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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (first reading) - Adoption of the legislative act = Statements

Statement by Luxembourg

Effective and proportionate action at EU level is essential to respond to complex threats to security and to protect our citizens. The terrorist attacks, including those in France and in Belgium, have revealed considerable gaps in the European regulatory framework on firearms.

To address those gaps, the reform of Directive 91/477/EC focuses on a number of areas: improved control of firearms trafficking, greater traceability and better deactivation of firearms, stricter rules for the acquisition and possession of firearms, a ban on civilian use of the most dangerous firearms and improved information exchange between Member States.

Throughout the negotiations, Luxembourg actively supported all those aspects of the original proposal for a directive and reiterated its commitment to maintaining the ambition of the reform at a level capable of responding to the security threats that Europe currently faces.

In that context, the ban on the most dangerous semi-automatic firearms based on objective specification criteria is a key part of the reform: a strict and harmonised ban on those firearms would have a direct impact on the security of all European citizens.

However, the compromise text resulting from the interinstitutional negotiations waters down any such strict and harmonised ban by making provision for excessively broad exemptions for certain categories of people (target shooters), that is to say exemptions for a significant percentage of those who possess firearms and apply for authorisations for them.

Given that the restrictions on the acquisition and possession of such firearms are insufficient, Luxembourg cannot support the compromise text to be formally adopted by the Council and the European Parliament and will vote against the text.

Statement by the Czech Republic

The Czech Republic welcomes the fact that work has started on an amendment of Council Directive 91/477/EEC on control of the acquisition and possession of weapons with a view to enabling the European Union and the individual Member States to better respond to current security threats, and in particular to terrorism. We have participated in the negotiations on the proposal in an active and constructive manner and are pleased that some problems have been resolved.

Nevertheless, we consider certain key elements of the proposal to be inappropriate in substance, legally unclear and, sometimes, markedly disproportionate. In some cases, the Directive advocates discriminatory treatment. In particular, we would express our disappointment with regard to the unclear and unnecessary prohibition of certain semi-automatic firearms. Together with the ill-thought-out grandfathering clause, these measures may even worsen the security situation in the medium and long term. They cannot and will not achieve the declared goals of the Directive.

We consider the proposed implementation period to be unreasonably short, since a large number of national laws will need to be amended significantly. Moreover, it should be noted that the national legislator will have to accommodate Commission implementing and delegated acts in national legislation in an even shorter period of time.

For these and other reasons, the Czech Republic cannot endorse the draft Directive.
