



MINISTÈRE DE L'INTÉRIEUR

# Public Hearing

## Internal Market and Consumer Protection committee of the European Parliament

Revision of the Directive 91/477/EEC on control  
of the acquisition and possession of Weapons.

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***An illegal weapon was before a legal one.***

- **1996** : first loophole identified: **deactivated and blank firearms** are out the scope of the directive => different national interpretations.
- **2008 - 2014** : Technic works :
  - EFE's report "**Legal loopholes**" - 2011.
  - Seminar DG Home / MICA - 2009
  - CIP work on deactivation -2010 (Regulation 2015/2403).
- Not all the problems were solved.
- **2015** : Parisian attacks in January and November gave an acceleration to the process.

# Main issues

- Deactivated, blank and antique firearms are out the scope of the directive but should be managed in the directive:
  - MS can take more stringent measures
  - They cannot be considered as common objects allowed to freely circulate in Europe
- Existing legal loopholes linked to definitions :
  - Brokerage/intermediation;
  - Essential components/ parts;
  - Blank firearms;
  - Antique firearms;
  - Replicas, ...
- Different national interpretations : facilitate illicit trafficking.



- Need to improve the traceability of intra-European transfers.
  - A prior agreement for incoming transfer
  - An outgoing transfer permit from the country where the weapon is bought.
  - Paper document held by the operator.
  - Transfer done by the operator
  - Difficult to control and impossible in real time, facilitating illegal transfer or disappearance of weapons to the illicit market.
- The exchange of information has to be improve to ensure continuity of traceability.
- Traceability requires the brand, model, caliber and serial number in order to formally identify a weapon.
- Data retention period (20 years) is insufficient.



- Acquisition of ammunitions : the same as for firearms
  - But ammunitions work on weapons of different categories.
  - Acquisition : need to present the document proving the legal detention of the weapon.
  - Likewise for sound moderators.
- Appearance of new terms ("acoustic" or "salute weapons"), which are not consistent with the definition of:
  - Blank firearms (cf. directive 91/477, Protocol of the UN);
  - Deactivated weapons;
  - Those modified firearms must remain in their original category.
- Internet firearms sales should be allowed only to licensed professionals : they will have to check that the legal conditions are met.



Thanks for your attention.

*Questions ?*

