

CALLING FOR MORE SECURITY IN THE EU: THE EFFECTS OF THE “GLOBAL WAR ON TERROR” TOWARDS SECURITY INTEGRATION

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Abstract: *This paper examines the transformative trajectory of Directive 91/477/EEC, tracing its transition from a predominantly market-oriented Directive to one underscored by security imperatives based on the global war on terror. The evolution of this Directive assumes significance against the backdrop of internal dynamics within the EU proving that in times of uncertainty, the Commission becomes the leading voice of change. This is the case of 2015, when the Commission assumed a proactive role in advocating for enhanced security measures as the main security threat of the EU was terrorism. Based on this, this article underscores the pivotal role played by Directive 91/477/EEC revisions in establishing cooperative endeavors among Member States in addressing emergent security challenges. By foregrounding the Commission's assertive stance amidst prevailing uncertainties within the EU, the 2017 revision emerges as a critical juncture catalyzing substantive policy reform at the EU level marking the path towards security integration of the EU. Despite divergent perceptions among Member States regarding the nature and gravity of security threats, this article contends that the Commission's leadership in navigating the complexities of European security dynamics has been instrumental in shaping the discourse and trajectory of EU policy on security.*

Keywords: *Security Integration; EU Commission; Intergovernmentalism; Supranationalism; EU Directive.*

Introduction

Immediately after the terrible terrorist attacks of 9/11, President George W. Bush stated that “America and our friends and allies join with all those who want peace and security in the world, and we stand together to win the war against terrorism” (“Statement by the President in Address to the Nation” 2001) launching and coining the *global war on terror* (Leffler 2011, 34; Biegon and Watts 2023) as a strategy to fight all those who challenge democracy and security. To this, the European Union (EU) replied positively; on September 12, 2001, the EU Commission met to discuss the events from the United States of America (Vella 2002, 142), and ten days after these tragic events, the Extraordinary European Council met to analyze the international situation and to make the action plan of the Union (Vella 2002, 142). The rather fast-forward measures taken by the European Union, or “the supra-national initiatives by the EC” (Vella 2002, 142) marked the beginning of the strategy against terrorism, and at the same time created the needed context of the start of the security integration in the EU.

The first steps taken by the EU following the terrorist attacks of 9/11 marked the beginning of a policy change that can be understood from two perspectives: firstly, the immediate reactions towards war on terrorism at the general level of the EU and secondly as a leitmotiv for policy change applicable to all Member States proving that terrorism is a defining point for security cooperation and integration. The second becomes important for this paper as one of the main challenges of the EU was to bring to the same table the Member States and to accept and apply the needed steps towards accessing the EU's position on security. In the context of the EU security cooperation, thus based on the Common Foreign and Security Policy (CFSP)¹, doubled by the Lisbon Treaty as a game changer, the need for a common path towards security of the EU was mandatory. Undoubtedly, the foreign policy of the EU should have been backed by a common view of the Member States. Yet, it raises the question of the paradox of *high-politics* (Menon 2013).

The different perspectives on security became evident after 9/11 as it points out that the EU's view differed from that of the Member States as each had different security threats. Given this, there was no common understanding of security threats; only national security prevailed, so in the case of 9/11 and the war on terror it can be observed as a “two-tier system [...] where the EC

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¹ As part of the second pillar of the Treaty of Maastricht.

took measure supra-nationally and the Member States made their contribution each separately” (Vella 2002, 141).

The reaction to 9/11 becomes also important as terrorism was seen, understood, and acknowledged differently, as the Western Member States had a longer history of terrorist attacks compared with the Eastern and Central Member States where such attacks were close to zero. Amidst this context, the security integration must be analyzed, and one of the best examples, and yet less discussed is the case of Directive 91/477/EEC, initially a predominantly market-oriented Directive that underwent major changes, especially after the terrorist attacks of 2015, transforming this Directive into a key element of security integration.

Understanding that this Directive assumes significance against the backdrop of internal dynamics within the EU, this current paper underlines that in times of uncertainty, the Commission becomes the leading voice of change, thus becoming the supra-institution that takes the lead as responsible for marking the path for all the Member States that must follow. In other words, the revisions of this Directive played a pivotal role in establishing cooperative endeavors among the Member States in addressing emergent security challenges. Furthermore, knowing that the adoption of this Directive in 1991 is linked to the common market, doubled by the Schengen Agreement, thus underlining the need to have a well-established framework in terms of common policy becomes a top argument when navigating the complexities of European security dynamics.

Taking into consideration the above, this current article looks retrospectively at the evolution of Directive 91/477/EEC and subsequent revisions until the 2021 codification by underlining that this Directive has played an important role in the security integration of the Member States. More to this, this Directive evolved not merely in a chronological progression of legislative revisions, but in a sort of a consequence of the dynamic interplay between societal concerns, and political imperatives doubled by the goal of safeguarding the security of the EU and of its citizens. In other words, each revision of the Directive(s) seems to represent a nuanced response to the evolving landscape of threats and vulnerabilities.

To underline the above, this current article is structured into three main parts. The first part of this article brings into discussion terrorism in the European Union. It underlines the idea that terrorism was present especially in the Western Member States with a peak in the 70s as ethno-nationalist and far-right attacks were an *internal* security threat to the states, while the events that led to the change of Directive 91/477/EEC were due to the growth of Islamic terrorism. Data presentation on terrorist attacks is also pointed out as becoming significant for understanding the internal situation of the countries that were subject to attacks. Furthermore, this analysis has also to be placed into the context of 2015-2017 when we have a European Union enlarged, thus with different internal dynamics and history related to terrorism. As terrorist attacks were in Western Europe, so pretty much in the founding countries, this clearly shows that Directive 91/477/EEC becomes a key element for security integration and for the debate on *high-politics*.

The second part of this article looks at the Security Cooperation in the European Union. In this second part is underlined that security cooperation was not a result of the war on terror, and neither of the terrorist attacks. The idea of security cooperation has been present even since the 80's and based on the evolution of the EU became a stringent subject. Furthermore, under this context, the Directive must be placed to see the complexity of the EU Gun Ban policy.

The last part of this article pinpoints the evolution of the 1991 Directive to drive the discussion to the evolutionary trajectory from a market-based to a security-driven perspective. By pointing this evolution, the hypothesis of this paper can be underlined that despite the divergent perceptions of the Member States on the nature and gravity of threats, the Commission's leadership has been instrumental in shaping the discourse and trajectory of the EU's policy on security.

III. Terrorism in the European Union

Mader et al. ask a pertinent question regarding European integration, namely, “[w]hen member states of the European Union face serious international threats, does this serve as a catalyst or obstacle for European integration in the security and defence domain?” (Mader et al. 2023, 433) knowing that all the theories of European integration point the idea of cause-effect as triggers of change. In other words, tragic events such as the terrorist attacks of 2015 became a catalyst of change “that have overridden barriers of cooperation” (Mader et al. 2023, 436).

Terrorism is still one of the biggest security threats in the European Union, yet Islamic terrorism was something new in the European Union (Vries 2005, 3). According to the European Union Terrorism Situation and Trend Report (TE-SAT) 2023 (EUROPOL 2023), “28 completed, failed and foiled were reported by Member States in 2022” (EUROPOL 2023, 9) showing that despite all the measures taken by the EU towards fighting terrorism it remains one of the biggest security threats.² Europe, especially Western Europe has always been prone to terrorist attacks, and the below data clearly shows that terrorism is and was part of the main threat to the national security of those Western States.

According to the data, between 1970 to 2020 no less than 17495³ terrorist attacks took place in European Union Member States⁴, with a peak both in the 70s and in mid-2010.

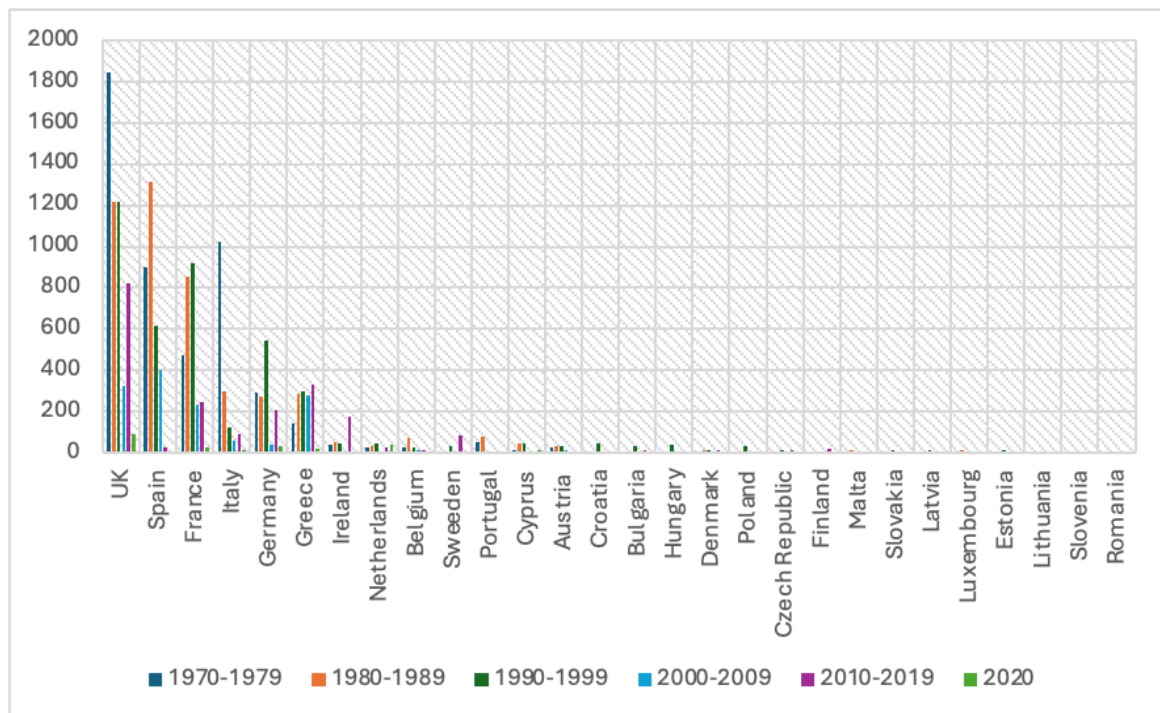


Chart no. 1: Terrorist attacks between 1970 to 2020 (source: Global Terrorism Database)

² In this case we have to mention that in 2022 the terrorist attacks were mostly left-wing and anarchist attacks, while six jihadist terrorist were reported in the Member States (EUROPOL 2003, 9). In 2021 were 18 attacks, while in 2020 were 56. (EUROPOL 2003, 6, 9).

³ The data was collected by analyzing the information present on the Global Terrorism Database.

⁴ The analyzed data from the Global Terrorism Database was for the Member States of the European Union. Given that the United Kingdom was part of the EU until Brexit, thus playing an important role into shaping the Directive 91/477/EEC, this paper will include all the information on terrorist attacks including the United Kingdom. At the same time, in order to better understand the situation on terrorist attacks in the Member States, the data collected and analysed go prior to the accession to the EU. In other words, to understand the reaction of the Member States to the war on terrorism, the analysis must be done way back, and not just by looking at a shorter time frame.

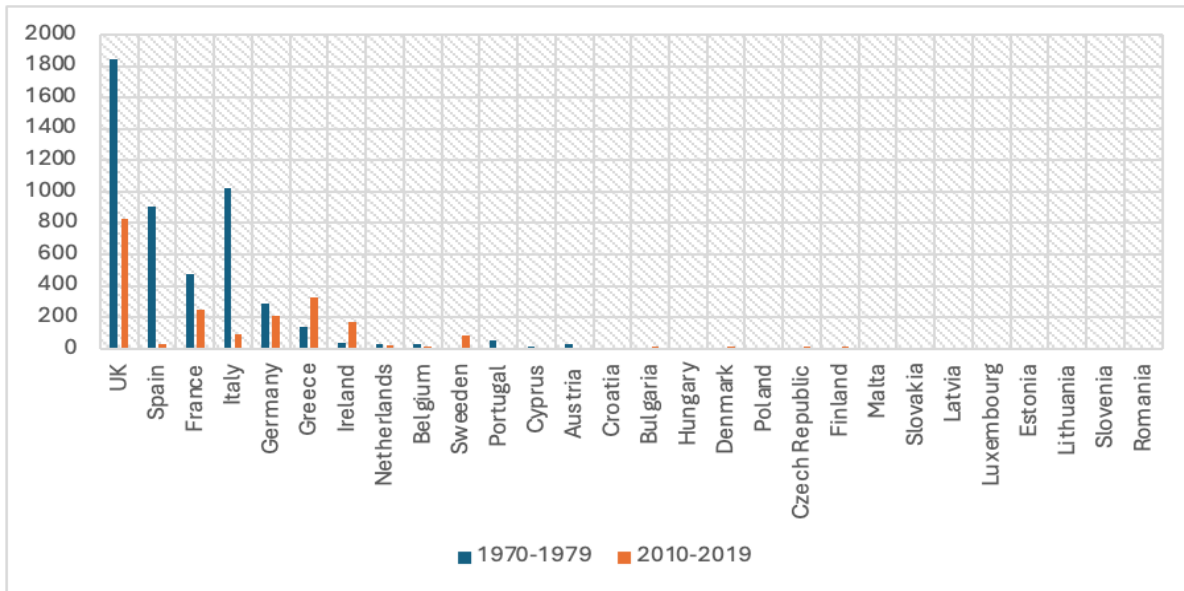


Chart no. 2: Comparison between terrorist attacks 1970s and 2010s
(Source: Global Terrorism Database)

These two charts bring to light the fact that terrorism poses a significant threat both to national security and the security of the EU. Thus, since the 70's there have been numerous attacks, most of them being ethno-nationalist and separatist attacks affecting the national security of mostly Western Countries. More, there was no settled agreement on the internal market of the Economic Community which becomes essential for this analysis. Yet, the terrorist attacks of Madrid (2004), London (2005), and Paris (2015) were different and shook not only the Member States of the EU but the whole world. These attacks were completely different from the previous, the EU was different from the European Community, so it called for action especially at the level of Member States proving that the *high-politics* must be addressed as “terrorism is a global phenomenon that requires a global response” (Vries 2005, 5). At the same time why, the Directive was revised under the context of Paris attacks and not earlier. This answer can be traced to the Commission where the main objective of President Juncker was security.

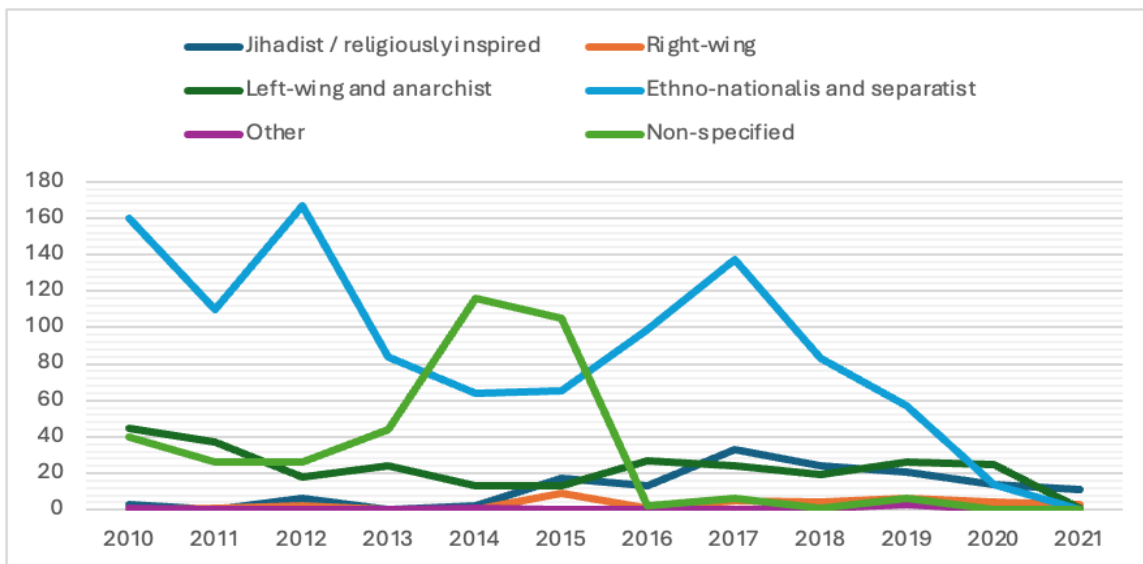


Chart no. 3: Types of terrorist attacks between 2010 to 2021 (source: TE-SAT for 2010 to 2021)

At a parallel level, the media coverage of 9/11 doubled with the evolution of the war on terrorism and became one of the focal points of all media outlets. Consequently, this led to a rise of fear, especially in the Member States, which is why terrorism became one of the main concerns

also at the individual level. When analysing the Eurobarometer surveys between 2015 to 2018, it can be observed that the main concern was related to immigration followed by terrorism. In spring 2017 terrorism was the main security concern. This can be also a result of the numerous discussions at the EU level on the idea of terrorism and counter-terrorism measures. That was also a focal point of the media outlets and the social media. 2017 is also the year when the second revision of the 1991 Directive was adopted.

Table no. 1: Concern of EU citizens

(Source: Standard Eurobarometer)

Standard Eurobarometer	Terrorism	Immigration
90 – Autumn 2018	20% (-9% since spring) – second concern	40% (+2% since spring) – first concern
89 – Spring 2018	29% (-9%) – second concern	38% (-1%) – first concern
88 – Autumn 2017	39% (-6%) – second concern	39% (+1%) – first concern
87 – Spring 2017	44% (+12%) – first concern	38% (-7%) – second concern
86 – Autumn 2016	32% (-7%) – second concern	45% (-3%) – first concern
85 – Spring 2016	39% (+14%) – second concern	48% (-10%) – first concern
84 – Autumn 2015	25% (+8%)	38%
83 – Spring 2015	17% (+6%) – 4 th concern	38% (+14%) – first concern

Another aspect that can be pointed out from the Standard Eurobarometer is the fact that at the EU level, before 2015 little was underlined in terms of terrorism and counter-terrorism. For example, the Standard Eurobarometer of 2001 to 2003 did not underline terrorism as a direct threat to the security of the EU. In the Standard Eurobarometer of 2003 fighting terrorism is placed in third place in terms of top priorities (Standard Eurobarometer 59 Spring 2003, 5), while a couple of months later it was in the 7th place (Standard Eurobarometer 60 Autumn 2003, 9).

In 2002, “82% (of the respondents) fear acts of international terrorism” (Standard Eurobarometer 58 Autumn 2002, i) as “[t]he proportion of EU citizens that feels the United States plays a positive role ranges from 16% when it comes to the protection of the environment to 54% when it comes to fighting terrorism” (Standard Eurobarometer 58 Autumn 2002, 14), as 8 in 10 EU citizens were still afraid of terrorism (Standard Eurobarometer 57 Spring 2002, 5). The 9/11 terrorist attacks created a level of fear that can be observed in these surveys. Thus, in the aftermath of 9/11 the fear of terrorism was 86% (Standard Eurobarometer 56 Autumn 2001, i), rising from previous surveys.

One of the main objectives of the EU is to provide citizens security within its borders, while the fear of terrorism doubled by the terrorist events shows that the fight against terrorism becomes an unprecedented situation to be dealt with. It becomes evident that the EU needed to address and deal with it.

IV. Security Cooperation at EU level

Even from the beginning of the 1990s the subject of security cooperation was underlined in the now European Union. Security integration among the Member States of the European Union has been a pivotal aspect that has evolved significantly since the inception of the European Coal and Steel Community in 1951, which laid the groundwork for preventing conflict through economic interdependence.

The fall of the communist bloc called for further steps as the end of the Cold War brought to the table questions on the future stability in Europe. Under this context, the Maastricht Treaty of 1992 marked the Common Foreign and Security Policy (CFSP), thereby institutionalizing the EU's security and defense cooperation. The subsequent treaties of Amsterdam (1997), Nice (2001), and Lisbon (2009) further strengthened the CFSP and introduced the Common Security and Defence Policy (CSDP).

At the same time, despite these important steps, several challenges hinder deeper security integration within the EU. Firstly, the Member States posed the question of sovereignty as reluctance to cede national sovereignty over security and defense matters becomes evident. Again *high-politics v. low-politics* govern.

Secondly, the Member States have a different assessment of threats with different roots – while in the West, with longer democratic traditions, most of the threats were linked to terrorism, and immigration; the Southern European countries are more affected by political instability in Africa and Middle East, while Eastern countries are more inclined to assess threats as coming from Russia.

So, to discuss the security integration and cooperation a common denominator had to be found. As security integration within the EU is a complex and evolving process, Differentiated Integration⁵ (DI) must be pointed out as it offers a viable pathway to navigate the diverse interests and capacities of Member States, enabling progress where uniform integration may be unattainable. But, in the case of the Firearms Directive, the Member States already complied to knowing that the first revision was in 2008.

In terms of cooperation and security integration, after the terrorist attacks of 2001, the EU immediately adopted counter-terrorist measures. Still, these measures proved to be rather inefficient as the EU had to face major challenges which led to so-called crises. The refugee crisis, and the overflow of refugees seeking asylum created a new context within the Member States, which is why immigration was seen as one of the main security threats as per the surveys mentioned above. Besides this, since 2014 terrorism has been linked to immigration.

V. Understanding the transformative trajectory of Directive 91/477/EEC

Directive 91/477/EEC was introduced in 1991 due to the establishment of the single market. From the initial scope as a purely market-oriented Directive, it was slowly transformed into a security-based one linked to terrorism, illicit trafficking, and a key factor for security cooperation. The evolution of this Directive until its Codification of 2021, but especially during its second revision, became an interesting case study that is not enough scholarly discussed, as the subject of gun acquisition and possession by civilians is neither a simple nor an easy-to-follow subject. In other words, from a Directive implementing the minimum conditions for ownership, acquisition, and transfer of firearms used by civilians within the borders of the Member States it developed towards gun control linked to terrorism and trafficking.

The complexity of this Directive which is linked to the Area of Freedom Security and Justice can be observed in the discrepancies that arise from the legislative process, thus proving that in times of uncertainty the Commission becomes the leading voice. Moreover, it represents a pivotal point for security integration and part of the long war on terror.

5.1. Understanding Directive 91/477/EEC

As a response to the economic challenges faced by the Western Europe, the need of an internal market was instrumental. Still, to have an internal market meant regulating several areas which normally were in the obligation of the states as part of their internal regulation. This was the case of the firearms legislation where each country had its internal legislation. As *euroclerosis* was evident in the 80s, thus it called especially for economic evolution, regulating firearms ownership and acquisition was included by Lord Arthur Cockfield in his 300 measure points needed to complete the internal market (COM (85) 310, Vol. 1985/0130). The White Paper called for a proposal to regulate firearms ownership and acquisition. In parallel, the Schengen Agreement

⁵ The roots of Differentiated Integration can be traced back to the early stages of European integration. The founding members of the European Economic Community (EEC) recognized the necessity of flexibility to accommodate different national circumstances and ambitions.

paid detailed attention to firearms, especially in Chapter 7.⁶ As the established deadlines for the internal market were close, the first proposal for a Directive dealing with firearms was done in a hurry as the “proposal addressed several different areas of firearms control and movement” (Eigel 1995), thus being a rather vague proposal which did not brough any clearness in this aspect. As the Member States of that time had different legislative provisions regarding firearms, furthermore that proposal making possible loopholes in the national legislation, the challenge was enormous, which is why the second proposal of Directive pretty much combined the main aspects of the Member States legislation. So, this new proposal included the (a) classification of firearms into three categories (prohibited; subject to authorization, and subject to declaration – A to C category), (b) a travel document for the transfer of the firearm was agreed with the name of European Firearms Certificate, (c) authorization for entry in Member States, and (d) the person who wants to buy and own a firearm must be older than 18 and must be without mental issued and not likely to be a danger to society (COM(89) 446 final).

This second proposal was analyzed by the European Parliament in 1990 and their general direction was to try to make the provisions of the Directive much harder, but the final accepted version contained only part of their suggestions. The Parliament intended to have legislation that would have resulted in a decrease of firearms possession in the Member States. At the same time, as this Directive was directly linked to the internal market, and thus the Member States at that time already had legislation that regulated the civilian firearms market; the time pressure of 1992, led to the 1991 Directive. So, the European Communities adopted this Directive on June 18, 1991, a few months prior to the internal market. This was the initial Directive aimed at bringing a balance between firearms possession and acquisition and the internal market conditions.

5.2. The first revision of the Directive

The first revision of Council Directive 91/477/EEC was done in 2008. 17 years had passes since it was first adopted and implemented in the Member States. This revision was pretty much dictated by the United Nations as, in January 2002, on behalf of the EU the Commission signed the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition. According to the provisions of this Protocol, the scope of it is to prevent the manufacturing and trafficking of firearms and its components (Article 4, point 1 of the PROTOCOL) for the civilian use, calls for legislative measures in the State Party (Article 5 point 2, Article 6 point 2 of the PROTOCOL), including confiscation of firearms and components which were illicitly manufactured or trafficked. Furthermore, the Protocol gives clear provisions in terms of requirements for export, import and transit licensing and authorization systems (Article 10), cooperation between States (Article 12) on all levels including share of data, and in terms of brokers and brokering (Article 15).

Under this context, the first revision must be placed. Furthermore, according to the European Commission report of 2000, the Member States had tougher provisions in their national legislation compared with the Directive (European Commission 2010, 10). Based on this report the first proposal on the revision of the 1991 Directive was submitted in 2006. Following debates, the directive was revised in 2008 (Directive No. 2008/51/EC). This revision was not directly linked directly to Spain’s tragic attacks of 2004 where nearly 200 were killed and more than 1500 were injured (Morris et al 2024), and neither to London bombing.

⁶ In this case we have to underline the fact that this chapter is pretty much the reordered European Convention on the Control of the Acquisition and Possession of Firearms by Individuals of 28 June 1978. (See more in: Council of Europe, “European Convention on the Control of the Acquisition and Possession of Firearms by Individuals”, Strasbourg, 28.VI.1978, European Treaty Series - No. 101, <https://rm.coe.int/1680077d97>). Chapter 7 of the Schengen Agreement clearly explains, among other, (1) the types of firearms and ammunition that are prohibited, subject to authorization and subject to declaration, (2) mentions the authorization to acquire and to poses firearms, (3) marking of firearms with serial number, (4) that dealers and manufactures are obliged to keep a registry of firearms subject to authorization, or declaration, and (5) establishes the need for a national authority for sending and receiving information of the gun acquisition. (Articles 77-90 of CONVENTION IMPLEMENTING THE SCHENGEN AGREEMENT of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders, Official Journal of the European Communities, 22.9.2000, 19 [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42000 A0922\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42000 A0922(02))).

5.3. The second revision of the Directive – Commission changing the scope

In 2012, the European Commissioner for Home Affairs, Anna Cecilia Malmoström underlined that:

“There is, simply, no evidence that firearms are causing less damage or insecurity in the EU today than, say, five or ten years ago. The trend appears, in fact, to go in the opposite direction! Legally owned weapons in the EU continue to feed the illegal market, powerful and highly dangerous weapons continue to be smuggled - apparently without great difficulty - over our external borders, notably from countries in the EU's neighbourhood, where weak management of stockpiles, looting, and corruption fuel the illicit market. There is evidence that criminal groups creatively exploit new technologies, for example making and distributing weapons from spare parts bought legally on the Internet, by converting lawful air guns into more dangerous weapons, and by re-activating neutralized weapons bought both outside and inside the EU. As a result, illicit firearms are much too easily available.” (Anna Cecilia Malmoström 2012)

This speech became relevant as it marked the beginning of the second revision, thus started the debates on further restrictions on civilian firearms. This second revision can also be linked to the European Agenda on Security. As “[r]ecent terrorist attacks have focused attention on how organised criminals are able to access and trade firearms in Europe, even military-grade firearms, in large numbers” (COM (2015) 185 final, 17) the European Agenda on Security called for a revision of the Directive No. 2008/51/EC given that “differences in national legislation are an obstacle to controls and police cooperation. As a priority, a common approach is needed on the neutralisation and de-activation of firearms to prevent reactivation and use by criminals. The Commission will review the existing legislation on firearms in 2016” (COM (2015) 185 final, 17). So, one of the main security issues to be dealt with was terrorism and firearms, fact underlined also by President Juncker:

“The recent terrorist attacks on Europe's people and values were coordinated across borders, showing that we must work together to resist these threats. Today's proposal, prepared jointly by Commissioners Elżbieta Bienkowska and Dimitris Avramopoulos, will help us tackle the threat of weapons falling into the hands of terrorists. We are proposing stricter controls on sale and registration of firearms, and stronger rules to irrevocably deactivate weapons. We will also come forward with an Action Plan in the near future to tackle illicit arms trafficking. Organised criminals accessing and trading military grade firearms in Europe cannot and will not be tolerated.” (European Commission 2015)

As part of the European Agenda on Security and knowing that President Juncker's main priority was security and security cooperation, the Firearms Directive became a key element of counter-terrorism, thus underlining that the Commission changed the role of the Directive from a market-based to a security-driven Directive. This is the first step towards the 2017 revision of the Directive. This period from November 2015 to May 2017 is the most significant one as, despite initially scheduling in 2016 the start of the revision process, the terrorist attacks pushed the Commission to take immediate action.

The Commission's proposal was hard to digest as it would have changed completely civilian firearms ownership without clearly limiting the access of terrorists to such weapons. Under this context, the European Parliament and its Committee on the Internal Market and Consumer Protection (IMCO) addressed the Commission's Proposal. Surprisingly, IMCO became critical on the proposal as “the absence of an impact assessment makes our work even harder” (Ford 2016). In 2015 when the subject of revision of the Directive was discussed during the meeting of IMCO in the EP in Brussels, on the Control of the acquisition and possession of weapons it was underlined that “[w]e do not aim at banning all semi-automatics for use by civilians. With regard to semi-automatic firearms we only propose to prohibit two types of arms which have been identified as potentially dangerous. First of all, automatic firearms which have been converted into some automatic and which of course could be reconverted in automatic firearms” (“Control of the Acquisition and Possession of Weapons (Firearms Directive): Extracts From the Presentation by the Commission – Multimedia Centre,” n.d.) making it clear after the second revision was adopted in 2017 that:

“[W]e've just voted on the changes to the Firearms Directive and during a long negotiation we have managed to come up with an amended proposal that defends the interests of legal owners [...] but also closes some loopholes especially on poorly deactivated firearms. So in particular we've had a common firearms law since the 1990s. The Commission proposed many changes the original Commission proposal that would have been enormously difficult for hunters, for shooters, for collectors, even for museums and would have been very very difficult legally, so we have completely rewritten this to come up with what should be a much more workable

proposal but at the same point we've also closed the loophole regarding so-called solute firearms and these were very poorly deactivated and sold without permission" ("Control of the Acquisition and Possession of Weapons: Extracts From the Vote and Statement by Vicky FORD (ECR, UK) – Multimedia Centre," n.d.).

This extract from the Statement of Vicky Ford brings into discussion the fact that the initial proposal of the Commission was far too severe, and the final version was a negotiated one. This proves the central idea of the Commission wanted a tougher Directive, making the intent far too ambitious.

Despite reaching a consensus on the final version of the Directive which later became known as the EU Gun Ban, it was not well received by some Member States. For the first time this Directive was contested by Member States which resulted in the Czech Republic⁷ taking legal action. The Czech Republic⁸ filed a lawsuit with the European Court of Justice against Directive (EU) 2017/853 which called for annulment under Article 263 TFEU (Judgment of the Court 2017). Pretty much the Czech Republic underlined that the 2017 Directive goes beyond its initial scope of market-based Directive – "the Czech Republic submits that, if Directive 91/477 pursued the aim of harmonising the disparate national rules on the acquisition and possession of firearms in order to eliminate obstacles to the internal market, that is not the case with the contested directive" as "it pursues consist exclusively in ensuring a higher level of public security in relation to the terrorist threat and other forms of crime". (Judgment of the Court 2017, 11). This sustains the hypothesis of this paper as the 2017 Directive was no longer observing the minimum requirement for ownership, acquisition and transfer; it changed to a security Directive. Likewise, the 2017 Directive linked a security threat of which the Member States had different perspectives, so knowing that the Member States already agreed to such a Directive and included it in the national legislation, automatically all the Member States, by implementing this 2017 Directive accepted the EU perspective on security threats, thus no longer being a subject of *high-politics* and sovereignty issue.

The European Court of Justice dismissed the action of the Czech Republic, this Directive being officially in 2019 free of any legal claims. This was not the last time this Directive was changed, as in 2021 the Codification was adopted.

CONCLUSIONS

This current articles examines a particular subject as part of the security integration of the Member States. As it was argued in these pages, the Firearms Directive has undergone significant transformations, evolving from a market-based approach to a security-driven one. This shift was particularly notable during the tenure of President Jürgen Jucker, who emphasized the need for a more comprehensive and security-focused framework to address the complexities of firearms regulation within the EU as a need to regulate a market that was included as part of the counter-terrorist measure.

At the same time, the evolution of this Directive proves that the Commission becomes the key in terms of importance in times of uncertainty. The 2017 revision emerges as a critical juncture catalyzing substantive policy reform at the EU level marking the path towards security integration of the EU. This was an important step in what later evolved in the security policy of the EU.

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⁷ It has to be underlined that the Czech Republic has a different relationship with firearms. One of the first changes to the legislation after the fall of communism and the separation of Czechoslovakia was to grant the right to bear arms. This is a right which was included in the Constitution of the Czech Republic, as firearms have a historical meaning to them. Even today this country is considered the *Texas of Europe* where concealed carry was permitted.

⁸ The Czech Republic was supported by Hungary and Republic of Poland.

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