

Declaration of the Czech Republic

Declaration of the Czech Republic on the Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons

The Czech Republic has welcomed that a revision of the Council Directive 91/477/EEC on control of the acquisition and possession of weapons has been initiated to enable the European Union and the Member States to better respond to current security threats, in particular the terrorism. The Czech Republic participated in the negotiations in active and constructive manner and appreciates that some concerns have been solved, such as the definition of essential components or the relationship between the Directive and the C.I.P. Convention.

Nevertheless, the Czech Republic considers certain key elements of the proposal to be inappropriate in substance and legally unclear and sometimes disproportionate. While the Directive should set strict but practicable rules for the acquisition and possession of firearms, the proposal mostly introduces inefficient prohibitions instead. Moreover, technical and practical aspects of the hurriedly proposed measures were not assessed sufficiently.

The Czech Republic especially regrets the unclear, unnecessary, overbroad and injudicious prohibitions of some semi-automatic firearms. Acquisition and possession thereof should be strictly regulated, even though recent terrorist attacks did not involve such legally owned firearms; their owners are in fact under strict supervision of competent authorities already. However, a far-reaching ban may cause transfer of significant portion of firearms that are held legally now into illegal ownership or even black market and thus increase their availability to terrorists and criminals.

The Czech Republic considers the implementation period to be unreasonably short, since several laws must be amended significantly. Moreover, the Member State legislator will have to accommodate national rules pursuant to implementing and delegated acts during even shorter time.

Finally, the Czech Republic is concerned that, in the last stages of negotiations, the Member States were not sufficiently and in time informed about final changes to the text and, consequently, could not properly evaluate their impact.

Due to these and other reasons, the Czech Republic cannot endorse the draft Directive.