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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on import, export and transit measures for firearms, essential components and ammunition, implementing Article 10 of the United Nations Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast) (first reading) - Adoption of the legislative act = Statement

Statement by Czechia and Slovakia

The Czech Republic and the Slovak Republic have been continuously supporting the Proposal with the few exceptions regarding the scope, digitalization, simplification regimes and the duration of authorisations etc. The Czech Republic and the Slovak Republic welcome that most of their proposals were accepted also during the trilogues. Both Member States also expressed their openness to compromise.

On the other hand, we called for the change of the scope of the Proposal, to exclude all firearms listed in the Common Military List of the European Union from out of the scope of the regulation as we have already expressed during negotiations. To reach legal certainty and save both public and private expenses, the Czech Republic and the Slovak Republic proposed that import and export of firearms listed both in Annex I and in the Common Military List shall be excluded out of the scope of the Proposal.

The Czech Republic and the Slovak Republic consider the idea of different procedures for import and export shall cause confusion for the industry and businesses. An applicant dealing with the same goods would face a situation where it will be necessary to apply for an export authorisation under national legislation on the export of military goods, which will be further regulated by Council Common Position 2008/944/CFSP, and for an import authorisation under the Regulation. The obligations connected with different procedures would differ, which could add burdens on businesses. The authorities would face problems with inspection and data collection, as well as certificate issuing/confirmation.

In the view of the Czech Republic and of the Slovak Republic, there should be a strict boundary between the international trade in military firearms (considered as military equipment and regulated under national legislation) and the international trade in civilian firearms (regulated by the Regulation). The Czech Republic and the Slovak Republic would like to emphasize that the exclusion of firearms listed on the Common Military List would not affect the existing authorization procedures in the Member States. These procedures are functioning and may be even more stringent considering the sensitivity of military goods.

Based on the above mentioned statement, the Czech Republic and the Slovak Republic cannot support the compromise text of the proposal as it stands now. Therefore we abstain from the voting on the proposed text.