

Finnish Parliament Statement Regarding Revision of Weapons Directive E 60/2015

Original Statement:

https://www.eduskunta.fi/FI/vaski/Lausunto/Sivut/HaVL_15+2015.aspx

Proposal:

In the E-letter received there is a question regarding pre-emptive measures to potential changes to weapons directive. According to letter, we can expect that European Commission proposes restrictions to private ownership of at least automatic firearms and proposes moving the semiautomatic versions of assault rifles to category A and restricting private sales of firearms over internet.

Opinion of the Cabinet:

Banning of the automatic weapons and restricting semiautomatic versions:

Finland believes that commission should restrict illegal trafficking of firearms instead. Illegal trafficking will become harder once deactivation standards are aligned. According to commission this is discussed in meeting of firearms committee on 3rd of November 2015. In addition trafficking can be curbed by aligning the legislation regarding "essential parts" of firearms in member countries more efficiently. Restrictions to internet-trade and more supervision can also prevent firearms from falling into wrong hands.

Instead of banning private ownership permits process can be revised to control the possession of such firearms better than today for example requiring proof of need and membership in sports organization. In addition permits could be re-evaluated periodically.

Restrictions to arms collectors:

Deactivated firearms have little to none collectors value and banning them does not harm shooting sports in Finland. Possession of automatic firearms should still be allowed to private collectors and museums. Also it is necessary to continue giving permits to full auto firearms for academic purposes.

Restrictions to Internet sales:

Instead banning internet sales, better option would be to control it. Permits should be required to purchase firearms online and sales over the borders should be controlled by improving exchange of information between the authorities.

Arguments of the Cabinet:

In the E-letter there is a question about pre-emptive measures regarding directive 91/477/ETY (firearms directive) revision. According to information commission has given statement on 18th of November 2015 to which U-letter is being prepared. In this statement cabinet addresses the questions regarding changes to weapons directive based on feedback received from the experts. In this weapons directive the minimum standards are set for weapons legislation in member countries. This directive only sets the minimum level for national legislation and it has proven to be inefficient regarding weapon definitions and essential parts. Due to this national legislation differs in member countries and because of this it is possible to legally buy parts and assemble firearms and transport them to another country where those parts are illegal. Therefore the current control system is inefficient and risk of getting caught is only minor.

Based on estimates, the European Commission proposes restrictions to private ownership of at least automatic firearms and proposes moving the semiautomatic versions of assault rifles to category A and restricting private sales of firearms over internet. No detailed information is available at this time.

Based on recent studies, these restrictions might have significant impact to private ownership of firearms and shooting sports in Finland. Depending on the proposed content, these restrictions will impact national defense, national reserve shooting events, sports shooting, hunting and weapons collecting. This also has a significant impact on gun manufacturers and retailers.

Cabinet proposes to pay particular attention to impact for voluntary military reserve activities. Voluntary reserve has a significant role in maintaining both will and skill of the reserve. Finland's defence relies on large reserve.

95% of the military personnel are reserve whose skills are maintained by Finnish Defence forces. Voluntary activities support this activity and ensures that reserve can support authorities.

According to studies restrictions to semiautomatic assault rifles and machine pistols will have significant impact to skills of the armed reserve. Shooting activities are mostly performed with weapons proposed to be restricted and over time this will impact both skills and morale of the reserve. According to cabinet restricting reserve activities sends a mixed signals outside. According to studies, change also impacts the position of maanpuolustus koulutusyhdistys as a strategic partner to Finnish Defence forces specially if possession of weapons is not allowed to public organizations.

Banning of the private ownership of semiautomatic firearms leads to the end of the sports shooting activities like pistol shooting, IPSC and it also might impact weapons used for hunting. Banning of automatic firearms impacts collectors.

Based on E-letter, restrictions to internet sales are vague at best. There is no information whether selling, buying or both are proposed to be restricted. The weapon types mentioned in E-letter are already requiring permits in Finland and moving them over borders requires permits as well. Customs will monitor that weapons moving across the borders have all necessary permits. Proposed restrictions perhaps try to address illegal firearms sales where parts are sourced from multiple countries exploiting the differences in legislation when it comes to deactivation standards and definitions of "essential parts". According to studies received by the cabinet, there have been incidents where deactivated firearms have been found to be easily converted back to functional automatic weapons. These insufficiently deactivated firearms have been found from Finland. Cabinet agrees that common deactivation standards would be an efficient mean to prevent illegal firearms trafficking and process to align standards should be expedited.

In Finland all restrictions apply only to law abiding citizens who use firearms in authorized and controlled shooting sports. Restrictions to internet sales would introduce additional challenges to those transactions where the distance between buyer and the seller is long. This is common in Finland. Also weapon maintenance is essential part of firearm safety.

The goal of the commission is to improve internal security of the EU. According to cabinet measures in E-letter, it is not possible to efficiently prevent obtaining firearms illegally. Instead proposed measures target already restricted legal activities. Received statements also indicate that the more strict the firearms control is, the bigger the demand for illegal firearms is.

The changes should address restricting the illegal firearms trafficking instead. In addition cabinet

states, that preventing crime in EU area requires constant efficient communication between different authorities and expert knowledge of the firearms law.

It is the opinion of the cabinet that in Finland firearms law is strict but functional which enables safe and controlled weapons collecting, shooting sports, hunting and reserve shooting activities and participation to shooting competitions. Cabinet also believes, that EU restrictions should rather use Finnish firearms legislation as a model of a working firearms law and try to harmonize EU legislation according to Finnish legislation.