

# Control of the acquisition and possession of weapons

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In accordance with the requirements of Directive 91/477/EEC as amended by Directive 2008/51/EC, the Commission presents a report on the possible advantages and disadvantages of reducing the classification to two categories of firearms (prohibited or authorised) with a view to improving the functioning of the internal market for the products in question through simplification.

To recall, Directive 91/477/EEC classifies firearms primarily in terms of their degree of danger. There are therefore four categories: Category A consisting of prohibited firearms – military weapons; Category B including firearms subject to authorisation – used mostly by marksmen and hunters; Category C covering firearms subject to declaration – essentially firearms used by hunters; and, lastly, Category D for other firearms – which mainly applies to one type of firearm.

It is further recalled that the Directive does not apply to the acquisition or possession of weapons by the armed forces, the police, the public authorities or by collectors and bodies concerned with the cultural and historical aspects of weapons. The aim of the report is, therefore, **to re-examine the question of the classification of firearms with explicit reference to the better functioning of the internal market.**

## **Assessment of the economic importance of the sector:**

- one group of Member States has no, or almost no, manufacturing industry producing civilian firearms (e.g. Finland and Hungary)
- another group of countries has a relatively solid, often traditional, manufacturing industry, although production levels are not very high, e.g. Slovakia, the Czech Republic, Austria and Poland.
- the most heavily-populated Member States are the ones with the main production areas, although this is becoming less systematic as the manufacturing industries decline. Although Germany and Italy still retain an important level of manufacturing, often geared towards exports, France, the United Kingdom and, to a lesser extent, Spain have seen a major decline in the manufacture of arms for civilian use. However, some of these countries, such as France, still maintain an important network of dealers.
- certain Member States with small populations but which have high proportions of hunters and hobby marksmen, e.g. Sweden, Finland and Denmark.

The largest numbers of hunters and hobby marksmen are found in the most heavily-populated Member States. The figure given for hunters in France is more than 1 400 000, with around 850 000 in Italy and more than 1 500 000 in Spain. The number of hobby marksmen has always been lower than that of hunters, but is still significant: around 300 000 for Italy, 213 000 for France and around 14 600 for Poland.

**Information on trends in crimes linked with the use of firearms:** the answer to the question of whether recent years have seen a significant increase in crimes involving hunting or sporting firearms is mostly negative. Some Member States, such as Greece, Poland, Sweden and Portugal, have experienced a slight or insignificant rise.

With regard to **traceability**, most Member States consider that there are relatively few problems, at least at national level, in tracing firearms for civilian use.

However, certain difficulties do occur in the collection and processing of information relating to the tracing of a weapon which may have had a whole string of owners. In particular, one essential requirement would appear to be the **keeping of good records** by the Member States – and by the dealers – and their accessibility to the competent task forces.

**Members States hold different views on the appropriateness of reducing the number of categories:** certain Member States, such as Poland, the United Kingdom, Ireland, Denmark and Latvia, are interested in reducing the classification at European level to two categories, as they feel this would simplify matters. Other Member States think that the discretion allowed by the current classification of the Directive should be retained. For example, Sweden, Italy, Hungary and Belgium do not see any real benefits in modifying the current classification. They consider that any revision would bring an additional burden and engender unnecessary costs. Most Member States do not think that reducing the classification would be of clear benefit to the better functioning of the internal market. The concern was even expressed that a reduced number of categories could divert legal trade in weapons to illegal channels.

Hunters (numbering approximately seven million across the European Union) appear to be satisfied with the current classification, which is based on hunting traditions and the safety concerns of their Member State. Whilst major users do not criticise the current classification of firearms, they **desire certain simplification measures to improve the functioning of the internal market**, and these are described in the report.

The latter concludes that there would be **no clear benefit in a compulsory restriction of the classification at EU level to only two firearms categories**. In any case, this issue should not be treated in isolation, as there would be a risk that the discussion would focus solely on the question of which type of document would constitute authorisation, and this would probably result in a situation hardly different from the current one of diversity within the EU.

The analysis of the possible and desirable ways in which Directive 2008/51/EC could be developed should therefore be set primarily against the background of the report on the situation resulting from the application of the Directive to be submitted by the Commission to the European Parliament and the Council by 28 July 2015 – accompanied, if appropriate, by proposals – and should target a form of simplification that takes account of all the specific needs and constraints of this type of product.