

Non-paper on the revision of Council directive 91/477/EEC on control of the acquisition and possession of weapons

A year on from the terrorist attacks which hit Paris hard on 13 November 2015, and just a few months after the Munich shooting, France, Germany, Italy and Spain consider it to be an urgent priority to arrive at an ambitious agreement between the Council and the European Parliament on the revision of the directive on control of the acquisition and possession of weapons in accordance with the conclusions of the JHA Council meeting of 20 November 2015 and the general approach approved by the Justice and Home Affairs Council on 10 June 2016.

Reinforcement of the legislative arsenal aimed at controlling the acquisition, circulation and possession of firearms on the territory of the European Union is a fundamental condition to be met for the security of EU citizens, for their continued confidence in the project of a space for free circulation of goods and persons and for effective combat against terrorism and organized crime. Revision of this directive is a long-awaited concrete measure in response to the expectation of Europe's citizens for an enhancement of the European Union's internal security that is commensurate with the threats that hang over its territory today.

The dialogue conducted by the Presidency of the Council and the European Commission with the European Parliament should now result in the coming weeks in the adoption of a text in line with those objectives.

Although firearms are considered to fall into the general category of goods covered by the principle of free circulation in the internal market, the citizens of Europe are entitled to expect in this domain that the imperative of their protection is taken fully into account by the co-legislators.

France , Germany, Italy and Spain consider it to be particularly essential:

- to define a classification of firearms that is sufficiently restrictive to ensure, firstly, that semiautomatic firearms converted from automatic ones, these being very much weapons of war and subject at the present time to a simple authorization regime, are banned for civilian use and, secondly, "salute and acoustic weapons" are subject to a regime appropriate to the dangers they present;
- to define in strict, precise terms the derogations from the prohibitions and restrictions for which the directive provides in order to avoid any limitation of the scope of the principles it contains; specifically in this connection, the invocation of internal security grounds cannot be taken into account;
- to strengthen substantially the traceability of weapons, in particular by means of a data retention period appropriate to the life span of weapons, and by laying down rigorous marking obligations applicable to all essential firearm components in order to make it impossible to circumvent the above rules;
- to ensure the implementation of a Europe-wide system for exchange of information capable of reconciling the principle of free circulation with the requirement of security;
- to ensure close control of sales of firearms, especially by means of distance communication;

and lastly, to exclude from the scope of the directive technical standards for the deactivation of firearms that have no place in a legal instrument of this type.

In light of the importance of this text for strengthened security in the Union, an ambitious agreement in line with the above objectives should be finalized by the co-legislators by the end of this year.