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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Australia,* Chile, Cyprus,* Ecuador,* Greece,* Ireland,* Luxembourg, Mexico,* Paraguay* and Peru*: draft resolution

56/... Human rights and the civilian acquisition, possession and use of firearms

The Human Rights Council,

Guided by the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other international human rights law instruments and the Vienna Declaration and Programme of Action,

Recalling also Human Rights Council resolutions 26/16 of 26 June 2014, 29/10 of 2 July 2015, 38/10 of 5 July 2018, 45/13 of 6 October 2020 and 50/12 of 7 July 2022,

Bearing in mind the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,¹ in particular Sustainable Development Goal 16 to promote peaceful and inclusive societies, and acknowledging that the promotion and protection of human rights and the implementation of the 2030 Agenda are interrelated and mutually reinforcing,

Recalling that States bear the primary responsibility under international law to respect, protect and fulfil all human rights and fundamental freedoms, and that such responsibility may include, as appropriate, enacting and enforcing relevant national legislation and implementing related policies and practices,

Recalling also the Guiding Principles on Business and Human Rights, and stressing that the responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate, and that addressing adverse human rights impacts requires taking adequate measures for their prevention, mitigation and, when appropriate, remediation, and encouraging States, and business enterprises, including those involved in the manufacture, marketing, sale and transfer of firearms and their ammunition, to implement the Guiding Principles,

Alarmed that hundreds of thousands of human beings of all ages around the world continue to have their enjoyment of human rights negatively affected by the misuse,

* State not a member of the Human Rights Council.

¹ General Assembly resolution 70/1.



intentional or unintentional, of firearms by civilians, which has direct links to violence, including violence against women and children, sexual and gender-based violence, femicide, domestic violence and gang and organized crime violence, and concerned that such violence may undermine the enjoyment of the right to participate in cultural life and the right to take part in the conduct of public affairs,

Recognizing that the costs generated by civilian firearms-related violence might undermine the capabilities of States to use their resources to further enhance the promotion and protection of all human rights and fundamental freedoms,

Deeply concerned that cases of civilian firearms-related violence cause death, non-fatal physical injuries and psychological trauma, including anxiety disorders, post-traumatic stress symptoms and the risk of substance abuse, and may lead to severe and life-long disability and an overall decline in a sense of public safety, and that these and other long-term effects may expose individuals to further vulnerabilities and human rights concerns relating to the full enjoyment of all their human rights,

Noting with concern that increased civilian access to and possession and use of firearms have had alarming impacts on the human rights of women, children and youth, persons belonging to diverse ethnic, religious or linguistic populations, minorities and persons in vulnerable or marginalized situations, and recognizing that States should thus take appropriate measures to regulate and, where necessary, strengthen control, of civilian-held firearms, consistent with their constitutional frameworks,

Concerned that increased civilian access to firearms, including lawfully acquired weapons, may lead to increased levels of violence and insecurity, and that fear of victimization constitutes an important motivation for the acquisition of firearms by civilians, which is more pronounced in contexts in which there is a real or perceived threat to the safety of individuals,

Deeply concerned that firearms are used by civilians in the commission of violent crimes, including for profit, such as robberies, and that children and youth are at risk of unlawfully acquiring or coming into possession of firearms through their relatives, social networks, criminal gangs or the illicit market,

Noting with concern that the exposure of children and youth to civilian firearm violence can have a severe lifelong impact on the enjoyment of a wide range of rights, including civil and political rights, the rights to an adequate standard of living, the enjoyment of the highest attainable standard of physical and mental health, the right to education and the right to work, which could lead to distinct human rights violations and abuses,

Noting with grave concern the occurrence of shootings in schools, places of worship and on other public premises,

Acknowledging that the ownership and use of firearms are closely linked to specific dynamics of control, power and domination and strength, which contributes to perpetuating gender-based violence, and that addressing gendered root causes of violence is essential,

Recognizing that national regulation of civilian acquisition, possession and use of firearms should include appropriate and effective measures, such as strengthening control mechanisms, to avoid illicit practices, including diversion of firearms, as a crucial step towards reducing the impact of civilian access to firearms on the enjoyment of human rights,

Recognizing also the importance of systematic measuring and monitoring of and reporting on civilian firearms-related violence and its impact on the enjoyment of human rights, especially through the collection of relevant disaggregated data, and of States providing such information in their reports to human rights treaty bodies and in the context of the universal periodic review, when relevant,

Acknowledging that effective national regulation and, where appropriate, control of civilian acquisition, possession and use of firearms and ammunition contributes positively to diminishing the number of victims of civilian firearm-related violence and may enhance the enjoyment of all human rights, and acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, in this regard,

Highlighting the importance of reducing and preventing armed violence through comprehensive, inclusive and evidence-based public policies that are tailored to address the root causes and risk factors driving firearms-related violence, including different forms of inequality and discrimination rooted in negative stereotypes, which often affect communities based on their socioeconomic status, often disproportionately affecting racial and ethnic minorities,

1. *Expresses its concern* that the global number of firearms is rising, that civilians own far more firearms worldwide than the military and law enforcement sectors combined, and that the majority of these firearms are unregistered;

2. *Also expresses its concern* that violence related to civilian ownership of firearms may lead to an overall decline in a sense of public safety and that fear of victimization constitutes an important motivation for the acquisition of firearms by civilians;

3. *Reiterates its deep concern* at the fact that the majority of firearms-related homicides are committed in non-conflict settings, and that every year hundreds of thousands of human beings of all ages around the world lose their lives or suffer injuries, lifelong disability and psychological harm from civilian firearms-related violence, thus having their enjoyment of human rights negatively affected, and that these profound long-term impacts expose individuals, in particular persons in vulnerable or marginalized situations, to further vulnerabilities and human rights concerns relating to their enjoyment of human rights;

4. *Recognizes* that civilian firearms-related violence and insecurity pose direct risks to the enjoyment of the rights to life and to security of person, and also affect other civil and political rights, including the right to take part in the conduct of public affairs, as well as the enjoyment of economic, social and cultural rights;

5. *Calls upon* States to do their utmost to take appropriate legislative, administrative and other measures, consistent with international law, in particular human rights law, and their constitutional frameworks, including comprehensive, inclusive and evidence-based public policies, tailored to address the root causes and risk factors driving firearms-related violence, including different forms of inequality and discrimination rooted in negative stereotypes, in order to minimize the human rights impact of civilian acquisition, possession and use of firearms, with the aim of strengthening the protection and enjoyment of the human rights of all;

6. *Also calls upon* States to consider adopting requirements for manufacturers and dealers of firearms and their ammunition based on the Guiding Principles on Business and Human Rights, which include the responsibility to avoid causing or contributing to adverse human rights impacts, preventing, remediating when appropriate or mitigating adverse human rights impacts that are directly linked to their operations, and the responsibility to conduct human rights due diligence;

7. *Calls once more upon* States to ensure that regulations on civilian and companies' acquisition, possession and use of firearms and their ammunition include appropriate measures to avoid illicit practices, including the diversion of firearms and their ammunition;

8. *Calls upon* States to adopt effective national regulations and, where necessary, strengthen controls on the acquisition, possession and use of firearms and their ammunition by children, and to invest in and support community-based interventions aimed at violence prevention and rehabilitation of children and youth trapped in environments of violence, including those largely attributable to the illicit activities of organized criminal groups and street gangs;

9. *Encourages* States to collect and publish disaggregated data on the acquisition, possession and use of firearms and their ammunition, where feasible and consistent with their constitutional and legislative frameworks, and to analyse the underlying drivers of firearms use affecting the enjoyment of human rights;

10. *Calls upon* all States to take effective measures with the aim of implementing the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, to promote peaceful and inclusive societies;

11. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the impact of civilian acquisition, possession and use of firearms,² in which the High Commissioner examined firearms-related death and injury and its human rights consequences, factors driving the availability of firearms, as well as the way in which business enterprises, in particular the firearms industry, contribute to driving the availability of firearms, and their commitment to implementing the Guiding Principles on Business and Human Rights;

12. *Requests* the High Commissioner to prepare, in consultation with Member States, a report on the impact of civilian acquisition, possession and use of firearms and the underlying root causes and risk factors driving firearms-related violence on the right to participate in cultural life and the right to take part in the conduct of public affairs, particularly for individuals in vulnerable or marginalized situations, and to present the report to the Human Rights Council at its fifty-ninth session;

13. *Invites* all relevant special procedures, commissions of inquiry and other accountability mechanisms, and human rights treaty bodies, as well as the Office of the United Nations High Commissioner for Human Rights, to continue to bear in mind the present resolution within the framework of their respective mandates;

14. *Invites* all business enterprises, including those involved in the manufacture and sale of firearms and their ammunition, to consider the reports of the High Commissioner on human rights and civilian acquisition, possession and use of firearms when addressing the adverse human rights impacts of their operations, in line with the Guiding Principles on Business and Human Rights;

15. *Decides* to remain seized of this issue.

² A/HRC/53/49.