

Firearms Directive

Impact Assessment for the Firearms Directive
made by Katja Triebel
with four EU studies (2014 – 2016)



1. What is the problem?

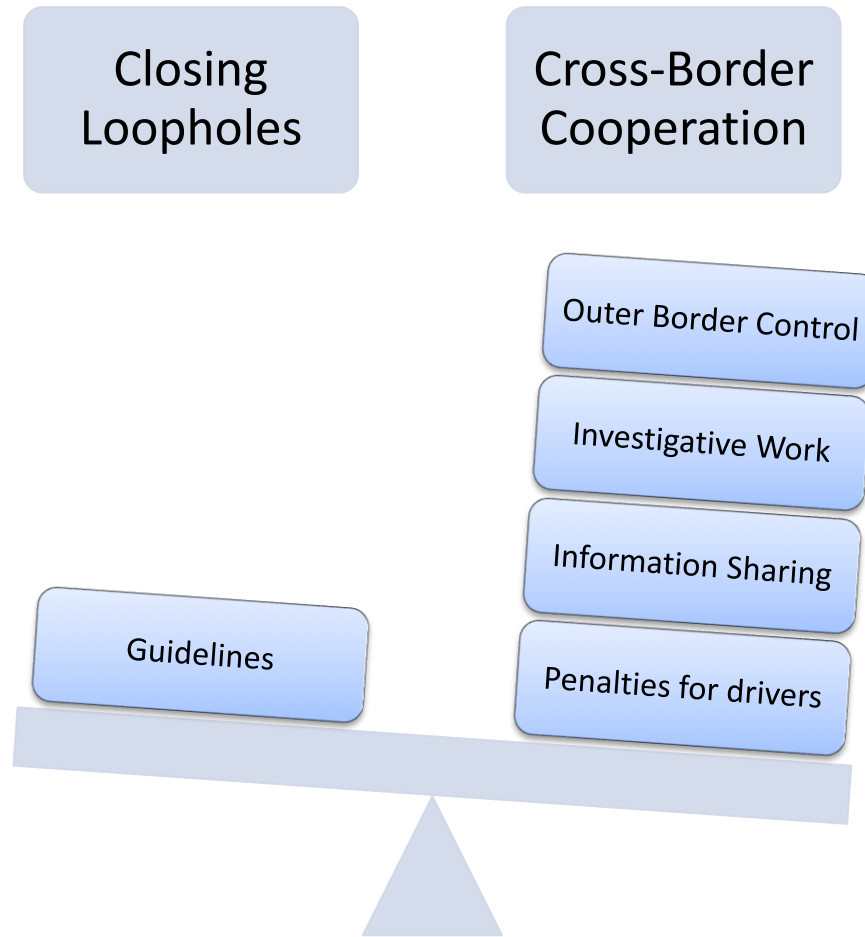
Terrorism

- recent attacks coordinated across borders

OCG

- accessing and trading military grade firearms

2. Why should EU act?



* " [Study to Support an Impact Assessment on Options for Combating Illicit Firearms Trafficking in the European Union](#)" from July 2014

3. What should be achieved?



An agreement that will **restrict the circulation of fully automatic and converted semi-automatic weapons in a way that respects their legitimate use** in different communities, in different parts of our society.

[Sir Julian King's, the new Commissioner for Security Union, answer to Jussi Halla-Aho](#)

Preventing Homicides by Law?



**Not 885
but more than 5000?**

murders have been committed with firearms each year, said Fabio Mairini (DG HOME) in April
He changed this afterwards to 1000



**Not 1.500
but 63.000**

homicides had been committed with legal firearms in the last 10 years, wrote Christian Moos (ESSC) in January 2016.
He deleted this sentence later.

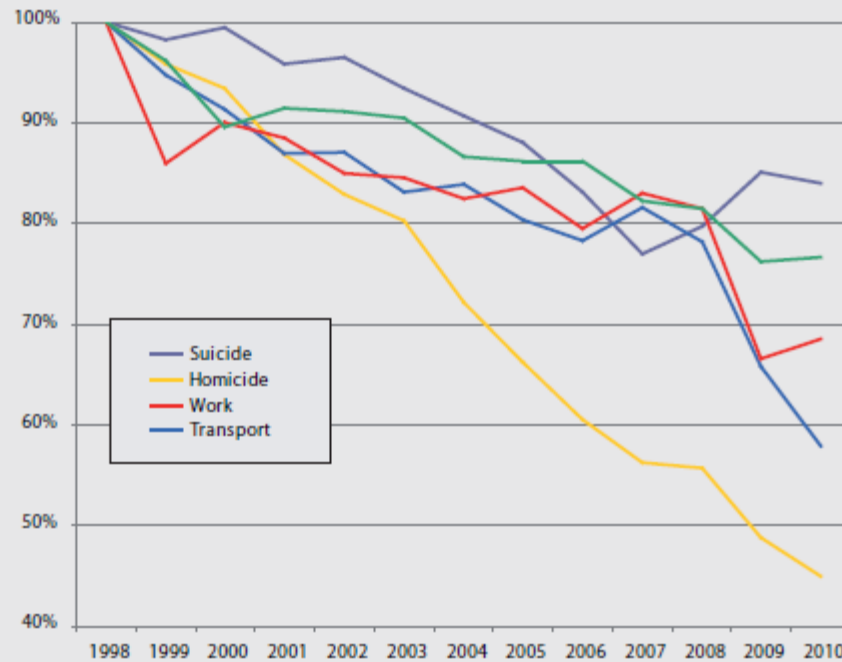


**Not 10 or 100
but 100.000**

people were killed in the last 10 years with semi-automatic weapons which were at home, said Commissioner Elżbieta Bieńkowska in May 2016

Preventing Homicides by Law?

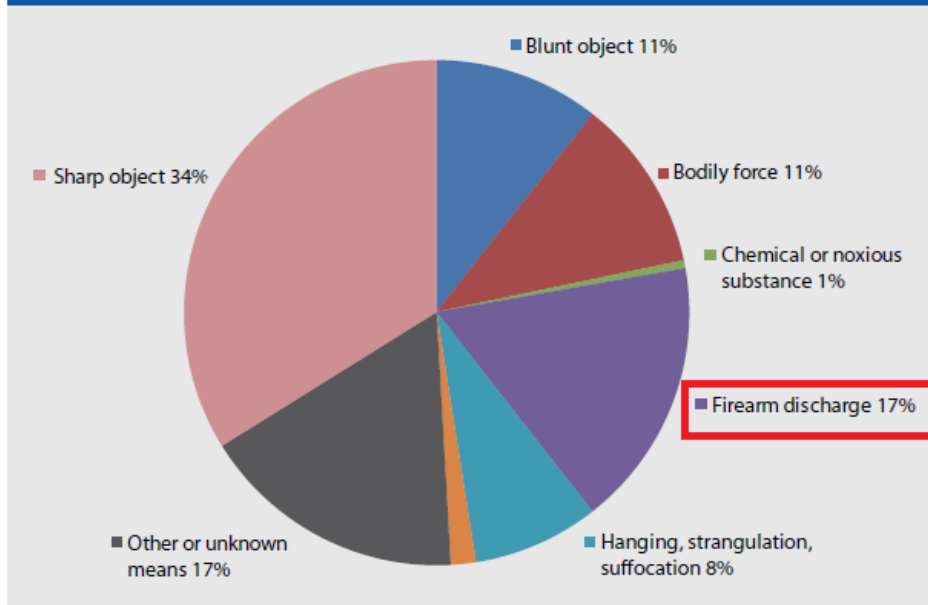
Figure 2.7: Fatal injury trends by injury prevention domain (1998–2010, 1998 = 100%) in the EU-27



During 12 years overall homicides within the EU dropped by more than 50%.

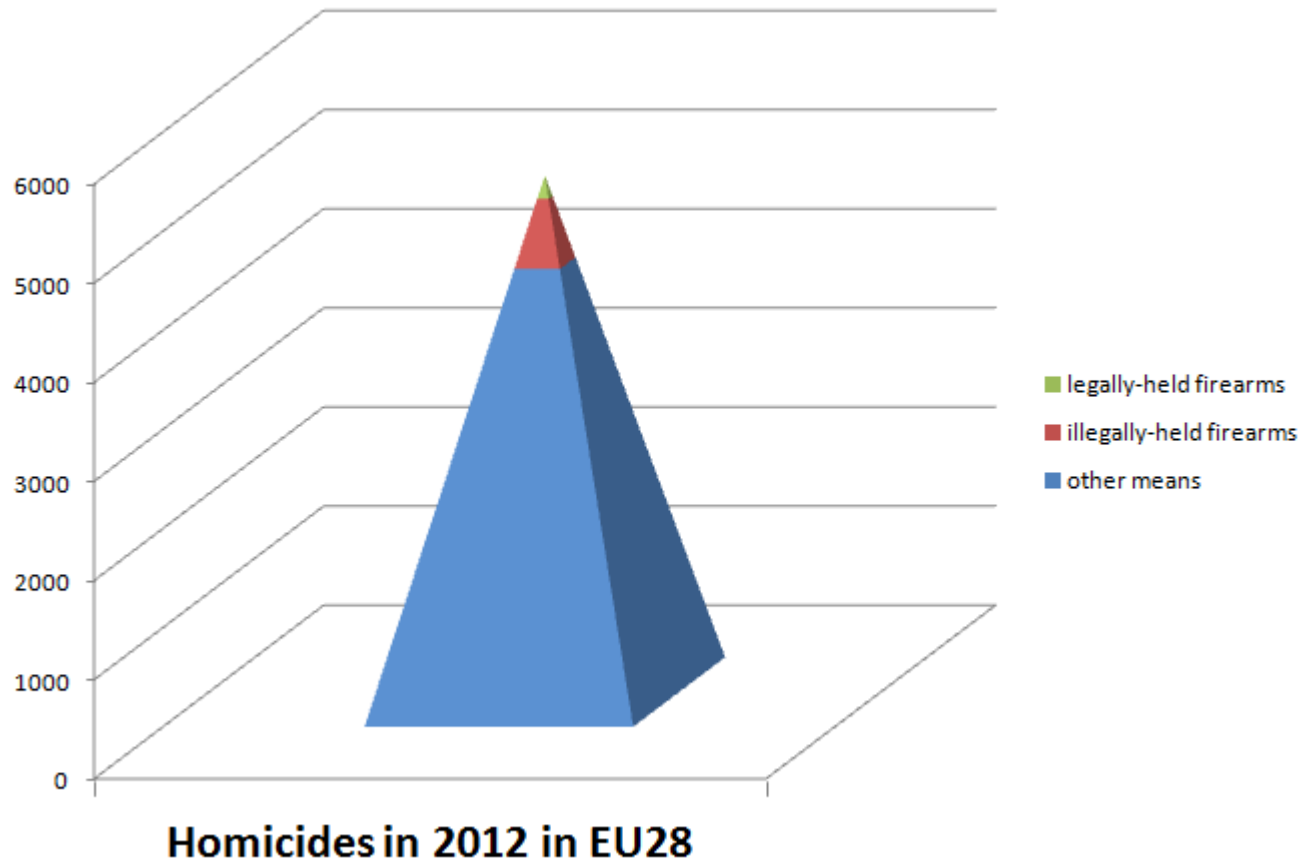
Preventing Homicides by Law?

Figure 9.1: Fatalities through interpersonal violence by means of assault



Source: WHO MDB. See Annex "List of figures and tables" for more details.

Preventing Homicides by Law?



Annually 70 to 150 homicides had been committed with legally-held firearms

Preventing Terrorism by Law?



Preventing Gun Crime by Law?

Illegal Firearms

- used for most homicides (75% to 100%)
- most were smuggled into EU
- mostly by OCGs

Legal Firearms

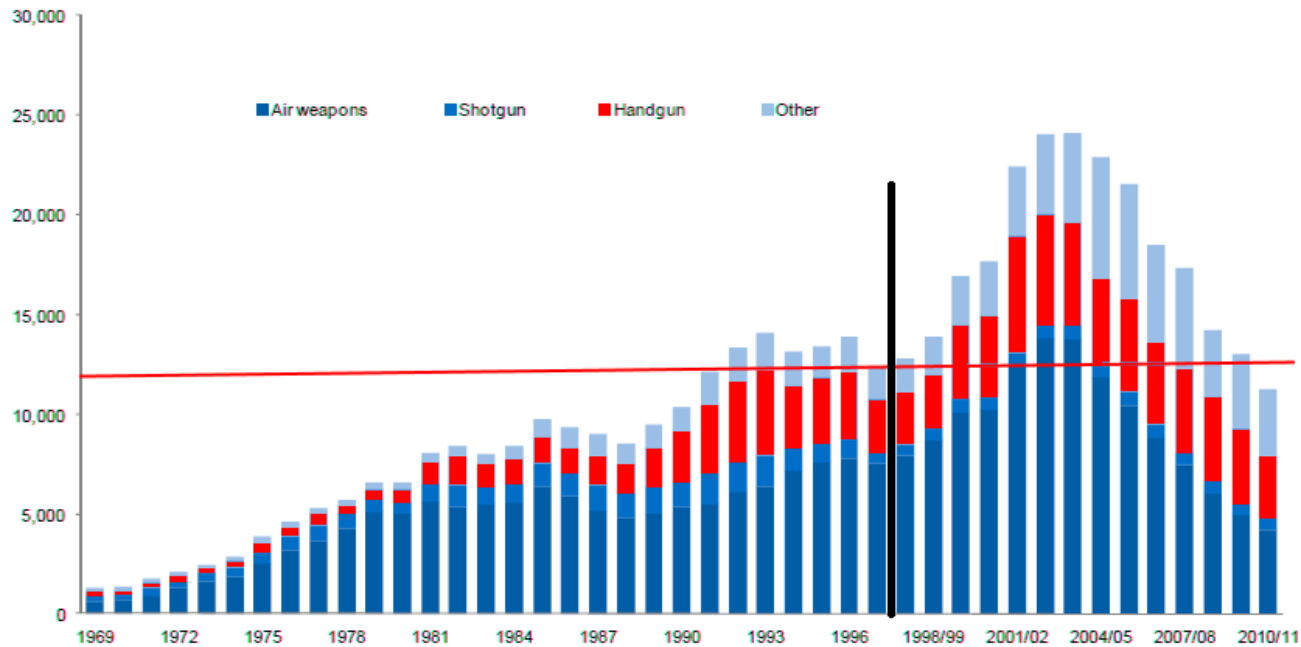
- can deter crime and victimization
- licit market employs a large number of people and generates significant revenue (580,000 jobs)

" [Study to Support an Impact Assessment on Options for Combating Illicit Firearms Trafficking in the European Union](#)" from July 2014



Preventing Gun Crime by Law?

Chart 2: Type of firearm used in recorded offences, 1969 to 2010/11, England & Wales



Gun crime in UK – before and after the ban of handguns in 1997

Preventing Mass Murders by Law?



Fame

- 40% occur within 10 days of extensive media coverage (copycats)

Tools

- explosives, firearms, poison, fire in small rooms and vehicles

Firearms

- may have a smaller death toll

Prevent fatalities

Homicides

- Of 5000 yearly homicides less than 150 committed with legally-held firearms

Terrorism

- Banning tools will not prevent terroristic attacks

Gun Crime

- Stricter access to firearms may increase gun crime as legally-held ones can deter crime

Mass Murders

- Banning certain types of firearm won't prevent mass murders

Legally-held firearms – a problem?



The 500.000 alerts in Schengen database are **not stolen firearms but inventory losses.**

The main sources of illegal weapons **within the EU** are the reactivation of neutralised weapons

Most illicit firearms originate from cross-border trafficking, often from outside the EU.

" [Study to Support an Impact Assessment on Options for Combating Illicit Firearms Trafficking in the European Union](#)" from July 2014

Illegally-held firearms – a problem!

2/3 illegal
weapons of war

- smuggled in from Balkan
- **not registered**
- 'Ant Trade'

1/3 reactivated
weapons

- inadequately deactivated
- **not registered**
- shipped by post

Journalists researched where the **firearms, misused by terrorists, came from:**

illicit traffickers and illicit suppliers = drivers

<http://www.theblacksea.eu/index.php?idT=88&idC=88&idRec=1231&recType=story>

9 proposed measures by evaluation

A) Loopholes

5. Alarm Weapons

since July 2014
no progress

6. Marking of Weapons

since July 2014
no progress

7. Deactivated Weapons

Legislative act
in November
2015

Closing Loopholes

... better and faster than the guideline for deactivation standards

Commission implemented guideline

after SEVEN years

Guideline was only for deactivated firearms

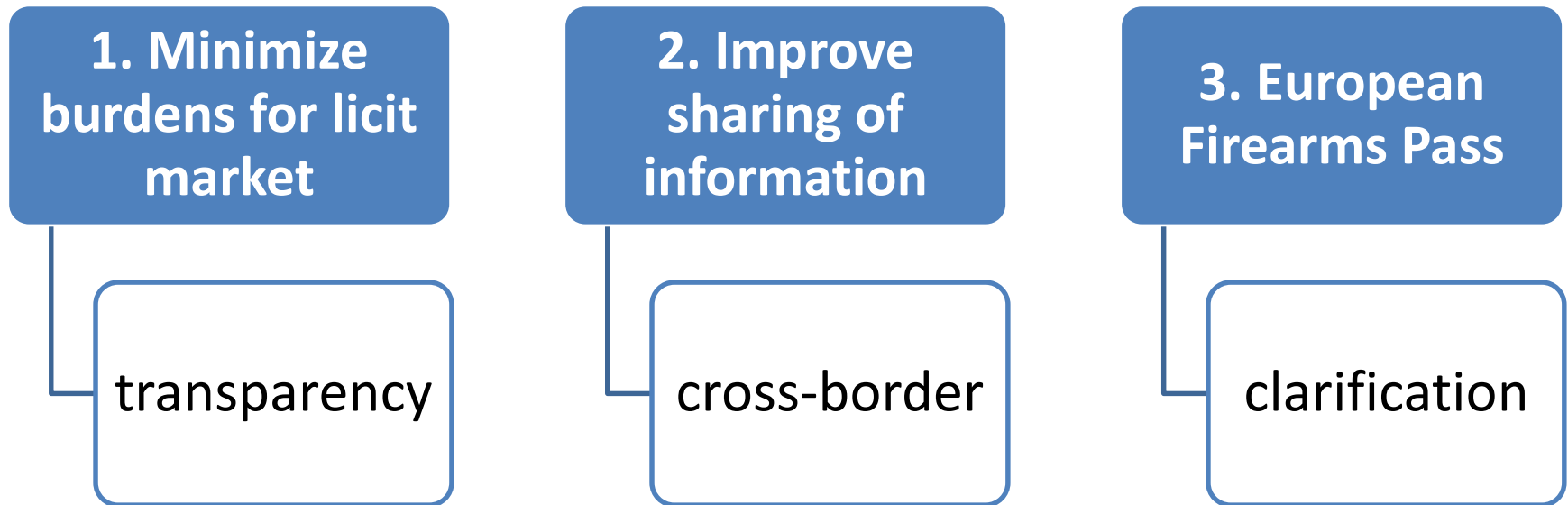
not for alarm and acoustic weapons and marking

Commission did ask for guidance by firearms experts

Guideline has to be amended at once

9 proposed measures by evaluation

B) facilitate licit ownership



9 proposed measures by evaluation

C) more data needed

4. Broker and conversions

How to convert semiautomatic rifles?

8. Online Sales and 3D printers

new technologies

9. Criminal Offences

related to **civilian firearms**" and "related to **alarm weapons and deactivated firearms**".

Measure No.9 researched by EU study of 2016

Firearms legislation can't impact gun crime

- gun crimes are illegal by definition and therefore not addressed directly by firearms legislation.

Firearms controls push people to illegal weapons

- potentially legitimate owners will seek illegal weapons

Criminals will always find a way

- criminals will always find a way to circumvent legislation



Arguments by Commission

Threat

- **10,000 homicides** with legally-held firearms in 10 years
- **500,000 stolen firearms** since mid-90s

Both debunked!

Risks

- **conversion of alarm weapons**
- certain semi-automatic firearms can **be transformed into automatic firearms**

1. right, 2. debunked!

REFIT

- Proposal based on the **conclusion of 3 studies by EC**

Right!

Measures

- **All proposed measures are based on these 3 studies**

Debunked!

[Letter from Alain Alexis to FU follower Michal Lukowiz from 26th February 2016](#)



What are the impacts of different options and who will be affected?

Option 1

- Baseline scenario (**doing nothing**)
- with impact assessment by EU study

Option 2

- **Guidelines** and closer collaboration
- with impact assessment by EU study

Option 3

- All of Option 2 and **legislative harmonized penalties**
- with impact assessment by EU study

" [Study to Support an Impact Assessment on Options for Combating Illicit Firearms Trafficking in the European Union](#)" from July 2014



Options to combat illicit trafficking

Option 4

- **Proposal of Commission**
- without consultation of stakeholders, without impact assessment
- rejected by the amendments of the EP

Option 5

- **Outcome of Trilogue:**
- banning some types of guns and stricter legal access to firearms
- without impact assessment

Option 6

- **FIREARMS UNITED Option***
- closing loopholes and non-legislative collaboration
- we know the impact on licit owners, traders and manufacturers

* "Impact Assessment" Report: Firearms in Europe, <http://tinyurl.com/FU-reports>

Overview of Impacts and Affected

| | 1 Doing nothing | 2 Closing Loopholes | 3 Common Penalties | 4 Proposal | 5 Trilogue | 6 Firearms United |
|---|-----------------|---------------------|--------------------|------------|------------|-------------------|
| Illicit end users | +1 | +4 | +5 | -5 | -2 | +4 |
| Illicit traffickers | +1 | +5 | +5 | -3 | 0 | +5 |
| Illicit suppliers | +1 | +3 | +3 | -3 | 2 | 3 |
| Impact on illicit groups | +3 | +12 | +13 | -11 | 0 | +12 |
| Costs to public authorities | -1 | -2 | -2 | -5 | -3 | -3 |
| Economic impacts on EU's licit firearms sector | -3 | 0 | 0 | -5 | -3 | +3 |
| Social impact on law abiding owners of firearms | -2 | 0 | 0 | -5 | -4 | +3 |
| Impact on licit groups | -6 | -2 | -2 | -15 | -10 | +3 |
| Total | -3 | 10 | 11 | -26 | -10 | 15 |

3. What should be achieved?



We don't need stricter legal access or bans for restricting the circulation of fully automatic weapons.

Our firearms are not the source for the black market.

We only need three well made guidelines and financial support for cross-border collaboration to combat smuggling.

[Sir Julian King's, the new Commissioner for Security Union, answer to Jussi Halla-Aho](#)

Rejecting trilogue's compromise would ...



**delete unfounded condemnation
of licit market and owners**

Rejecting trilogue's compromise would...



**increase confidence
into the EU**

Rejecting trilogue's compromise would ...



**weaken the
'Trump Effect'**



FIREARMS UNITED thanks the Members of EP

for this conference and for the diligent work of many MEPs in- and outside of the IMCO and LIBE committee and also our grassroots donators which donated a lot of money so we were able to work and speak for them.