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Mr Miran Klemenc

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Subject: European Commission strengthens controls of firearms across the EU

Dear Mr Klemenc,

Thank you for your mail of 18 November 2015 to President Juncker who asked me to reply on his behalf.

As you know, in light of the recent terrorist attacks and the security challenges the EU is encountering today, the European Commission proposed, on 18 November 2015, a revision of the Firearms Directive (Directive 91/477/EEC as amended by Directive 2008/51/EC) to reinforce its security aspects in order to tackle these challenges.

These measures are based on the conclusions of a study¹ the European Commission has recently conducted evaluating all provisions of the Firearms Directive. The Commission presented a report on the implementation of the Directive on the basis of this study to the European Parliament and Council on 18 November together with the proposed measures to the Firearms Directive to address these identified gaps. This report indicated that there are indeed specific loopholes in the Firearms legislation which have allowed for firearms to be used in criminal activities. As an example, the report highlights that in certain Member States, a significant number of crimes are actually committed with legal firearms.

Also, the report indicated that there have been a number of incidents when weapons that have been deactivated in line with the current rules have later been reactivated for criminal use. As another example, the report pointed out that some semi-automatic firearms can be transformed into automatic firearms and thus represent a real threat to security. This is unfortunately confirmed by recent terrorist attacks.

In this context, contrary to the information which has been circulated notably on the internet, the Commission **does not propose the prohibition of all semi-automatic firearms**, but only a limited number of the most dangerous firearms: automatic firearms which have been converted into semi-automatic firearms (and which can be easily transformed into full automatic), and semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms (example semi-automatic AK 47).

¹ <http://ec.europa.eu/DocsRoom/documents/8385?locale=en>

All the other categories of semi-automatic firearms are not modified and can be acquired by private persons subject to normal authorisation. This concerns notably semi-automatic long firearms whose magazine and chamber can together hold more than three rounds.

The table below shows all the categories of semi-automatic firearms that private persons could acquire.

Category B: Proposal concerning semi-automatic firearms
(these firearms could be acquired by private persons subject to authorisation)

1. Semi-automatic or repeating short firearms.
2. Single-shot short firearms with centre-fire percussion.
3. Single-shot short firearms with rim fire percussion whose overall length is less than 28 cm.
4. Semi-automatic long firearms whose magazine and chamber can together hold more than three rounds.
5. Semi-automatic long firearms whose magazine and chamber cannot together hold more than three rounds, where the loading device is removable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon whose magazine and chamber can together hold more than three rounds.
6. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.

With regard to what the Commission is doing to tackle directly illegal trafficking and reinforcing external controls, the proposed measures alone on possession and acquisition of weapons by civilians cannot possibly address today's security challenges in a comprehensive manner. Whilst arms' trafficking is mainly a national competence, given the clear cross-border dimension there is a need for stronger police and intelligence service coordination and stronger import checks. To this effect, the Commission also announced on 2 December an action plan against the illegal trafficking of weapons and explosives².

Yours sincerely,



Lowri EVANS

² http://europa.eu/rapid/press-release_MEMO-15-6219_en.htm