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Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Awaiting Council's 1st reading position
Import, export and transit measures for firearms, their essential components and ammunition: implementation of Article 10 of the UN Firearms Protocol. Recast	
Subject 6.20.02 Export/import control, trade defence, trade barriers 6.20.05 Multilateral and plurilateral economic and trade agreements and relations 7.30.12 Control of personal weapons and ammunitions 7.30.30 Action to combat crime	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade	 LANGE Bernd	30/11/2022
		Shadow rapporteur	
		 ASIMAKOPOULOU Anna-Michelle	
		 PAET Urmas	
		 GREGOROVÁ Markéta	
		 BERLATO Sergio	
		 LANCINI Danilo Oscar	
		 MAUREL Emmanuel	
		Committee for opinion	Rapporteur for opinion
 Foreign Affairs	The committee decided not to give an opinion.		
 Budgets	The committee decided not to give an opinion.		
 Internal Market and Consumer Protection	The committee decided not to give an opinion.		
 Civil Liberties, Justice and Home Affairs (Associated committee)			22/03/2023
		 RADEV Emil	

Council of the European Union
European Commission

Committee for opinion on the recast technique

JURI [Legal Affairs](#)

Commission DG

[Migration and Home Affairs](#)

Rapporteur for opinion



[ADAMOWICZ](#)

[Magdalena](#)

Commissioner

JOHANSSON Ylva

Appointed

01/07/2023

Key events

27/10/2022	Legislative proposal published	COM(2022)0480	Summary
09/11/2022	Committee referral announced in Parliament, 1st reading		
16/03/2023	Referral to associated committees announced in Parliament		
24/10/2023	Vote in committee, 1st reading		
24/10/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
30/10/2023	Committee report tabled for plenary, 1st reading	A9-0312/2023	Summary
08/11/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
09/11/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
20/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE759.983 GEDA/A/(2024)001606	
23/04/2024	Results of vote in Parliament		
23/04/2024	Decision by Parliament, 1st reading	T9-0302/2024	Summary

Technical information

Procedure reference	2022/0288(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Recast
Legislative instrument	Regulation
Legal basis	Rules of Procedure EP 113; Treaty on the Functioning of the EU TFEU 033; Rules of Procedure EP 57_o; Treaty on the Functioning of the EU TFEU 207
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	INTA/9/10506

Documentation gateway					
Legislative proposal		COM(2022)0480	27/10/2022	EC	Summary
Document attached to the procedure		SEC(2022)0330	27/10/2022	EC	
Document attached to the procedure		SWD(2022)0298	27/10/2022	EC	
Document attached to the procedure		SWD(2022)0299	27/10/2022	EC	
Committee draft report		PE748.984	05/06/2023	EP	
Amendments tabled in committee		PE751.636	07/07/2023	EP	
Specific opinion	JURI	PE752.959	11/09/2023	EP	
Committee opinion	LIBE	PE749.313	21/09/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0312/2023	30/10/2023	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2024)001606	18/03/2024	CSL	
Text agreed during interinstitutional negotiations		PE759.983	20/03/2024	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0302/2024	23/04/2024	EP	Summary
Commission response to text adopted in plenary		SP(2024)394	08/08/2024	EC	

Import, export and transit measures for firearms, their essential components and ammunition: implementation of Article 10 of the UN Firearms Protocol. Recast

PURPOSE: to update EU rules on the import, export and transit of firearms for civilian use.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: it is estimated that 35 million illicit firearms were owned by civilians in the EU in 2017 (56% of the estimated total of firearms). According to those estimates, illicit firearms outnumber legally-held firearms in 12 EU Member States.

The 2021 Serious and Organised Crime Threat Assessment, published by the European Union Agency for Law Enforcement Cooperation (Europol), pointed out that illegal firearms originate from within the EU but also from weapon stocks outside the EU. Trafficking of firearms into the EU from post-conflict countries is one of the main supply chains. Legacy weapons from the armed conflicts in the Western Balkans are the largest source for cross-border trafficking of firearms into the EU.

The proposal aims at combating and preventing firearms trafficking into and from the EU, including by addressing the risks at import and at export. At import, the two main risks are linked to the circumvention of unclear rules that enable the import of semi-finished firearms and components. These semi-finished firearms and components can be used to manufacture firearms at home, which are not correctly marked and registered. Furthermore, alarm and signal weapons that are convertible into lethal firearms are used all over the EU in criminal contexts.

At export, the main risk lies in the diversion of civilian firearms shipped to a non-EU country and being re-exported to countries subject to arms embargoes or sold to criminals and armed forces due to lack of controls and supervision before and after the export process.

This proposal also reflects the priorities of the Commission's EU Strategy to tackle Organised Crime, which identifies firearms as a key enabler of the increasing violence by criminal groups. In addition, this proposal follows-up on the implementation of the 2020-2025 EU Action Plan on firearms trafficking.

CONTENT: the proposed Regulation lays down rules governing import and export authorisation, and import, export and transit measures for firearms, their essential components, ammunition and alarm and signal weapons for the purpose of implementing Article 10 of the United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

This proposal aims to:

- enable coordinated controls between Member States and to ensure the traceability of firearms. Notably, the proposal provides for the proper recording of firearms-related information, responds to the need of improving the work of customs authorities in detection of illicit firearms, their components and ammunition, and limits the import of semi-finished firearms and essential components to arms dealers and brokers only,

which is a key novelty;

- clarify the role of the licencing authorities. The proposal also aims to improve cooperation between law enforcement authorities (including customs) and licensing authorities, in both import and export, in order to improve the traceability of firearms, their components and ammunition;
- improve the systematic data collection on international movements of firearms for civilian use, as well as data on seized firearms. The proposal focuses on receiving annual data by Member States on the number of authorisations and refusals for authorisation as well as the quantities and values of civilian firearms imports and exports, by origin and destination;
- ensure a level playing field and to reduce the administrative burden placed on economic operators and firearms owners by creating a clear legal framework, focusing on digitalisation of procedures, and increasing the cooperation between customs and licensing authorities to facilitate the import, export and transit procedures.

State-to-State (i.e. government-to-government) transactions as well as direct sales to the armed forces, the police or public authorities will remain excluded from the scope of this initiative.

The updated rules will include:

- clear and common procedures for the import, export and transit of firearms for civilian use, their essential components, ammunitions and alarm and signal weapons;
- simplified import and export procedures for hunters, sport shooters and exhibitors;
- a new EU electronic licensing system for firearms manufacturers and dealers to apply for import and export authorisation, replacing the diverse, mostly paper-based national systems;
- strict technical standards for alarm and signal weapons, which are devices manufactured to only be able to fire blank, tear gas or irritant ammunition;
- stricter rules on semi-finished firearms components;
- an end-user certificate for the more dangerous firearms;
- strict checks on refusals to grant import or export authorisations.

Import, export and transit measures for firearms, their essential components and ammunition: implementation of Article 10 of the UN Firearms Protocol. Recast

The Committee on International Trade adopted the report by Bernd LANGE (S&D, DE) on the proposal for a regulation of the European Parliament and of the Council on import, export and transit measures for firearms, their essential components and ammunition, implementing Article 10 of the United Nations Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast).

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Post-shipment checks

The Commission and competent authorities granting the export authorisation should carry out regular post-shipment checks, not only in case of suspicion but also randomly to ensure that the exported firearms, their essential components and ammunition are in line with the commitments made in the export certificate as set out in Annex IV.

Procedures at import and export

The amended text stressed that customs authorities should suspend the import of the goods for the customs procedure concerned, if they have certain reasonable doubts and in such a case, they should inform immediately, through electronic means the competent national authority, which should take the decision on the treatment of the goods. If the national competent authority does not reply to the customs authority within 20 working days (as opposed to 10 working days proposed by the Commission), then the customs authority should release the goods without delay.

Results of controls

Where customs authorities discover an illicit shipment of firearms, their components, ammunition or alarm and signal weapons, they should without delay and no later than two working days from that discovery inform the competent authority in the country of the customs authority thereof.

Statistics

To increase transparency, Member States should submit to the Commission via suitable confidential means, each year by 31 July, their national annual data for the preceding year on the number of authorisations and refusals and the reasons thereof, the quantities and values of actual imports and exports of firearms, their essential components and ammunition, by category and sub-category as listed in Annex I, by origin and by destination, the quantity and results of post-shipment checks at Member State level, the quantity and results of undertaken enforcement actions at Member State level.

Electronic licensing system

Members stressed that the Commission should without delay establish and maintain an electronic licensing system for import and export authorisations and decisions. Member States should take all necessary measures to speed up the implementation of the electronic licensing system.

Export certificate

The export certificate is to include at least the following information: (i) details of the importer including the signature, name and title of the importer; (ii) the date of issue of the export certificate; (iii) if applicable, a unique identifying number or contract number relating to the export certificate.

The Commission should be empowered to adopt delegated acts to establish a uniform export certificate.

Penalties

The report stressed that Member States should lay down the rules on penalties applicable to infringements of this Regulation. The penalties provided for should be effective, proportionate and dissuasive. Penalties for infringements of this Regulation may be linked to the global annual revenue of the undertaking concerned.

Annual implementation report

The Commission should, in consultation with the Firearms Imports and Exports Coordination Group, submit an annual report on the implementation and enforcement of this regulation. That annual report should be public. It should include information about the number of authorisations and refusals, the quantities and values of actual imports and exports of firearms, their essential components and ammunition, by category and sub-category as listed in Annex I, by origin and by destination at Union and at Member States level. It should also inform about penalties applied by the Member States and assess their effectiveness.

Import, export and transit measures for firearms, their essential components and ammunition: implementation of Article 10 of the UN Firearms Protocol. Recast

The European Parliament adopted by 571 votes to 18, with 17 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on import, export and transit measures for firearms, their essential components and ammunition, implementing Article 10 of the United Nations Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast).

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Subject

This Regulation lays down rules governing import and export authorisation, and import, export and transit measures for firearms, their essential components, ammunition, alarm and signal weapons, deactivated firearms, semi-finished firearms, semi-finished essential components and silencers (goods listed in Annex I), for the purpose of implementing Article 10 of the United Nations Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

This Regulation should not apply to transactions of firearms, essential components, ammunition, alarm and signal weapons, deactivated firearms, semi-finished firearms, semi-finished essential components and silencers that in the direct or indirect framework of contractual relationships or substantiated by end-user certificates, are destined for the armed forces, the police, or the public authorities.

Entry and import requirements

Firearms without marking, entering the customs territory of the Union, should not be imported or re-exported. Deactivated firearms should only be declared for release for free circulation or temporary admission in cases of non-established persons so authorised by this Regulation, if they are accompanied by the deactivation certificate and are marked. An import authorisation for an alarm and signal weapon should only be granted by the competent authority provided that the device complies with the technical specifications of Directive (EU) 2021/555 or a model listed as a non-convertible alarm and signal weapon in the implementing act drawn up by the Commission.

An import authorisation should be necessary for the entry of non-Union goods listed in Annex I (List of firearms and ammunitions, according to Directive (EU) 2021/555) into the customs territory of the Union. The authorisation should be granted by the competent authority of the Member State of final destination. Only dealers and brokers are entitled to apply for an import authorisation for semi-finished firearms and semi-finished essential components. In case a person is not entitled to apply for an import authorisation, the competent authority should not accept the application.

The competent authority should process applications for import authorisations within a period of time, which should not exceed 90 working days, from the date on which all required information has been provided to the competent authority. For duly justified reasons, and in any case for goods listed in Category A of Annex I, that period may be extended to 110 working days. The competent authority may refuse to grant an import authorisation if the applicant is a natural person and has a criminal record concerning conduct constituting an offence listed in Framework Decision 2002/584/JHA, or concerning any other conduct provided that it constituted an offence punishable by a maximum penalty of at least four years of imprisonment.

In order to facilitate administrative simplification, persons authorised in the EU to possess firearms should, in certain cases, be exempt from the obligation to obtain import and export authorisations.

Any person holding a European firearms pass may import goods listed in Annex I into the customs territory of the Union without an import authorisation. In case of movements in the customs territory of the Union of non-Union goods listed in Annex I, the import authorisation should contain information about the planned movements, including where appropriate, the different Member States where an evaluation, exhibition, repair or sport-shooting, hunting or historical re-enacting event are to take place.

Export authorisation procedure

The amended text clarifies that a person that wishes to export firearms, essential components, ammunition, deactivated firearms, semi-finished firearms, semi-finished essential components and silencers, should hold an export authorisation. Eligibility to apply for such an authorisation should be limited to exporters allowed to possess, deal or broker those goods in the Member State of establishment.

Persons not established in the customs territory of the Union may obtain an authorisation to temporarily import and export firearms, their essential components, ammunition, alarm and signal weapons, deactivated firearms, and silencers for the purposes of exhibitions, repairs, hunting, sport shooting or historical re-enacting events. The information related to firearms declared for temporary admission should be clearly spelled out, to enable customs and competent authorities to proceed efficiently with the discharge and limit the risk of firearms remaining illegally on the customs territory of the Union.

Persons exporting in the course of their business activities should be able to benefit from an export authorisation valid for a maximum of three years.

The export authorisation should contain the information referred to in Annex III and it should be issued through the electronic licensing systems.

Traceability of firearms

The amended text specifies the information that must be contained in the export authorisation or import authorisation issued by the third country concerned. No export authorisation should be required for the temporary export or re-export of goods where hunters, re-enactors or sport shooters present to the competent authority of exit, by means of the electronic system for issuing authorisations, at least ten working days before taking the goods out of the customs territory of the Union (i) the reasons for the journey, in particular by presenting an invitation or other proof of hunting, re-enactment or sport shooting activities in the third country of destination; (ii) the European firearms pass. A simplified export authorisation may be requested in certain situations.

Annual report

The Commission recommended that Member States should collect detailed statistics of the preceding year about the number of authorisations, refusals, the quantities and values of firearms exports and imports, by origin or destination, and submit these statistics to the Commission. This Regulation should enable the Commission to collect those data directly from the electronic systems set up for the purpose of implementing this Regulation. The statistics should be anonymised.

The Commission should compile the data received by Member States and publish those data as part of an annual report by 31st of October each year. The report should be made public and submitted to the Parliament.

Electronic licensing system

An electronic licencing system should be established to digitalise the procedures set out in this Regulation. It is important that a person entitled to request an authorisation is registered in that system before starting the application procedure. This electronic licensing system should be in place at least 24 months after the date of entry into force of this Regulation. Member States may maintain their existing national authorisation systems. In this case, the electronic licensing system established by this Regulation should be able to interconnect with those. This interconnection should ensure the transferring of the information on the authorisations granted through the national systems to the electronic licensing system.

Transparency				
ASIMAKOPOULOU Anna-Michelle	Shadow rapporteur	INTA	11/01/2024	Associazione Nazionale Produttori Armi e Munizioni Sportive e Civili
ASIMAKOPOULOU Anna-Michelle	Shadow rapporteur	INTA	20/09/2023	Federation of Associations for Hunting & Conservation of the EU
LANGE Bernd	Rapporteur	INTA	26/06/2023	Verband Deutscher Büchsenmacher und Waffenfachhändler
LANCINI Danilo Oscar	Shadow rapporteur	INTA	23/01/2023	ANPAM