

COALITION

for Gun Control / pour le contrôle des armes

www.guncontrol.ca

Draft - Discussion of Bill 64

(Version française à suivre)

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BACKGROUND

Quebec's proposed Legislation: Bill 64 Firearms Registration Act

Is a bold step to fill an important gap in our firearms regime, which was created when the Canadian Firearms Registry was effectively dismantled. This ended the requirement to track who owns which non restricted firearms (including many powerful semi-automatics like the Ruger Mini 14 used in the Montreal massacre). It also destroyed the registry data for the rest of Canada – the status of the Quebec data is uncertain. And it eliminated the requirement, in place since 1977, that gun sellers track gun sales. Remember after the Montreal massacre on December 6, 1989, the killer was identified as police went to gun stores checking the records to determine who had recently purchased a Mini Ruger 14. Those records no longer exist.

The Coalition for Gun Control is a non-profit organization founded in the wake of the Montreal Massacre. Its position is supported by over 300 organizations, 100 of them in Quebec (See appendix 1). Firearms regulation is an important piece of an evidence-based strategy to prevent gun crime and injury and to support law enforcement. Considerable research has shown effective regulation of firearms is linked to reductions in firearms homicide and suicide. We strongly support the Government of Quebec in this legislation and encourage the opposition parties to continue their longstanding support.

The Problem

While handguns and restricted weapons dominate urban violence, unrestricted firearms – rifles and shotguns – are the firearms most often used to kill in Quebec. They are used in suicides, in unintentional injuries, in conjugal violence, in the murders of police officers and in political violence. While opposition to the firearms registry is higher in rural areas of Quebec, these are precisely the areas where the risk is highest. These are the areas where there are more suicides, more incidents of conjugal violence, more firearms accidents and more police officers killed.

Data on firearms recovered in crime has been hard to get in recent years. However, non-restricted rifles and shotguns made up half of the crime guns reported to the RCMP's Firearms Operations and Enforcement Support (FOES) Unit from January through September, 2009: 1006 non-restricted firearms or rifles and shotguns (46%), 514 restricted firearms (23%) and 674 prohibited firearms (31%), totalling 2194. Even in Canada's large cities, a substantial proportion of guns recovered in crimes are long-guns. In 2011, the President of the *Fraternité des policiers et policières de Montréal* estimated on the island of Montreal alone, there were 75000 weapons, 60000 of which were long-guns¹.

Suicides attempted with firearms are almost always lethal (93% completion rate). Most firearm deaths in Canada are suicides (69% in 2008). In 1995, 911 Canadians committed suicide with firearms (rate of 3.1 per 100,000); in 2008 it was 518 (rate of 1.55 per 100,000). Suicide is the second most common cause of death in Canada for those between 15 and 34 years old, and the third leading cause for those aged 10 to 14.² Consequently, a critical dimension of a suicide prevention strategy is to keep firearms away from individuals who represent a risk to themselves as has been part of Quebec's suicide prevention strategies. *L'Association québécoise pour la prévention du suicide* along with other public health organizations such as *l'Association pour la santé publique du Québec*; *l'Institut national de santé publique*; *les Directeurs de santé publique*; *Association canadienne de santé publique*; *Association des médecins urgentologue du Québec*; and *Fédération canadienne des infirmières* have maintained that the licensing of gun owners and the registration of firearms are both important parts of an integrated suicide prevention strategy.

Risk factors for suicide and homicide are closely linked; consequently, many homicides, including as many as 50% of cases of conjugal violence involving firearms, end in suicide. Coroners have identified access to firearms as one of the top five or ten risk factors for whether a woman will die in domestic violence situations.³ For example, in Ontario, a province where only 15% of homes have firearms, 55% of the perpetrators in domestic homicides had access to guns. A firearm in the home dramatically increases the risk of death in domestic violence situations. Women's groups in Quebec have been consistent in demanding registration of firearms as part of a suicide prevention strategy.

Police officer safety is also an important issue. In the last decade, 12 of the 16 police officers killed with firearms were killed with long guns rather than handguns.⁴ Statistics also demonstrates that police officers killed in the line of duty are mostly shot to death. Thus, 92% of all officer-related killings in Canada were committed with a firearm between 1961 and 2009, with a rate of 6.3 in Quebec⁵ and an average rate of 5.6 across Canada.

Police in the Province of Quebec have been united in their support of the registration of firearms as an important part of a strategy to promote public safety and officer safety. Numerous police groups have demonstrated strong support regarding legislation including a cost-effective system to register all guns. Among them, the *Fédération des policiers et policières municipaux du Québec*, the *Fraternité des policiers et policières de Montréal*, the International Police Association, *Région 7, Montréal*, the *Service de Police de la Ville de Montréal*, the *Service de la sécurité publique de Trois-Rivières*, the *Service de Police de la Ville de Québec* (including the formal *Service de Police de Ste-Foy*).

Registration of Non-Restricted Firearms is Part of the Solution

The principles of firearms registration are well understood internationally.

Without information about who owns these firearms, it is impossible to enforce the licensing provisions of the law and to ensure that only people who have been appropriately screened have access to firearms. Screening and licensing firearm owners reduces the risks that dangerous people will have access to weapons.

Reducing Risk: Registration reinforces licensing as it holds gun owners accountable for their firearms and reduces the risks that unlicensed individuals will be able to borrow or buy these firearms illegally. The link between licensing of firearm owners and the registration of their firearms was affirmed by the Supreme Court of Canada in a unanimous decision on the constitutionality of the *Firearms Act* in 2000.

“The registration provisions cannot be severed from the rest of the Act. The licensing provisions require everyone who possesses a gun to be licensed; the registration provisions require all guns to be registered. These portions of the Firearms Act are both tightly linked to Parliament’s goal of promoting safety by reducing the misuse of any and all firearms. Both portions are integral and necessary to the operation of the scheme.”⁶

Without the proposed registration system, an individual could buy as many guns as he or she wanted over a five year period, with little or no accountability because no record is kept of the firearms owned by that individual. These loopholes created a huge potential illegal trading. It also gave little incentive for reporting firearm thefts. Firearm registration allows firearms to be traced to their legal owners. It enforces regulations on the safe storage (With the information contained in the proposed provincial registry through Bill 64 about who owns what weapons it will be easier). As a consequence it increases accountability and discourages legal gun owners from giving their guns

to unlicensed individuals or storing them carelessly. Registration of firearms empowers owners and helps to enforce the requirement to report theft or loss of weapons to fire. We license drivers but we also register automobiles to encourage drivers to conduct themselves responsibly in their cars, to assist the police in enforcing the law and combating car theft. The same principles apply to firearms. Registration makes it easier to enforce safe storage regulations as well as the requirement to report theft or loss of weapons.

Combatting the Domestic Illegal Gun Trade

All illegal firearms begin as legal firearms. Controls over legal guns are essential to preventing diversion and choking off the illegal supply. This is well recognized in international instruments aimed at reducing gun smuggling – discussed below. Registration allows police to trace firearms easily to their rightful owner. Between 1974 and 2008, 40,000 long guns and 33,000 prohibited weapons were stolen from Canadian residences. In 2010, there were more than 111,000 firearms in police custody, either for public safety reasons or after criminal use. Of these, 87,000 were long guns.⁷ There are numerous examples of the long-gun registry helping to combat the illegal gun trade; for example, in March 2011, a licenced gun dealer from Sainte-Béatrix, QC was criminally charged for illegally selling 63 guns—including long guns—to Montreal street gangs. Police began their investigation after three guns that previously belonged to this individual were used in gang crimes.⁸ In December 2010, Sarnia Police apprehended a man suspected in the theft of three guns after an individual tried to register them.⁹ By prompting and convincing owners to store their guns properly, the registry would help to reduce gun flights and the number of weapons that are found on the illicit market.

Preventative Action

Without information about who owns these firearms there is little to allow police to remove firearms when a risk is identified or to prepare themselves when they know what firearms are present. When it was in place, police officers across Canada consulted the gun registry 17,402 times a day¹⁰ to take preventative action or enforce prohibition orders, among other things. While it is difficult to measure prevention, the police have cited a number of examples where they have used the registry to take preventative action. For example, shortly after the Dawson College shooting, the registry allowed police to remove firearms from a potential copycat; After a man had reportedly pointed a rifle at a co-worker and threatened to kill him, police searched the registry and confirmed that the suspect had a valid licence with nine long-guns registered, allowing police to recover all of them, along with a quantity of ammunition.¹¹

The registration of firearms is important for the enforcement of prohibition orders and firearms licence revocations, which also reduces the supply and accessibility of firearms for a particular individual considered to be a risk to themselves or others. In 2011, 318,799 people were subject to a prohibition order and 3,365 people had their firearms licence revoked, of which 1,758 stemmed from a prohibition order and 55 revocations were directly linked to domestic violence¹². Of those subject to a prohibition order, 237 attempted to apply for a firearms licence in spite of it and were refused. Further, 34 people attempting to acquire a firearms licence were refused for reasons of domestic violence. It is necessary to know what guns an individual owns if they are to be confiscated pursuant to licence revocations or prohibitions orders.

Investigation and Prosecution

Without information about who owns these firearms, there is no way to trace firearms recovered in crime police back to their owners. As police have noted, the registry is an important investigative tool. With registration, police can differentiate between legal and illegal firearms. Without information about who owns firearms legally and the firearms they own, police cannot charge a licensed individuals with illegal possession of a firearm they may have obtained illegally. The gun registry has provided over 18,000 affidavits to support the prosecution of firearms-related crime.¹³ For

example, two men were identified and convicted as accessories to the murder of four RCMP officers in Mayerthorpe, Alberta, in part because a registered gun was left at the scene of the crime. Similarly, the registry would enable to ensure an effective implementation of court orders prohibiting possession of firearms by providing relevant information to the courts when determining the conditions of release, for instance.

Implementation issues

Quebec is taking a bold approach to fulfil its commitments to reinstate the registration of non-restricted firearms. There will, undoubtedly be implementation issues that emerge and we are happy to consult further. One important consideration is ways in which the federal and provincial systems will connect and, for example, the link between the revocation of license (federal) and registration (provincial). Consideration of the operational aspects of this is important. Quebec has a long proud history of supporting strong firearms legislation – its commitment to rigorous implementation, innovative approaches such as Anastasias law and now the new Firearms Registration Act which ensure this province at least, meets the standards established internationally for effective firearms regulation.

Costs

The costs of registering rifles and shotguns are dwarfed by the costs of gun death and injury. In 2006, the Geneva based Small Arms Survey singled out Canada's gun law for its significant impact on reducing gun death and injury in Canada, and estimated the decrease in gun injuries and gun deaths since 1995 equals to savings up to \$1.4 billion Canadian dollars a year.¹⁴ In an article published in the Canadian Medical Association Journal, it was estimated that the cost of death and injury in Canada in the mid-nineties was \$6.6 billion per year.¹⁵ The registry will reduce cost of police investigations. A typical complex murder investigation can cost several million dollars. More information about the source of firearms will reduce these costs. Very little money was saved from having ended the registry of non-restricted firearms (Pleiad Canada for the RCMP) but the cost per survivor admitted to hospital with gunshot wounds reaches \$435, 000¹⁶.

Meeting our International Obligations

Internationally, it is the norm to license gun owners and register all firearms. Marking and tracing of firearms as an essential tool to supporting efforts to combat the illegal trade, tracing weapons flows, preventing the diversion of legal guns to the illegal market and combating the illegal trade.¹⁷ The Canadian Association of Chiefs of Police wrote to the Public Safety Minister in May 2011 requesting that this requirement be reinstated in future government bills and that this information be uniformly kept and available to the RCMP Tracing Centre,¹⁸ specifying that the maintenance of firearms records would *“also allow Canada to live up to various international agreements and arrangements to facilitate crime gun tracing, particularly with the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE).”*

Under current international law, states may adopt different weapons marking systems, complicating the identification of the country-of-origin of a weapon. In spite of the gaps in its firearm legislation, even the United States supports the marking and tracing standard. Even the United States requests that merchants keep records of sale.¹⁹ Since the 1968 Gun Control Act, it already requires manufacturers to maintain records, which is why they are capable of tracing US firearms used in crime internationally. Most countries license gun owners and register all firearms.

As an example, in May 2008, the EU adopted the Directive 2008/51/EC, which is an amendment to the Directive 91/477/EEC, restricting the circulation of civilian firearms in Europe. The amending Directive defined specific rules on the acquisition and possession of firearms and on the transfer of firearms. *Those added regulations require that the legislation of member states meet the*

expectations mentioned in the UN Firearms Protocol such as the marking and registration of all firearms. It also specifies that each Member State ensure the establishment and maintenance of a computerized (centralized or decentralized) data filing system by December 2014, which will guarantee access to authorized authorities and link each firearm to their legal owner. The records must be maintained for no less than 20 years and include the firearm's type, make, model, calibre and serial number, as well as the names and addresses of the supplier and the owner.²⁰

Licensing and registration are important tools in keeping guns out of the hands of people who are a danger to themselves or others. Those tools are also increasingly important in the context of combatting political violence and terrorism – as many European countries are working to strengthen their laws. They are critical to reduce the diversion of legal guns into illegal markets and is seen, by many, to be part of our obligation under specific International agreements as well as international human rights law. The illegal gun trade is fuelled by inadequate regulation of firearms.

- The 2001 **Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA)** was signed but has not yet been ratified. The long-gun registry is essential to fulfilling recordkeeping and tracing obligations under existing international agreements. The PoA requires measures to ensure accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons.
- Canada signed the **Firearms Protocol of the United Nations Convention Against Transnational Organized Crime, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition [UN Firearms Protocol]** in 2002, which sets out a legally binding instrument that specifies comprehensive procedures for the identification, import, export, and transit of commercial shipments of firearms, their parts and components, as well as ammunition. However, it has repeatedly delayed introducing the regulations needed to implement the Firearms Protocol and has not ratified it. Article 7 of the Firearms Protocol specifies: *“Each State Party shall ensure the maintenance, for not less than ten years, of information in relation to firearms and, where appropriate and feasible, their parts and components and ammunition that is necessary to trace and identify those firearms and, where appropriate and feasible, their parts and components and ammunition which are illicitly manufactured or trafficked and to prevent and detect such activities.”*²¹
- The **OAS Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms (CIFTA)** was signed in 1997 but Canada is one of the four countries, among the 35 signatories, that have yet to implement it, along with Jamaica, St. Vincent & Grenadines and the US. CIFTA's Article XI on Recordkeeping specifies: *“States Parties shall assure the maintenance for a reasonable time of the information necessary to trace and identify illicitly manufactured and illicitly trafficked firearms to enable them to comply with their obligations under Articles XIII and XVII.”*²²
 - Canada signed the 2005 **UN International Tracing Instrument (ITI)** that commits states to ensure accurate and comprehensive records are established for all small arms and light weapons within their territory – by the state or by individuals engaged in manufacturing and trade.²³ Canada noted in its 2009-2010 report on the progress of the implementation of the ITI that *“its legislation requires each firearm to be registered against the manufacturer's inventory at the time of production or the importer's inventory at the time of importation and at every subsequent transfer, allowing for a quick, electronic registration query to determine the last legal owner of a firearm at any given point in time.”*²⁴ The federal government is delaying implementation of regulations intended to help police trace crime guns the – seventh time it has put off the measures. Just days before the federal election call, the government quietly published a notice deferring the firearm marking regulations until June

1, 2017.²⁵ This simple firearms marking requirement is required under our international obligations,²⁶ until at least December 1, 2012. As for now, despite promising to join the ATT at an early stage of his campaign, Prime Minister Justin Trudeau is yet to fulfill his commitment: the recent Saudi arm deal Canada concluded at the beginning of 2016 highlights the importance for Canada to reaffirm its commitment to humanitarian arms control. It also compromises its accountability towards ATT requirements and provisions, especially when it comes to its export policies. It is important for Canada to join the ATT to strengthen Canada's accountability on the international stage and to the Canadian public²⁷.

Canada committed to the Commonwealth Heads of Government Meeting²⁸ to “combating proliferation and trafficking of illicit small arms and light weapons” and to “comply with all obligations arising under international law and urged all countries to become parties to and implement the UN Convention against Transnational Organised Crime and the Protocols.”²⁹ Registration of all firearms is needed to meet international commitments and ratify the Firearms Protocol as well as CIFTA,

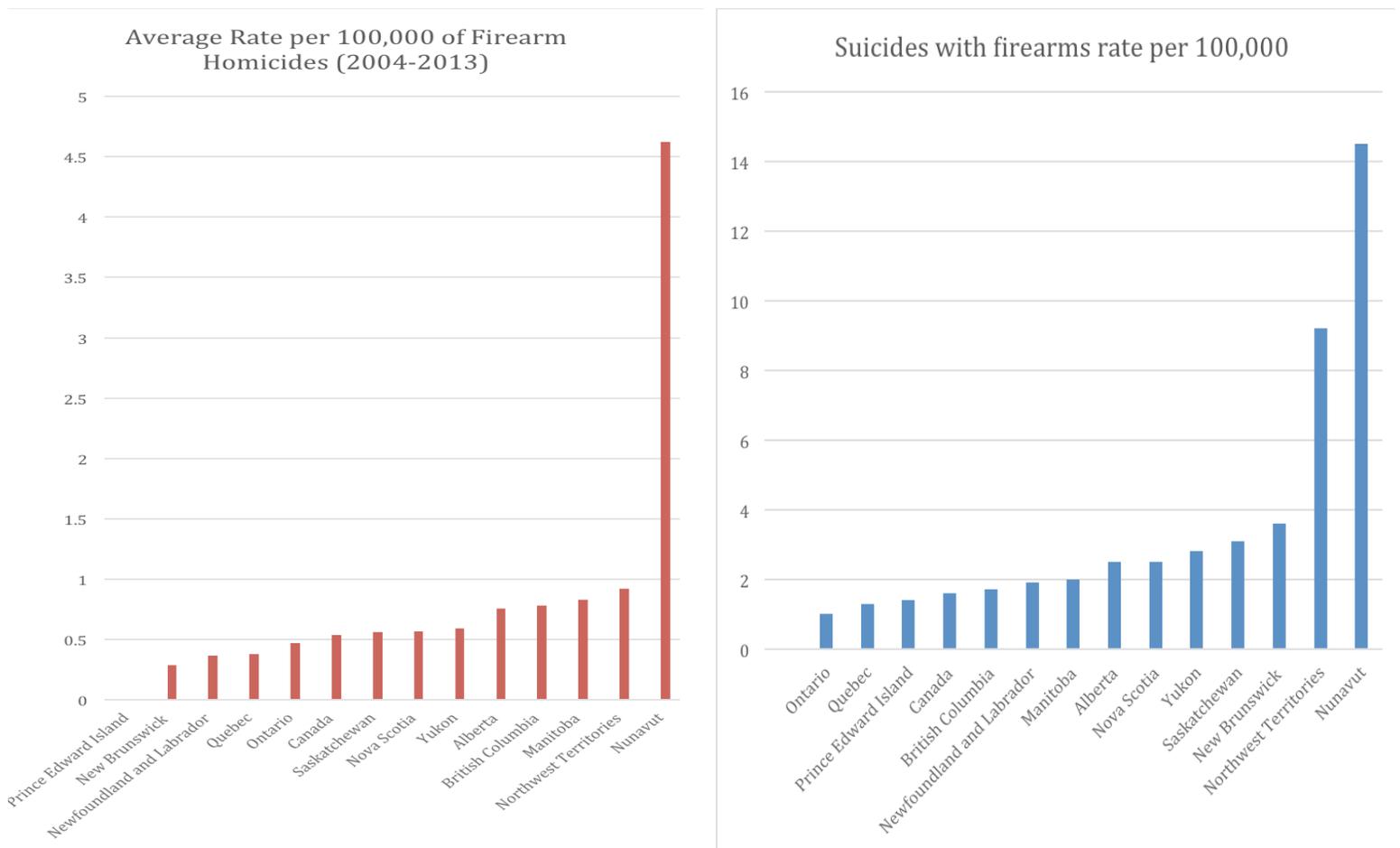
The United Nations Special Rapporteur on Human Rights and Small Arms has affirmed that there is no international right to own guns, and that countries which fail to implement appropriate firearms laws to protect their citizens may be failing to meet their obligations under international human rights law.³⁰ Canada's existing gun control laws are consistent with international norms. Most countries license gun owners and register firearms, as they do in, for instance, the European Union through Directive 2008/51/EC.

The impact of stronger legislation.

Proving impact of legislation in complex environments is a research challenge. In Canada, rates of firearm death and injury have fallen with successively stronger firearms regulation, particularly those focusing on rifles and shotguns. In Quebec, which now has firearms death and injury rates below the national averages in all categories and many researchers have linked this to stronger regulations³¹. Firearms deaths in Canada have declined with stricter controls on firearms, particularly with controls on rifles and shotguns, introduced in 1977, 1991 and 1995. Deaths in Quebec have declined even faster: it now has among the lowest rates of gun death and injury in the country.

- The rate of death involving guns is the lowest it has been in over 40 years. In fact, nearly 400 fewer Canadians died of gunshots in 2008 (754) compared to 1995 (1,125). While the rate of fatalities by gunshot wounds for men decreased by 64 percent (0.36 to 0.13 per 100,000) from 1995/96 to 2008/09, the rate for women decreased by 83 percent for that same period (0.23 to 0.04 per 100,000).
- The *Institut de santé publique du Québec* has concluded that the Firearms Act has led to 250 fewer suicides and 50 fewer homicides annually in Canada. Studies have concluded that the drop in suicide has not lead to an increase in suicide by other means.³² All major suicide prevention groups in the country support the existing law, particularly because it is a preventative tool, which has had significant impact.
- Since the long-gun registry and its related requirements for safe storage of guns were introduced, youth suicide rates by firearms have declined in relation to suicide rates by other means. While the rate of suicide by firearm has drop 48% since 1995, the rate of suicide without firearm has remained stable.
- Rates of robbery committed with firearms have plummeted (-43%) while rates of robbery committed by other means have only decreased by 9%.³³

- More recent statistics indicate that the number of homicides involving non-restricted firearms have declined by 42 %: from 51 in 1998 to 30 in 2011 while the rate declined by 53 percent (from 0.17 per 100,000 in 1998 to 0.08 per 100,000 in 2011).



Quebec's average annual homicide rate per 100,000 is one of the lowest in the country. 0.38 per 100,000; 40% below the national average of 0.54 per 100,000. The western provinces where there are more firearms and more opposition to gun control have much higher rates³⁴.

Similarly, Quebec's rate of firearm suicide is one of the lowest in the country – 1.3 per 100,000 compared to the national average of 1.6 per 100,000. Again western provinces have much higher rates.

TECHNICAL ANALYSIS OF BILL 64

In 1977, the Criminal Law Amendment Act required businesses to keep records of firearm sales in order to help police trace firearms back to their original owners. This requirement allowed, for example, police to trace the perpetrator of the Montreal massacre in 1989. The requirement for businesses to keep records was repealed in the 1995 *Firearms Act* because these records were to be kept in the centralized registry. Restoring this requirement for the province of Quebec is an important step. We support the provisions of Bill 64 as written and offer some comments below on specific sections.

Section	Contents	Comments
NOTES EXPLICATI VES	Ce projet de loi prévoit que toute arme à feu sans restriction présente au Québec doit être immatriculée. À cet égard, il détermine les règles relatives à la demande d'immatriculation et prévoit que le ministre de la Sécurité publique procède à l'immatriculation d'une telle arme par l'inscription, dans le fichier qu'il tient à cette fin, des renseignements prévus par règlement du gouvernement. Le projet de loi prévoit que le ministre attribue un numéro unique à l'arme à feu qui n'a jamais été immatriculée et un numéro d'immatriculation pour chacune des armes qu'il immatricule.	The reintroduction of the registration on non-restricted firearms is an important public safety initiative. We look forward to reviewing the regulations and implementation strategy.
	Le projet de loi crée également l'obligation pour les entreprises d'armes à feu de tenir un tableau de suivi des opérations relatives aux armes à feu dont elles sont propriétaires ou qui se trouvent en leur possession. Des pouvoirs d'inspection sont également prévus à cette fin.	Controls on sales and inspection powers were introduced in 1977 but removed by the Federal Government. This is critical to reduce illegal trafficking, support law enforcement, and comply with international requirements. Quebec should encourage the Federal Government to reinstate these measures nationally in order to fulfil its commitment to combatting illegal trafficking.
	Enfin, le projet de loi prévoit des dispositions pénales en cas d'infraction à ces nouvelles dispositions.	Penalties are important to ensure the law has teeth and to ensure compliance not penalize law abiding gun owners.
DIVISION 1 OBJET ET CHAMP D'APPLICA TION		
1.	La présente loi a pour objet de déterminer les règles d'immatriculation applicables aux armes à feu. Elle a également pour objet de favoriser, auprès des autorités publiques, la connaissance de leur présence sur le territoire du Québec de façon à appuyer les agents de la paix dans leur travail d'enquête ainsi que lors de leurs interventions. Elle vise également à assurer une exécution efficace des ordonnances des tribunaux interdisant la possession d'armes à feu.	These objects are consistent with global norms and the evidence about the efficacy of firearms legislation. Quebec should consider complementary measures within its power to strengthen for example mandatory prohibition orders and revocation of registration for certain offences (cf. Manitoba)
1.2	Pour l'application de la présente loi, on entend par « arme à feu » une arme à feu sans restriction au sens que donne à cette expression le paragraphe 84(1) du Code criminel (Lois révisées du Canada (1985), chapitre C-46).	These are the firearms most often used to kill and injure in the Province of Quebec as discussed above.
1.3	Un règlement du gouvernement peut, dans les cas et aux conditions qu'il détermine, soustraire certaines armes à feu et certains propriétaires d'armes à feu de l'application en tout ou en partie de la présente loi.	While it is critical that this not be used to undermine the effectiveness of the legislation, it is important the proposed legislation provide accommodation for legitimate concerns – for example aboriginal gathering rights. Previous federal legislation included a non derogation clause and adapted regulations for aboriginal communities as appropriate.

SECTION 2 IMMATRICULATION		
2.1	Toute arme à feu présente sur le territoire du Québec doit être immatriculée.	
2.2	Le premier alinéa ne s'applique pas à l'arme à feu qui est présente sur le territoire du Québec pour une période de 45 jours ou moins ou à l'arme à feu qui est confiée à une entreprise d'armes à feu aux fins de sa réparation, de sa restauration, de son entretien ou de sa modification si le propriétaire de l'arme à feu n'a pas de résidence ou d'établissement au Québec.	This is intended to accommodate visitors to Quebec such as out of province hunters. Consideration should be given to measures that will prevent potential for abuse, for example, adding a notation to hunting licenses regarding firearms in the individual's possession. More information is needed about how this will be enforced, for example, at the border of the United States.
2.3	Pour l'application de la présente loi, on entend par « entreprise d'armes à feu » toute personne, société ou autre groupement de personnes qui se livre, au Québec, à des activités de fabrication, d'assemblage, d'achat, de vente, de location, d'exposition, de réparation, de restauration, d'entretien, de modification, d'entreposage, de prêt sur gage ou de consignation d'armes à feu.	Replicates what was previously in place at the federal level.
3.1	Le propriétaire de l'arme à feu doit en demander l'immatriculation au ministre, aux conditions et selon les modalités déterminées par règlement du gouvernement.	The regulations need to address the full range of situations where this may occur – out of province, private sales, or other private exchanges.
3.2	La demande d'immatriculation doit être faite dès la prise de possession de l'arme à feu. Toutefois, le propriétaire d'une arme à feu qui s'établit au Québec dispose d'un délai de 45 jours, suivant son établissement, pour en demander l'immatriculation.	
4.1	In the case of a transfer to an individual, the transferor verifies the validity of the transferee's Firearms Licence with the Canada Firearms Centre, and obtains a reference number for the inquiry;	Request an amendment. While we encourage Quebec to pressure the federal government to fulfil its election commitment and reinstate the verification of licenses with the purchase of firearms, this is a wise amendment to include. This was included in the former federal registration process (article 23 (b) of Bill C-19 removed it). Without mandatory verification of the validity of the license, it is much easier for individuals whose license has been revoked or whose license application was denied to buy a gun illegally. As the majority of gun transfers take place between two individuals, this type of transfer must also include the verification of the validity of the license.
	Le ministre procède à l'immatriculation d'une arme à feu par l'inscription, dans le fichier qu'il tient à cette fin, des renseignements prévus par règlement du gouvernement.	
4.2	L'immatriculation subsiste tant que l'arme à feu et son propriétaire demeurent les mêmes.	
5	Le ministre attribue un numéro unique d'arme à feu à l'arme à feu qui n'a jamais été immatriculée et un numéro d'immatriculation pour chacune des armes à feu qu'il immatricule.	

6.1	Dans les 90 jours suivant l'attribution d'un numéro unique d'arme à feu, le propriétaire doit, si ce numéro n'est pas déjà inscrit de façon indélébile et lisible sur l'arme à feu, l'apposer sur cette arme de la manière déterminée par règlement du gouvernement.	Consider the rationale for this time frame and shorten it if possible.
6.2	Le propriétaire de l'arme à feu doit s'assurer que le numéro unique d'arme à feu demeure inscrit ou apposé de façon indélébile et lisible sur l'arme à feu.	This is consistent with previous federal legislation and while not the most reliable approach, balances the concern for public safety with gun owner concerns.
7.1	Le propriétaire d'une arme à feu immatriculée doit aviser le ministre, dans les délais et de la manière prescrits par règlement du gouvernement, de toute modification aux renseignements fournis pour immatriculer cette arme ou de la perte du numéro unique d'arme à feu ou du numéro d'immatriculation.	This should perhaps specifically reference change of address as an example of information that must be provided.
7.2	Le propriétaire d'une arme à feu immatriculée doit, dès qu'il en transfère la propriété, aviser le ministre de la manière prescrite par règlement du gouvernement.	
8	La personne qui est en possession d'une arme à feu doit être en mesure de communiquer, sur demande, le numéro d'immatriculation de cette arme.	
9	Un agent de la paix peut exiger de toute personne qui est en possession d'une arme à feu qu'elle lui communique le numéro d'immatriculation de cette arme à feu. L'agent de la paix peut requérir de cette personne qu'elle mette à sa disposition l'arme afin qu'il puisse en vérifier la conformité. Il peut en outre requérir de cette personne qu'elle lui communique tout autre renseignement pertinent à l'identification de l'arme et de son propriétaire.	Ensure that the definition of "agent de la paix" is broad enough to include the full range of enforcement officials, for example, those engaged in enforcement of hunting regulations.
SECTION 3 POUVOIR DE SAISIE		
10	Un agent de la paix qui a des motifs raisonnables de croire qu'une infraction à l'article 2 a été commise peut procéder à la saisie de l'arme à feu visée par cette infraction.	It is important to ensure the most rigorous possible enforcement of this law even if it requires additional revisions. We must seek further legal advice to understand the ways in which this can be effectively actualized.
11.1	L'arme à feu saisie doit être remise à son propriétaire lorsqu'un délai de 90 jours s'est écoulé depuis la saisie sans qu'une poursuite pénale ait été intentée ou lorsque, avant l'expiration de ce délai, le saisissant est d'avis qu'il n'y a pas eu infraction à l'article 2 ou que le propriétaire de l'arme s'est conformé, depuis la saisie, aux dispositions de la présente loi.	
11.2	Le délai de saisie peut être prolongé conformément aux dispositions applicables du Code de procédure pénale (chapitre C-25.1).	
12.1	Les dispositions du Code de procédure pénale relatives à la garde, à la rétention et à la disposition des choses saisies, non incompatibles avec celles de la présente loi, s'appliquent, compte tenu des adaptations nécessaires.	
12.2	Lorsque l'arme à feu saisie doit être remise à son propriétaire en application de toute disposition du Code de procédure pénale, cette remise s'effectue si celui-ci s'est conformé à la présente loi.	

SECTION 4 OPÉRATIO NS DES ENTREPRIS ES D'ARMES À FEU		
13.1	Toute entreprise d'armes à feu doit établir et maintenir à jour un tableau de suivi des opérations relatives aux armes à feu dont elle est propriétaire ou qui se trouvent en sa possession, dans l'un ou l'autre de ses établissements, sur le territoire du Québec.	These are very important measures that were introduced in 1977 but have been removed. In addition to taking decisive action, the Province of Quebec should encourage the Federal Government to fulfil its obligations to combat the illegal gun trade and reintroduce rigorous controls on the sales of non-restricted firearms across Canada.

- Crime researchers have concluded that stronger controls on firearms were followed by a significant drop in the number of homicides committed with a gun and that no tactical displacement was observed.³⁵
- The rate of women murdered with firearms by their intimate partner has decreased by 69% since 1995.
- While rates of homicide without firearms are comparable between Canada and the U.S., rates of homicides with firearms are 6.4 times higher in the U.S.

The registration of firearms is a central requirement to effectively limiting their supply and accessibility, particularly in the context of domestic violence. Limiting access to firearms to dangerous individuals can be accomplished in a number of ways. Accessibility in terms of ease of acquisition may be accomplished by a rigorous process controlling the licensing of gun owners. Interventions may also be focused on increasing the barriers between individuals and guns – for example, safe storage is intended to reduce impulsive and unauthorized access to firearms.³⁶

On this latter point, in a recent book published out of the Center for Gun Policy and Research at the John Hopkins Bloomberg School of Public Health, the authors emphasize the importance of registries in the context of domestic violence:

It is essential to know whether a respondent possesses guns and, if so, how many... [T]he value of complete registry or record-of-sales databases that capture all gun transactions (long guns and handguns; private sales and dealer sales) cannot be overstated for any effort to fully enforce DVRO [domestic violence restraining order] possession prohibitions³⁷.

Canadian studies have assessed the impact on homicides and suicides in Canada of the measures implemented following the adoption of the 1995 *Firearms Act*. Because the decline in homicide was observed only in homicides committed with rifles and shotguns versus committed with other weapons, such as knives and blunt instruments, as well as prohibited and restricted firearms (including handguns). This suggests that the decline is attributable to the 1995 *Firearms Act* and is not attributable to other factors or prevention measures put in place to prevent overall homicides.

ADDITIONAL RECOMMENDATIONS

1. Require Verification of Firearm Licenses

Changes to Federal law mean that despite the fact the infrastructure exists and works, anyone selling a firearm including gun stores will no longer have to check if a buyer's licence is valid before selling non-restricted firearms. Therefore, individuals that are under prohibition order, whose

licence has been revoked or who present the seller a counterfeit licence may have the ability to purchase firearms legally if the seller chooses not to confirm the licence. These provisions have serious impact on public safety.

Because of successive amnesties and inaction on strengthening licensing provisions, there are gaps in the existing federal legislation. The Coroner's inquest into the murder of Laval police Constable Valérie Gignac reported that despite having a non-valid Firearms Acquisition Certificate (FAC) following a mental illness diagnostic and a prohibition order, the killer was able to purchase a high-power rifle at a gun show without any further screening.³⁸ As we know with other types of identification cards – health cards, driver's licences, passports, etc– they can be counterfeit, and there are documented cases of forged firearms licences.³⁹

2. The Province of Quebec should attempt to recover data from the federal firearms registry from the Government of Canada

Since changes to the federal legislation there are no records through which to trace non-restricted firearms except in those cases where businesses have voluntarily kept records and agree to share those records with police or for which a warrant is obtained. This has created immense opportunities for illegal trafficking. Privacy Commissioner Jennifer Stoddart asserted that nothing in the *Privacy Act* prevents the federal government from sharing the data with provincial governments. The Act actually allows the disclosure of personal information, provided it is done through a federal-provincial agreement for the purpose of administering or enforcing any law or carrying out a lawful investigation.⁴⁰ While we lost, in a split decision our efforts to prevent the data from being destroyed, the recent case of the Charter of Rights and Freedoms' contravention may mean that some data still exists and Quebec should redouble its efforts to get the Government of Canada to provide it with any existing data on the registration of rifles and shotguns. In fact, in June 2015, a federal Court judge had ordered former Public Safety Minister, Steven Blaney and the RCMP commissioner to hand over an external hard drive containing a copy of all Quebec gun registry data. This was the repercussion of the Canada's Information Commissioner saying the former Conservative government had contravened the Charter of Rights and Freedoms and the rule of law by retroactively changing legislation to deny a Quebecer the access to long-gun registry documents he should have received through an access to information request. Therefore, Quebec part of the gun registry should be "somewhere", and would be vital in this case, regarding Bill 64.

3. The Province of Quebec should advocate that the federal government fulfil its election promises:

- Repeal changes made by Bill C-42 allowing restricted firearms to be freely transported without a permit.
- Require enhanced background checks for anyone seeking to purchase a handgun or other restricted firearm.
- Require firearms vendors to keep records of all firearms inventory and sales.
- Require purchasers of firearms to show a license require all sellers of firearms to confirm that the license is valid before completing the sale.
- Modify the membership of the Canadian Firearms Advisory Committee to include knowledgeable law enforcement officers, public health advocates, representatives from women's groups, and members of the legal community
- Provide a budget part each year to the provinces and territories to support guns and gangs police task forces.

4. **The Province of Quebec should request that Canada reinstate the provisions needed to meet its international obligations specifically:**
 - Become a party to the international Arms Trade Treaty
 - Immediately implement the imported gun marking regulations
 - Invest in technologies to enhance border guards' ability to detect and halt illegal guns from the United States entering into Canada
 - Ratify important international agreements – the OAS Inter-American Convention against the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, the 2001 Program of Action, the Marking and Tracing Convention
 - Invest in an evidence based strategy to combat the illegal gun trade

5. **The Province of Quebec should request that the Government of Canada recommit to an evidence based, public health informed firearms strategy**
 - Along with restoring the long form census, restore detailed analysis and sharing of justice statistics including firearms death, injury and crime; imports/exports, firearms used in crime
 - Bring experts on violence prevention back into the policy development process
 - Embark on a national awareness program to highlight the risks associated with firearms in suicide, homicide and unintentional injuries, extending our firearm violence prevention initiative piloted in Quebec with cross sectoral support. “Save a Life. Ask the question. Is there a gun?”

THE POLITICAL CONTEXT: SUPPORT REMAINS HIGH IN QUEBEC

There has been a considerable amount of misinformation about the firearms registry, including the misuse of rifles and shotguns, the role of the registration of these firearms and the costs associated with the registration of these firearms. In spite of this, in Environics Omnibus Poll undertaken in September 2015, 62% of Quebecois strongly supported creating a database to track gun sales and 25% somewhat supported it for a total of 87%. Only 11% strongly or somewhat opposed it. Of the respondents, 20% had a firearm in their home signalling that almost half of Quebecois with a firearm support registration. Of respondents 68% strongly supported and 21% of Quebecois somewhat supported implementing international agreements on marking and tracing to combat the illegal gun trade. Of respondents 73% strongly supported and 21% somewhat supported stricter licensing requirements and background checks to prevent people with a history of violence or mental illness from getting access to firearms. Clearly the vocal opponents of Bill 64 do not speak for Quebecois.

However, for the first time in more than 25 years, there has been well-organized vocal opposition to stronger regulation of firearms in the province. Why is that? Have Quebecois changed their stripes? We have, sadly, seen all too often this intense, well-organized opposition to gun control in other parts of Canada, in the US and around the world. In spite of polling showing the majority of citizens support the law, we know that in many parts of the world, even Canada, politicians are intimidated by a vocal minority seen for the first time in Quebec. It is important I think to understand the resources, effort and misinformation that are used to mobilize the population in this way – it is well documented. It is important to understand the organizations that are behind the mobilization and what they stand for. The National Firearms Association, which you are hearing from directly and indirectly, opposes virtually all gun control. It opposes a ban on military weapons. It opposes licensing and registration. It argues instead of safe storage we should gun proof our

children. And it argues that women should arm themselves for self-protection. Make no mistake the “grassroots” outrage you see in this province is part of an orchestrated campaign⁴¹.

It is also important to understand why all of a sudden there is so much attention on Quebec. Its very simple. If Quebec is successful in reintroducing registration of firearms, it is a significant defeat for the gun lobby not just in Canada but around the world. It was well documented that the National Rifle Association of Canada was very active in supporting the Canadian Gun lobby with advice and other resources. And the American National Rifle Association’s eyes are now on the Province of Quebec. The NRA website says “Quebec is facing the first signs of revolt over its planned long-gun registry, an unexpected breach in a province regarded as the staunchest defender of gun-control measures in Canada”⁴². “Quebec's bid to create a provincial long-gun registry — seemingly a given not long ago — is being met by grassroots opposition from those who want the government to abandon the initiative”⁴³. The gun lobby is also fighting efforts in the EU to strengthen provisions to protect against terrorist attacks.⁴⁴

De par le passé, l’histoire, la langue, les valeurs et la culture du Québec, lui ont permis de faire front face à l’influence du lobby des armes à feu des États-Unis. Le Québec a une forte tradition de placer la sécurité publique au-dessus de la politique; faites-en sorte, s’il-vous-plaît, qu’il n’en soit pas autrement désormais. Le reste du pays vous observe. Le reste du monde aussi a les yeux rivés sur vous.

ABOUT THE COALITION FOR GUN CONTROL

The Coalition for Gun Control is a national non-profit organization founded in the wake of the killing École Polytechnique. His position on the regulation of firearms was supported by more than 300 organizations to date, including a hundred in Quebec. The Coalition supports sensible control measures on all firearms, including renewable permits for all owners, recording all firearms and the safe storage measures. A range of studies has demonstrated correlation between effective regulation of firearms and reducing homicides and suicides firearms, and these measures are to crime prevention strategies and injuries to arms fire.

The Coalition for Gun Control was an intervener in support of the Province of Quebec’ challenge to the Federal Government’s efforts to dismantle the law and also a Charter Challenge launched in Ontario defending the rights of women to be safe from gun violence.

Wendy Cukier, Professor, Ryerson University, President Coalition for Gun Control: Dr. Cukier is the cofounder of the Coalition for Gun Control an alliance of more than 300 organizations committed to preventing gun death, injury and crime. She is the co-author of well-regarded book - *The Global Gun Epidemic* and more than 100 papers on the subject including several published in important journals on the public health aspects of gun violence as well as illegal trafficking. She has served as an advisory to the Governments of Canada, Mexico, South Africa and France on firearms legislation and has been an expert witness and given testimony before more than 50 parliamentary and legislative committees. She was a member of the National Crime Prevention Council, the Canadian Firearms Advisory Council and the Canadian Council on Small Arms. Cukier has a PhD in Management Science and has received honorary doctorates from Concordia University (LLD) and Laval (DU - Medicine, Nursing and Dentistry). She also received, on behalf of the Coalition, the *Award of Association des policières et policiers provinciaux du Québec (Prix Policiers du Québec, 2007)*, The Canadian Public Health Award of Merit, the Canadian Criminal Justice Public Education Award and was named one of Canada’s Transformational Canadians by the Globe and Mail, CTV and LaPresse. She is the founder of the Diversity Institute and Vice Chair

of Women's College Hospital and serves on many community organizations. She has been named President Elect of Brock University, commencing in September 2016.

Nous tenons à informer la Commission des Institutions qu'une version française de ce mémoire sera communiquée prochainement à ses membres. Nous nous excusons pour le désagrément potentiellement occasionné.

Coalition for Gun Control

ENDORSERS OF THE POSITION OF THE COALITION FOR GUN CONTROL

(as of July 2012)

NATIONAL

- Act To End Violence Against Women
- Association of Universities and Colleges of Canada
- Canada Safety Council
- Canadian Association of Chiefs of Police
- Canadian Association of Emergency Physicians
- Canadian Auto Workers
- Canadian Bar Association
- Canadian Criminal Justice Association
- Canadian Federation of University Women
- Canadian Labour Congress
- Canadian Public Health Association
- Canadian Teachers' Federation
- Church Council on Justice and Corrections
- Evangelical Lutheran Church in Canada
- Federation of Canadian Municipalities Big City Mayors' Caucus
- Humanist Association of Canada
- Mennonite Central Committee
- National Union of Public and General Employees
- Quaker Committee on Jails and Justice (*now Canadian Friends Service Committee*)
- Trauma Association of Canada
- United Church of Canada
- YWCA of Canada
- Cabano (*today part of the City of Témiscouata*)
- Charlemagne
- Châteauguay
- Gatineau
- Granby
- Huntingdon
- Joliette
- Kirkland
- La Tuque
- Lac-Etchemin
- Lachenaie (*today part of the larger Terrebonne municipality*)
- Lachute
- Lac-Mégantic
- L'Ancienne Lorette
- Laval
- Lennoxville (*today part of the City of Sherbrooke*)
- L'Île Perrot
- Lorraine
- Louiseville
- Magog
- Malartic
- Matagami
- Mont-Royal
- Montréal
- Mont-Tremblant
- Murdochville
- Nicolet
- Papineauville
- Prévost
- Québec City
- Repentigny
- Richelieu
- Rivière-du-Loup
- Roberval
- Saint-Basile
- Sainte-Julie
- Saint-Félicien
- Saint-Georges
- Saint-Hubert (*today part of City of Longueuil*)
- Saint-Hyacinthe
- Saint-Joseph-de-Beauce
- Saint-Joseph-de-Sorel
- Saint-Romuald (*today part of City of Lévis*)
- Senneterre
- Senneville
- Shawinigan

POLICE

- Association des chefs en sécurité incendie du Québec
- Fédération des policiers et policières municipaux du Québec
- Fraternité des policiers et policières de Montréal
- International Police Association, Région 7, Montréal
- Service de Police de la ville de Montréal
- Service de la sécurité publique de Trois-Rivières
- Service de Police de la ville de Québec (*including the formal Service de Police de Ste-Foy*)

MUNICIPAL COUNCILS

- Anjou
- Baie-James
- Beaupré
- Beloeil
- Blainville
- Boucherville

- Sherbrooke
- Thurso
- Union des municipalités du Québec
- Vaudreuil-Dorion
- Westmount

HEALTH CARE

- Association québécoise d'établissements de santé et de services sociaux (*Formerly Association des hôpitaux du Québec*)
- Association pour la santé publique du Québec
- Conférence des Régies régionales de la Santé et des Services sociaux du Québec
- Directrices et Directeurs régionaux de santé publique du Québec
- Ordre des Chiropraticiens du Québec
- Réseau de la santé publique du Québec, Comité de prévention des traumatismes
- Association canadienne de la santé mentale, Filiale de Montréal
- CLSC de Longueuil-Ouest **Département de médecine sociale et préventive** du Centre Hospitalier Universitaire de Montréal (Pavillon **St-Luc**)
- Hôpital Maisonneuve-Rosemont
- Montréal Children's Hospital
- Montréal General Hospital Surgical Intensive Care/Trauma Unit
- Montréal Jewish General Hospital
- Agence de la santé et des services sociaux de l'Outaouais
- Agence de la santé et des services sociaux de Montréal
- Agence de la santé et des services sociaux de la Capitale-Nationale
- Agence de la santé et des services sociaux des Laurentides
- Agence de la santé et des services sociaux du Saguenay—Lac-Saint-Jean
- Agence de la santé et des services sociaux de l'Abitibi-Témiscamingue
- Agence de la santé et des services sociaux de la Côte-Nord
- Agence de la santé et des services sociaux de la Gaspésie—Îles-de-la-Madeleine
- Agence de la santé et des services sociaux de Laval
- Royal Victoria Hospital
- Virage Santé Mentale

UNIVERSITIES

- Concordia University
- Conférence des recteurs et des principaux des universités du Québec
- École Polytechnique
- McGill University

- Université de Montréal
- Université du Québec
- Université du Québec à Montréal
- Université Laval

BOARDS OF EDUCATION

- Commission des Écoles Catholiques de Montréal (*today part of the Commission scolaire de Montréal and the English Montreal School Board*)
- Commission des Écoles Catholiques de Verdun (*today part of the Commission scolaire de Montréal and the English Montreal School Board*)
- Commission scolaire d'Aylmer (*today part of the Commission scolaire des Portages-de-l'Outaouais*)
- Commission scolaire de Huntingdon (*today part of the Commission Scolaire New Frontiers*)
- Commission scolaire de la Chaudière-Etchemin (*today part of the Commission scolaire de la Beauce-Etchemin*)
- Commission scolaire Jérôme-Le Royer (*today part of the English Montreal School Board*)

OTHER EDUCATIONAL ORGANIZATIONS

- Alumni Association of Marianopolis College
- Association des Diplômés de Polytechnique
- Association des Etudiants de Polytechnique
- Centrale des syndicats du Québec (*Formerly, Centrale de l'enseignement du Québec*)
- Collège Saint-Bernard
- Montreal Teachers' Association
- Quebec Federation of Home and School Associations
- Women's Studies, John Abbott College

CRIME & JUSTICE

- Association des services de réhabilitation sociale du Québec
- Conseil des églises pour la justice et la criminologie (Québec)

LABOUR

- CSN (Conseil fédéral)
- SCEP Section locale 84Q
- Syndicat des employés-es de l'Université de Montréal
- Syndicat des professeures et professeurs de l'Université de Sherbrooke

DOMESTIC VIOLENCE AND WOMEN'S ORGANIZATIONS

- Association féminine d'éducation et d'action sociale
- Carrefour des femmes de Rosemont
- Carrefour des femmes de Saint-Léonard
- Centre d'éducation et d'action des femmes de Montréal

- Centre des femmes de Laval
- Centre des femmes de Montréal
- Centre des femmes de Verdun
- Centre des femmes Memphrémagog
- Cercle des dames d'Acadie de Shippagan
- Cercle des fermières de St-Benoît Lâbre
- Cercles des fermières du Québec
- Fédération des femmes du Québec
- La Chambrée, maison d'accueil et d'hébergement
- L'Escale de l'Estrie Inc.
- Maison des femmes de la région de Rimouski
- Maison des femmes des Bois-Francs
- Montreal Assault Prevention Centre
- Regroupement provincial des Maisons d'Hébergement et de transition pour femmes victimes de violence conjugale
- Service d'Entraide Passerelle
- SOS Violence Conjugale
- YWCA Montréal

COMMUNITY ORGANIZATIONS

- Artistes pour la Paix
- Beaufort United Church
- Chalmers-Wesley United Church
- **Comité Justice sociale des Soeurs Auxiliatrices**
- Comité Solidarité franciscaine (Québec)
- Dawson College Committee for Gun Control
- Évêché de Sainte-Anne-de-la-Pocatière
- Fédération de la famille Richelieu-Yamaska
- Golden Age Association (*Formerly the Golden Age Association (GAA), today part of the Cummings Jewish Centre for Seniors*)
- Mile-End Citizens Committee
- Paroisse Sainte-Brigide de Montréal
- Poly se souvient
- TANDEM Montreal

¹ Online at: <http://newswire.ca/news-releases/police-health-and-safety-experts-defend-the-long-gun-registry-bill-c-19-509103531.html>

² Public Health Agency of Canada. (2008) "Leading causes of death and hospitalization in Canada," at Table 1: <http://www.phac-aspc.gc.ca/publicat/lcd-pcd97/table1-eng.php>

³ Ontario Office of the Chief Coroner. (2002) Quoted in *The Toronto Star*, 1 April 2004, p. A8. Some of its more recent *Domestic Violence Death Reviews: Case Reviews of Domestic Violence Deaths* reports place access to firearms among the top 10 risk factors; they are available at www.mcscs.jus.gov.on.ca/english/DeathInvestigations/office_coroner/PublicationsandReports/DVDR/DVDR.html

⁴ This has been acknowledged even by pro-gun activists such as the blogger 'Akimo,' who listed each of those Officers' deaths, their circumstances, and the weapons involved, here, on October 4, 2010: <http://akimoya.wordpress.com/2010/10/04/276/>

⁹ Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey, 2010.

gistry in recovery of guns," *Lambton Shield*, December 1, 2010.

www.lambtonshield.com/sarnia-police-credit-gun-registry-in-recovery-of-guns/

¹⁰ RCMP. (2011) "Canadian Firearms Program. Facts and Figures (July - September 2011)" online at: www.rcmp-grc.gc.ca/cfp-pcaf/facts-faits/archives/quick_facts/2011/se-eng.htm

¹¹ RCMP (2010). CFP Program Evaluation Report. Ottawa: RCMP. Page 46.

¹² Commissioner of Firearms 2011 Report "Keeping Canada Safe", found at <http://www.rcmp-grc.gc.ca/cfp-pcaf/rep-rap/2011-comm-rpt/canada-eng.htm>

¹³ RCMP. (2009, 2010) *Canadian Firearms Program (2009) Commissioner of Firearms 2008 Report*.

¹⁴ Graduate Institute for International Studies Geneva. (2006) *Small Arms Survey 2006: Unfinished Business*. (Oxford University Press, USA), in Chapter 8: "The Instrument Matters: Assessing the Costs of Small Arms Violence." Available at www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2006.html

¹⁵ Miller, T.R. & Cohen, M.A. (1997) "Costs of gunshot and cut/stab wounds in the United States with some Canadian Comparisons," *Accid. Anal. Prev.* (29): 329-41; abstract at www.ncbi.nlm.nih.gov/pubmed/9183471 as cited in "Reasonable control: gun registration in Canada (Editorial)," *Canadian Medical Association Journal (CMAJ)* February 18, 2003.

¹⁶ RCMP, Statistics Canada, Canadian Association of Police Chiefs, Canadian Association of Emergency Physicians

<http://www.cbc.ca/news/canada/scrapping-the-long-gun-registry-some-relevant-numbers-1.861912>

¹⁷ IANSA [International Action Network on Small Arms] - the global movement against gun violence (n.d.) "Marking and Tracing," one of the work areas of their site and network, online at <http://en.iansa.org/workarea/marking-and-tracing>

¹⁸ Canadian Association of Chiefs of Police. (2011) "Letter to Minister Vic Toews, Ref: On behalf of CACP National Firearms Committee," May 19, 2011. Online at www.gunownersresource.com/PDFs/Minister+Toews+-+CACP+National+Firearms+Committee.pdf

¹⁹ ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives). (n.d.) "How to Become a Federal Firearms Licensee (FFL)."

<http://www.atf.gov/firearms/how-to/become-an-ffl.html>

²⁰ Directive 91/477/CEE (1991) Directive 2008/51/EC (2008) European Council. 1991. 'Article 6'. Council Directive of 18 June 1991 on Control of the Acquisition and Possession of Weapons (91/477/EEC) [current to 2008 amendments]. Brussels: Council of the European Communities, June 18. (Q2410). Weapons Act (WaffG) (2002) Germany. 2010. 'Legislation, Regulations and Administrative Procedures – Possession'. National Report of Germany on its Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA). New York: Permanent Mission of Germany to the United Nations, February 22. (Q1692).

²¹ Firearms Protocol of the United Nations Convention Against Transnational Organized Crime, Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition http://treaties.un.org/doc/source/RecentTexts/18-12_c_E.pdf

²² Department of International Law, Organization of American States, Washington, D.C. (n.d., but first adopted Nov. 1997) Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms (CIFTA) <http://www.oas.org/juridico/english/treaties/a-63.html>

²³ Parker, Sarah. (2011) *Analysis of National Reports: Implementation of the UN Programme of Action on Small Arms and the International Tracing Instrument in 2009–10*, An Occasional Paper of the Small Arms Survey (Graduate Institute of International and Development Studies, Geneva), www.operationspaix.net/IMG/pdf/SAS-Analysis-of-National-Reports_9-05-2011_.pdf at p. 77.

²⁴ *Ibid.*, at p. 60.

²⁵ <http://news.nationalpost.com/news/canada/for-the-seventh-time-federal-government-puts-off-enacting-rules-that-would-help-police-trace-gun-crime>

²⁶ Canadian Association of Chiefs of Police & Canadian Police Association and Canadian Association of Police Boards. (2007) Letter to Minister Stockwell Day, November 23, 2007.

²⁷ Vucetic, S., J. Erickson, A. Alcamo. Centre for International Policy Studies, <http://www.cips-cepi.ca/2016/01/27/op-ed-liberal-government-must-sign-treaty-regulating-arms-industry/>

²⁸ Commonwealth Heads of Government Meeting, Perth, Australia, 28-30 October 2011. www.thecommonwealth.org/subhomepage/33247/

²⁹ Commonwealth Secretariat. (2011) *CHOGM 2011 Communiqué*, Commonwealth Heads of Government Meeting, October 30, 2011.

http://www.chogm2011.org/sites/default/files/documents/COMMUNIQUE_CHOGM2011.pdf

³⁰ Frey, Barbara. (2002) *The Question of the Trade, Carrying and Use of Small Arms and Light Weapons in the Context of Human Rights and Humanitarian Norms*, Working Paper submitted in accordance with Sub-Commission decisions 2001/120 (United Nations, 2002).

[www.unhcr.ch/Huridocda/Huridoca.nsf/e06a5300f90fa0238025668700518ca4/13815ac49adf4d6bc1256c060052c8bd/\\$FILE/G0213883.pdf](http://www.unhcr.ch/Huridocda/Huridoca.nsf/e06a5300f90fa0238025668700518ca4/13815ac49adf4d6bc1256c060052c8bd/$FILE/G0213883.pdf)

³¹ Institut national de santé publique du Québec (2016) *Projet de loi n° 64 : Loi sur l'immatriculation des armes à feu* (Avril 2016), 31 pages.

³² E.g., see: Gagné, Marie-Pier. (2008) "L'effet des législations canadiennes entourant le contrôle des armes à feu sur les homicides et les suicides," Mémoire présenté à la Faculté des études supérieures en vue de l'obtention du grade de M.Sc. en criminologie. Université de Montréal, August 2008.

³³ See Statistics Canada, Police-reported robbery in Canada, 2008, at Chart 7, www.statcan.gc.ca/pub/85-002-x/2010001/article/11115-eng.htm#a6

³⁴ Statistics Canada, Homicide in Canada, 2014. 2015.

³⁵ Blais E, Gagné M-P, Linteau I, "L'effet des lois en matière de contrôle des armes à feu sur les homicides au Canada, 1974-2004," *La Revue canadienne de criminologie et de justice pénale*, 2011; 53(1):27-61.

³⁶ Most of the following arguments are quoted from Wendy Cukier's affidavit in the Court file case No. CV-12-453809 in front of the Ontario Superior Court of Justice between Barbra Schlifer Commemorative Clinic and

her Majesty the Queen in Right of Canada as represented by the Attorney General of Canada, the Commissioner of Firearms, the Registrar of Firearms, and the Chief Firearms Officer.

³⁷ Wintemute et al. 2012; Rothman et al. 2005; Sorenson and Wiebe 2004; Tjaden and Thoennes 2000, cited in *Reducing Gun Violence in America*, The Johns Hopkins University Press. 2013, Chapter 4, Evidence for Optimism: Policies to Limit Batterers' Access to Guns.

³⁸ Gouvernement du Québec. (2011) Rapport d'investigation du coroner, February 18, 2011; it can be ordered via http://www.coroner.gouv.qc.ca/index.php?id=rapport_recommandations

³⁹ Hanon, Andrew. (2010) "Fake firearms licences seized," QMI News, June 24. <http://cnews.canoe.ca/CNEWS/Crime/2010/06/24/14497076.html>

⁴⁰ MacCharles, Tonda; Campion-Smith, Bruce; & Talaga, Tanya. (2011) "Privacy Act doesn't prohibit long-gun data from being shared with provinces," *Toronto Star*, Nov. 1, 2011. www.thestar.com/news/article/1079724

⁴¹ See for example <http://rightedition.com/2015/12/10/26385/>

⁴² Source online at: <https://www.nraila.org/articles/20160120/canada-quebec-facing-unexpected-resistance-to-long-gun-registry>

⁴³ Source online at: <https://www.nraila.org/articles/20160229/canada-quebecs-proposed-long-gun-registry-facing-fight-from-galvanized-gun-lobby>

⁴⁴ Source online at: <http://www.politico.eu/article/europe-gun-lobby-mobilizing-against-new-firearms-guns-weapons-rules/>