Firearms, their parts and components and ammunition: implementation of Article 10 of the United Nations Firearms Protocol and establishing export authorisation, import and transit measures

2010/0147(COD) - 13/04/2011

The Committee on International Trade adopted the report by Salvatore IACOLINO (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council implementing Article 10 of the United Nations' Firearms Protocol and establishing export authorisation, import and transit measures for firearms, their parts and components and ammunition.

Subject, definitions and scope: Members suggest that the definitions included in this Regulation should be **brought into line with existing EU legislation**, and in particular Directive 2008/51/EC, which has separate definitions for the terms "part" and "essential component". They also propose introducing an exception for air shipments which do not involve transhipment or change of means of transport.

Export authorisation, procedures and controls: Members consider that the time allowed for Member States to consider requests for exports should be reduced (from **90 to 60 working days**) while the duration of the validity of multiple export authorisations should be increased (**from 12 to 18 months**).

For the purpose of tracing, Members requested that specific information be contained in the export authorisation or multiple export authorisations and the import licence or import authorisation.

Simplified procedures: the simplified procedures shall apply for the temporary export of firearms, their parts, components or ammunition, for verifiable lawful purposes, such as hunting, sport shooting, evaluation and repair. The transit measures will not apply to temporary exports, which include hunting, sport shooting, evaluation, exhibitions and repair.

Refusal to grant authorisation: to improve legal certainty, Members suggest that the concept of serious crime contained in Council Framework Decision 2002/584/JHA should be expanded by explicitly referring to the list of offences contained in the Council Framework Decision on the European arrest warrant and the surrender procedures between Member States (2002/584/JHA, as amended by Council Framework Decision 2009/299/JHA). Article 2(2) of this Framework Decision contains a list of crimes punishable by prison sentences of at least three years.

The nature of the offences in question, and the gravity of the custodial sentences they normally incur, leaves no doubt about the unsuitability of anyone committing them being involved in the export of firearms.

Controls: Member States shall request the importing third country to confirm receipt of the dispatched shipment of firearms, their parts and essential components or ammunition. They shall verify or validate, including via diplomatic channels, the authenticity of authorisations.