



***Report about the AECAC  
activity in 2013***

**March 2014**





### **AECAC activities in 2013**

1. The last AECAC **GENERAL ASSEMBLY** was held in Nuremberg on the **10<sup>th</sup> of March 2013**. Attached as **Annex I**, minutes of the last General Assembly.
2. **SPONSORS**. During 2013 and in 2014 AECAC was sponsored by **NATURABUY (www.naturabuy.fr)**. The President has thanked this company for its support.
3. **FULFILMENT OF TAX OBLIGATIONS** before the Belgian authorities.

We should thank the Belgian association which representative, **Mr. Nico Demeyere** (Belgian Lawyer), has prepared and fulfilled all tax declarations before the Belgian authorities without any charge.

It is necessary to remind once again the inputs system: the partners do not pay fees but make **voluntary contributions** depending on the Association's needs. Such payments are not obligatory, nor regular, but agreed yearly.

#### **4. AECAC PROMOTION**

**Web page:** Our web page [www.aecac.eu](http://www.aecac.eu) is a very efficient tool to promote AECAC and includes our most important position papers.

#### **Communications to possible members and sponsors:**

Enclosed as **Annex II and III** letters that each member can send to possible sponsors or gun traders associations from the rest of Europe.

Currently AECAC has fifteen members, the members list is attached as **Annex IV**.

#### **5. EUROPEAN FIRE GUNS DIRECTIVE**

AECAC is extremely worried about a number of actions in the field of legal firearms that the European Commission, in particular Home Affairs Commissioner Malmström and the Directorate General for Home Affairs (DG HOME), have undertaken during the last year.

- Commissioner Malmström stated at a conference on illicit trafficking in firearms that *“legally owned weapons in the EU continue to feed the illegal market”*.
- DG HOME created a Firearms Expert Group, which representatives from national authorities, NGOs and research centres.
- DG HOME launched a public consultation “on a **common approach to reducing the harm caused by criminal use of firearms in the EU**”. Many of the questions in



this consultation actually concerned legal firearms and were completely misleading, since they induced respondents to believe that there were not already EU rules on legal firearms (which do exist: the Firearms Directive). Despite this misleading formulation, an overwhelming majority of the over 85 000 responses to this consultation opposed a change of the current EU rules on legal firearms.

- DG HOME dismissed its own consultation and launched a **Eurobarometer survey**, with questions that were equally misleading. The majority of the respondents to this random survey supported the introduction of common EU rules on legal firearms (which, we insist, already exist), so Commissioner Malmström and DG HOME are using these results to justify further EU action, that is to say, a full review of the existing rules.

Being one of the recognised Stakeholders of the European Institutions in all matters concerning the Firearms Directive AECAC participated both in the Public Consultation and the Eurobarometer, not only answering to the questionnaires (see **Annexes V and VI**) but also in two specific interviews with the responsible team.

- Finally, in October 2013, the Commission adopted the **Communication “Firearms and the internal security of the EU: protecting citizens and disrupting illegal trafficking”**.
  - In addition to laying out a number of actions to deal with illegal activities, this document confirms the plans of the Commission to completely change the EU rules on the legal acquisition and possession of firearms.
  - This Communication mixes up legal and illegal activities with firearms and uses a number of arguments to establish a link between the two, in particular:
    - legal firearms are lost or stolen due to the absence of EU common standards on their storage; the Communication, however, only relies of vague figures to justify this claim.
    - firearms deactivated in Member States with low standards are being reactivated; however, the Firearms Directive already contain clear legally-binding provisions to tackle this issue;
    - criminals in Member States with liberal rules have access to firearms; however, the Directive bars criminals – and any person who is likely to be a threat to public security – from acquiring and possessing firearms.

See Commission’s communication under:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2013:0716:FIN:en:PDF>

The arguments put forward by the Commission to justify the reopening of the Directive are simply wrong and AECAC cannot accept them as a matter of principle.

In AECAC’s opinion, the Commission, instead of enforcing the current provisions of the Directive, which are clear and strong enough, seeks to use some apparent failures at national level as an excuse to change the Directive.

Furthermore, before tabling new legislation, the Commission should provide evidence that it is needed, proportionate and suitable to attain the pursued objectives. AECAC considers that the



Commission has failed to substantiate this evidence. The Commission has also failed to substantiate its alleged link between legal firearms on the one hand and illicit trafficking and criminal use on the other hand. The Commission's initiatives seem to reflect an ideological bias instead of fact-based conclusion.

On the 15<sup>th</sup> October 2013, AECAC also participated in an interview leaded by the **Centre for Strategic & Evaluations Services** - CSES-, in the frame of the Study to Support an Impact Assessment on Options for Combating Illicit Arms Trafficking in the European Union

The purpose of the study was threefold: firstly, to analyse the current legal framework in EU Member States relating to illicit arms trafficking (definitions of specific offences, liability of legal and natural persons, etc); secondly, to assess possible obstacles to police and judicial cooperation arising from the existence of different legal systems; and thirdly, based on the research, to make recommendations as to the advisability of the approximation of certain offences and sanctions (suggesting specific provisions if appropriate). The research will be conducted over the next 6 months.

The Commission will take other initiatives during 2014, including an analysis of the implementation and functioning of the Firearms Directive and a public consultation on the same topic. All this could lead to the reopening of the Directive in 2015. The European Parliament and in particular the EU Council will also have some influence on the Commission concerning the decision to table or not a legislative proposal to amend the Directive.

If there is such a legislative proposal from the Commission in 2015, the formal inter-institutional debate would begin. The agreement of both the Parliament and the Council would be required to formally adopt this proposal. Within the Parliament, the **Committee on Internal Market and Consumer Protection (IMCO)** and the **Committee on Civil Liberties, Justice and Home Affairs (LIBE)** would likely be in charge of preparing the amendments.

AECAC will work closely with other stakeholders to ensure a democratic and transparent debate and to challenge unsubstantiated claims.

Enclosed as **Annex VII** AECAC position paper concerning the issue of the Directive.

## **6. EUROPEAN PARLIAMENT SUSTAINABLE HUNTING INTERGROUPE**

European Parliament Intergroups gather MEPs from different Political Groups and stakeholders, sharing a common interest in a particular subject. The "Sustainable Hunting" Intergroup, created in 1985, is one of the oldest and most active in the EP. For the 2009 - 2014 term of the EP, the Intergroup has the support of some 150 MEPs. The Intergroup bears now the official name **"Sustainable Hunting, Biodiversity, Countryside Activities & Forest"**, which reflects better its conservation goals, and the clear interaction between sustainable management of territories and the enhancement of wildlife and biodiversity, while promoting a thriving countryside.

FACE hosts the Secretariat of this Intergroup and has organized and leaded very efficiently this tool.

### **Objectives**



- PROMOTE the role of hunting and other forms of sustainable use of wild species contributing to biodiversity enhancement and rural development
- DISCUSS current issues related to wildlife management & rural development on the agenda of the European Parliament (EP)
- SECURE the interests of 7 million hunters, as well as land-managers & other countryside stakeholders, thereby contributing to the strengthening of the democratic legitimacy of the EP.
- INITIATE helpful discussions in the EP on national/regional issues relating to biodiversity & the countryside, and enable a fruitful exchange of experience
- REAFFIRM the importance of hunting as an activity with significant socio-economic impact in the EU (total turnover 8 billion/annum & 120,000 full-time jobs)
- ENSURE access to reliable databases on wildlife management and conservation & countryside activities.

### Activities

The Intergroup deals with issues for which the EP is competent and which relate to hunting, wildlife management, angling, forestry, agriculture, biodiversity and nature conservation, taking into account public and wildlife health and welfare aspects. Also addressed on a regular basis are cross cutting issues which have an impact on socio economic activities in rural areas.

Meetings take place during Plenary Sessions of the EP in Strasbourg and Brussels. The Intergroup may, by consensus, decide to adopt a position, statement, declaration, resolution or recommendation or to take any other initiative that seems appropriate.

The Intergroup will be crucial in the process of amendment of the

### Organisation

The Intergroup is composed of MEPs promoting wildlife conservation, sustainable hunting & fishing, sustainable management of the countryside and cultural heritage.

The diversity of the Intergroup membership demonstrates the importance of these topics for a large range of Member States, political parties and citizens.

### Firearms Directive

Thanks to our collaboration with **FACE (Federation of Associations for Hunting and Conservation of the E.U.)** AECAC was invited as stakeholder to the last meeting of the Hunting Intergroup that took place on the **11<sup>th</sup> of February 2014** in the EU Parliament.

The meeting was organized to debate about the Commissions initiative to amend the Firearms Directive.

AECAC's President Yves GOLLETTY, was one of the four speakers. Please see the speech attached as [\*\*Annex VIII\*\*](#)



## 7. COMPLAINT AGAINST SWEDEN AND SPAIN FOR FIREARMS MARKING RESTRICTIONS

As you remember AECAC in collaboration with our Swedish and Spanish members **Sveriges Vapenhandlareforening** and **ACACE**, and also with the Spanish producers association (**Asociación Armera**) prepared and presented a formal complaint before the EU Commission against Sweden and Spain due to their gun marking system.

The Swedish government is requiring the international import marking for gun transfers **coming from other EU countries**.

The requirement of the Swedish authorities of marking all firearms imported from other EU Member States is a clear **breach of the free movement of goods principle**, enshrined in Article 34 of the Treaty on the Functioning of the European Union (TFEU): “**Quantitative restrictions on imports and all measures having equivalent effect shall be prohibited between Member States**”. The intended restriction cannot be justified on the basis of the public policy / public security grounds mentioned in Article 36 TFEU since there is already specific harmonisation at EU level, and thus mutual trust between Member States, through Directive 91/477/EEC as amended by Directive 2008/51/EC.

The case of Spain is not as extreme as it only affects antique firearms. The Spanish government is requiring a new marking on most antique firearms which is causing an almost complete extinction of the collecting market for old military weapons. AECAC defends that by applying such restrictions Spain is stating barriers to the common market.

AECAC's complaint has been accepted by the EU Commission. Both countries face now two infraction procedures, **Infraction Procedure 2013/4204** for Sweden and **Infraction Procedure 2013/4203** for Spain, which might end with severe penalties if the restrictions to the internal market do not stop or a good justification is rendered.

## 8. LEAD IN SHOTS

The issue of lead in shots is currently one of the most critique questions for our sector both at a European and at international level. There are several forums and situations to be pointed:

- **EFSA scientific opinion.** As explained in our previous report, in **2010** the **EFSA (European Food Safety Authority)** adopted a scientific opinion on lead in food. The report was not specifically about game meat consumption, but it included an assessment of human exposure to lead by consumption of game meat and it reported that consumer groups with higher exposures levels include game meat consumers.

This analysis recognized higher lead levels in **game meat**, and remarked that specific game meat diet may be harmful. On the other side, the report stated that game meat gives a small percentage contribution to lead exposure.

- **EU general position on bird protection.** The EU committed itself to phasing out the use of lead shot in wetlands in a view to protecting birds from poisoning. The European Commission is currently assessing the progresses made in member states, the effectiveness of the measures taken and the possibilities to speed up the process. So far, 14 member states have banned the use of lead shot in a way or another, either everywhere or in wetlands or for wildfowl hunting.



- **AMEC study on total ban of lead.** Following with this line, **in 2012** the EU also engaged a consultancy firm (AMEC) to draft a study evaluating the feasibility of implementing a total ban on lead shots.

This move came about in relation to the incomplete ban on the use of lead shot in wetlands and presumably also due to reports on non-compliance with bans.

AMEC requested AECAC and other European associations to provide specific answers to a questionnaire tending to facilitate the mentioned study. In April 2012 AECAC answered to the questionnaire (See 2012 AECAC activities report)

- **Water Framework Directive.** On the 5<sup>th</sup> of November 2012 the Committee on Environment and Public Health of the European Parliament debated a Commissions proposal to amend the list of hazardous substances in the Water Framework Directive. Some MEP tabled amendments to include lead in the list. Finally such amendments were not approved.

AECAC has drafted a position paper which resumes our official opinion on all lead issues, and which has been sent to all involved administrations. Attached as **Annex IX** see AECAC's position paper on lead.

## **9. ESSF (European Sport Shooting Forum)**

The ESSF is a “think tank” of the European hunting and shooting sector. Its approach to all issues is very technical and efficient.

AECAC participates in the ESSF meetings which took place in Nuremberg in March 2013 and in Brussels in February 2014.

The ESSF allows all sectors at European level to coordinate themselves in different issues.

The ESSF has coordinated very efficiently the Common Position of all sectors concerning the initiative to amend the Directive.

## **10. WORLD FORUM OF THE FUTURE OF SPORT SHOOTING ACTIVITIES (WFSA)**

AECAC is voting member of the WFSA, we take part in some of the WFSA meetings and contributes yearly with **3.600 €**.

The WFSA is a highly efficient organization, recognized by the UN, and its actions are of great importance as many of the issues start globally.

The current issues in which WFSA is involved are the following:

- **Global Arms Trade Treaty**



- **UN Programme of Action (POA) on SALW**
- **International Small Arms Control Standards (ISACS)**
- **Transit Task Force (TTF).**
- **UN Register of Conventional Arms**

For more information on the WFSa actions see [www.wfsa.net](http://www.wfsa.net)

Brussels, March 2014





## **Annex I**

### **Minutes of the 21<sup>th</sup> Ordinary General Assembly**

At Messezentrum, Nürnberg  
Saturday, 10<sup>th</sup> March 2013

Members present:	Mr. Yves GOLLETY	France
	Mr. Agustín ALBERDI	Spain
	Mr. Víctor FABREGAT	Spain
	Mr. Jürgen R. TRIEBEL	Germany
	Mr. Antonio BANA	Italy
	Mr. George KIRGIAS	Greece
	Mr. Paul FRAUENBERG	Luxemburg
	Dr. Hermann GERIG	Austria (IWÖ)

#### **1. Presidents Welcome**

The President Mr. Yves GOLLETY opened the Assembly by welcoming all present members and welcoming specially the new member “**Association Luxembourgeoise des Armuriers et Négociants d’Armes**” and the new Sponsor **NATURABUY** ([www.naturabuy.fr](http://www.naturabuy.fr)).

A mention was done to thank the Belgium association representative Mr. Demeyere as he has prepared all the tax declarations of the AECAC free of charge.

#### **2. Apologies**

Several members apologized for not attending the assembly as many thought that the Assembly would take place on Friday as traditionally.

#### **3. Minutes**

The minutes of the 20<sup>th</sup> Ordinary General Assembly held in Nuremberg on March 20012 were unanimously approved.

#### **4. Review of the year 2012**

The Secretary-General Mr. Fabregat distributed a document providing the detail of the AECAC activity during the last year.

Most important issues explained where the application situation of the Fire arms Directive, the AECAC Complaint against Spain and Sweden concerning the Gun marking and the participation of AECAC in several actions concerning Lead in shots.

#### **5. Accounts**

Accounts of the last exercise were distributed to all members and unanimously approved.



**6. Budget for next year and fixing of annual quotes.**

**7. Date and place of next meeting**

Next General Assembly will take place on the first Friday of the next Nuremberg IWA Fair.

Nuremberg, March 7<sup>th</sup>, 2013



## **Annex II**

### **Reference: Sponsorship**

Brussels, January 2014

Dear Sir,

I am writing to you as the President of the ***European Association of the Civil Commerce of Weapons (AECAC)*** and with the belief that our association and your Company could collaborate to build the future of the hunting and civil weapons trading.

Our Association is formed from numerous national associations representing the interests of gun and hunting trading businesses and specialised retailers from all over Europe. Currently the members of our association are the following:

<b>Austria:</b>	Verband Österreichischer Büchsenmacher (Bundesinnung der Metalltechniker)
<b>Belgium:</b>	Wapenunie ó Union Armes
<b>Cyprus:</b>	Cyprus Gundealers Association
<b>Denmark:</b>	Danske Vabenhandlerere
<b>Finland:</b>	Asekauppiaiden Liitto ry
<b>France:</b>	Chambre Syndicale Nationale des Armuriers
<b>Germany:</b>	VDB - Verband Deutscher Büchsenmacher und Waffenfachhändler
<b>Greece:</b>	Pan-Hellenic Association of Handcraft men & Professionals of Hunting Items
<b>Ireland:</b>	Irish Gun Dealers and Shooters Association
<b>Italy:</b>	ASSOARMIERI - Associazione Commercianti Armi- Munizioni Caccia Pesca Sport
<b>Luxemburg:</b>	Association Luxembourgeoise des Armuriers et Négociants d'Armes
<b>The Netherlands:</b>	Nederlandse Vereniging voor de Wapenhandel
<b>Spain:</b>	ACACE - Asociación de Comerciantes de Armería sus Complementos y Explosivos
<b>Sweden:</b>	Sveriges Vapenhandlareforening

#### **Non-voting members:**

IWÖ - Interessengemeinschaft Liberales Waffenrecht in Österreich

It would appear that day by day the international influence affecting our business grows and grows. Many non governmental organisations (NGO) are unfairly attacking our sector and numerous anti-hunting lobbies use the European institutions as their propaganda megaphone against us.



We cannot be complacent about these developments, we have to be proactive. We need to be strong not only within our individual national borders but also internationally.

We need our voice to be listened in Europe. We can only play a role if we are united and well organised.

To achieve our objective of an influential position in Europe we also need to be financially strong.

I am writing to you given this challenge, as we need your company to join our project. We need your strength and support to be stronger in Europe.

We would very much appreciate if you could support our association through a Sponsorship.

I do hope that our Association and our drive and commitment to the protection of our sector will be of interest to you. We will present at the Nuremberg Fair with a stand, so we would very much appreciate if you could visit us then.

With my best wishes.

Yves Gollety  
President



### Annex III

Brussels, January 2014

Dear Sir,

I am writing to you as the President of the **European Association of the Civil Commerce of Weapons (AECAC)** with the belief that it would be interesting for your Association to join AECAC.

AECAC is a non profit federation, founded in 1992 and formed from numerous national gun trading associations from all over Europe. It was created to ensure the participation of our sector in all the procedures of the European policies in which gun trading is involved.

AECAC is currently the only representative at a European level of the **gun trading retailers**, in this capacity AECAC is being considered as a very reputable **stakeholder before all European Institutions**.

Currently the members of our association are the following:

<b>Austria:</b>	Verband Österreichischer Büchsenmacher (Bundesinnung der Metalltechniker)
<b>Belgium:</b>	Wapenunie ó Union Armes
<b>Cyprus:</b>	Cyprus Gundealers Association
<b>Denmark:</b>	Danske Vabenhandlerere
<b>Finland:</b>	Asekauppiaiden Liitto ry
<b>France:</b>	Chambre Syndicale Nationale des Armuriers
<b>Germany:</b>	VDB - Verband Deutscher Büchsenmacher und Waffenfachhändler
<b>Greece:</b>	Pan-Hellenic Association of Handcraft men & Professionals of Hunting Items
<b>Ireland:</b>	Irish Gun Dealers and Shooters Association
<b>Italy:</b>	ASSOARMIERI - Associazione Commerciali Armi- Munizioni Caccia Pesca Sport
<b>Luxembourg:</b>	Association Luxembourgeoise des Armuriers et Négociants d'Armes
<b>The Netherlands:</b>	Nederlandse Vereniging voor de Wapenhandel
<b>Spain:</b>	ACACE - Asociación de Comerciantes de Armería sus Complementos y Explosivos
<b>Sweden:</b>	Sveriges Vapenhandlareforening

**Non-voting member:**

IWÖ - Interessengemeinschaft Liberales Waffenrecht in Österreich



**Our main targets are:**

- Defend the interests of the gun trading sector at a European Level
- Be the voice of the small and medium-sized enterprises before the European Institutions
- Represent the Gun Trading Retailers in all the international trading and sport organisations
- Lower existing barriers in the civil gun trading sector
- Support the free market; enhance the efficiency and competitiveness of the European companies

We are very proactive before the European institutions. You can see the amount of work that it is done in our web page: **[www.aecac.eu](http://www.aecac.eu)**

To achieve our objectives we need to have a wide representation of the European traders and small and medium business from our sector. It is essential that we have only one powerful voice in Brussels.

I am writing to you given this challenge, as we need your national association to join our project. We need your strength and support to be stronger in Europe.

I do hope that our Association and our drive and commitment to the protection of our sector will be of interest to you. We will present at the Nuremberg Fair with a stand, so we would very much appreciate if you could visit us then.

With my best wishes.

Yves Gollety  
President



## Annex IV

<b>1. Austria</b> Austrian Gun Makers Association	M. KRUSCHITZ	Kolingasse 17 1090 Wien	Tel. 0043)13177173,	office@martin-kruschitz.at
	Dr. SIEGERT	Münzgrabenstr. 81 A-8010 Graz	Tel. (0043) 316 848 184 Fax (0043) 316 848184-9	
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<b>3. Belgium</b> <u>Wapenunie – Union armes</u>	<u>Mr. Daniel BEETS</u> <u>President</u>	Oudergemsweg 41 1970 Wezembeek-Oppem		<a href="http://www.unionarmes.be/">http://www.unionarmes.be/</a>
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<b>4. Cyprus</b>  Cyprus Gundealers Association	P. HERACLIDES President	Pindarou Str. 23 1060 Nicosia (Cyprus)	Tel. 00-35722762301 Fax 00-35722762160	
	Aggelos PITSILLIDES Secretary			
<b>5. Denmark</b>  Danske Vabenhandlerere	François PARBST Vice-President	41, Borsholmvej 3000 Helsingør	Tel. 0045 49 765400 Fax. 0045 49 765420	<a href="mailto:michael@parbst.dk">michael@parbst.dk</a>
<b>6. Finland</b> Asekauppiain Liitto ry	Timo Huikkala President	PO BOX: PL 76 POST: 00101 HELSINKI	Tel. 00 358 407079922 Fax 00 358 406611050	<a href="http://www.asekauppiat.fi">www.asekauppiat.fi</a> <a href="mailto:toimisto@asekauppiat.fi">toimisto@asekauppiat.fi</a>
<b>7. France</b> Chambre Syndicale Nationale des Armuriers	Yves GOLLETTY President	37, Rue Vivienne 75002 Paris	Tel. 0033 1 42367983 Fax 0033 1 42361801	<a href="http://www.syndicat-armuriers.com">www.syndicat-armuriers.com</a> < <a href="mailto:chambre.syndicale@armuriers.com">chambre.syndicale@armuriers.com</a> <a href="mailto:info@armureriedelabourse.com">info@armureriedelabourse.com</a>
<b>8. Germany</b> Verband Deutscher Büchsenmacher und Waffenfachhändler e.V.	Jürgen Triebel President			<a href="http://www.vdb-waffen.de">www.vdb-waffen.de</a>
	Ingo MEINHARD Geschäftsführer	Schwanallee 48 a 35037 Marburg (Lahn)	Tel. 0049 6421 16 13 53 Fax 0049 642122312	<a href="mailto:info@vdb-waffen.de">info@vdb-waffen.de</a>



<b>9. Greece</b> Panhellenic Association of Handcraftmen & Professionals of Hunting Items	Kirgias MICHAEL	7 Kratinou Street 105 51 Athens	Tel. 0030 210 322 41 02 Fax 0030 210 3224102	<a href="http://www.peveke.gr">www.peveke.gr</a> <a href="mailto:info@kirgias.gr">info@kirgias.gr</a> <a href="mailto:thiva@nafplotisgroup.gr">thiva@nafplotisgroup.gr</a> <a href="mailto:info@kalkantzakos.com">info@kalkantzakos.com</a> <a href="mailto:mpete@otenet.gr">mpete@otenet.gr</a> <a href="mailto:touris@otenet.gr">touris@otenet.gr</a> <a href="mailto:peveke@otenet.gr">peveke@otenet.gr</a>
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	Tom KIRWAN- Secretary			
	John CARREYAN Chairmen	Kilkenny, 82 HighStr.	Tel. 00353 41 0562157 fax 00353 41 64068	
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	Evert VAN RHEE Secretary			
<b>14. Spain</b> A.C.A.C.E. Asociación de Armerías ACAE	Agustín Alberdi President			<a href="http://www.acacearmerias.com">www.acacearmerias.com</a> <a href="mailto:v.fabregat@fabregat-perulles-sales.com">v.fabregat@fabregat-perulles-sales.com</a> <a href="mailto:armeriaalberdi@terra.com">armeriaalberdi@terra.com</a>
	Víctor FABREGAT Secretary-General	Plaza Bonanova 4, 1 <sup>o</sup> - 1 <sup>a</sup> E-08022 Barcelona	Tels. 0034 932054231 0034 630929881 Fax 93 418 95 35	<a href="mailto:v.fabregat@fabregat-perulles-sales.com">v.fabregat@fabregat-perulles-sales.com</a>
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## Annex V

# A common approach to reducing the harm caused by criminal use of firearms in the EU

<b>Introductory questions</b>	
Please indicate the country where you live or where your organisation is based -single choice reply-( <b>compulsory</b> )	Belgium
In which capacity are you participating in this consultation? -single choice reply-( <b>compulsory</b> )	Organisation
Please state your name or the name of your organisation: -open reply-( <b>compulsory</b> )	EU Association Civil Commerce of Weapons AECAC
<b>Role of the EU</b>	
How would you rate the threat of firearms-related crime to the safety of people living in the EU? -single choice reply-( <b>compulsory</b> )	1 (not serious)
To what extent do you consider the EU does enough to tackle the risk of illegal trade and use of firearms in the EU? -single choice reply-( <b>compulsory</b> )	1 (EU does enough)
To what extent should the EU take action against the use of firearms for the purpose of committing terrorist acts on EU territory? -single choice reply-( <b>compulsory</b> )	1 (no EU action needed)
Please use the box below if you wish to comment further on the questions in this section. -open reply-( <b>optional</b> )	
<p>The current European legislation on arms is the most developed, restrictive and wide of the world. There is not much more to restrict concerning the legal gun and ammunition ownership and use. The serious risk and the real issue concerning the EU security has nothing or very little to do with civil guns. Guns used for hunting and sport shooting are rarely causing trouble in Europe. For this reason AECAC believes that the only way to face present and future challenges concerning our security is to focus in real problems. Both national and European institutions need to legislate and apply clever and efficient policies. By enhancing the controls on guns or even products which would be closer to toys than to guns (f.i. air soft or air guns) public authorities are loosing human and economic resources which could be used to optimise control on real issues, as illegal military guns coming from war areas.</p>	
<b>Legal production, possession and sale</b>	
In EU law (Directive 91/477/EEC), a firearm is defined as 'any portable barrelled weapon that expels, is designed to expel or may be converted to expel a shot, bullet or projectile by the action of a combustible propellant...'	1 (not at all)
To what extent should this definition be changed? -single choice reply-( <b>compulsory</b> )	
Under Directive 91/477/EEC (Annex I Part II), prohibited firearms include explosive military devices	1 (not at all)



<p>and launchers, automatic firearms, firearms disguised as other objects, ammunition with penetrating, explosive or incendiary projectiles and pistol and revolver ammunition with expanding projectives (except those weapons used for hunting, target shooting or weapons used by authorised persons).</p> <p>To what extent should this list of prohibited firearms be extended?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	
<p>To what extent should the EU establish common rules for the authorisation of persons to produce and/or sell firearms?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish binding rules and standards on technical security features for firearms, to help ensure that only the rightful owner of a firearm may use it?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish rules controlling the sale and purchase of firearms and their components over the internet?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish rules on arms fairs which take place in the EU?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish stricter rules on who may be authorised to possess a firearm (eg on basis of age, mental health, or possession of a criminal record)?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish stricter rules on situations where persons possessing firearms must make a declaration to the authorities?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU establish common European legislation on definition of offences and criminal sanctions relating to arms trafficking?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>To what extent should the EU seek to control the sale and possession of ammunition as well as firearms?</p> <p>-single choice reply-(<b>compulsory</b>)</p>	1 (not at all)
<p>Please use the box below if you wish to comment further on the questions in this section.</p> <p>-open reply-(<b>optional</b>)</p>	
<p>The current European legislation covers completely and widely all the points included in this section. The European Fire Arms Directive has harmonised efficiently all national legislation leaving little flexibility to national legislators. Further regulations on legal firearms ownership are not necessary or could even be negative. The current European legislation is already forcing to national police forces to control many items and questions which are not real risks for the European citizens or for the stability of the region. It would be advisable</p>	



that all this efforts would be focused to fight against illegal trade and not used as "cosmetic" actions against sportsman and legal trading.

## Storage, deactivation and destruction

To what extent should the EU take further action for ensuring the secure management of all arms stockpiles in the EU? -single choice reply-( <b>compulsory</b> )	1 (not at all)
To what extent should the EU establish common binding rules on how firearms must be stored by those who lawfully possess them? -single choice reply-( <b>compulsory</b> )	1 (not at all)
To what extent should the EU establish common binding technical standards on the deactivation of firearms? -single choice reply-( <b>compulsory</b> )	1 (not at all)
To what extent should the EU establish common binding rules for verifying that firearms have been destroyed or that they may no longer be reused in whole or in part? -single choice reply-( <b>compulsory</b> )	1 (not at all)
Please use the box below if you wish to comment further on the questions in this section. -open reply-( <b>optional</b> )	
Storage of civil firearms is not an issue at all. Incidents during storage are rare or inexistent in Europe. Criminals do not need to break in storing places in Europe to reach sport guns when they can easily get war weapons in the black market. Deactivation and destructions are issues which need a good control of the national authorities. As decided in the last amendment of the Fire Arms Directive the Commission shall provide clear technical guidelines about the way guns should be deactivated. New legislation is absolutely not necessary. The last Directive amendment and the Commission's guidelines should be implemented.	

## Working with third countries, police cooperation, statistics and reporting

To what extent should the EU, in its agreements with third countries in its neighbourhood, include action to tackle trafficking in firearms? -single choice reply-( <b>compulsory</b> )	1 (not at all)
To what extent should the EU develop police training modules for tackling firearms trafficking inside the EU and into the EU? -single choice reply-( <b>compulsory</b> )	1 (not at all)
For the country where you are based, are you aware of any overall strategy or plan for tackling firearms trafficking? -single choice reply-( <b>compulsory</b> )	Yes
To what extent should the EU establish a common mechanism for collecting statistics on firearms trafficking? -single choice reply-( <b>compulsory</b> )	1 (not at all)
How frequently should each Member State country report on its progress in tackling firearms trafficking?	1 (never)



-single choice reply-(**compulsory**)

Please use the box below if you wish to comment further on the questions in this section.

-open reply-(**optional**)

International trading on civil guns is already covered by the last European Regulation transposing article 10 of the United Nations Protocol against transnational organized crime. The recently approved protocol provides strict regulations and controls on civil guns. No further legislation is required. The only need is good police cooperation and data exchange system. Most important is that police officers can focus on important issues and not in sport and hunting guns.





## Survey on Firearms, Replicas and Alarm Weapons

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### NON ANONYMOUS

This survey has been designed to capture user data. This means that when EY has sent you a link to this survey, your responses will be combined with your email address and other demographic information in order for EY to be able to create specific and individualized reports on the survey results. Furthermore, EY will collect additional data, such as your IP address and the time you filed your answers. EY will be able to view all individual responses. EY will use a limited amount of cookies to store information on your computer, but only to the extent this is essential for the survey to operate. If you decide not to complete this survey or if you are inactive for more than 20 minutes, these cookies will be automatically deleted. To find out more about the cookies we use, see our [cookie notice](#).

### Deactivation, Destruction and Marking Procedures for Replica (Imitation) Firearms and Alarm Weapons: The Current Status of Regulation in EU Member States Survey of existing regulations in EU member states Conducted by the Stockholm International Peace Research Institute (SIPRI) and Ernst & Young

#### Purpose

The ownership, possession, sale, transfer and use of civil firearms is not prohibited across the European Union. Legitimate uses of firearms include hunting, target shooting and use in shooting competitions. Civil firearms for legitimate uses should circulate inside the single market, while respecting the need for public safety and security. All Member States regulate the manufacture, possession and sale of firearms domestically. They all have rules to govern international sales and transfers of firearms. This survey aims at collecting qualified opinions on the possible issues related to deactivated firearms, replica firearms and alarm weapons in the EU28. Contributions made through this survey will provide a more targeted understanding of the specific challenges that may be posed and they will support a possible future action of the EU in this field.

#### Scope of survey: main definitions

For the purposes of this survey:

- A firearm is a man-portable, lethal barrelled weapon from which any shot, bullet or other missile can be discharged.
- A replica firearm is an imitation that has the appearance of a firearm, but is not capable of firing a shot, bullet or other missile without conversion.
- An alarm weapon only fires blank cartridges, and might or might not have the appearance of a firearm.

#### Overview of the questionnaire and instructions

The questionnaire is made up of two Sections:

- Section 1: Offences and incidents;
- Section 2: Identified problems and barriers to implementation.

The survey is structured in open and closed questions. Questions marked with the \* are required.

It will take you about 10 minutes.

**Please note:** in case you intend to complete the questionnaire in different times, you can save your answers by pressing "Next" and closing the page. You can then have access to the questionnaire with saved answers later on, by accessing the link to the questionnaire from the same computer.

If you access the questionnaire from another computer you will need to start the filling in of the questionnaire from the beginning. The results of this survey will be used only for the purposes of the present study.

#### Data usage permissions

Please note that by providing information in this form, you agree to allow SIPRI and Ernst & Young to use the information for their research, and to share the information with the European Commission. Thank you.

#### Contact details

1. Name\*
2. Surname\*
3. Organisation\*
4. Country\*
5. Phone number\*



0034 32054231

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## Survey on Firearms, Replicas and Alarm Weapons

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### Section 2: Identified problems and barriers to implementation

Please provide information on offences and incidents related to replica firearms, deactivated firearms and alarm weapons in your country

#### Problems involving criminal use of replica firearms, deactivated firearms or alarm weapons

10. Do you believe that there has been an increase in the criminal use of replica firearms, deactivated firearms or alarm weapons in the EU28?
- ☐ Yes
- ☒ No
- ☐ NA

11. If you answered "Yes" to the question above, please list the reasons for the increase in your view

#### Barriers to implementing legislation involving replica firearms, deactivated firearms or alarm weapons

12. What are the main barriers to implementing the current laws and regulations related to replica firearms, deactivated firearms or alarm weapons in the EU28?

There are no barriers concerning replicas pr alarm weapons. Deactivated firearms is an issue as the European Commission shall issue technical guidelines on how to implement the last amendment of the Firearms Directive.

13. Do you believe that the current laws and regulations related to replica firearms, deactivated firearms or alarm weapons in your country are properly understood by legitimate users?

☒ Yes

☐ No

☐ NA

14. Please include any additional comment

There is no need to add new legislation to the already very restrictive European frame. There is a problem on law application and law enforcement. It is important to destinate police resources to real issues as military guns illegal trafficking coming from post conflict areas.

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## **AECAC POSITION PAPER**

### **LEGAL FIREARMS AND EVENTUAL REOPENING OF DIRECTIVE 91/477/EEC**

#### **I. THE EUROPEAN ASSOCIATION OF THE CIVIL COMMERCE OF WEAPONS**

The European Association of the Civil Commerce of Weapons (hereinafter, ðAECACö) was founded in 1992 and it is formed from numerous national associations representing the interests of firearm and hunting small- and medium-sized enterprises (hereinafter, ðSMEsö) and specialized shops from all over Europe.

Since its foundation, AECAC has actively participated in all the procedures of the European Commission policies in which firearm trading is involved in order to support an adequate control of firearms. AECAC does not oppose justified and proportionate restrictions on their acquisition and possession, but seeks to participate in a constructive and non-ideological manner to the EU debate on civilian firearms.

AECAC is currently the only representative at a European level of the firearm trading retailers, and in this capacity AECAC is being considered as a reputable stakeholder before all European Institutions.

#### **II. INTRODUCTION**

AECAC is generally satisfied with the text and functioning of the current text of Directive 91/477/EEC, as amended by Directive 2008/51/EC, on the control of the acquisition and possession of weapons.

Notwithstanding the above, AECAC is concerned about a number of recent developments that seem to indicate that the European Commission has already taken a decision to re-open the text of the Directive by 2015, apparently to render it more restrictive.

AECAC considers that the Directive, which is an instrument of the internal market, currently provides a coherent framework that creates mutual trust amongst Member States whilst respecting different national sensibilities on firearms. Member States can also adopt stricter measures provided that they do not breach internal market rules. It has never been the intention of the Directive to fully harmonize national legislations on firearms and a shift in that direction would impinge unnecessarily on the principles of subsidiarity and proportionality.

Furthermore, and in its condition as an association which essentially pursues representing the interests of firearm and hunting small- and medium-sized enterprises and specialized shops from all over Europe, it is the opinion of AECAC that an eventual reopening of the Directive would negatively impinge on the SMEs due to the implementation of more restrictions to the business activity of such companies.





In this connection, the distribution of the potential costs and of the benefits of the proposals with respect to the business size, differentiating between micro, small, medium and large enterprises should be analyzed qualitatively and, if possible and proportionate, quantitatively. It would be also important to establish to which extent such proposal would affect SMEs competitiveness or the business environment in which it will affect their operations. Cost and impacts identified for SMEs should be compared with those of large enterprises.

Finally, it should be borne in mind that SMEs constitute 99% of all European businesses, generate about 58% of the EU's turnover, employ two thirds of the total private employment and created 80% of the new jobs in the last five years ([http://ec.europa.eu/enterprise/entrepreneurship/docs/sba/report\\_think\\_small\\_first.pdf](http://ec.europa.eu/enterprise/entrepreneurship/docs/sba/report_think_small_first.pdf), p. 4). The SMEs therefore constitute the basis of the EU's economy and thus a key element in the Lisbon agenda. AECAC considers important and essential to respect the objects of the Small Business Act (hereinafter, the "SBA") and the "Think Small First" principle (to which we shall return later), and which haven't been followed in the framework of a hypothetical reopening of the Directive.

### **III. AECAC'S POSITION FACING AN EVENTUAL REOPENING OF THE DIRECTIVE**

#### **(i) Legal firearms are not the problem**

AECAC disagrees with the Commission's allegation about the link between legal and illegal firearms, as well as the specific arguments invoked to establish this link:

##### *(a) Lack of common rules on home storage*

AECAC is not aware of the existence of a major problem in this domain and its cross-border implications.

If the Commission believes that this is in fact the case, it should in particular provide data to sustain such an allegation, given the fact that this data should be probably available in many Member States.

It is the opinion of AECAC that accurate research would show that most firearms seized from criminals come from post-conflict areas and illegal sources.

Finally, most Member States already have effective rules on home storage of firearms and the Directive does not prevent them in any way from adopting these rules.

##### *(b) Lack of common standards on deactivation*

The Directive already requires that deactivated firearms be "rendered permanently unfit for use". If the Commission considers that the standards in some State Members do not fulfill this requirement, it should start legal actions.



Furthermore, the Directive imposes upon the Commission the obligation to issue Common Guidelines on deactivation, which the Commission has failed to do. The Commission should issue such Guidelines (maybe informed by those prepared by the Permanent International Commission for Firearms Testing - CIP) before considering any further options.

AECAC is strongly convinced that instead of seeking the amendment of the Directive the Commission should ensure the correct implementation and enforcement of its *current* provisions in order to minimize any possible loophole.

(c) *Lack of an obligation to incorporate locking devices in firearms*

As with the other claims listed, the Commission has failed to provide data about the extent of the unauthorized use of legal firearms.

In addition, the mandatory incorporation of locking devices in the firearm mechanism would be disproportionate: there are far less burdensome alternatives, such as keeping firearms and ammunition separately. This unnecessary measure could have negative economic implications for the industry and ultimately legal users, the interests of whom AECAC is compelled to defend.

(d) *Low standard of control on the acquisition and possession of firearms*

The Directive already lays down an adequate level of control, even for the "lower" categories of firearms: C and D. Categories C and D only include firearms that are difficult to conceal, have slow firepower and are mainly used for hunting and sporting activities but very seldom for criminal activities.

The Directive requires as a minimum that Category C and D firearms are registered and "linked" to their owner at any moment and that Member States ensure that those owners have been "specifically permitted to acquire and possess such firearms in accordance with national law" and "are not likely to be a danger to themselves, to public order or to public safety". Firearms in categories C and D are thus already subject to strict controls.

The declaration regime just described (as opposed to the compulsory authorization regime for category B firearms) merely constitutes a simplified administrative procedure which in practice requires a valid hunting or sport-shooting license to be able to benefit from it. Any amendment in this regard would disproportionately impinge on the firearms owners.

(ii) **The "Think Small First" principle**

AECAC considers that the SBA for Europe, adopted in June 2008, should be necessarily borne in mind. According to the European Commission, its object was "to improve the overall approach to entrepreneurship, to irreversibly anchor the "Think Small First"



*principle in policy making from regulation to public service, and to promote SMEs growth by helping them tackle the remaining problems which hamper their development* ([http://ec.europa.eu/enterprise/entrepreneurship/sba\\_en.htm#ff2](http://ec.europa.eu/enterprise/entrepreneurship/sba_en.htm#ff2)).

*Furthermore, the "Think Small First" principle requires that legislation takes SMEs interests into account at the very early stages of policy making. Various tools and techniques could lead to an effective implementation of the principle. These include the application of an SME test to forthcoming legislative proposals, the consultation of the SME stakeholders, the work of the SME Envoy, the use of specific SME provisions in legislation in view of avoiding disproportionate burden on SMEs etc.* ([http://ec.europa.eu/enterprise/entrepreneurship/think\\_small\\_first.htm](http://ec.europa.eu/enterprise/entrepreneurship/think_small_first.htm)).

As past experience has proved, new legislation and more restrictions always generates new obstacles and costs to SMEs, which in turn would be disproportionately affected or disadvantaged by such modification in comparison with large companies. This is the main reason causing the loss of competitiveness of European SMEs in front of our American and Asian competitors.

Quite the contrary, alternative mechanisms and flexibilities in order to help SMEs to comply with the current legal framework would become particularly relevant and necessary in this context.

### **(iii) The Directive and its reflection as a broad political agreement**

Contrary to many other legal texts that have remained unchanged for decades, the Directive was already thoroughly amended in 2008. The Directive reflects a broad political agreement, illustrated by the adoption of the 2008 amendment by an overwhelming majority in the European Parliament (588 votes in favor, 14 against) and in the EU Council (all Member States except one were in favor).

Furthermore, it should be noted that some Member States have recently amend their legislation on the acquisition and possession of weapons. Particularly relevant is the case of France, where the current Law on such matter was adopted in March 2012 (by means of the *LOI n° 2012-304 du 6 mars 2012 relative à l'établissement d'un contrôle des armes moderne, simplifié et préventif*).

Before tabling new legislation, the Commission should provide evidence that it is needed, proportionate and suitable to attain the pursued objectives. In this regard, and as previously stated before, it is the opinion of AECAC that establishing a link between legal firearms on the one hand and illicit trafficking and criminal use on the other hand (which is, in fact, the argument alleged by the Commission) constitutes an unsubstantiated argument. The Commission's position seems to reflect an ideological bias instead of a fact-based conclusion.

### **(iv) The principle of subsidiarity**



It is well known that the principle of subsidiarity is fundamental to the functioning of the European Union, and more specifically to European decision-making. The principle of subsidiarity aims at determining the level of intervention that is most relevant in the areas of competences shared between the EU and the Member States. This may concern action at European, national or local levels. In all cases, the EU may only intervene if it is able to act more effectively than Member States.

It is the opinion of AECAC that the amendment of the Directive would be contrary to the abovementioned principle, given the fact that the existing framework already provides the Member States with the necessary mechanisms to ensure the enforcement of the current legislation on civilian firearms.

#### IV. CONCLUSIONS

It is erroneous to believe that by increasingly restricting legal trade in and use of hunting and sporting firearms (regulated by the Directive), illegal trafficking in firearms will be reduced. Such restrictions would however impose unjustified and disproportionate restrictions on legal users, while diverting public resources from the important issues, such as tackling trafficking in firearms coming from post-conflict areas.

An amendment of the existing Directive would directly impinge on the *Think Small First* principle, given the fact that SMEs will be disproportionately affected or disadvantaged by said modification in comparison with large companies. In order to avoid such a scenario, the Commissions should consider alternative mechanisms and flexibilities for the purposes of helping SMEs to comply with the current provisions of the legislation on civilian firearms.

The Commission should also consider using other legislative instruments for tackling the problems of illicit trafficking in and criminal use of firearms. For instance: addressing smuggling of firearms into the EU, imposing more severe criminal sanctions or improving communication among national authorities.

Additionally, the introduction of unjustified restrictions will only result in the disaffection of many citizens towards the EU institutions. The European decision-making should be based on the adoption of decisions on a reasonable and technical basis, and not on ideological goals. That is the reason why any amendment to be adopted regarding the legislation on civilian firearms could be supported by AECAC if the Commission complies with the above conditions. Any modifications that fall out of the aforesaid framework may generate risks in relation to a potential disaffection of many citizens towards the EU institutions.

Finally, the Commission should follow due process and take decisions after a proper assessment of the situation and on the basis of facts and data.

AECAC reiterates its eagerness to engage constructively in an open debate on legal civilian firearms.

Brussels, October 2013



## **Annex VIII**

### **LES ARMES A FEU LEGALES EN EUROPE AND L'ÉVENTUELLE REOUVERTURE DE LA DIRECTIVE 91/477/EEC, DU POINT DE VUE DES PETITES ET MOYENNES ENTREPRISES**

#### **V. L'ASSOCIATION EUROPEENNE DE COMMERCE CIVILE DES ARMES**

L'Association Européenne de Commerce civil des armes (dénommé "AECAC") a été fondée en 1992 et est composée de nombreuses associations nationales représentant les intérêts des petites et moyennes entreprises et des magasins spécialisés d'armes à feu et de chasse de toute l'Europe.

Depuis sa fondation, AECAC a participé activement à toutes les procédures de la Commission européenne dans lesquelles les armes à feu sont impliquées, pour soutenir un contrôle légitime et efficace des armes à feu. AECAC ne s'oppose pas à des restrictions justifiées pour leur possession mais cherche à participer d'une manière constructive et non-idéologique au débat de l'UE sur les armes à feu civiles

#### **VI. SITUATION ACTUELLE DES ARMES A FEU LEGALES DANS L'UE**

##### **2.1. The Firearms Directive: a broad political agreement**

La régulation juridique du cadre de commercialisation des armes légales en Europe repose sur la directive 91/477/CEE.

Contrairement à de nombreux autres textes juridiques qui sont restées inchangées depuis des décennies, la directive a déjà profondément remaniée en 2008. La "nouvelle" directive reflète un large consensus politique, illustré par l'adoption de l'amendement 2008 sur la majorité écrasante au Parlement européen (588 voix pour, 14 contre) et au Conseil de l'UE (tous les États membres - sauf un - ont été favorables).

AECAC estime que la directive, fournit actuellement un cadre cohérent qui crée une confiance mutuelle entre les États membres tout en respectant les différentes sensibilités nationales sur les armes à feu. Les États membres peuvent en outre adopter des mesures plus strictes qui ne violent pas les règles du marché intérieur.

Le but de la directive n'a jamais été d'harmoniser pleinement les législations nationales sur les armes à feu et un changement dans cette direction ne ferait qu'empêcher inutilement sur les principes de subsidiarité et de proportionnalité.

##### **2.2. Current Directive provides efficient rules concerning Legal Civil Firearms**

La directive ne concerne pas les armes destinées aux forces armées et à la police. Il s'agit d'une distinction fondamentale qui montre bien la différence entre les armes civiles et militaires, les armes militaires ou de guerre étant celles préférées par la criminalité organisée.



La directive fixe des niveaux de contrôle adéquats pour toutes les catégories, même les catégories C et D. Les catégories C et D comprennent des armes à feu de taille importante et de cadence de tir faible et qui sont principalement utilisés pour la chasse et le sport, mais très rarement pour des activités criminelles.

La directive exige au minimum que les armes de Catégorie C et D soient enregistrées, que leur propriétaire soit identifié et soit titulaire de permis de chasser ou de licence de tir. Différents fichiers interdisent l'accès de ces armes aux personnes ayant troublé l'ordre public ou ayant déjà été condamné. Les armes à feu des catégories C et D sont déjà soumis à des contrôles stricts.

Le régime de déclaration qui vient d'être décrit est une procédure administrative simplifiée qui nécessite un permis de chasser valide ou une licence de tir sportif pour pouvoir en bénéficier.

### 2.3. Legal firearms trading in Europe is strictly regulated

Les États membres obligent les armuriers, pour l'exercice de leur profession, à avoir une ou plusieurs autorisations contrôlant l'intégrité du titulaire et ses compétences d'armurier.

Les législations des États membres doivent tenir un fichier informatisé dans lequel chaque arme à feu est enregistrée pendant au moins 20 ans.

Tout au long de leur activité, les armuriers sont tenus de tenir en plus, un registre des armes permettant une parfaite traçabilité des armes et de leurs fournisseurs et propriétaires. En cas de cession, les registres sont remis à l'autorité compétente.

### 2.4. Qu'est ce qui peut être amélioré?

Bien que l'UE dispose d'un système de contrôle des armes à feu très efficace, probablement la plus rigoureuse et efficace dans le monde, il y a des domaines que l'on peut toujours améliorer.

- **Désactivation. Neutralisation**

La directive exige que les armes à feu neutralisées doivent être «rendues définitivement impropres à l'usage».

Aujourd'hui, tous les États membres ont introduit de nouvelles exigences de façon à remplir les conditions demandées

Néanmoins, la directive impose à la Commission l'obligation de publier des lignes directrices communes sur la neutralisation. Bien que la «réactivation ou remise en état» des armes à feu ne soit plus un problème en Europe, il serait hautement souhaitable que la Commission donne des consignes techniques pour éviter les dysfonctionnements et qu'elle se rapproche d'un organisme comme par exemple la CIP pour les options futures.

- **Coopération avec la police.**

Une coopération plus étroite et plus efficace entre les organismes des forces de l'ordre de l'UE est souhaitable pour faire face aux nouveaux défis.

- **Un contrôle des douanes plus efficace.**



Nous pensons qu'actuellement, il y a trop de policiers affectés au contrôle des armes à feu légales et dans certains cas armes qui ne sont pas réellement dangereuses comme les pistolets à air, air soft, etc .... Il serait plus important de concentrer les moyens et les contrôles vers les dangers réels qui viennent de l'extérieur de l'UE.

## VII. PAS BESOIN D'UNE NOUVELLE LEGISLATION

Les petites et moyennes entreprises considèrent qu'il n'est pas nécessaire de modifier ou de durcir la législation en vigueur. Comme nous allons maintenant l'expliquer, les mesures nécessaires doivent veiller à ce que la réglementation en vigueur soit appliquée et consacrer les ressources humaines, techniques et économiques pour nous protéger des dangers provenant de l'extérieur de la communauté.

L'initiative visant à une restriction plus importante des armes à feu civiles détenues légalement reflète un biais idéologique au lieu de conclusions fondées sur des faits réels.

### 3.1. Les armes à feu légales ne posent pas de problème.

Les armes à feu légales n'ont jamais été un problème, contrairement aux **armes illégales**.

Il est utopique de croire qu'en limitant de plus en plus le commerce légal et l'utilisation des armes de chasse et de sport, le trafic illicite d'armes serait réduit. De nouvelles mesures imposeraient des restrictions injustifiées et disproportionnées à d'honnêtes détenteurs légaux et détourneraient les forces de police des questions de leur mission de lutte contre le trafic d'armes en provenance de zones où les conflits font rage actuellement.

Le véritable défi auquel l'Europe est confrontée actuellement est l'importation frauduleuse d'armes provenant de zones de conflit très proches de nos frontières.

Alors que nous débattons aujourd'hui au sein de l'UE de nouvelles restrictions touchant des entreprises européennes légales et reconnues, les chasseurs et les tireurs, nous ne nous concentrons pas assez aujourd'hui aux risques réels liés aux crimes organisés qui introduisent facilement des armes de guerre sur le territoire de l'UE.

Alors que les États membres consacrent de plus en plus d'efforts pour contrôler les armes de chasse et de tir, le terrorisme et le banditisme introduisent facilement des AK47 à l'intérieur de nos frontières.

### 3.2. Timing Inadéquat

Il est d'autant moins nécessaire de revoir la directive actuelle des armes qu'elle vient d'être modifiée dernièrement.

Avant de déposer toute nouvelle modification, il serait bon de laisser aux États le temps de s'adapter et d'appliquer la nouvelle" directive qui date de 2008 seulement.





Il convient de noter que la plupart des États membres ont récemment modifié leur législation sur l'acquisition et la détention d'armes. On notera en particulier le cas de la France, où la loi actuelle sur ce sujet a été adoptée en Mars 2012 (au moyen de la Loi n ° 2012-304 Du 6 mars 2012 relatif à l'Établissement d'ONU Contrôle des armes moderne, Simplifié et préventif) dont les décrets d'application datent de juillet 2013.

**Il est important de noter que la Commission n'a toujours pas fourni les lignes directrices sur la désactivation demandé dans le dernier amendement.**

### **3.3. Procédure Inadéquate**

Avant de présenter une nouvelle législation, l'actuelle doit être entièrement adoptée par les États membres et entièrement appliquée. Un bilan honnête de son application pourra ensuite en être dressé. Toute législation européenne devra être pleinement justifiée.

La Commission doit fournir la preuve qu'elle est nécessaire, proportionnée et adaptée pour atteindre les objectifs poursuivis.

AECAC est fortement convaincue qu'au lieu de chercher une modification de la directive, la Commission doit s'assurer de la mise en œuvre et l'exécution correcte des dispositions actuelles afin de minimiser toute échappatoire possible.

### **3.3. Conséquences négatives de la réouverture de la directive armes.**

- **Le risque le plus important: perte d'efficacité face aux dangers réels.**

Il est très risqué de détourner la police et les ressources économiques de la criminalité et du contrôle des frontières et de les dédier au contrôle des détenteurs légaux et des détaillants qui sont déjà sous un contrôle permanent.

Une telle erreur atteint des dimensions énormes dans certains États membres. Certains pays consacrent des policiers aux contrôles de la commercialisation de pistolets à air et même d'Air Soft (qui ne peuvent propulser que des balles de plastique!). Dans le même temps chaque année, le trafic illicite d'armes à feu militaires augmente.

- **Breaking the *Think Small First* principle**

Les petites et moyennes entreprises constituent 99% de toutes les entreprises européennes. Nous générons environ 58% du chiffre d'affaires de l'UE, nous employons deux tiers du total de l'emploi privé et nous créons 80% des nouveaux emplois ces dernières années.

Les PME constituent donc la base de l'économie de l'UE.

AECAC considère important et essentiel de respecter les objectifs de la loi sur les petites entreprises (ci-après, le "SBA") et le principe du «Think Small First» (sur lequel nous reviendrons plus tard).





Une révision hypothétique de la directive va directement à l'encontre d'une telle philosophie. C'est encore plus vrai quand la justification d'une telle initiative n'est pas basée sur des faits mais sur une idéologie.

L'avis de l'AEACAC est qu'une réouverture éventuelle de la directive pénaliserait les petites et moyennes entreprises en raison de la mise en œuvre de plus de restrictions dans l'activité de ces sociétés.

Plus de restrictions affecteraient la compétitivité des PME. Le coût et l'impact sur elles seraient beaucoup plus importants que pour les grandes entreprises.

Comme l'expérience passée l'a prouvé, une nouvelle législation et de nouvelles restrictions entraîneraient une perte de compétitivité des PME européennes face à nos concurrents américains et asiatiques.

Bien au contraire, nous pensons qu'il faudrait des assouplissements pour aider les PME à maintenir leurs activités et leurs emplois au sein de l'UE.

- **Risque de désaffectation des Institutions de l'UE**

Les armes à feu et le commerce de la chasse sont d'une grande importance pour de nombreux pays européens. En Europe, il y a plus de 20.000 entreprises qui travaillent dans le domaine des magasins de détail d'armes à feu et de chasse, qui emploient environ 100.000 employés

Toutes les entreprises, leurs employés et les utilisateurs respectent les lois et ont fait preuve de responsabilité.

Notre métier sert plus de 7 millions de chasseurs et environ 3 millions de tireurs sportifs en Europe.

Prétendre que le commerce et la propriété légale des armes à feu sont une source pour le crime organisé n'est pas la vérité, mais plus que cela, c'est une injure envers notre secteur.

La décision européenne doit être fondée sur une base raisonnable et technique, et non pas sur des objectifs idéologiques. Les décisions européennes doivent prendre en compte les sondages d'opinion et tenir compte des consultations directes auprès du public dont les résultats ont été sans ambiguïté contre une révision de la directive.

Notre collectif a toujours participé de façon constructive dans tous les débats au sein des institutions européennes.

L'introduction de restrictions injustifiées ne fera que conduire à l'hostilité de nombreux citoyens envers les institutions de l'UE

Brussels, February 2014



## **LEGAL FIREARMS IN EUROPE AND EVENTUAL REOPENING OF DIRECTIVE 91/477/EEC, FROM THE POINT OF VIEW OF THE SMALL AND MEDIUM ENTREPRISES**

### **VIII. THE EUROPEAN ASSOCIATION OF THE CIVIL COMMERCE OF WEAPONS**

The **European Association of the Civil Commerce of Weapons** (hereinafter, ðAECACö) was founded in 1992 and it is formed from numerous national associations representing the interests of firearm and hunting **small- and medium-sized enterprises** and specialized shops from all over Europe.

Since its foundation, AECAC has actively participated in all the procedures of the European Commission policies in which firearm trading is involved in order to support an adequate control of firearms. AECAC does not oppose justified and proportionate restrictions on their acquisition and possession, but seeks to participate in a constructive and non-ideological manner to the EU debate on civilian firearms.

### **IX. CURRENT SITUATION OF LEGAL FIREARMS IN THE EU**

#### **2.1. The Firearms Directive: a broad political agreement**

The legal frame regulating legal firearms in Europe is the **Directive 91/477/EEC, on the Control of the Acquisition and Possession of Weapons**.

Contrary to many other legal texts that have remained unchanged for decades, the Directive was already thoroughly **amended in 2008**. The ðnewö Directive reflects a broad political agreement, illustrated by the adoption of the 2008 amendment by an **overwhelming majority in the European Parliament** (588 votes in favor, 14 against) **and in the EU Council** (all Member States ó except one ó were in favor).

AECAC considers that the Directive, which is an instrument of the internal market, currently provides a **coherent framework that creates mutual trust amongst Member States** whilst respecting different national sensibilities on firearms. **Member States can also adopt stricter measures** provided that they do not breach internal market rules.

It has never been the intention of the Directive to fully harmonize national legislations on firearms and a shift in that direction would impinge unnecessarily on the principles of subsidiarity and proportionality.

#### **2.3. Current Directive provides efficient rules concerning Legal Civil Firearms**

First it should be pointed that the Directive does not apply to the acquisition or possession of weapons by the **armed forces, the police, the public authorities**. This is a fundamental



distinction differentiating between arms for civilian use and other types of equipment used by the armed forces, and obviously preferred by organised crime.

The Directive lays down an adequate level of control, even for the 'lower' categories of firearms: C and D. Categories C and D only include firearms that are difficult to conceal, have slow firepower and are mainly used for hunting and sporting activities but very seldom for criminal activities.

The Directive requires as a minimum that Category C and D firearms are registered and **linked to their owner at any moment** and that Member States ensure that those owners have been specifically permitted to acquire and possess such firearms in accordance with national law and are not likely to be a danger to themselves, to public order or to public safety. Firearms in categories C and D are thus already subject to strict controls.

The declaration regime just described (as opposed to the compulsory authorization regime for category B firearms) merely constitutes a simplified administrative procedure which in practice requires a **valid hunting or sport-shooting license** to be able to benefit from it.

### 2.3. Legal firearms trading in Europe is strictly regulated

According to the Directive Member States shall make the pursuit of the activity of dealer within their territory conditional upon authorisation on the basis of at least a check of the **private and professional integrity** and of the abilities of the dealer.

All member States legislation provide the maintenance of a computerised data-filing system, which guarantees to authorities access to the data-filing systems in which each firearm is recorded. This filing system shall record and maintain for not less than 20 years each firearm's type, make, model, calibre and serial number, as well as the names and addresses of the supplier and the person acquiring or possessing the firearm.

Throughout their period of activity, dealers are required to maintain a register in which all firearms shall be recorded, together with such particulars as enable the firearm to be identified and traced, in particular the type, make, model, calibre and serial number thereof and the names and addresses of the persons supplying and acquiring it. Upon the cessation of his activities, the dealer shall deliver the register to the national authority.

### 2.4. What can be improved?

Although the EU has a very efficient firearms control system, probably the most rigorous and efficient in the world, there always fields to improve.

- **Deactivation.**

The Directive requires that deactivated firearms shall be *rendered permanently unfit for use*.



Nowadays all member States have introduced new requirements tending to accomplish with such rule.

Notwithstanding, the Directive imposed upon the Commission the obligation to issue **Common Guidelines on deactivation**. Although the reactivation of firearms is no longer a problem in Europe, it would be highly advisable that the Commission should issue such technical Guidelines, to avoid doubts on national authorities.

- **Police cooperation.**

A closer and more efficient cooperation between law enforcement bodies of the EU is advisable to face the challenges of the present.

- **Better and efficient customs control.**

Currently there are too many police officers dedicated to the control of legal firearms and even not firearms (air guns, air soft, etc.). It is of the highest importance to dedicate the resources to the real and important dangers coming from outside the EU.

## **X. NO NEED FOR NEW LEGISLATION**

Small and medium enterprises consider that there is no need to amend or increase the current legislation. As we will now explain, the actions needed shall be addressed to apply more efficiently the current regulations and specially to dedicate human, technical and economic resources to reduce the real risks of the European security.

The initiative to provide more restrictions on legal civil firearms reflects an ideological bias instead of a fact-based conclusion.

### **3.1. Legal firearms are not the problem**

Legal Firearms have never been the problem. **There is no link between legal and illegal firearms.**

It is erroneous to believe that by increasingly restricting legal trade in and use of hunting and sporting firearms (regulated by the Directive), illegal trafficking in firearms will be reduced. Such restrictions would however impose unjustified and disproportionate restrictions on legal honest users, while diverting public resources from the important issues, such as tackling trafficking in firearms coming from post-conflict areas.

The real challenge that Europe is facing currently are the **military guns** coming from exconflict areas. We are talking about war guns with enormous damage capacity.

While the EU institutions debate about adding more restrictions and rules to honest European companies, sportsman and hunters, they do not dedicate enough efforts to real issues. Nowadays organized criminals easily introduce war firearms in the EU territory.



While the Member States dedicate its police efforts to control sport guns, terrorists can easily purchase an AK47 into our borders.

### 3.2. Inadequate Timing

This is not the right moment to amend the current Firearms Directive.

Before tabling any legislative amendment or approving new legislation it is necessary to let the States adapt to the last amendment. The new Directive was only amended in 2008.

It should be noted that **most Member States have recently amend their legislation** on the acquisition and possession of weapons. Particularly relevant is the case of **France**, where the current Law on such matter was adopted in March 2012 (by means of the *LOI n° 2012-304 du 6 mars 2012 relative à l'établissement d'un contrôle des armes moderne, simplifié et préventif*).

Furthermore, it **shall be pointed that not even the Commission has granted the guidelines on deactivation provided in the last amendment**.

### 3.3. Inadequate procedure

Before tabling new legislation, the current one shall be fully adopted by member States and fully applied. Legislating should be the last option.

Any new European legislation should be fully justified. The Commission shall provide evidence that it is needed, proportionate and suitable to attain the pursued objectives.

AECAC is strongly convinced that instead of seeking the amendment of the Directive the Commission should ensure the correct implementation and enforcement of its *current* provisions in order to minimize any possible loophole.

### 3.3. Negative consequences of the reopening of the Firearms Directive

- **Most important risk: Loose of efficiency in fight against real dangers**

It is very risky to divert police and economic resources from crime and border control and dedicate them to control **legal traders and retailers** which are already under permanent intervention.

Such error reaches huge dimensions in some member States. Some countries are dedicating police officers to control air gun and even air soft (which can only expel plastic balls!) trading. At the same time every year the illegal traffic of military guns increases.

Some times a wrong interpretation of the European legislation can cause this sort of paradox situations.



- **Breaking the *Think Small First* principle**

Small and Medium Enterprises constitute 99% of all European businesses. We generate about 58% of the EU's turnover, we employ two thirds of the total private employment and we create 80% of the new jobs in the last years.

The SMEs therefore constitute the basis of the EU's economy.

AECAC considers important and essential to respect the objects of the *Small Business Act* (hereinafter, the *öSBAö*) and the *Think Small First* principle (to which we shall return later).

A hypothetical reopening of the Directive, goes directly against such philosophy. Even more when the justification of such initiative is not fact based and seems to be ideologically directed.

Furthermore, and in its condition as an association which essentially pursues representing the interests of firearm and hunting **small- and medium-sized enterprises and retailers** from all over Europe, it is the opinion of AECAC that an eventual reopening of the Directive would **negatively impinge on the Small and Medium Enterprises** due to the implementation of more restrictions to the business activity of such companies.

The distribution of the potential costs and of the benefits of the proposals with respect to the business size, differentiating between micro, small, medium and large enterprises should be analyzed qualitatively and, if possible and proportionate, quantitatively.

More restrictions **would affect SMEs competitiveness** or the business environment in which it will affect their operations. Cost and impacts identified for SMEs cannot be compared with those of large enterprises.

As past experience has proved, new legislation and more restrictions always generates new obstacles and costs to SMEs, which in turn would be disproportionately affected or disadvantaged by such modification in comparison with large companies, and specially in comparison to not European competitors. This is the main reason causing the loss of competitiveness of European SMEs in front of our American and Asian competitors.

Quite the contrary, alternative mechanisms and flexibilities in order to help SMEs to comply with the current legal framework would become particularly relevant and necessary in this context.

- **Risk of disaffection to EU Institutions**

The firearms and hunting trade is of huge importance for many European countries. In Europe there are more than **20.000 companies** working in firearms and hunting retail shops, employing around **100.000 employees**.

Our trade serves more than **7 million hunters** and around **3 million sport shooters** in Europe.



All these companies workers and users, respect the laws and have shown to be responsible and trade, work and use their firearms on the most careful way.

Arguing that legal firearms trading and ownership is a source for the organized crime is not truth, but more than this, is not fair towards our sector.

The European decision-making should be based on a reasonable and technical basis, and **not on ideological goals**.

Our collective has always participated in a constructive way in all the debates within the European Institutions, as traditionally all European legal development has been build through a technical and statistical approach.

The introduction of unjustified restrictions based on a ideological approach will only result in the **disaffection of many citizens towards the EU institutions**.

Brussels, February 2014



## **AECAC POSITION PAPER ON LEAD IN SHOTS**

### **I.- ABOUT AECAC**

Our Association is formed from numerous national associations representing the interests of gun and hunting retailer businesses and specialized shops from all over Europe. AECAC defends efficiently the gun retailers at European level.

Currently the members of our federation are the following national trading associations:

1. **Austria:** Verband Österreicher Büchsenmacher (Bundesinnung der Metalltechniker)
2. **Belgium:** Wapenunie – Union Armes
3. **Cyprus:** Cyprus Gundealers Association
4. **Denmark:** Danske Vabenhandlerere
5. **Finland:** Asekauppiaiden Liitto ry
6. **France:** Chambre Syndicale Nationale des Armuriers
7. **Germany:** VDB - Verband Deutscher Büchsenmacher und Waffenfachhändler
8. **Greece:** Pan-Hellenic Association of Handcraft men & Professionals of Hunting Items
9. **Ireland:** Irish Gun Dealers and Shooters Association
10. **Italy:** ASSOARMIERI-Associazione Commerciali Armi-Munizioni Caccia Pesca Sport
11. **The Netherlands:** Nederlandse Vereniging voor de Wapenhandel
12. **Spain:** ACACE - Asociación de Comerciantes de Armería sus Complementos y Explosivos
13. **Sweden:** Sveriges Vapenhandlareforening
14. **Luxemburg:** Association Luxembourgeoise des Armuriers et Négociants d'Armes.

Since its foundation, AECAC has actively participated in all the procedures of the European Commission policies in which gun trading is involved.

AECAC is currently the only representative at a European level of the gun and ammunition retailers, in this capacity AECAC is being considered as a reputable stakeholder before all European Institutions.

Our principle target is to lower barriers that exist in the sector to small and medium-sized enterprises who are involved in gun, ammunition and hunting trading. By supporting the free market we aim to enhance the efficiency and competitiveness of the European companies.

### **II.- THE GUN AND AMMUNITION RETAILERS SECTOR IN EUROPE**

It is important to understand the gun and ammunition trade in Europe to evaluate the potential impacts of any legislative change concerning lead use in shots.

Gun and ammunition retail market is a very important sector in many European countries. These are the number of companies in the retail sector in some EU member states:

- Finland 600 dealers





- Hungary 500 dealers
- Poland 500 dealers
- Austria 700 dealers
- France 1.000 dealers
- Germany 1.500 dealers
- Italy 1.200 dealers
- Spain 700 dealers
- Belgium 250 dealers
- Greece 700 dealers

Such companies create more than 100.000 employments in Europe, and represent an important turnover.

To understand the importance of the sector it is also worth mentioning some of the figures of civilian users. Europe has more than **12 million** lead shot users. The largest number of hunters and sport marksmen are found in France with more than 1.600.000 hunters and marksmen, Spain with around 1.500.000 users and Italy with 1.150.000 users.

It is notable the high number of users compared to its small population in some northern countries. Sweden has more than 550.000 users, mainly hunters. Finland has more than 335.000 hunters and marksmen. Denmark accounts 289.000 civilian users.

### **III.- PRICE COMPARISON OF LEAD-BASED AND ALTERNATIVE SHOT**

The average market price of lead shot cartridges is **0,35 €/unit** without VAT.

Average market (final user) prices of cartridges of alternative materials, VAT excluded are the following:

- **Zinc 1,60 € /unit**
- **Steel - Iron 0,68 € /unit**
- **Tungsten 3,10 €/unit**
- **Bismuth 2,15 €/unit**

Currently the ammunition trading represents around 25 % of the retailers market in Europe. So such an increase of the prices would cause an enormous damage to thousands of small and medium enterprises in Europe.

As we will comment on later, steel or iron shots have technical and even security problems. The rest of the other alternatives are too expensive. The impact on the trading market could not be assumed with prices increasing more than 150 %.

#### **Associated cost for customers in case of lead shots restriction**

On average, non-lead shot gun ammunition for hunters cost normally 4 times as much as lead shot ammunition. Considering an average hunter with a cartridge consumption of 200 cartridges a year, its increase of cost would be of around **250 € more per year**.



Gun testing cost, approximately 100 €/ per gun. Considering an average hunter owning 3 shotguns: **300 €**.

Installation of new chokes (approximately 50 € per gun): **150 €**.

Purchasing of new guns (2 new shotguns per hunter): **2.500 €**.

Competitive shooters with very high cartridge consumption may face increased barrel wear due to steel shot forcing frequent replacement of weapons.

It should be noted that the average hunter has a limited budget and usually allocates a certain amount of money to his/her firearms and ammunition. A substantial increase in the prices related to these products will only result in a reduction in the quantities that are acquired and in some cases even the giving up of hunting.

All these numbers should be related to the number of users in Europe: more than **12 million**.

### **III.- DRAWBACKS FOR CUSTOMERS USING ALTERNATIVE SHOTS COMPARED TO USING LEAD-BASED SHOTS**

**Ballistic performance.** Major technical problem on all the alternatives to lead is the ballistic performance. None of the existing materials ensure a perfect ballistic performance on game as lead does.

The ballistic properties of steel and iron shot differ completely from lead shot.

Other alternatives as bismuth, tungsten and tin are available that do not suffer from the technical drawbacks of steel, its ballistic performance is better, but not equal to lead. However, these alternatives are much more expensive than the lead.

**Suitability in gun types.** Steel and iron shots cannot be used in all gun types. Only modern shotguns can be used with such materials. Restrictions could easily cause accidents in case people keep on using traditional guns.

**Hunting or shooting technique.** Alternatives are less effective than lead. The ballistic effect on game of all the alternatives is much worst than using lead. Specially iron, steel and zinc are less lethal and cause wounds.

**High security problems.** Iron steel and zinc shots should not be used in rocky and similar terrains due to the high risk to ricochet.

**Impact on forestry economy.** Steel and iron shots are often not allowed in forest from which trunks are sold for furniture and veneer making as the industrial cutting tools may be damaged.

**Recyclability.** Lead is a recyclable material. This is not the case of most of the alternatives.

### **III.- NEGATIVE IMPACT ON THE SMALL AND MEDIUM ENTERPRISES (SMEs)**



Fact is that many companies which deal worldwide with sport and hunting guns and ammunition are Small and Medium Enterprises (SMEs). For these the implementation of any further restriction would have a negative strong impact on their economies.

SMEs would suffer more heavily the consequences of any restriction on lead use.

The so-called “**Small Business Act**” (**SBA**) recognises the central role of SMEs in the EU economy and puts into place a comprehensive policy framework for the EU and its Member States concerning Small Companies.

The SBA aims to promote entrepreneurship, make legislation SME-friendly and help SMEs to grow. Furthermore, all new legislative and administrative proposals will be subjected to an “**SME test**” in order to assess their impact on SMEs. For example policy results should always be delivered while **minimising cost for business, lighter procedures can be foreseen to protect small and micro-enterprises** from unavoidable negative effects of new law.

Our general opinion is that any further restriction on lead use is unnecessary and it would affect - once again - negatively the competitiveness of European companies. Member States already have strict regulations concerning this issue.

#### IV.- BY WAY OF CONCLUSION

**AECAC position concerning lead in shots is the following:**

- Lead in shots, except in wetlands, has a **minimal environmental impact**.
- The risk of **game meat consumption** is reduced and only affects small children and pregnant women. No scientific study has stated that the alimentary risk makes advisable a ban on lead shots.
- **Alternatives to lead.** The cartridge production sector is developing several projects and innovations to find a possible alternative to lead shots. AECAC fully supports all actions in this line. Notwithstanding although some alternatives can be developed in the near future, today it does not exist any safe, economic and efficient alternative to lead which is produced at industrial level.
- **Restrictions on lead.** Our general opinion is that in the current situation any further restriction on lead use is unnecessary and it would affect - once again - negatively the competitiveness of European companies. It shall be stressed that any legislative change should be based on scientific evidences and should take in consideration its social and economic impact.

The minimal benefits of a complete lead ban should be compared to the dramatic economic and social impact that such a measure could cause.

No further restriction should be applied till the innovation processes enable to produce at industrial level a real alternative to lead.