

The Added Value of EU Legislation: Matching Security and Safeguard of Licit Market

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The Association of European Manufacturers of Sporting Ammunition (AFEMS)

- NGO founded in Brussels in 1951
- Representing 64 Members in 28 Countries
- Mission: to provide a forum for dialogue and information exchange among its members, representing their interests to the relevant decision-making bodies to effectively respond to technical, scientific and legislative challenges

The European Civilian Firearms and Ammunition Sectors

- Production of firearms in the EU27 in 2012: **2,256,658 units** (of which 1,424,973 short guns)
- **1,800 manufacturers, 200 distributors and 14,000 retailers** and **over 300,000 collectors** in Europe, whose business is totally or largely dependent on the hunting or recreational shooting market
- **Thousands** of small and medium-sized enterprises
- **40 billion Euro** of economic activity generated annually by hunting and shooting activities
- **580,000 jobs** supported by hunting and shooting activities
- **Over 10 million** law-abiding and responsible citizens

The EU Initiatives

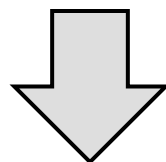
- April 2013: the European Commission set up **The Firearms Experts Group** with the aim to solve some critical issues linked to the EU legislation on arms and ammunition
- October 2013: the European Commission released “**the Communication**” listing a series of initiatives to ensure the disruption of illegal trafficking in the EU:
 - border controls
 - convertible firearms
 - deactivation/destruction
 - marking and tracing
 - 3D printing

The EU Legislation

- **Implementation of The Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition:**
 - **Directive 2008/51/EC**
 - **EU Regulation No. 258/2012**
 - **Directive 2008/43/CE**
- **Past experience shows that, despite the good intentions, EU legislation often has a negative impact on the industry, without reaching the expected results.**

Some examples

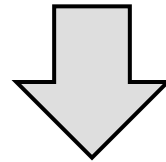
Regulation 605/2014 on Classification, Labelling, Packaging of Chemical Substances, Mixtures and Articles (CLP)



The request to put on the smallest boxes statements translated in all EU languages of the countries where products are sold make the information unreadable while creating great costs for the manufacturers

Some examples

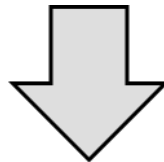
Regulation 258/2012 authorizing the transit of civilian firearms, parts and ammunition in the territory of all Member States.



Many States require additional national administrative authorizations for the transits, introducing greater costs and consistent longer time to complete the process.

Some examples

The process and the timing needed to release export licences for civilian firearms and ammunition is frequently equal to the one requested for the export of military products (up to three years)



A simplified system should be provided in order to reduce the time to release export licences and to reply in case of denial

Open issues

Further initiatives are recommended to improve security while safeguarding the licit market **in addition to the basic actions aimed to simplify the processes and to enforce the existing rules**

Recommendations

- 1. Optimization of the legislation system both at EU and National level** (i.e. preventing MS from having too much discretionary power on transit authorizations, global export authorizations and multiple licenses)
- 2. Record keeping: a central database systems** should be implemented by all Member States, recording information for an adequate time. These records should be always available to authorities investigating on criminal offences committed with firearms.

Recommendations

3. More **effective border controls** would facilitate the seizure of illicitly manufactured firearms and would allow to better understand the routes of the illicit firearms trafficking
4. More **cooperation and exchange of information** among Member States should be encouraged for the legal and illegal production and trade.

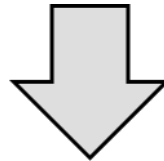
Recommendations

5. More **cooperation States/Industry**: industry encourage a close and continuous collaboration between Member States and civil society organisations.

A current example is the network of proof houses belonging to the C.I.P. network in relation to the marking system linked to the record-keeping of import, export and transfers processes.

Conclusions

Key actions to be taken in order to improve security without damaging the licit market:



1. **IMPLEMENTATION** of the legislation at national level for more effective controls
2. **SIMPLIFICATION/HARMONIZATION** of the system already in place
3. **COOPERATION** with the Industry in the fight against illicit firearms trafficking

THANK YOU !

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