



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 January 2014

Interinstitutional File:
2013/0083 (NLE)

**5576/14
ADD 1**

**UD 20
GENVAL 4
CRIMORG 3
ENFOPOL 14
MI 64
COARM 17**

"I/A" ITEM NOTE

from:	General Secretariat of the Council
to:	Permanent Representatives Committee/Council
No. Cion prop.:	7933/13 GENVAL 19 CRIMORG 49 ENFOPOL 90 MI 242 + COR 1 + COR 2
No. previous doc.:	12165/13 UD 178 GENVAL 49 CRIMORG 99 ENFOPOL 235 MI 626 COARM 112
Subject:	Adoption of a Council Decision on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime - Statement by the UK Delegation

UK Minute Statement in relation to the Adoption of the Council Decision on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.

The Council is being asked to adopt a Proposal for a Council Decision, with Articles 114, 207 and 218(6)(a) of the TFEU as its legal base, on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (“the Firearms Protocol”).

The United Kingdom believes that Articles 83 and 87 of the TFEU should have been cited as legal bases to reflect the subject matter of Articles 9 and 11 respectively of the Firearms Protocol. Further, the UK considers that the Council Decision should have been split into two, to cover both the non-Title V, and the Title V, aspects of the Firearms Protocol. As the United Kingdom can accept the policy objectives of Articles 9 and 11 of the Firearms Protocol, it has notified its wish to take part in the adoption and application of this Decision, in accordance with Article 3 of Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and to the Treaty on the functioning of the European Union.
