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Agenda item 3

**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,* Liechtenstein,*
Luxembourg,* Mexico, Paraguay,* Peru, Portugal,* Switzerland* and Thailand:*
draft resolution**

45/... Human rights and the regulation of 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 and 38/10 of 5 July 2018,

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,

Alarmed that hundreds of thousands of human beings of all ages around the world continue to have their human rights, in particular their right to life and security of person, but also other civil, political, economic, social and cultural rights, including their rights to freedom of thought, conscience and religion, to freedom of expression, to enjoy one's culture and use one's own language, and the right to participate in public, political and cultural life, and the rights to health, to education, and to an adequate standard of living and social security,

* State not a member of the Human Rights Council.

¹ General Assembly resolution 70/1.



negatively affected by the misuse, intentional or unintentional, of firearms, which has direct links to violence, including violence against women and children, and domestic violence,

Noting with concern that cases of civilian firearms-related violence cause death, non-fatal physical injuries and psychological trauma, and may lead to severe disability and an overall decline in a sense of public safety,

Noting also with concern that increased civilian access to and possession and use of firearms have had alarming patterns of impact on the human rights of women, children and youth, and of persons belonging to ethnic, religious or linguistic minorities,

Noting further with concern the increase in domestic violence during the coronavirus disease (COVID-19) pandemic and the risk of firearms being used to commit such violence,

Recognizing that the costs generated by civilian firearms-related violence in terms of, inter alia, medical treatment, mental health services and criminal justice might undermine the capabilities of States to use their resources to further enhance the promotion and protection of human rights and fundamental freedoms,

Recognizing also that national regulation of civilian acquisition, possession and use of firearms includes appropriate measures to avoid illicit practices, including diversion of firearms, which is a crucial step towards reducing the impact of civilian access to firearms on the enjoyment of human rights,

Recognizing further the importance of systematic measuring and monitoring of and reporting on civilian firearms related-violence, including illicit firearms-related violence, for the enjoyment of human rights, especially through the collection of data disaggregated on the basis of relevant criteria,

Acknowledging that effective national regulation of civilian acquisition, possession and use of firearms and ammunition may contribute positively to diminishing the number of victims of the misuse of firearms, and may enhance the protection of all human rights,

Acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, to ensure that civilian acquisition, possession and use of firearms in their respective societies are effectively regulated,

Highlighting the importance of reducing and preventing armed violence through comprehensive public policies, inter alia, socioeconomic interventions and the provision of services tailored to address the factors driving firearms-related violence among civilians, especially children and youth,

1. *Expresses its concern* 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. *Reiterates its deep concern* at the fact that the majority of firearms-related homicides are committed in non-conflict settings, and that hundreds of thousands of human beings of all ages around the world have lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians, thus having their human rights negatively affected;

3. *Recognizes* that civilian firearms-related violence and insecurity pose direct risks to the right to life and to security of person, and also affect other civil and political rights, as well as economic, social and cultural rights;

4. *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, inter alia, socioeconomic interventions, such as programmes, activities and services, tailored to address the factors driving firearms-related violence in order to minimize the human rights impact of civilian acquisition, possession and use of firearms, with the aim of strengthening the protection of the human rights of all;

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

6. *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;

7. *Takes note with appreciation* of the report by the United Nations High Commissioner for Human Rights on the impact of civilian acquisition, possession and use of firearms on civil, political, economic, social and cultural rights,² in which she highlighted how increased civilian access to and possession and use of firearms lead to greater levels of violence and insecurity, which have a negative impact on all human rights;

8. *Requests* the High Commissioner to prepare a report on the human rights impact of the civilian acquisition, possession and use of firearms by children and youth, with a view to contributing to the strengthening or the development of comprehensive public policies based on socioeconomic interventions and services, which address the factors driving firearms-related violence, and to present the report to the Human Rights Council at its forty-eighth session;

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

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

² A/HRC/42/21.