

# Gun Violence in the United States

Joint Stakeholder Summary Report



Submitted for the 36th Session of the  
Universal Periodic Review



**UNITED NATIONS ASSOCIATION  
OF THE UNITED STATES OF AMERICA**

# UN Universal Periodic Review: Third Cycle Joint Summary Stakeholder Report on Gun Violence in U.S.

With the objective of providing constructive primary-source input for the Universal Periodic Review of the U.S. in May 2020, the UN Association of the United States of America (UNA-USA) and March for Our Lives submit this joint stakeholder report with a focus on ending gun violence in the U.S. To compile this report, our organizations relied on the inputs of American grassroots advocates that engage with the work of the UN, as well as first-hand expertise on this topic. Specifically, this report addresses three core issues:

- Raising legal standards of gun and ammunition ownership;
- Providing access to mental and behavioral health services; and
- Addressing the intersection of racial profiling and gun violence.

UNA-USA, a program of the UN Foundation, is a membership organization dedicated to informing, inspiring and mobilizing the American people to support the ideals and vital work of the United Nations.

March for Our Lives is a grassroots advocacy organization that harnesses the power of young people across the United States to fight for sensible gun violence prevention policies that save lives.

This joint stakeholder report was compiled through a national consultation process that took place among the two organizations in August 2019. The consultation featured dozens of participants contributing via an online communications platform. Participants were asked to share their firsthand experiences on the domestic U.S. human rights record pertaining to gun violence and to offer constructive ideas, suggestions and recommendations as to how the U.S. can combat gun violence.

## **A. STANDARDS FOR GUN AND AMMUNITION OWNERSHIP**

The Second Amendment of the U.S. Constitution reads: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” For much of America’s history, such language has created considerable debate regarding the Second Amendment’s intended scope. In addition, the increase in gun violence activity in the U.S. has intensified pressure among everyday Americans and lawmakers to address the legal and moral compromise of gun ownership. Stricter standards for gun ownership are needed. Currently, there is no pre-existing national licensing and registry system that promotes responsible gun ownership. As a result, certain states in the U.S. still allow the sales of assault-style weapons and high-capacity magazines. In addition to the lack gun ownership standards, there are also loose restrictions on ammunition sales in the U.S. Today, most ammunition can be bought online or in person with no oversight.

A dangerous gap in federal gun laws lets several people buy guns without passing a background check. For example, under current law, unlicensed sellers—people who sell guns online, at gun

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For full report please visit: [http://bit.ly/UNA\\_UPR\\_Gun-Violence](http://bit.ly/UNA_UPR_Gun-Violence)

shows, or anywhere else without a federal dealer's license—can transfer firearms without having to run a background check. Today, around 80 percent of all firearms are obtained through transfers from unlicensed sellers, and 96 percent of inmates convicted of gun offenses obtain their firearm from an unlicensed seller.

## **B. MENTAL AND BEHAVIORAL HEALTH APPROACH**

Today, fewer than one-third of adults and half of children with a diagnosed mental illness receive mental health services in a given year. Moreover, there are no federally funded programs that address the intersectional dimensions of gun violence and mental and behavioral health. Overall, we must reject rhetoric that victimizes people with mental health conditions, especially those who are homeless or incarcerated in jails and prisons. Despite the fact that 95-97 percent of gun violence is not carried out by a perpetrator with a diagnosed mental illness, the involvement of people with acute mental illnesses in recent incidents of mass gun violence has become a significant issue in American society. Solutions to gun violence associated with mental illness lie in improving access to treatment. While mental illness typically does not cause violence, acts of violence do typically cause mental illness.

## **C. RISE OF RACIAL PROFILING AND GUN VIOLENCE**

Despite the frequency of gun violence in the U.S., this issue is not widely approached as a social problem. Currently, African Americans comprise 14 percent of the U.S. population, but account for 59 percent of gun homicide victims. In addition, gun violence on school grounds disproportionately affects students of color, occurring most often at schools with high enrollments of minority students. Today, almost 3,000 children are shot and killed every year in the U.S., however black children are 10 times more likely to be killed from gun. For the Latinx community in the U.S., the homicide victimization rate is nearly twice as high as the murder rate for white victims. Additionally, homicide is the second leading cause of death for Hispanics ages 15 to 24. Moreover, more than two-thirds of Hispanic murder victims are killed with guns in the U.S.

**“Ensure that the civilian acquisition, possession and use of firearms are effectively regulated with the aim of enhancing the protection of human rights, the right to life and security of person, of all.”**

- United Nations Human Rights Council Resolution 29/10

### **Recommendations for the U.S.:**

- Ban all forms of “assault-style” weapons and high-capacity magazines;
- Require ammunition dealers to be licensed and to maintain accurate sales records;
- Require comprehensive background checks for private and gun show sales;
- Fund programs that focus on early identification, early intervention and evidence-based mental health treatments;
- Invest in mental and behavioral health services and programs for all communities that are struggling with the aftermath of gun violence;
- Eliminate offensive and outdated wording currently in the National Instant Criminal Check System that specifically targets individuals “adjudicated as being mentally defective”;
- Establish a Racial Diversity Commission that investigates instances of racial profiling and raises cases to the Federal Bureau of Investigation;
- Require law enforcement officials to complete an unconscious bias training that addresses the multidimensional approach to racial profiling;
- Implement a nation-wide policy that clearly defines and outlaws racial profiling; and
- Expand resources and subsidies for community-based educational and skill-building programming with a focus on African American and Latinx youth.