



How the European Council works on gun bans

As you might be aware, the European Parliament is not the only EU institution where the fate of legitimate firearm owners is being decided in the wake of the unelected and increasingly autocratic EU Commission's unjustified attack against our well-regulated community.

The other is the European Council, currently presided by the Netherlands, where the governments of all Member States are represented.

There are three levels within Council that are dealing with the revision of the Firearms Directive:

1. The *Working Party on General Matters including Evaluation* (**GENVAL**) which is made up of experts in the subject from each Member State. This is the fundamental platform for discussion;
2. The next level up is the *Committee of Permanent Representatives* (**COREPER**) which consists of diplomats from each Member States' permanent offices in Brussels who transmit their respective governments' position;
3. The third and highest level is the **Council of Ministers** made up of Member States' Ministers of Interior and Justice, sometimes even Prime Ministers, who are the decision-makers

Currently the discussion is stalled in GENVAL.

The Dutch Presidency appears to be enthusiastic about the Commission's draconic proposals that seek to punish legitimate firearm owners in response to attacks committed by terrorists using illegal firearms. **The Presidency actually wants to "improve" on the Commission proposals, for instance by banning magazines** which it considers to have too high a capacity. They are naturally supported not just by the Commission, but also by those Member States such as Belgium, France, and Italy where the rights of law-abiding gun owners are not truly respected.

The position of the Presidency should not come as a surprise to those who remember that back in 2012 the Dutch government attempted to ban modern "military-style" sporting and hunting rifles, carbines and shotguns as well as high-capacity magazines for handguns. It had also sought to ban dynamic shooting sports mainly represented by IPSC. These attempts were abandoned after the plans were made public and a massive uproar ensued. It appears that the Dutch government is now exploiting its EU presidency to reach its original objectives by enacting similar bans through the EU Firearms Directive.

On the other hand, there is a **fierce opposition** from several Member States who are not prepared to give up their citizens' liberties in order to please the Commission and help it achieve its agenda.

This puts the Dutch Presidency in a tight spot since the proposal for Council should be approved by GENVAL either unanimously or at the very least by a considerable majority. It is highly unlikely that the Presidency will achieve this by the end of its tenure at the end of June, especially when it persists in making statements such as

"Something in the context of semi-automatic weapons must be banned".

Thus, being under pressure as it is from the Commission, the Presidency is resorting to presenting the Council of Ministers with GENVAL questions such as *"Do you think that semi-automatic firearms should be banned, or you prefer to have them severely restricted?"* Moreover, several experts who attend GENVAL meetings complain that the objections that they raise on technical grounds are brushed off with comments like *"this would not work"* or *"this would make big security problems"*. In many cases, their justified objections are not being taken into consideration or even recorded.

Right now, another such a dirty trick is underway

Faced with the opposition from several Member States and its inability to suppress it within its term, the Presidency is now resorting to another tactic: it wants COREPER to make the proposal for Council rather than GENVAL, thereby **bypassing further discussion among the experts** who are capable of identifying problems and resolving them not least because it is they who will have to face the music if nonsensical legislation were to be transposed into national law and there implementation would be an impossible task. If the Presidency were to succeed in its new effort, the final drafting of the proposal would be left **in the hands of diplomats who do not possess technical knowhow** but who are well-versed in the art of compromise.

The Presidency's agenda

It is believed that the Presidency's agenda includes a number of very serious proposals including:

- a ban on handguns capable of firing more than 21 rounds without reloading;
- a ban on rifles capable of firing more than 11 rounds without reloading;
- a ban on long firearms that can be reduced, by means of a folding, telescopic or easily removable stock, to a length of less than 60 cm;
- a limitation on reasons for which permits for Category A firearms may be issued;
- a prohibition on collectors to acquire and keep Category A firearms, even if historic and kept under strict conditions.

Based on previous experience, we would expect the issue to be presented in a manner using questions such as *"do you prefer restricting magazine capacity to 5 or 10 rounds?"*

These EU officials know as much as we do that these uncalled-for restrictions on the legitimate ownership of registered firearms shall not bring about greater security for EU citizens. The sole purpose of these Commission proposals is to show EU citizens that it is being decisive in order to hide its ineptitude at delaying the implement of the deactivation standards by seven years thereby failing to close a serious legal loophole through which terrorists acquired firearms used in the Charlie Hebdo massacre and other attacks.

As legitimate firearm owners it is your duty and responsibility to urgently contact your Interior and Justice Ministers or Prime Ministers and respectfully request them to instruct their Permanent Representative in Brussels to resist any undemocratic attempt to infringe the rights of trusted citizens. You may use this text as the basis of your message.

Important Links:

[Leaked GENVAL limited document of 3rd of May 2016](#)

[Leaked GENVAL limited document of 1st of April 2016](#)

[Leaked German Summary of last meeting \(automatical translation in English\)](#)

[Swedish hunting magazine JAKTOJAGARE](#) complains: *This shows that the Swedish officials also at this meeting pushed matters beyond the negotiating mandate that parliament gave the government.*

This entry was posted in Articles and tagged COREPER, Council, GENVAL, gunban on May 7, 2016 [<http://firearms-united.com/2016/05/07/how-the-council-works/>] by David Karasek.
