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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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

Impact of the civilian acquisition, possession and use of firearms by children and youth

Report of the United Nations High Commissioner for Human Rights*

Summary

In the present report, the United Nations High Commissioner for Human Rights highlights how the availability of firearms in society influences their acquisition, possession and use by children and youth. The High Commissioner details the profound impacts that the use of firearms has on the enjoyment of human rights and calls for comprehensive measures to reduce the harm caused by firearms. She recommends reducing the availability of firearms in society and implementing measures designed to prevent and address the underlying causes of firearms-related deaths and injuries.

* The present report was submitted after the deadline so as to include the most recent information.



I. Introduction

1. In its resolution 45/13, the Human Rights Council requested the United Nations High Commissioner for Human Rights 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 that address the factors driving firearms-related violence.

2. To prepare the report, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sought inputs from States,¹ national human rights institutions, United Nations entities,² international and regional organizations and non-governmental organizations.³ It also drew on a diverse range of public sources, including international and regional instruments, the practice of United Nations human rights mechanisms and reports of regional and humanitarian organizations, civil society, scholars and practitioners.⁴

3. The present report builds on previous reports submitted in response to Human Rights Council resolutions 29/10 and 38/10. Those reports addressed human rights and the regulation of civilian acquisition, possession and use of firearms, and the impact of civilian acquisition, possession and use of firearms on civil, political, economic, social and cultural rights, respectively.⁵

4. The present report examines the acquisition, possession and use of firearms by children and youth.⁶ It focuses on violent crimes, accidental firearms injuries and suicides and details impacts that such use has on the enjoyment of human rights. It also considers direct and indirect impacts, as well as the impact on particular groups. The report goes on to examine types of comprehensive public policy measures that can be adopted to tackle the factors driving firearms-related deaths and injuries. It considers three types of measures: reducing the availability of firearms; preventing firearms-related deaths and injuries; and addressing the underlying causes of firearms-related deaths and injuries. The report concludes with a number of recommendations.

II. Acquisition, possession and use of firearms by children and youth

A. Acquisition and possession of firearms

5. As highlighted in previous reports, the vast majority of firearms in the world are held by civilians; by the end of 2017, there were more than 850 million civilian-held firearms.⁷ Estimates in rates of firearms possession vary between countries, from 120.5 firearms per 100 residents in the United States of America, to less than 1 for every 100 residents in Japan.

¹ Submissions were received from Algeria, Colombia, Ireland, Italy, Jordan, Kyrgyzstan, Lebanon, Libya, Mauritius, Qatar and Saudi Arabia.

² One submission was received, from the Office for Disarmament Affairs.

³ Submissions were received from the University of Minnesota Human Rights Program, the University of Dayton Human Rights Center and the Women's International League for Peace and Freedom.

⁴ It must be noted, however, that there is a dearth of information on the acquisition, possession and use of firearms, including by children and youth, in many parts of the world.

⁵ [A/HRC/32/21](#) and [A/HRC/42/21](#).

⁶ In the present report, the term "children" is used in accordance with the definition given in the Convention on the Rights of the Child. In art. 1 of the Convention, the term "child" is defined as "every human being below the age of eighteen years". The term "youth" is used in accordance with the definition provided by the Security Council in its resolution 2250 (2015). In the preamble of that resolution, the term "youth" is defined as "persons of the age of 18–29 years old".

⁷ [A/HRC/42/21](#), para. 5.

Due to a higher rate of manufacturing of firearms than that of destruction or disposal of firearms, the global number of firearms is rising.⁸

6. Reliable global data on the acquisition and possession of firearms disaggregated by age group are scarce. That is consistent with findings in previous reports, which note that in 2017, only 12 per cent of firearms held by civilians globally were reported as registered.⁹ It is known, however, that there is a link between the availability of firearms generally in society and the use of firearms, including by children and youth.¹⁰

7. The extent to which children and youth can lawfully acquire or come into possession of firearms depends on the applicable regulations in the relevant domestic legal system. In their submissions, States reported on their respective regulations under domestic law, confirming that there is no uniform practice with respect to age requirements for the lawful acquisition of firearms in domestic law. Jordan and Qatar reported a minimum age of 21 for the acquisition of firearms, while Kyrgyzstan reported the minimum age to be 20. Algeria, Colombia, Libya and Mauritius reported a minimum age of 18 for the acquisition and possession of firearms. Italy reported a minimum age of 18 for the acquisition of firearms, with the possibility of trapshooting from the age of 14, subject to certain requirements. Ireland reported the minimum age for acquiring a firearms licence to be 16 years, but a training certificate allowing for possession for the purpose of target shooting and hunting can be obtained from the age of 14. Some States have different age requirements depending on the type of firearm in question.

8. Domestic systems therefore generally contain stricter regulation of the acquisition of firearms by children than by adults, some prohibiting acquisition by children altogether. With certain exceptions, youth will generally be subjected to the same rules as those applicable to the general adult population. There is greater variety in practice with respect to the possession of firearms. In general, the minimum age for the lawful possession of firearms and for the handling of firearms is often lower than the age requirements for the acquisition of firearms. The possession or handling of firearms in such circumstances, however, is tied to requirements such as parental permission, a licence and/or supervision.¹¹

9. Children and youth can also come into possession of firearms that are available in the home,¹² which have been lawfully or unlawfully acquired by a relative. That is the case, for example, where the firearm is stored in a manner which makes it accessible for the child or youth. Studies in the United States have, for example, revealed that most so-called school shooters obtain their guns from relatives or friends rather than purchasing them legally or illegally.¹³

10. Children and youth can also acquire or come into possession of firearms in a manner that is contrary to applicable domestic law. In its submission, Colombia highlighted some of the ways that youth may come into possession of firearms, such as through their social networks or criminal gangs. It has been reported that in 2020, ten times more perpetrators of firearms incidents in South-East Europe were in illegal possession of firearms than in legal possession of firearms.¹⁴ Similarly, a study examining United States Department of Justice data on youth inmates found that youth tend to utilize the illicit market to acquire firearms. Roughly half of incarcerated youth who had used a firearm when committing a crime had

⁸ Aaron Karp, “Estimating global civilian-held firearms numbers”, Briefing Paper (Geneva, Small Arms Survey, 2018).

⁹ [A/HRC/42/21](#), para. 6.

¹⁰ For example, [A/HRC/32/21](#), para. 51, and [A/HRC/42/21](#), para. 60.

¹¹ Another example is Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on control of the acquisition and possession of weapons (codification), art. 6 (1) (a).

¹² Submissions from Colombia and University of Dayton Human Rights Center.

¹³ Submission from University of Minnesota Human Rights Program.

¹⁴ South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, “Perpetrators of firearm incidents in South East Europe in 2020”, In Focus – Armed Violence Monitor, No. 4 (2021), p. 16.

obtained their firearm through the illicit market, while approximately one third had used a gun from their home.¹⁵

11. Understanding how firearms enter the so-called illicit market is therefore crucial to understanding how children and youth acquire or come to possess them.¹⁶ Most firearms are legally manufactured and enter the illicit market through an initial diversion, a process which was the subject of a previous report.¹⁷ They can be diverted from holdings by law enforcement or the military, such as through corruption, theft or otherwise inadequate stockpile management.¹⁸ They can also be diverted from licensed dealers through straw purchases, theft or illegal sales, or from legal owners through unlawful transfers.¹⁹ Once diverted, the firearms will form part of the illicit market and be subject to subsequent illicit sales or transfers.²⁰

12. In Latin America and the Caribbean, a substantial percentage of available firearms were manufactured elsewhere, mainly in the United States, and entered the country legally, while others were trafficked illegally into the region.²¹ Other sources include stockpiles after armed conflicts, which were reportedly diverted through theft and corruption.²² A study conducted among States members of the Southern African Development Community details the variety of ways in which firearms have come into the possession of criminal youth gangs in South Africa. Before 2004, such gangs reportedly had limited access to firearms, originating mainly from theft. Since 2004, the drug trade has enabled gangs to illegally procure more firearms and ammunition, facilitated by corruption.²³

B. Use of firearms

13. While the possession and use of firearms by children and youth may be lawful in certain contexts, there is a risk that firearms may cause harm even in benign uses, such as sports shooting, target practice and hunting. The present report focuses on: (a) the intentional use of firearms in the commission of violent crimes; (b) the discharge of firearms accidentally causing injury or death; and (c) the use of firearms in suicides.

14. Firearms are used by adolescent children and youth in the commission of violent crimes, including for profit, such as in robberies, and in intimate partner violence and sexual and gender-based crimes. Estimates indicate that between 38 and over 50 per cent of all homicides are committed using firearms,²⁴ approximately 90 per cent of which are perpetrated by men.²⁵ In 2016, approximately 40 per cent of those reportedly responsible for homicides were 29 years old or younger.²⁶ In 2017, firearm homicides in the Americas alone accounted for roughly a quarter of all homicides worldwide, while homicides in Africa

¹⁵ Daniel W. Webster, John Speed Meyers and Shani Buggs, “Youth acquisition and carrying of firearms in the United States: patterns, consequences, and strategies for prevention”, Center for Gun Policy and Research, Center for the Prevention of Youth Violence, Johns Hopkins Bloomberg School of Public Health (2014); and submission from University of Dayton Human Rights Center.

¹⁶ A/HRC/42/21, para. 57.

¹⁷ A/HRC/44/29.

¹⁸ Jenni Irish-Qhobosheane, *How to Silence the Guns? Southern Africa’s illegal firearms markets* (Geneva, Global Initiative against Transnational Organized Crime, 2021), pp. 27–28.

¹⁹ United Nations Office on Drugs and Crime (UNODC), *Global Study on Firearms Trafficking 2020*, pp. 37–38.

²⁰ In its contribution, Lebanon emphasized the lucrative nature of illicit transfers.

²¹ UNODC, *Global Study on Firearms Trafficking 2020*.

²² UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment* (2012).

²³ Jenni Irish-Qhobosheane, *How to Silence the Guns?*, pp. 41–42. For other examples, see A/HRC/42/21, paras. 58–59.

²⁴ UNODC, *Global Study on Homicide: Understanding homicide – typologies, demographic factors, mechanisms and contributors* (2019), p. 77, and Gergely Hideg and Anna Alvazzi del Frate, “Still not there: global violent deaths scenarios, 2019-30”, Briefing Paper (Geneva, Small Arms Survey, 2021).

²⁵ UNODC, *Global Study on Homicide: Homicide trends, patterns and criminal justice response* (2019), p. 71.

²⁶ *Ibid.*, p. 72.

perpetrated using firearms constituted approximately one seventh of the global total.²⁷ The coronavirus disease (COVID-19) pandemic had consequences for the rate of firearms violence in many countries.²⁸ In South Africa, firearms violence decreased during lockdown periods, only to spike once measures were lifted.²⁹

15. The high level of homicides in the Americas has largely been attributed to the prevalence of violent gangs and organized crime. Such gangs are often predominantly, but not exclusively, composed of adolescent children and youth.³⁰ However, gangs that constitute or are affiliated with organized criminal groups and that exercise extreme brutality are often controlled by adults.³¹ Firearms are the most significant method used in homicides by such gangs³² and are also used to facilitate the perpetration of a wide variety of other crimes.³³ There are many reasons why children and youth join such gangs. Importantly, they may offer community protection, opportunities for socialization and a sense of identity and community engagement for children and youth suffering marginalization and social exclusion.³⁴

16. Firearms are also used in the commission of gender-based violence. One study found that access to a firearm made intimate partner violence five times more likely to lead to homicide.³⁵ On average, however, research has shown that perpetrators of intimate partner homicides tend to be older than for other types of homicide. It is important to recall that homicide in those circumstances is often the culmination of long-term exposure to non-lethal violence and abuse.³⁶

17. In many States, children and youth bringing firearms to school is a significant problem.³⁷ Risks include injury or death due to accidental discharge or use as a means to perpetrate violence, including intimate partner violence, to deal with disputes or community violence more generally.³⁸ Recent decades have also witnessed particularly deadly mass school shootings, often facilitated by inadequate gun control. Since the Columbine mass killing in 1999, the United States, for instance, has seen multiple tragic incidents, such as the Virginia Tech, Sandy Hook and Parkland incidents in 2007, 2012 and 2018 respectively. Such tragedies also take place elsewhere, even in States with stronger gun control, albeit with less frequency. Some examples include the École Polytechnique killings in Montreal, Canada, in 1989; the school shootings in Erfurt and Winnenden, Germany, in 2002 and 2009 respectively; the Jokela and Kauhajoki school shootings in Finland in 2007 and 2008 respectively; the Rio de Janeiro and the Suzano, Sao Paulo, school shootings in 2011 and 2019 respectively; the mass shooting at the Kerch Polytechnic College in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian

²⁷ UNODC, *Global Study on Homicide: Understanding homicide*, p. 78.

²⁸ Paddy Ssentongo and others, “Gun violence incidence during the COVID-19 pandemic is higher than before the pandemic in the United States”, *Scientific Reports*, vol. 11 (October 2021), and “Mais armas com civis aumentam homicídios mesmo na pandemia; veja mapa da violência”, *Correio Braziliense*, 16 July 2021.

²⁹ P.H. Navsaria and others, “The effect of lockdown on intentional and nonintentional injury during the COVID-19 pandemic in Cape Town, South Africa: a preliminary report”, *South African Medical Journal*, vol. 111, No. 2 (December 2021).

³⁰ In the United States in 2011, for example, it was estimated that a third of gang members were children. See U.S. National Gang Center, “National Youth Gang Survey Analysis: Demographics”.

³¹ Inter-American Commission on Human Rights, *Violence, Children and Organized Crime* (2015), para. 65.

³² UNODC, *Global Study on Firearms Trafficking 2020*, p. 13.

³³ United Nations Development Programme (UNDP), *Regional Human Development Report 2021. Trapped: High Inequality and Low Growth in Latin America and the Caribbean* (2021), p. 189.

³⁴ Inter-American Commission on Human Rights, *Violence, Children and Organized Crime*, para. 63.

³⁵ Everytown Research & Policy, “Guns and violence against women: America’s uniquely lethal intimate partner violence problem” (2019), p. 10.

³⁶ UNODC, *Global Study on Homicide: Gender-related killing of women and girls* (2019), pp. 37 and 40.

³⁷ United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, *Firearms in Latin American and Caribbean Schools: Approaches, challenges and responses* (2019), p. 14.

³⁸ *Ibid.*, p. 13. In the United States, for example, there were reportedly 288 school shootings between 2009 and 2018. See submission from University of Minnesota Human Rights Program.

Federation, in 2018; and the Kazan school and the Perm State University shootings in the Russian Federation in 2021.

18. There are also situations where a firearm is discharged accidentally and the consequent injury or death is accidental. That particularly affects children living in homes where firearms are stored unsafely. Accidents also occur when children play with firearms, causing self-harm, injury or death of a sibling, friend or other persons nearby. Available data from the United States suggest that that phenomenon predominately affects children aged between 14 and 17 years and 5 years and below.³⁹

III. Impact on human rights

19. As noted in a previous report on the matter, the use of firearms profoundly impacts the enjoyment of civil, political, economic, social and cultural rights, going beyond the direct and immediate impact on the victim.⁴⁰ It has long-term consequences for those who are directly affected and broader societal impacts, disproportionately affecting certain groups in society.

A. Direct and immediate impact

20. The use of firearms, including by children and youth, has a direct and immediate impact on the rights to life and to security of person. The right to life entails the right of every person to be free from acts and omissions that are intended or may be expected to cause their unnatural or premature death, as well as to enjoy a life with dignity.⁴¹ The right to security of person protects individuals from intentional infliction of bodily or mental injury.⁴²

21. The World Health Organization (WHO) estimates that each year, 200,000 children and youth aged between 10 and 29 years are victims of homicides, making it the fourth leading cause of death for people in that age group. WHO notes that firearm attacks more often result in fatal injuries than other types of assault.⁴³ The extent to which firearms are used in the commission of homicides varies greatly by region. In the Americas, it is between over 50 per cent to over 60 per cent, while it is between approximately 30 to 40 per cent in most other regions.⁴⁴

22. There are no reliable global data on injuries and deaths resulting from the accidental discharge of firearms by children. Studies conducted in one country show increased incidence of firearm injuries caused by children in the first six months of the COVID-19 pandemic compared to the six months prior to the pandemic, which correlated with a rise in firearm acquisitions during the pandemic.⁴⁵

23. As noted by WHO, for every young person killed by violence, more sustain injuries requiring hospital treatment.⁴⁶ Research into non-fatal violent injuries has suggested that for every youth homicide, as many as 20 to 40 individuals suffer injuries requiring hospital treatment.⁴⁷ Despite a higher mortality rate for firearms injuries, some studies indicate that

³⁹ Everytown Research & Policy, “Preventable tragedies: findings from the #NotAnAccident Index”, 30 August 2021.

⁴⁰ [A/HRC/42/21](#).

⁴¹ Human Rights Committee, general comment No. 36 (2018), para. 3.

⁴² Human Rights Committee, general comment No. 35 (2014), para. 9.

⁴³ WHO, “Youth violence”, Fact sheet, 8 June 2020.

⁴⁴ Gergely Hideg and Anna Alvazzi del Frate, “Still not there”, p. 9.

⁴⁵ Possible contributing factors are the increased rate of homeschooling and a decrease in the availability of firearms safety training. See Johanna S. Cohen and others, “Firearms injuries involving young children in the United States during the COVID-19 pandemic”, *Paediatrics*, vol. 148, No. 1 (July 2021), pp. 4–6.

⁴⁶ WHO, “Youth violence”.

⁴⁷ Hugh Richard Waters and others, “The costs of interpersonal violence – an international review”, in *Social and Economic Costs of Violence: Workshop Summary*, Deepali M. Patel and others, eds. (Washington, D.C., National Academies Press, 2011), p. 44.

more people survive from firearms injuries than those who die from them,⁴⁸ although survival rates depend on a variety of factors, including access to quality emergency health care. Survivors of firearms injuries sustain long-term effects affecting their enjoyment of human rights.

24. According to WHO, suicide is the fourth leading cause of death for children and youth between 15 and 19 years old.⁴⁹ Globally, the use of firearms is among the three most common means used to commit suicide. In 2019, suicides were the second leading cause of death in youth and children from the age of 10 in the United States.⁵⁰ Among the general population in the country, firearms were used in over half of all suicides⁵¹ and an average of three children reportedly committed suicide every day using firearms in 2019.⁵² The use of firearms in suicides produces the highest mortality rates compared to other uses of firearms, such as in the commission of violent crimes.⁵³

B. Direct and long-term impact

25. The use of firearms also has profound long-term impacts. The effects may expose individuals to further vulnerabilities and human rights concerns relating to their access to economic, social and cultural rights.

26. Where firearms injuries do not result in death, they are likely to have long-term consequences on the victim's health and well-being. The use of firearms has serious mental health consequences, including causing anxiety disorders and post-traumatic stress symptoms.⁵⁴ It also entails increased risks of interpersonal violence and self-harm.⁵⁵ A major predictor of suicide is previous serious injury.⁵⁶ Studies confirm that sustaining firearms injury also entails increased risk of substance abuse.⁵⁷ The exposure of children to firearms violence can have severe and lifelong consequences, including the impairment of brain development and the development of their endocrine, circulatory, musculoskeletal, reproductive, respiratory and immune systems.⁵⁸

27. Firearms injuries are also likely to have long-term consequences on education and employment. The exposure of children to violence impacts their educational outcomes, resulting in poorer performance and a decreased likelihood of graduating.⁵⁹ Studies have shown that exposure to firearms violence also has employment consequences, resulting in an increased likelihood of long-term unemployment.⁶⁰

⁴⁸ Elinore J. Kaufman and others, "Epidemiologic trends in fatal and nonfatal firearm injuries in the US, 2009–2017", *JAMA Internal Medicine*, vol. 181, No. 2 (February 2021).

⁴⁹ WHO, "Suicide", Fact sheet, 17 June 2021.

⁵⁰ Suicide Prevention Resource Center, "Suicide by age" (accessed on 14 January 2022).

⁵¹ Suicide Prevention Resource Center, "Means of suicide" (accessed on 14 January 2022).

⁵² Educational Fund to Stop Gun Violence and Coalition to Stop Gun Violence, "A public health crisis decades in the making: a review of 2019 CDC gun mortality data" (2021), p. 5.

⁵³ Elinore J. Kaufman and others, "Epidemiologic trends in fatal and nonfatal firearm injuries in the US, 2009–2017".

⁵⁴ WHO, *Global status report on preventing violence against children* (Geneva, 2020), p. 17. See also Megan Ranney and others, "What are the long-term consequences of youth exposure to firearm injury, and how do we prevent them? A scoping review", *Journal of Behavioral Medicine*, vol. 42, No. 4 (August 2019); and submission from University of Dayton Human Rights Center.

⁵⁵ WHO, *Global status report on preventing violence against children*, p. 17.

⁵⁶ Susan C. Campisi and others, "Suicidal behaviours among adolescents from 90 countries: a pooled analysis of the global school-based student health survey", *BMC Public Health*, vol. 20 (2020), p. 6.

⁵⁷ Michael A. Vella and others, "Long-term functional, psychological, emotional, and social outcomes in survivors of firearm injuries", *JAMA Surgery*, vol. 155, No. 1 (January 2020).

⁵⁸ WHO, *Global status report on preventing violence against children*, p. 17.

⁵⁹ *Ibid.*, pp. 17–18.

⁶⁰ Michael A. Vella and others, "Long-term functional, psychological, emotional, and social outcomes in survivors of firearm injuries"; and Sheharyar Raza, Deva Thiruchelvam and Donald A. Redelmeier, "Death and long-term disability after gun injury: a cohort analysis", *CMAJ Open*, vol. 8, No. 3 (July 2020).

28. The direct and long-term consequences do not only affect the victim. Exposure to firearms violence has impacts also on the rights and well-being of the family and those close to the victim, and for others living in environments where the violence takes place. Research has found, for example, that exposure to fatal school shootings increased the use of antidepressants by youth by over 20 per cent.⁶¹ Classroom violence can lead to lower academic performance and school absenteeism.⁶² Gang violence in El Salvador and Honduras has led to higher dropout rates⁶³ and in Haiti, gangs increasingly extort schoolteachers and other staff with threats and use of gun violence, possibly contributing to an increase in dropout rates.⁶⁴

29. The direct long-term effects of firearms injuries may have an impact on a wide range of rights, including the rights to an adequate standard of living,⁶⁵ the enjoyment of the highest attainable standard of physical and mental health,⁶⁶ the right to education⁶⁷ and the right to work,⁶⁸ which could lead to distinct human rights violations.

C. Indirect impact

30. The use of firearms by children and youth also contributes to the widespread indirect impacts of violence on the enjoyment of human rights in society. Researchers and policymakers have long attempted to quantify the costs of violence.⁶⁹ Beyond the costs associated with the immediate and long-term direct impacts on the victim, high rates of violence in society place burdens on public institutions, such as the criminal justice system, the health-care system and social services. High rates of violence can also reduce and distort investment, affect productivity and lead to the depletion of natural resources and human-made products used in the production of goods and services.⁷⁰ As previously highlighted by the United Nations High Commissioner for Human Rights, the use of firearms by private actors can also be used to facilitate the commission of human rights abuse,⁷¹ affecting the enjoyment of rights such as the rights to freedom of opinion and expression and of peaceful assembly. The use of firearms by private actors to prevent individuals from exercising their rights or to punish them for doing so has a chilling effect on the exercise of those rights.

D. Impact on particular groups

31. The use of firearms by children and youth has been shown to have a disproportionate impact on particular groups, affecting communities on the basis of their socioeconomic status.⁷² Overwhelmingly, individuals and communities that face obstacles in accessing economic and social rights or in enjoying political participation and representation are at

⁶¹ Maya Rossin-Slater and others, “Local exposure to school shootings and youth antidepressant use”, *Proceedings of the National Academy of Sciences of the United States of America*, vol. 117, No. 38 (September 2020), p. 23486.

⁶² United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, *Firearms in Latin American and Caribbean Schools: Approaches, challenges and responses* (2019), p. 13.

⁶³ Norwegian Refugee Council, “Violence has pushed thousands of children in Honduras and El Salvador out of school”, 16 May 2019.

⁶⁴ United Nations Children’s Fund (UNICEF), “Increasing number of schools in Haiti targeted by gangs”, 2 November 2021.

⁶⁵ International Covenant on Economic, Social and Cultural Rights, art. 11. In the case of children, see Convention on the Rights of the Child, art. 27.

⁶⁶ International Covenant on Economic, Social and Cultural Rights, art. 12. In the case of children, see Convention on the Rights of the Child, art. 24.

⁶⁷ International Covenant on Economic, Social and Cultural Rights, art. 13. In the case of children, see Convention on the Rights of the Child, art. 28.

⁶⁸ International Covenant on Economic, Social and Cultural Rights, art. 6.

⁶⁹ Geneva Declaration Secretariat, *Global Burden of Armed Violence 2015: Every Body Counts* (Cambridge, United Kingdom, Cambridge University Press, 2015), chap. 5.

⁷⁰ UNDP, *Regional Human Development Report 2021*, p. 184.

⁷¹ A/HRC/42/21, paras. 8–40.

⁷² *Ibid.*, para. 55.

greater risk of becoming victims of most forms of violence.⁷³ Race and ethnicity are often important factors. In many countries, ethnic minorities such as persons of African descent face higher rates of gun violence than the rest of the population.⁷⁴

32. The use of firearms also has a significant gender dimension. Men and male youth aged between 15 and 29 years are at the highest risk of homicide globally. The United Nations Office on Drugs and Crime (UNODC) has estimated that that is largely due to the situation in the Americas, where injuries from firearms are the most frequent cause of death.⁷⁵ Research has shown, for example, that in Brazil in 2017, the rate of firearm deaths of 20 to 24-year-old males was 20 times higher than for females in the same category and that more than half of all victims of firearms deaths in the country were males aged 15 to 29.⁷⁶ Between 2010 and 2014, 79 per cent of all victims of suicide deaths in the Americas were males.⁷⁷ Globally, males are at higher risk of unintentional death while playing with firearms at a young age, of being involved in homicide involving firearms during adolescence and youth, and of a greater use of firearms as a means to commit suicide throughout adulthood.⁷⁸

33. Certain forms of firearms-related violence have a disproportionate impact on women and girls. As noted previously, intimate partner violence perpetrated with firearms overwhelmingly impacts women and girls.⁷⁹ Women and girls are also disproportionately affected by other forms of gender-based violence, such as dowry-related and so-called honour killings, and homicides of and attacks against women in prostitution. The impact on women and girls often intersects with other factors, such as indigenous and minority status.⁸⁰

34. Certain forms of firearms use also disproportionately affect other vulnerable populations, such as lesbian, gay, bisexual, transgender, queer and intersex persons.⁸¹ They are disproportionately exposed to attacks on the basis of their sexual orientation or gender identity.⁸² The risk of suicide is also high in that group. In the United States, research indicates that gay and bisexual children and youth are at particular risk of suicide before the age of 25 and lesbian, gay and bisexual children and youth are more than twice as likely to attempt suicide than their heterosexual peers.⁸³ The results of a national survey on the mental health of lesbian, gay, bisexual, transgender and queer youth conducted in the United States in 2020 showed a correlation between the high level of discrimination and verbal and physical violence faced by individuals because of their sexual orientation or gender identity, and suicide attempts.⁸⁴ Some 48 per cent of lesbian, gay, bisexual, transgender and queer children aged between 13 and 17 years old had considered suicide, and 44 per cent of them had attempted it.⁸⁵ While there is a dearth of reliable disaggregated data on the use of firearms in

⁷³ UNDP, *Regional Human Development Report 2021*, p. 209.

⁷⁴ Meghan Werbick and others, "Firearm violence: a neglected 'global health' issue", *Globalization and Health*, vol. 17 (2021); and UNDP, *Regional Human Development Report 2021*, pp. 205 and 208.

⁷⁵ UNODC, *Global Study on Homicide 2019: Executive summary* (2019), p. 23.

⁷⁶ Deborah Carvalho Malta and others, "Association between firearms and mortality in Brazil, 1990 to 2017: a global burden of disease Brazil study", *Population Health Metrics*, vol. 18, No. 1 (September 2020), p. 4.

⁷⁷ Pan American Health Organization, *Suicide Mortality in the Americas: Regional Report 2010–2014* (Washington, D.C., 2021), p. 8.

⁷⁸ Mohsen Naghavi and others, "Global mortality from firearms, 1990–2016", *JAMA*, vol. 320, No. 8 (August 2018).

⁷⁹ A/HRC/42/21, para. 36. See also CEDAW/C/SRB/CO/4, para. 23.

⁸⁰ Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017), para. 12.

⁸¹ Adam P. Romero, Ari M. Shaw and Kerith J. Conron, *Gun Violence Against Sexual and Gender Minorities in the United States: A Review of Research Findings and Needs* (Los Angeles, California, The Williams Institute, 2019).

⁸² A/HRC/38/43, para. 26.

⁸³ Centers for Disease Control and Prevention, "Suicide and violence prevention among gay and bisexual men" (accessed 14 January 2022).

⁸⁴ The Trevor Project, "National survey on LGBTQ youth mental health 2020". Available at <https://www.thetrevorproject.org/wp-content/uploads/2020/07/The-Trevor-Project-National-Survey-Results-2020.pdf>, p. 7.

⁸⁵ *Ibid.*, p. 2.

suicide by lesbian, gay, bisexual and transgender persons, access to firearms generally produces a higher risk that suicide attempts will be fatal.⁸⁶

IV. Regulatory and policy measures

A. Human rights-based approach

35. In its resolution 45/13, the Human Rights Council called for the present report to contribute to the strengthening or the development of comprehensive public policies that address the factors driving firearms-related violence. Any such comprehensive policy measures must be guided by the obligations to respect, protect and fulfil human rights. Those obligations are both negative and positive in nature. States must refrain from violating human rights and take positive steps to prevent and protect individuals against human rights abuse by private persons and other entities, as explained in the following paragraph.⁸⁷ Any measures taken and their implementation must, in and of themselves, be compatible with the State's obligations under international human rights law.⁸⁸

36. In its general comment No. 36 (2018), the Human Rights Committee affirmed that the duty to protect life entails different sets of obligations. First, States are under a due diligence obligation to take reasonable, positive measures that do not impose disproportionate burdens on them in response to reasonably foreseeable threats to life originating from private persons and entities (para. 21). That general duty to protect entails taking special measures of protection towards persons in vulnerable situations whose lives have been placed at particular risk because of specific threats or pre-existing patterns of violence (para. 23). Second, States should take appropriate measures to address the general conditions in society that may give rise to direct threats to life or prevent individuals from enjoying their right to life with dignity. Among such general conditions in society, the Committee highlighted high levels of criminal and gun violence (para. 26). With regard to suicides, the Committee affirmed that, while acknowledging the central importance to human dignity of personal autonomy, States should take adequate measures to prevent suicides, especially among individuals in particularly vulnerable situations (para. 9).

37. States must adopt legislative, judicial, administrative, educative and other appropriate measures in order to fulfil their legal obligations.⁸⁹ States should therefore make use of all available tools to comply with their human rights obligations. In their implementation of those obligations, States must also take into account the indivisibility and interdependence of all human rights.⁹⁰ As such, they must be guided, too, by their obligations under all applicable human rights treaties, such as the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination. Importantly also, they must be guided by the general obligation to respect the minimum core obligations under the International Covenant on Economic, Social and Cultural Rights and to take steps, to the maximum of their available resources, with a view to achieving progressively the full realization of those rights (art. 2).

B. Reducing the availability of firearms

38. Access to firearms is a necessary condition for firearms injuries and deaths to occur. The Human Rights Committee has stated that States must protect their populations against the risks posed by excessive availability of firearms⁹¹ and that they should reduce the

⁸⁶ Romero and others, *Gun Violence Against Sexual and Gender Minorities in the United States*, pp. 31 and 34–35.

⁸⁷ See, in particular, Human Rights Committee, general comment No. 31 (2004), paras. 6 and 8.

⁸⁸ *Ibid.*, para. 6.

⁸⁹ *Ibid.*, para. 7.

⁹⁰ Vienna Declaration and Programme of Action.

⁹¹ Human Rights Committee, general comment No. 35 (2014), para. 9.

proliferation of potentially lethal weapons to unauthorized individuals.⁹² Overall, the link between firearms, violence and mortality is well established.⁹³ So too is the potential effectiveness that measures to reduce the availability of firearms in society can have. A study in Brazil, for example, found that the federation units with the highest number of voluntary firearms returns from 2005 to 2017, under a scheme introduced through the so-called disarmament law,⁹⁴ correlated with a decrease in firearms deaths in those units, including the firearm death rates of women, children and the elderly.⁹⁵

39. The duty to reduce the risks posed by excessive availability of firearms goes beyond the risks concerning interpersonal violence. As noted by WHO, States should limit access to the means of suicide, including firearms, given the effectiveness of such measures in reducing suicides.⁹⁶ Research has shown that many suicide attempts are impulsive, with a short lapse of time between the decision and the attempt.⁹⁷ In those situations, access to a firearm can mean the difference between death and survival. A study in Switzerland found that reducing the number of army firearms available in the home by reducing the number of men between the ages of 18 and 43 in the Army resulted in a drop in the suicide rate for that age group.⁹⁸ Suicide prevention by restriction of means was thus suggested to be particularly promising in the case of firearms.⁹⁹

40. States should thus take steps to reduce the number of civilian-held legal and illegal firearms.¹⁰⁰ That entails, first, taking measures to reduce the proliferation of illegal firearms, which, as has been shown in the present report, are acquired also by children and youth. States must take effective measures to prevent the diversion of firearms and ammunition, such as through stockpile management and corruption prevention.¹⁰¹ They must also take measures to prevent diversion occurring between private actors. That includes diversions taking place within the State's territory, but which are likely to cause a direct and reasonably foreseeable impact on the right to life of individuals outside that territory.¹⁰² They should consider modelling requirements to manufacturers and dealers based on the Guiding Principles on Business and Human Rights, which include the obligation to avoid causing or contributing to adverse human rights impacts, preventing or mitigating human rights abuse, and the obligation to conduct human rights due diligence (principles 11, 13 and 17). With respect to illegal firearms that are already available in society, States should take effective law enforcement action, in full respect of their international human rights obligations,¹⁰³ and

⁹² Human Rights Committee, general comment No. 36 (2018), para. 21. The Committee on the Elimination of Discrimination against Women has, for example, noted a correlation in the proliferation and the use of firearms and femicide (CEDAW/C/HND/CO/7-8, para. 22).

⁹³ A/HRC/42/21, paras. 60–61.

⁹⁴ Law No. 10,826 of 2003. See also CRC/C/OPAC/BRA/CO/1, para. 26.

⁹⁵ Deborah Carvalho Malta and others, "Association between firearms and mortality in Brazil, 1990 to 2017", pp. 5–7.

⁹⁶ WHO, "Suicide"; WHO, "Guns, knives and pesticides: reducing access to lethal means" (2009), p. 3.

⁹⁷ Romero and others, *Gun Violence Against Sexual and Gender Minorities in the United States*, p. 25.

⁹⁸ Nina Thoeni and others, "Suicide by firearm in Switzerland: who uses the army weapon? Results from the national survey between 2000 and 2010", *Swiss Medical Weekly*, vol. 148 (September 2018), pp. 1–2 and 4–6.

⁹⁹ *Ibid.*, p. 2. Reducing the availability of firearms in the home was also recommended as a suicide prevention measure by the Committee on Economic Social and Cultural Rights (E/C.12/CHE/CO/2-3, para. 19).

¹⁰⁰ The Human Rights Committee has recommended reducing the number of firearms in circulation (CCPR/C/HND/CO/2, para. 21). Recommendations to combat the illicit transfer of firearms, regulate the acquisition and possession of firearms and reduce the number of illegally held firearms were included in the third cycle of the universal periodic review (A/HRC/42/5, para. 119.123; A/HRC/43/4, para. 148.135; A/HRC/43/11, para. 146.86; A/HRC/46/15, paras. 26.162, 26.212 and 26.214; and A/HRC/46/18, para. 107.58).

¹⁰¹ For previous reports addressing the issue, see A/HRC/42/21 and A/HRC/44/29.

¹⁰² Human Rights Committee, general comment No. 36 (2018), para. 22.

¹⁰³ For example, CRC/C/OPAC/BRA/CO/1, para. 27; CRC/C/OPAC/VEN/CO/1, para. 29; and CRC/C/OPAC/GIN/CO/1, para. 26.

implement measures to reduce the availability of illegal firearms, such as through voluntary returns or buy-back schemes.¹⁰⁴

41. States should also limit the lawful acquisition and possession of firearms by children and youth. The Committee on the Rights of the Child has, for example, recommended prohibiting the acquisition, possession and use of firearms by children.¹⁰⁵ Research has shown that establishing or increasing minimum age requirements might contribute to reducing suicide rates.¹⁰⁶ Nevertheless, as highlighted previously, such regulatory measures must go hand in hand with other measures, such as effective background checks and safe storage requirements, as well as training and education.¹⁰⁷

C. Preventing firearms-related deaths and injuries

42. Reducing the availability of firearms must be accompanied by other measures designed to prevent firearms-related deaths and injuries. States must take measures to protect people from violence, such as through effective law enforcement, by investigating potential unlawful use of firearms and holding perpetrators accountable. However, high levels of firearms violence are sometimes met with laws providing for excessive police powers, amendments providing for harsh sentencing and practices involving undue use of pretrial detention.¹⁰⁸

43. Such measures raise general concerns about their compatibility with international human rights law, particularly with regard to children and youth. Rather than a deterrent criminal justice system, the Convention on the Rights of the Child calls for a rehabilitative one that takes into account the aim of reintegrating the child into society.¹⁰⁹ Deprivation of liberty of a child should be used only as a measure of last resort for the shortest appropriate period of time.¹¹⁰ For the duration of the deprivation of liberty, children must be treated with humanity and dignity, taking into account the needs of persons of their age.¹¹¹ As highlighted in the 2019 global study on children deprived of liberty, however, the conditions of detention of children in most States do not meet those standards.¹¹² It is therefore particularly concerning that in many cases, child offenders are not provided with alternatives to imprisonment.¹¹³

44. Although necessary, the criminal justice approach alone is therefore insufficient to effectively address firearms-related deaths and injuries. Emphasis should be placed on other measures of prevention. Importantly, and as noted in the previous report of the United Nations High Commissioner for Human Rights, such measures should include individual and community-based interventions that are directed and tailored to the particular needs of children and youth.¹¹⁴ Those measures should ensure the effective participation of children and youth, which is critical to ensuring their effectiveness.¹¹⁵ Particularly with regard to children trapped in violence, interventions must seek to promote the physical and psychological recovery and social reintegration of the child.¹¹⁶

¹⁰⁴ WHO, “Guns, knives and pesticides”, p. 7.

¹⁰⁵ [CRC/C/AUS/CO/5-6](#), para. 51; [CRC/C/OPAC/GIN/CO/1](#) para. 26; and [CRC/C/OPAC/MWI/CO/1](#), para. 21.

¹⁰⁶ Rand Corporation, “The effects of minimum age requirements” (22 April 2020).

¹⁰⁷ [A/HRC/42/21](#), para. 63. See also [CERD/C/USA/CO/7-9](#), para. 16.

¹⁰⁸ Inter-American Commission on Human Rights, *Violence, Children and Organized Crime*, para. 81.

¹⁰⁹ Convention on the Rights of the Child, art. 40 (1).

¹¹⁰ *Ibid.*, art. 37 (b).

¹¹¹ *Ibid.*, art. 37 (c). See also Committee on the Rights of the Child, general comment No. 24, paras. 76–78.

¹¹² [A/74/136](#), para. 96 (g).

¹¹³ Inter-American Commission on Human Rights, *Violence, Children and Organized Crime*, para. 90.

¹¹⁴ [A/HRC/42/21](#), para. 63.

¹¹⁵ Convention on the Rights of the Child, art. 12; and the guidelines for States on the effective implementation of the right to participate in public affairs.

¹¹⁶ Convention on the Rights of the Child, art. 39.

45. Mental health should figure as a central component of prevention, given its impact on death and injuries among children and youth. In particular, States must combat bullying and harassment of children and youth. Research conducted between 2003 and 2017 among younger adolescents in 90 countries showed that, while there are a number of other factors, being bullied, having no close friends or having had a prior serious injury were significant indicators for suicide ideation.¹¹⁷ Lesbian, gay, bisexual, transgender, queer and intersex children and youth are exposed to bullying and physical and verbal abuse, with serious consequences for their well-being.¹¹⁸ Mental health considerations should be at the centre also when tailoring measures addressing the perpetrators of firearms violence. Research shows that over 50 per cent of school shooters in the United States showed signs of mental health concerns before the shooting, suggesting that mental health interventions may help reduce school shootings.¹¹⁹ Mental health concerns are also prevalent with respect to children and youth trapped in gang violence, with research suggesting that such individuals display higher rates of psychiatric morbidity than the rest of the population.¹²⁰

D. Addressing the underlying causes of firearms-related deaths and injuries

46. In addition to access to firearms, there is overwhelming evidence of several underlying factors which increase the risk of firearms-related deaths and injuries. Most of them relate to different forms of inequality and the unequal distribution of different forms of wealth and opportunity.¹²¹ In its regional study on Latin America and the Caribbean, the United Nations Development Programme found a positive, significant and robust relationship between inequality and violence.¹²² That link does not exist only in one region. The surge of youth firearms violence in Sweden has, for example, been attributed to failing schools, feelings of exclusion, unemployment and a lack of adult role models.¹²³ The challenge of inequality intersects with structural discrimination, such as on the basis of race or ethnicity. Research has shown how structural racism can be a mediating pathway to firearms violence.¹²⁴ That accentuates the urgency of ensuring equal access to economic, social and cultural rights and of working towards the achievement of the Sustainable Development Goals. States must invest in sustainable, cross-cutting programmes that reduce inequalities and end discrimination in education, employment, health care and housing.¹²⁵

47. Firearms-related deaths and injuries are overwhelmingly caused by boys and men. That includes in the commission of criminal offences, such as gender-based violence, as well as suicides and unintentional injuries. As highlighted in the submissions received and in previous reports, States must address conceptions of masculinity in society that contribute to firearms deaths and injuries.¹²⁶ The impetus to do so is clearly expressed in the obligation for

¹¹⁷ Susan C. Campisi and others, “Suicidal behaviours among adolescents from 90 countries”, p. 6.

¹¹⁸ [A/HRC/38/43](#), para. 28.

¹¹⁹ Statista Research Department, “Number of mass shootings in the United States between 1982 and February 2021, by shooter’s race or ethnicity”, 1 December 2021.

¹²⁰ Alistair Macfarlane, “Gangs and adolescent mental health: a narrative review”, *Journal of Child & Adolescent Trauma*, vol. 12, No. 3 (September 2019).

¹²¹ [A/HRC/42/21](#), para. 55.

¹²² UNDP, *Regional Human Development Report 2021*, p. 205.

¹²³ The Swedish National Council for Crime Prevention, “Gun homicide in Sweden and other European countries: a comparative study of levels, trends and homicide by other means” (2021); and Lisa Kim, “Sweden’s brutal gang problem: here’s what officials blame it on”, *Forbes*, 22 October 2021.

¹²⁴ Michael Poulson and others, “Historic redlining, structural racism, and firearm violence: a structural equation modeling approach”, *The Lancet Regional Health – Americas*, vol. 3 (November 2021), pp. 7–8.

¹²⁵ International Convention on the Elimination of All Forms of Racial Discrimination, art. 2, Committee on the Elimination of Racial Discrimination, general recommendation No. 32 (2009), paras. 28–35, and [A/HRC/47/53](#), para. 39.

¹²⁶ Submissions by the Office for Disarmament Affairs, the Women’s International League for Peace and Freedom and the University of Minnesota Human Rights Program. See also, e.g., Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017), para. 19,

States to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.¹²⁷ States should therefore demonstrate a clear and consistent political commitment against harmful conceptions of masculinity, expressed through public messaging, educational programmes, awareness-raising and other suitable measures.¹²⁸

V. Conclusions and recommendations

48. **The effects of firearms on the enjoyment of human rights are devastating. Their civilian use is the leading cause of homicide and suicide globally. Children and youth, the world's future generations, are the hardest hit. States have a responsibility to act to protect their populations, particularly their children and youth, from the human rights impacts caused by the civilian acquisition, possession and use of firearms.**

49. **In so doing, they must adopt comprehensive and evidence-based policies. There is a need to collect and publish disaggregated data on the acquisition, possession and use of firearms by children and youth, and to invest in understanding the underlying drivers of firearms use impacting the enjoyment of human rights.**

50. **The availability of firearms in society is a precondition for the acquisition and possession of firearms by children and youth. It is also a necessary condition for firearms injury and mortality to occur. States must therefore take measures to reduce the number of firearms held by civilians by preventing the proliferation of illegal firearms, including by taking positive measures to prevent the diversion of firearms from private actors.¹²⁹ To that end, States should consider adopting requirements for manufacturers and dealers of firearms consistent with the Guiding Principles on Business and Human Rights and ensure effective enforcement action. States should also consider adopting stricter requirements for the legal acquisition and possession of firearms.¹³⁰ To that end, States should consider prohibiting the acquisition, possession and use of firearms by children.**

51. **States should also take comprehensive and tailored steps to prevent firearms-related deaths and injuries caused by children and youth. In addition to criminal justice, States should invest in and support community-based interventions aimed at violence prevention and the rehabilitation of children and youth trapped in environments of violence. Given the prevalence of mental health concerns in all major trends of firearms injuries and deaths, mental health should be centre stage in strategies to prevent further injuries and death. In particular, States should redouble their efforts to combat bullying, given its prominent impact on the mental health of children and youth.**

52. **In order for reduction in firearms-related deaths and injuries to be lasting, States must take measures to address their underlying causes. In that respect, the enjoyment of the rights to life and personal safety are indivisible from the enjoyment of economic and social rights. Accordingly, States should take steps to reduce inequality in societies, including ending patterns of structural discrimination, in accordance with their obligations under international human rights law.**

[A/HRC/44/29](#), paras. 18 and 41, and Mohsen Naghavi and others, "Global mortality from firearms, 1990–2016", p. 809.

¹²⁷ Convention on the Elimination of All Forms of Discrimination against Women, art. 5 (a).

¹²⁸ Committee on the Elimination of Discrimination against Women, general recommendation No. 3 (1987) and [E/CN.4/2002/83](#), para. 108.

¹²⁹ See recommendations in [A/HRC/44/29](#).

¹³⁰ See recommendations in [A/HRC/42/21](#).

53. In raw numbers, firearms deaths are overwhelmingly caused by and inflicted upon men. That trend is tied to a stereotyped and inherently harmful notion of masculinity which also contributes to gender-based violence and abuse. States should therefore demonstrate clear and consistent political commitment to alter the social and cultural patterns of conduct of boys and men that contribute to that trend.
