



## To whom it may concern

### References:

- 1) Working document of the EU Rapporteur in acquisition and possession of firearms (Vicky Ford, 18.2.2016)
- 2) Proposal of the European Parliament and of the Council amending EU Firearm directive 91/477/EEC

## Possible Updating of European Firearm Directive

### 1. Introduction

**The Finnish Shooting Forum is truly worried on behalf of all shooters and firearm industry in Finland about the on-going process to tighten the rules and procedures of the European firearm directives<sup>1</sup>.**

The Finnish Shooting Forum is worried about the situation of shooting sport, biathlon, hunting, firearm collectors, historical firearm shooters and vast amount of armed forces reservist: the new directive may seriously complicate these activities compared to the current situation regulated by the existing directives or, in the worst case, it may even discontinue civilian shooting. Acquisition and possession of the critical shooting sport equipment, like rifles and pistols, for World or European championships of many worldwide organizations (like International Shooting Sport Federation ISSF, International Practical Shooting Confederation IPSC and Federation Internationale de Tir Aux Sportives de Chasse FITASC), or even the shooting as an original Olympic Games discipline, may come to a total end.

Shooting in its large diversity including hunting, armed forces reservists' shooting and elite sport shooting, is very popular in Finland and has long traditions. In parallel with its hobby and recreational purposes, it has extremely important role in the Finnish history as means for providing nourishment and as national security and defense. The Finnish defense model and its large reserve, which is widely accepted by Finnish citizens, counts on voluntary military training system, where shooting skills are the most important. Any stricter directives in Europe like prohibition of certain semi-automatic firearms from civilian shooters will seriously harm voluntary defense. These firearms are also suitable for hunting and sport shooting purposes.

This statement of the Finnish Shooting Forum for the reference papers is written only in English because it is so more easily forwardable to anyone who is connected to the issue in process. It is written in the same structure that the member of the European Parliament, Rapporteur Vicky Ford uses to seek views of the Member States. The Finnish Shooting Forum points out the same basic fact as Vicky Ford does in her working document that the vast majority of owners of firearms in the EU do not present any danger to the public. So, any changes to the 1991 Directive must be ultimate necessary, proportionate and targeted.

### 2. Characteristics v. appearance

The main emphasis must be laid onto characteristics of firearms, not what their appearance is. There is no vital need to redefine current firearm categories. Automatic and semi-automatic firearm categories

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<sup>1</sup> European Union directives 91/477/EEC and its amendment 2008/51/EC

should be maintained as they exist in the current directives. The appearance of firearms (e.g. "black guns") should not be used as a key factor for categorizing firearms but the operating principle and other facts. Keeping this in mind we must see the military look-alike air weapons and air soft weapons and also replicas out of the authorized list because of their actual characters. The undangerous firearms may need a visual indicator.

If redefining of the categories of the directive is necessary, category A could be supplemented only with the point A6 of the proposal in order to be traceable. Points A7 and A8 are of no benefits because look-alike military firearms should be maintained in category B and firearms deactivated according to the new regulations are no more a firearm. Furthermore, in order to have a solid entity of firearms, the category D should be attached to category B or C.

The essential components of the firearm are a barrel, a frame and an action. These makes the most features of firearms. The action is the major component which determines whether a firearm is single shot firearm or multi shot firearm and how the loading occurs. Barrels and frames may be the same in an automatic, a semi-automatic or a pure single shot firearm and so they are no valid factors to determine the character and category of a firearm.

A sub-part of an essential component, like a firing pin, should not be considered as an essential component or part. Other components like sights or scopes, distant measure devices, extra grips, accessories rails, silencer/suppressor and extra magazines etc. are just accessories which do not characterize a firearm more dangerous. So these accessories must be left outside of the list of authorization or they are straight allowed if a specific firearm authorization is granted.

As the components, parts and accessories (but automatic or semi-automatic action) can be used in almost every firearm category, it is very difficult and inappropriate to clarify in which category they should be pointed. Automatic action belongs into category A and semi-automatic action belongs into the category of the main configuration.

### **3. Blank firing firearms (alarm/signal/salute/acoustic)**

The Finnish Shooting Forum supports the idea that firearms converted to fire blanks remain in their original category. A procedure to allow fire only blanks can be reversed which is different from reactivation of a firearm.

Firearm-look-alikes, like blanks, alarm, signal, salute, acoustic firearms and replicas, could be included into a category C. Some type of these firearms maybe dangerous off-the-shelf or they can be modified to a firearm with at least limited harmful effects. This kind of firearms should be marked with visual indicator to demonstrate their nature like deactivated firearms as well. These kinds of firearms may also be in the category D as a "non-actual firearm"; in that case the firearms of the current category D should be upgraded into category C.

### **4. Art 2(2), Art 6 authorisation, category A-B**

The Finnish Shooting Forum supports the way existing legislation (91/477) determines categories A - D. Consequently, there would be no need to new categories A6 - A8; certain semi-automatic firearms will stay in category B7. However, it could be beneficial if every firearm must be authorized or registered (declared) into police database. Then existing category D should be included into category C and a new content of category D shall be comprised by alarm, signal, salute and acoustic etc firearms.

In a case that category B7 will stay in force it could be formulated as follows: "*Semi-automatic firearm converted from a full automatic firearm.*"

Furthermore, museums and authorized collectors may have a permission to possess automatic firearms in their storages by the special permit and safety procedures.

All firearms and ammunition are dangerous. The essential question is a permit applicant's reliability, not the category, caliber or number of cartridges fitting in the magazine of his or her gun.

## 5. Authorisation requirements

The Finnish Shooting Forum stresses that **retaining the history** of the mankind for generations to come is of vital importance. In firearms case it is important that all antique and modern firearms can be maintained as they have been manufactured and totally operational. The costs of deactivating all these firearms and other similar object will be too vast. These firearms can also be used for educational and research purposes for gunsmiths and historians. The museums and collectors, to be authorized to have firearms in their storages, should be periodically audited and inspected by appropriate means by police or other authorities to guarantee the public safety. Storing facilities should follow specific national standards. A precondition for authorization should also be an accepted collecting plan.

The **restrictions for firearm magazine capacity** or how to store those is not a solution for improving firearm safety. Instead of that, the main emphasis should be laid in people having that kind of firearms and for evaluation of disciplines and their needs for firearms and magazines. Furthermore, if a shooter takes constantly part in competitions she/he should rely that magazines are functioning properly.

The Finnish Shooting Forum supports **safe storage of firearms**. Demands of storing automatic or semi-automatic firearms can naturally be stricter than for other firearms. There is lot of experience about proper storing in EU member states which should be studied and standardized but it is a matter of national legislative issue.

The **acquisition, inheriting or getting gifts** of certain firearms should be possible also for 15 years old persons. In these cases the person must have allowance by her/his parents. However, it should be possible to carry and use firearms under control of any persons of legal age.

**Medical test protocol** demands lot of resources by both shooters and authorities. The prerequisite to have a standard medical test is to determine features which are examined and which features are not permitted for a firearm owner. Furthermore, as medical tests are usually conducted in a very short timeframe, the results are not always reliable to demonstrate who is suitable having firearms and who is not. The feasibility test may however be optional if authorities assume that it can give further information about the applicant or constant shooter. The main emphasis should be but for testing first-timers. Once you have a firearm license you should not have to repeat the test in certain period if your records are clean. All medical reports should be confidential between medical staff and the applicant; only the "yes" or "no" results can be transferred to the authority.

**Continuous monitoring** instead of limited validity authorizations is the preferred method in order to promote the firearms safety. Limited validity authorizations only increase burden and costs of authorization for shooters and authorities. If a person has a clean record, there is no need for any re-application process and the authorization would be automatically continued. The authorities can always request the authorization holder to submit additional documentation.

## 6. Distance sales

**Distance sales** should not be banned totally whether it is done between dealers or brokers, or between those and individual citizens, or between individuals. Any distribution channel should not be categorically prohibited but the sale of firearms or ammunitions should be regulated, for example how to identify a seller and a buyer (databases), how to arrange the shipment of items or which procedures and bodies (f.ex dealers) are needed when a firearm or ammunition is handed over to the customer.

## 7. Ammunition

The Finnish Shooting Forum supports the idea that a person is allowed to **acquire and possess ammunitions** of a firearm that she or he is allowed to use. In some countries one can carry a firearm with less firepower than one is primarily authorized (f ex with rifle license one can carry a shotgun). The

acquiring of ammunitions should be permitted in every member state by authorization of a valid European Firearm Pass (EFP).

The amount of ammunition to acquire is based on the activity how she/he performs different shooting activities and so it is not easy to put limits which are either monitored or controlled ammunition transactions by the dealers and brokers.

### 8. The European Firearms Pass (EFP)

The European Firearm Pass (EFP) was made **to help licit trafficking** of firearms inside EU. The EFP is based to the national firearm licenses which should be under a tight control. Current directive should be expanded in a way that we can reach the idea of free movement of goods and citizens also in shooting activities. It could mean that with an EFP it should be possible entry in another EU-country without any extra protocols/authorizations and expenses and to acquire ammunition everywhere in EU area. Also acquiring of a firearm in another EU-country should be possible without any complicated procedures.

### 9. The Commission Deactivation Regulation

The Finnish Shooting Forum fully supports that the directive should include unambiguous **requirements how to perform deactivation of a firearm** which can never be reversed without a remanufacturing a firearm. Furthermore the determination of the deactivation process should include also acceptance system (also prior deactivations to new regulations) and visual indicators, which respect aesthetic values of the original firearm. There is no need to have a separate filing system for deactivated firearms (because it is not a firearm anymore) and they can be excluded of the national firearm database.

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Chairman of the Finnish Shooting Forum

*The Finnish Shooting Forum is a shooting and firearm community of which mission is to promote interests of shooting activities in Finland.*

*The task of the Finnish Shooting Forum is to influence political decision makers on national, regional and local level in order to safeguard prerequisites of shooting. The Finnish Shooting Forum consists of Finnish Sport Shooting Association and Finnish Biathlon Association as elite sport organizations; The Finnish Wildlife Agency and Finnish Hunting Union as hunting organizations; the National Defence Training Association of Finland, the Finnish Reservist Sport Association, the Finnish Reserve Officers' Federation, the Finnish Reservists Federation and The Union of Guilds for National Defence as armed forces reserve organizations. Furthermore Firearms Trade Association and Armshistorical Association are members of the Finnish Shooting Forum. Number of firearms license holders is 700 000 - 800 000 in Finland.*