



National Report of France, annual meeting of the FESAC 2019

Is France still the country of freedom and declaration of human rights? This is the question that angry French collectors have been asking themselves since the middle of last year.

So, why all this anger?

With great success, collectors have obtained in the 2012 law the taking into account of the year 1900 as threshold for the classification of a weapon as “*antique firearm*” (in US terminology) and the creation of a Collector’s Card for the access to weapons in the C category, up until now available only to licensed sport-shooters and hunters.

But, as the administration never took the necessary decree to define the delivery process of this Card, despite constant demands, it was necessary to “*heckle*” the national assembly when transposing the European Directive of 2017. Success! The words “*collections*” or “*collectors*” were pronounced 166 times during the debates. And in front of the intrusion of the collectors, the government promised the setting up of the famous “*Collector’s Card*”. Of course, we have been consulted for the implementation of the decree and our association is now designated to implement the necessary certification to obtain it. But the final administrative text have sabotaged the original purpose of the Collector’s Card, rendering is not much attractive at all.

Why ?

Today, the card brings only two advantages:

- To acquire Category C weapons in the same way as sport shooters and hunters, but without the possibility to purchase ammunition. A collector does not shoot, otherwise he is a shooter or a hunter.
- To transport these weapons for cultural reasons, but not to bear them in any circumstances.

And nothing else! In particular, it does not allow the regularization of Class C weapons already detained, while this possibility was in the original law.

It also does not allow to collect category B or A weapons for cultural reasons even though it is allowed by the 2017 Directive (thank you FESAC).

”Sabotage”, in the French administration’s way!

During one of our meetings with the administration, while we criticized the upcoming decree for the harshness of its provisions, “*we*” were told: “*We don’t care if it works ; the role of the administration is not to sign in new collectors*”. French administration seems to have forgotten its role to provide service to citizens and not the other way around!

And we see that the Collector's Card is not attractive: While we were entitled to expect about 1000 requests a year, we only received 35 applications in 4 months. And even worse, by the time we write these lines, only two cards have been issued by the prefectures. When we return from our meeting, we must meet the administration to whom we have expressed our recriminations.

How does it work?

The UFA has received a delegation from the Minister of the Interior to issue a certificate that allows the requestor to submit the application for the Collector's Card to the Prefectures. We must certify that the applicant is a true collector and not an opportunist.

To deliver that certificate, if the collector is not a member of our association for more than three years, we must verify that he is notoriously known as a "*true collector*". Failing which, we make him pass a multiple-choice questionnaire which includes traps to unmask a "fake" collector. The whole system is managed online on our website

www.armes-ufa.com.

The only interest of all this circus is that the number of our members has sky-rocketed and will be around 1000 before the end of the year.

What we are working on this year:

We have topics that are dear to us and that are the subject of the meeting at the Central Department of Weapons of the Ministry of the Interior Tuesday, June 18, just after our meeting. Whatever the outcome of this meeting, these topics are our current guideline.

- **Transport of weapons in postal parcels by plane:** Everything that looks like a firearm can be rejected by aviation security officers: Antique weapons, compressed air, paintball, plastic toys, whatever... One package out of two is returned to the sender. We would like to know if this is happening in other European states.

- **Inactive artillery shells cases:** French collectors are persecuted by law enforcement agencies for the possession of simple empty artillery casings and sometimes even for hand engraved shell cases that constitute "folk art". This is excessive for such "relics" of the 1st World War that have been emptied of their powder and fuse for more than 100 years. Two world wars took place on our soil. Such memorabilia are particularly numerous among us and many citizens are unknowingly illegal in holding an ashtray, an umbrella stand or a flower vase made in one of these sleeves. No swap meet hasn't one or sale!

- **The complementary list:** The 2013 law provided the threshold year model of 1900 for certain rare and obsolete weapons with cultural, historical or scientific interest to be classified as "*weapon of collection*" (Antique Firearm in US terminology). In 1986 already, we had obtained the release of 74 rare handguns. Since then, that official list has not evolved, but a limited update made in 2013 following the change of the threshold year which passed from 1870 to 1900. We've then submitted a list of many other rare models. We wish to have it approved by the government.

- **The “weapons of collection” (French term for Antiques) are defined by their model-year as defined as being of “before 1900”:** A numerous times, we took position on the exact meaning of the term “*model*” set in the law. That is critical, because for a unaware persons, it is not obvious at all; being the year of the main patent, actual start of manufacturing date, post-1900 retrofit of pre-1900 firearms ... The Ministry of Interior would have to take a good look at it, even if we just say we are right with our way of seeing things, it would be fine.

The more time passes, more collectors misunderstanding the definition of “model” may acquire weapons that they would ultimately not have the right to hold.

The service responsible for weapons (SCA) has expressed its desire to work with us to clarify this subject, which also seems to be on the agenda of the UN ... In these conditions, everything is to be feared!

- *Shoulder repeating rifles with uncertain classification:* It follows from the lack of definition of the term “*model*”, that the classification of a certain number of repeaters of a pre-1900 model year and including some post-1900 retrofits can pose a problem of interpretation. We have published a list and wish it to be approved.

- **Reclassified weapons:** There is in the French regulations a list of weapons of a pre-1900 model year, which avoids the classification of “*weapons of collection*” because of their (so-called) dangerousness. But the list published in 2013 was poorly drafted by outclassing weapons that do not exist or weapons that are identical to other released weapons and leaving free-to-own weapons that could be dangerous because of their large availability plus their low cost. The worst is that the decree was recently republished including the same mistakes while we denounce since 2013. This reflects the inattention and disrespect demonstrated by the French administration to collectors

European elections, the Parliament and the Commission.

The last elections reinforced the arrival of the Greens and Liberals in the European Parliament.

However, we know that they are MPs who are quite hostile to weapons – any weapons. The EPP that defended us so far is rather down.

We witness a more technocratic and distant governance that is more attentive to lobbies than democracy. That is why we must be ready to hammer away at the institutions starting right in 2020 by doing our own lobbying. Stephen had done a wonderful job in 2016. Maybe he can do it again. Otherwise, we should seriously consider paying a professional lobbyist in Brussels, which could be paid for by a European fund that we could match this year.

It appears essential that the FESAC strengthens its organization, including financially, to better reflect the impact of the upcoming renegotiation of the Weapons Directive, as the sinews of war, it's still money.

Also, two axes could be privileged: to recruit new members and to create a common fund to which each member association could give each year some hundreds or thousands of Euros according to its capacities and according to pre-established engagements.

The renegotiation of the upcoming directive will be frontal and fierce, so we must put all the chances on our side to win the game, which will not be easy.

The UFA has already started working on a proposal to amend the directive incorporating more rights for collectors and lawful gun-owners. It will be presented to you at our next congress in order to take a common position on this subject and then each association can present it and defend it to its MEPs and national authorities.

Nevertheless, to be successful, the use of a lobbyist (perhaps in common with the **Firearms United** network, with whom it will be necessary to work together to be stronger by limiting the costs) is unavoidable.

However, by starting this year to abound the specific fund that the UFA proposes to create within the FESAC, by 2021-22 at the time of the renegotiation of the directive, we should have the necessary funds to effectively ensure our defense.

This kind of "*insurance*" could be paid every year by all in a modest amount and released at each renegotiation of the directive every 5 years, in order to reverse the balance of power that up to now is not favorable to us.

The legal provisions concerning weapons are now taken at the EU level and no longer only at the level of the Member States. But they are using Europe to impose on their people legal provisions that they might not necessarily have accepted at the national level if they came from them. So we need to strengthen our cooperation and the number of members of the FESAC. To give the example the UFA informs the members of the office of the FESAC that the UFA has joined **Firearms United**, because only the Union is the Force!

In France, we – the UFA – have sent a letter to each of the main political parties. Out of the thirteen addressees, only one has responded with much moderation and common sense. It is the training she represented that came first in the elections!

The successes achieved by the "*sovereignist*" parties in many of our countries do not mean a rejection of the European idea but perhaps the beginnings of a revolt of the citizens, who do not want to be imposed a soft dictatorship (soft-for the moment), or to see their way of life or their national traditions threatened by a technocracy that has ceased to represent them.

The hobby of collectible and sporting weapons is a passion that has inhabited most of us since their adolescence. This passion helps us bring pleasure and brightness to our lives.

Answers to questions common to all states:

In France, there are three associations of collectors: the UFA you know well, the FPVA, which is a federation of reenactors and museums. Jean-Jacques BUIGNE is president of

both organizations. And the ANTAC which is founding member of the FESAC, with whom we entertain fair contacts.

But there are a multitude of small associations (more than 1000) sometimes composed of less than 10 members and who meet for the reenactments, the development of the museums or the safeguarding of materials.

We estimate at 50,000 the number of collectors altogether.

The transposition of the European directive of 2017:

In order to preserve as much as possible the rights of sport-shooters using semi-automatic rifles resulting from the transformation of old assault rifles to no longer allow semi-automatic fire, rather complex and not always logical rules have been adopted by the government, in consultation with the French Shooting Federation.

Shooters who already hold this type of weapons under a category B license are authorized to keep them as Category A weapons and their authorization will be renewed according to the usual procedures when it expires.

This provision is illogical, since it will compel the administration to issue licenses for category A weapons, which by definition is the prohibited category of weapons!

Moreover, it seriously impacts weapon owners because if they are authorized (for the moment) to keep their weapon, they are no longer able to resell it except to a gunsmith or a certified expert, licensed to detain Category A weapons. They can also never put their passion in stand-by as renewal is only granted with the proof of a continuous sport-shooting activity.

The regulation does not take into account the transformations really made irreversible by the machining of receivers, sears and bolts from those transformations obtained by the simple withdrawal of a few parts.

Over the time, the supply of Category A weapons will become much higher than demand and current owners who wish to stop shooting will have no choice but to resale at a derisory price, or the destruction of the weapon or giving it up for free to the State (to be destroyed in the end).

In the immediate future, the owners of these weapons can keep them provided they do not equip them with a loader of more than 10 cartridges (but this is still allowed as before when on the premises of a French sports shooters federation approved shooting range)

The stock of the arms whose total folded length is less than 60 cm must be permanently set in deployed position when the owners wish to renew their authorization of detention. But this is not mandatory if the firearm is already set in the “ex full-auto” category – which hierarchically prevails)

The prevailing feeling is that in this transposition of the directive, the Ministry of the Interior has tried to limit the damages made to the legal and lawful gun owners. The result

is an over-complicated (and absurd on some occasion) regulation, which is likely to be difficult to enforce and control for the Police, and may lead to a “*simplification*” in the form of an outright prohibition of semi-automatic weapons issued of the transformation of assault rifles.

Law-abiding gun owners are increasingly aware that the decisions that affect them no longer depend on the parliamentarians they elected, but are now imposed on their nations by unelected commission officials. They have understood that some of their ministers are instrumentalizing civil servants to pass the unpopular decisions they would fear to take themselves at their national level: it is so much easier to present the bad moves as imposed by “*Europe*”, rather than to assume its responsibility in front of their voters.

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We can see with all this that we still have a lot of work, we will have to train our successors or ask “*extra time*” from the creator!

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