

Statement for ninth session of Working Group on Firearms

4 May 2022

Thank you Madam/Mister Chair,

OHCHR welcomes today's discussion on "Preventing and combating the illicit manufacturing of and trafficking in ammunition".

The diversion, illicit or unregulated transfer of firearms and ammunition, may undermine national, regional and global peace and security and contribute to **human rights violations and abuses**. Specific groups of individuals, including women and children, are particularly vulnerable to violations and abuses of their rights in this context.

The **Human Rights Council** regularly addresses the impact on human rights of arms transfers and civilian acquisition, possession and use of firearms . It focuses on the impact of arms on the enjoyment of human rights and promotes efforts to protect those rights more effectively.

At the 49th session of the Human Rights Council the United Nations High Commissioner for Human Rights presented a report on **the human rights impact of the civilian acquisition, possession and use of firearms by children and youth**, pursuant to resolution 45/13¹. The report recommends that States must take effective measures to **prevent the diversion of firearms and ammunition**, such as through stockpile management and corruption prevention. States 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.

At the 44nd session of the Human Rights Council, pursuant to resolution 41/20, the United Nations High Commissioner for Human Rights in report 44/29 highlighted that the diversion of arms, including ammunition, and unregulated or illicit arms and ammunition transfers **fuel the commission of gender-based violence against women and girls** and have an impact on their enjoyment of all human rights. In this context, the High Commissioner underlined the need for States to ensure compliance with international law instruments, including the Arms Trade Treaty and other relevant provisions of international law. This includes the **principles of due diligence** and the **responsibility for aiding or assisting in the commission of an internationally wrongful act**. She also stressed the need to take into account international standards of corporate responsibility, in particular the **Guiding Principles on Business and Human Rights**.

OHCHR encourages the Working Group on Firearms to systematically consider the impact of illicit manufacturing of and trafficking in firearms and ammunition on the enjoyment of human rights, including by integrating references to this issue in its reports and recommendations to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

¹ A/HRC/49/41