of illegal arm-trafficking. One of the priorities has been to dismantle illegal workshops that reactivate or convert weapons and arrest dealers who resell such weapons to illegal drug-traffickers.

A key feature of police work in Spain is the systematic analysis of firearms seized in the fight against illicit trafficking and cases of violence involving guns. This strategy allows the authorities to investigate illicit trafficking based on the weapons seized during violent crimes. Similarly, weapons seized in the fight against illicit trafficking can sometimes be linked to violent crimes that were committed using them.

In contrast to illegal firearms trafficking, there is no overarching strategic plan for combating gun violence. This also has to do with the relatively low number of violent crimes committed using firearms. The strong decreasing trend in lethal incidents of gun violence, however, seems to have halted in 2015–2016 and criminals have access to firearms. In recent years, the authorities have focused on hot spots of gun violence by redoubling their efforts to combat drug-trafficking in the south of the country. Drug-trafficking in this area is also responsible for a significant portion of homicide-related gun violence and the demand for illegal weapons. Finally, a considerable focus of the authorities has been on preventive firearm confiscation. This is particularly relevant to, but not limited to, the perpetrators of violence against women (eg ex-partners).

The Spanish authorities' efforts to restrict the supply of illegal weapons also face challenges. One of these is the cooperation required between the different (national) police agencies, the National Police and the *Guardia Civil*. In general, collaboration and coordination are governed by a national digital system. However, the absence of the National Police in the National Focal Point for firearms and the lack of national (public) reports on firearm violence, among other factors, show that there is still room for improvement.

In summary, Spain generally does not have a significant problem with gun violence. The only exception is the rampant violence associated with drug-trafficking on the country's southern coast. We identified the most explicit link between illicit firearms trafficking and gun violence for the criminal milieu and its various illegal chains of supply. In contrast, the data that could connect gun-trafficking and 'non-criminal' violence are much more sparse. In general, however, it seems that legal weapons are used much more frequently in cases of domestic violence. In any case, further research is needed to investigate the extent to which illegal weapons are used outside of the criminal milieu and the means by which the perpetrators obtain them.

## Endnotes

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