

Revision of the Firearms Directive

A week after the Paris terrorist attack in November 2015, the European Commission adopted a proposal to amend the directive on control of the acquisition and possession of weapons. The changes aim to introduce tighter controls on civilian use of firearms, improve traceability of legally held weapons and strengthen cooperation between Member States. Several rounds of trilogue negotiations produced an initial agreement in December 2016, now awaiting a vote in plenary.

Background

The Commission had originally planned a revision of the directive for 2016, but brought it forward after indications at the time suggested that incorrectly deactivated weapons may have been used in several 2015 attacks in the European Union. The [proposal](#) for a revision of the current Firearms Directive was accompanied by the [Implementing Regulation](#) on deactivation standards, which entered into force in April 2016.

European Commission proposal

The current Firearms Directive [91/477/EEC](#), as amended by Directive [2008/51/EC](#), classifies firearms in four categories (from A to D) and determines the rules for their civilian use. The most dangerous weapons (category A) can be owned by private persons only if they have been deactivated. According to the Commission's proposal, this would no longer be possible, except in the case of museums. Automatic firearms that have been converted into semi-automatic firearms, and also semi-automatic firearms that resemble automatic weapons, would also be classified as category A and banned for civilian use.

European Parliament position

The Committee for Internal Market and Consumer Protection (IMCO) adopted its [report](#) on 13 July 2016. The report highlights the danger posed by weapons converted to fire blanks only and proposes their appropriate classification. It asks the Commission to revise the rules on firearms deactivation. It suggests museums, collectors and target shooters should exceptionally be allowed to own category A firearms, even if not deactivated. The IMCO Committee voted on 5 September 2016 on a mandate for the rapporteur to negotiate with the EU Council of Ministers. After four rounds of trilogue, an initial [agreement](#) was reached in December 2016. It reduces the number of weapons categories to three and changes the classification of certain types of weapon. Weapons converted to fire blanks would be classified in their original category. Short semi-automatic firearms fitted with a loading device exceeding 20 rounds, long semi-automatic firearms fitted with a loading device exceeding 10 rounds, and long firearms that can easily be concealed by means of a folding or telescopic stock, are added to category A. Possible grounds for exemptions for allowing civilian use of weapons in category A are defined in a restrictive list that includes national defence, educational, cultural and historical purposes, as well as target shooting. Newly deactivated firearms of all categories would now be listed in category C, meaning they would have to be declared to the authorities, but would not require an authorisation. The revised directive would require all weapons dealers and brokers to report without delay any transactions to the national weapons authorities, which will keep a database with data stored for 30 years after the weapon has been destroyed. Online purchases of weapons are allowed only if the identity and authorisation of the purchaser are checked by a dealer, broker or public authority. The plenary vote on the agreed text is scheduled for the March II 2017 session.

First reading: [2015/0269\(COD\)](#); Committee responsible: IMCO; Rapporteur: Vicky Ford, ECR, United Kingdom. See also the EPRS 'EU Legislation in Progress' briefing, [Control of the acquisition and possession of weapons](#).

