



Council of the
European Union

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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on import, export and transit measures for firearms, their essential components and ammunition, implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast) - Mandate for negotiations with the European Parliament

I. INTRODUCTION

1. On 27 October 2022, the European Commission submitted the proposal¹ for a Regulation of the European Parliament and of the Council on import, export and transit measures for firearms, their essential components and ammunition, implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast).

¹ ST 14244/22 +ADD 1.

2. The proposal is based on Articles 33, and 207 of the Treaty on the Functioning of the European Union and aims at combating and preventing firearms trafficking into and from the EU.

II. STATE OF PLAY

3. The proposal was examined during the Czech, Swedish and Spanish Presidencies. During the Czech Presidency at the meetings of the Working Party on Customs Union on 30 November and 12 December 2022, the Commission presented its proposal and a first examination of the text together with the impact assessment took place.
4. During the Swedish Presidency a detailed article-by-article examination of the file has taken place at the Working Party level on 11 January; 1, 8 and 16 February; 2, 10 and 22 March as well as 13, 21 and 28 June 2023; and two compromise texts were prepared².
5. The Spanish Presidency continued detailed examination of the text of the proposal and prepared further three³ compromise texts which were discussed at the meetings of the Working Party on Customs Union on 19 July, 28 September, 25 October and 15 November 2023.
6. On 21 November 2023, the Spanish Presidency presented the sixth compromise proposal⁴ which was supported by a vast majority of delegations. Following that meeting the seventh compromise text⁵ containing few additional changes was consulted with delegations. The Presidency is of the view that a balanced compromise text on the Firearms Regulation has emerged from discussions amongst Member States.

² ST 10261/23 and 10261/1/23 REV 1

³ ST 10261/2/23 REV 2, 10261/3/23 REV 3 and 10261/4/23 REV 4

⁴ ST 10261/5/23 REV 5

⁵ ST 10261/6/23 REV 6

III. CONCLUSIONS

7. Against this background the Permanent Representatives Committee is invited to confirm the agreement on the text set out in document ST 15796/23 which shall constitute the mandate for negotiations with the European Parliament.
 8. Unless objected by the Permanent Representatives Committee, this document will be made public by the General Secretariat of the Council after endorsement.
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