

# **African-American Gun Violence Victimization in the United States**

Response to the Periodic Report of the United States  
to the United Nations Committee on the Elimination  
of Racial Discrimination

June 30, 2014

Reporting Parties

(See [Appendix I](#))

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## Prelude

1. Recognizing the CERD's request for concise civilian society shadow reports, the main body of this report is limited to less than four full pages. Due to the substantial amount of information and statistics supporting the grossly disproportionate loss of life and injury to African-Americans by gunfire as a human rights issue, as well as the behavior of the US government in not only failing to address the matter but facilitating it through specific legislative actions to the benefit of the firearms industries, the Issue Summary will reference the reviewer paragraphs in a supplemental expanded and referenced overview contained in [Appendix II](#) should there be an interest in examining documentation on any specific point. To facilitate review, an electronic version of this report containing links to various paragraphs and references has been placed on file with the OHCHR.

## Issue Summary

2. African-Americans represent 13% of the United States Population yet account for 50% of all US homicide victims, and firearms are the murder weapons in 82% of cases with handguns accounting for 77% of the firearm homicides - ([paragraph 20](#))

3. As has been cited in the scientific literature, gun violence has been shown to reduce African-American male life expectancy by a full year with African-American males being almost 7 times more likely to die by firearm homicide than white males. Homicide has also been cited by the US Centers for Disease Control and Prevention as the second leading cause of shortened African-American male life expectancy versus their white US counterparts ([paragraph 19](#)).

4. Black children and teens accounted for 45% of all child and teen gun deaths in 2008 and 2009 but were only 15% of the total child population. Black males aged 15-19 years were eight times as likely as white males of the same age to be killed in a gun homicide in 2009, and gun homicide was also the leading cause of death for black males in that age range. In contrast, the leading causes of death amongst white teens aged 15 – 19 years were motor vehicle accidents and gun suicide in 2008 and 2009, respectively. Additionally, the rate of gun injuries was found to be 10 times higher among Black children and teens than it was for white children and teens ([paragraph 21](#)).

(Note: the information included in paragraphs 2-4 has been derived from multiple sources including the US Centers for Disease Control and Prevention, the Federal Bureau of Investigation, and the field of actuarial science thus confirming across independent sources the disparate effects of gun violence in the African-American population).

5. With firearms readily available for purchase in the United States through both legal and illegal channels, the causes of such statistics in the African-American population are linked either directly or indirectly to the effects of racial discrimination and bias: a) overt expressions of racial hatred ([paragraph 22](#)); b) implicit (subconscious) expressions of racial bias in shootings ([paragraph 23](#)), as also expressed in the judicial system regarding jury verdicts where Stand Your Ground laws have been used as a legal defense ([paragraph 24](#)); and, c) predominately black economically depressed urban areas (created and maintained by racial discrimination through multiple factors identified in the US periodic update) where African-Americans become both victims and perpetrators of violent crime ([paragraph 25](#)) as evidenced by law enforcement statistics and news

media analysis from two major US cities, New York City ([paragraph 26](#)) and Chicago ([paragraph 27](#)).

6. On March 13-14, 2014, the UN committee overseeing US obligations under the International Covenant on Civil and Political Rights (ICCPR) identified rampant gun violence (including its disparate impact on minorities, women and children) as a human rights issue, as well as the proliferation of Stand Your Ground laws that are used to circumvent the limits of legitimate self-defense in violation of the State party's duty to protect life ([paragraph 28](#)). Studies cited in Appendix II support the committee's concerns ([paragraph 29](#) and [paragraph 30](#)).

7. The National Rifle Association (NRA) represents a powerful political lobby that has received an estimated tens of millions of dollars from the firearms industry to support political lobbying and firearm marketing efforts. This organization has a documented history, spanning many years, of multiple board members issuing either overt racial slurs or racially insensitive comments without consequence to their position in the organization ([paragraph 31](#)).

8. The NRA uses its financial capital to influence politicians at the state and federal levels of government to support or oppose specific pieces of legislation despite the negative consequences associated with it ([paragraph 32](#)).

9. Despite the well-documented disparate effects of gunfire death and injury in African-Americans, and overwhelming support by the American public to enact federal legislation intended to curb gun violence following several horrific mass shootings in 2012, Congress failed to enact sensible gun control laws that would help prevent firearms from ending up in the hands of those who would do harm. Additionally, Congress has enacted at least two pieces of legislation, Protection of Lawful Commerce in Arms Act (PLCAA) and the Tiahrt (Tee-hart) Amendments, that work to protect those who would engage in illegal gun sales, thus facilitating the ability of some to prey upon, and profit from, the effects of racial discrimination ([paragraph 33](#)).

10. As both the gun lobby and Congress have demonstrated little impetus to address the obligation to protect life in a historically discriminated population, it becomes appropriate to seek recourse through the State party's legal obligations under ICERD.

11. It is held that this disproportionate loss of life and injury in the African-American population to gun violence, as well as the US Congress's behavior through both its inactions and actions, place the State Party's government in violation of obligations contained in Articles 2, 5 and 6 of the ICERD treaty (see Legal Framework below, [paragraph 14](#)).

### **Concluding Observations**

12. No prior mention of the disproportionate loss of life and injury to gunfire in African-Americans, tied to the effects of racial discrimination and bias, have been made in either the June, 2013 US periodic report or prior Committee conclusions. Thus no observations can be made regarding State party compliance.

## **U.S. Government Report**

13. Conspicuous by its absence in the June, 2013 US periodic report to CERD is any mention of gun violence - conspicuous because of the well-publicized attempt, and failure in 2013, by the United States Congress to pass legislation aimed at reducing gun violence. As the grossly disproportionate loss of life and injury to gunfire in African-Americans is both well-documented and intimately linked to racial discrimination and bias, it is appropriate that the matter be addressed as part of US obligations under the ICERD treaty.

## **Legal Framework**

14. The failure of the US government to not only address the issue of gunfire and race in America, but also enact legislation that helps protect those who engage in illegal firearm sales, is held to violate elements contained in least three articles of the ICERD treaty.

\* Article 2.2: "States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms..."

\* Article 5(b): "The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution."

\* Article 6: "State Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to the Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination."

## **The CERD Committee General Comments**

15. As noted above, no prior mention of this issue has been made by either the State Party or the Committee.

## **Other UN Body Recommendations**

16. US obligations under the International Covenant on Civil and Political Rights were reviewed in Geneva, Switzerland on March 13-14, 2014. The committee cited, as human rights concerns, rampant gun violence (including its disparate impact on minorities, women and children) and the proliferation of "Stand Your Ground laws" that are used to circumvent the limits of legitimate self-defense in violation of the State party's duty to protect life. Recommendations included pursuit of legislation requiring background checks for all private firearm transfers, strict enforcement of the Domestic Violence Offender Gun Ban legislation of 1996 (the "Lautenberg Amendment"), and a review of Stand Your Ground laws to remove far reaching immunity ([paragraph 28](#)). In support of these committee concerns and recommendations is a study showing that firearms are rarely used to kill criminals or stop crimes in the US, i.e. for the five-year period 2006

through 2010, for every justifiable homicide in the United States involving a gun, guns were used in 44 criminal homicides ([paragraph 29](#)). Additionally a continuing research project has found that individuals legally allowed to carry concealed handguns have caused hundreds of non-self defense deaths across 36 states and the District of Columbia ([paragraph 30](#)).

### **Recommended Question to US Delegation**

17. On what basis is the State Party's government not aggressively intervening regarding the grossly disproportionate loss of life by violence in a historically discriminated segment of its citizenry?

### **Suggested Recommendations**

18. The following recommendations are based on evidence contained in this document:

18.1. In addition to the ICCPR committee's recommendation to pursue legislation expanding background checks covering all private firearm transfers, further recommended legislative actions include: a) repeal the Tiahrt Amendments to reinstate the public watchdog function and stop the obstruction of law enforcement efforts regarding illegal gun sales; b) repeal or modify the Protection of Lawful Commerce in Arms Act to limit the existing broad-based immunity granted to the firearms industry; c) ban the practice of carrying concealed handguns in public venues based on numerous reported instances of permit holders taking lives in non-self defense killings; and d) review Stand Your Ground Laws to remove far-reaching immunity and ensure strict adherence to the principles of necessity and proportionality when using deadly force in self-defense.

18.2. Consistent with [paragraph 36 of CERD Annotated Concluding Observations of US Obligations \(2012\)](#), "the State party should organize public awareness and education programmes on the Convention and its provisions, and step up its effort to make government officials, the judiciary, federal and state law enforcement officials, teachers, social workers and the public in general aware about the responsibilities of the State party under the Convention, as well as the mechanism and procedures provided for by the Convention in the field of racial discrimination and intolerance."

## **Appendix I: Reporting Entities and Acknowledgements**

**Arthur R. Kamm, PhD** (Apex, NC) received his doctorate in biochemistry at the Medical College (Arizona Health Sciences Center), University of Arizona in the field of cancer research. His work was accepted for publication in peer-reviewed journals including the Proceedings of the National Academy of Sciences. He progressed to executive level positions in the pharmaceutical industry (Glaxo Inc) holding both domestic and international responsibilities, and held corporate officer level responsibilities overseeing Research & Development and product regulatory matters in a publicly traded firm (Salix Pharmaceuticals). He was founder and CEO of an award-winning corporation and has served as an adjunct professor in Campbell University's School of Pharmacy's Department of Clinical Research as course director and instructor for Leadership Development. Since leaving his career he has applied his background in scientific research (including population analysis), healthcare and business to seek evidence-based approaches to various social/political issues including civil/human rights and gun violence. Multiple advocacy groups have disseminated his work on gun violence in the United States and he has served as a guest columnist for the Los Angeles-based Women Against Gun Violence. He was a 20-year member of the American Academy of Dermatology, a ten-year member of the Dermatology Foundation's Leaders Society, and currently holds membership with the US Human Rights Network, the Southern Poverty Law Center, and the American Association for the Advancement of Science.

**The Violence Policy Center** (Washington, DC) is a national non-profit educational organization that conducts research on violence in America and provides information and analysis to policymakers, journalists, advocates, and the general public. Their website can be found at [www.vpc.org](http://www.vpc.org).

**Amnesty International** (New York NY). Amnesty International is a global movement of 3 million people in more than 150 countries and territories, who campaign on human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights instruments. We research, campaign, advocate and mobilize to end abuses of human rights. Amnesty International is independent of any government, political ideology, economic interest or religion. Our work is largely financed by contributions from our membership and donations.

## **Appendix II: Supplemental Expanded and Referenced Issue Overview**

### Shortened Life Expectancy

19. Research published from the field of actuarial science has shown that gun violence reduced the life expectancy of African-American males by a full year as opposed to only 5 months for their white American counterparts with African-American males being almost 7 times more likely to die by firearm homicide than white males <sup>1</sup>. Additionally, the Centers for Disease Control and Prevention (CDC) has identified homicide as the second leading disadvantage of African-American males versus white American males in lowering life expectancy <sup>2</sup>.

### Homicide Statistics

20. For the year 2011, blacks represented 13 percent of America's population, yet accounted for 50 percent of all homicide victims, and guns - usually handguns - are far and away the number-one murder tool <sup>3</sup>. According to Federal Bureau of Investigation (FBI) Supplementary Homicide Report (SHR) data, in 2011 there were 6309 black homicide victims in the United States. The homicide rate amongst black victims in the US was 17.51 per 100,000 as opposed to 4.44 per 100,000 overall nationally and 2.64 per 100,000 for whites. Of the 6309 black homicide victims, 5452 (86%) were male and the homicide rate for black male victims was 31.67 per 100,000 as opposed to 3.85 per 100,000 for white males. For homicides in which the weapon used could be identified, 82% of black victims were shot and killed with guns with handguns being used in 77% of the firearm homicides.

### Children

21. The Children's Defense Fund analyzed fatal and non-fatal firearm injury data for children and teens (ages 0-19 years) from the US CDC for the years 2008 and 2009 <sup>4</sup>.

\* Black children and teens accounted for 45% of all child and teen gun deaths in 2008 and 2009 but were only 15% of the total child population

\* Black males aged 15-19 years were eight times as likely as White males of the same age to be killed in a gun homicide in 2009.

\* The leading cause of death among Black teens ages 15-19 in 2008 and 2009 was gun homicide. For White teens 15-19 it was motor vehicle accidents in 2008 and gun suicide in 2009.

\* Of the 116,385 children and teens killed by a gun since 1979, when gun data by age

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<sup>1</sup> J. Lemaire, "The Cost of Firearm Deaths in the United States: Reduced Life Expectancies and Increased Insurance Costs", *Journal of Risk and Insurance*, 2005, Vol 72, No. 3, 359-374

<sup>2</sup> Kenneth D. Kochanek et. al., "How Did Cause of Death Contribute to Racial Differences in Life Expectancy in the United States in 2010", *NCHS Data Brief No. 125* (July 2013)

<sup>3</sup> *Black Homicide Victimization in the United States: An Analysis of 2011 Homicide Data*, Violence Policy Center, January 2014

<sup>4</sup> *Protect Children, Not Guns*; Children's Defense Fund, 2012



were first collected, 44,038 were Black - nearly 13 times more than the number of recorded lynchings of Black people of all ages in the 86 years from 1882 to 1968.

\*Regarding non-fatal shootings, the rate of gun injuries was 10 times higher among Black children and teens than it was for White children and teens. In 2009 the gun injury rate was 51.1 per 100,000 for Black children and teens versus 5.0 per 100,000 for White children and teens.

### Overt Expressions of Racism (Hate Crimes)

22. It is well-documented that those who harbor hateful beliefs have consciously, overtly, carried out acts of violence with firearms against those of differing color, ethnicity, religion and political ideologies <sup>5</sup>. Additionally, the Southern Poverty Law Center tracks both hate groups and armed militias (having ready access to military-style firearms) in the US <sup>6</sup>, both of which experienced a meteoric increase in number following the election of our first African-American president, a president that was receiving 30 death threats a day following his election (an increase of 400% over that of his Republican predecessor, president G.W. Bush) <sup>7</sup>.

### Implicit (Subconscious or Hidden) Racial Bias in Gun Violence and the Judicial System

23. Research examining the influence of race on shootings found time and again that participants (reacting to video game simulations) wrongly shot *unarmed* Black "targets". These findings held even when research subjects were black. This phenomenon has been called "shooter bias" <sup>8</sup> which makes the proliferation of concealed carry and stand-your-ground laws in the United States inherently dangerous from a race perspective.

24. Such concerns extend to the US justice system where race-based fears are more likely to influence juries <sup>9</sup>. In states with Stand Your Ground laws, the shooting of a black person by a white person is found justifiable 17 percent of the time, while the shooting of a white person by a black person is deemed justifiable just over 1 percent of the time. In states without Stand Your Ground laws, white-on-black shootings are found justified just over 9 percent of the time. Such findings demonstrate that it is more difficult for black defendants to assert Stand Your Ground defense if the victim is white, and easier for whites to raise a Stand Your Ground defense if the victims are black.

### Gun Violence and Disproportionate Adverse Socio-Economic Conditions

25. The disproportionate level of gun violence in the African-American community plays out in predominantly black economically depressed urban areas. The US government in its June 2013 periodic report to CERD recognizes many factors, borne of racial discrimination, that contribute to such adverse socio-economic conditions. Examination of gun violence statistics in two major American cities, New York City and Chicago,

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<sup>5</sup> Guns and Hate: A Lethal Combination; The Brady Center to Prevent Gun Violence; July 2009

<sup>6</sup> The 'Patriot' Movement Explodes; Southern Poverty Law Center; Spring 2012

<sup>7</sup> Barack Obama faces 30 death threats a day, stretching US Secret Service; The Telegraph; 03 August 2009.

<sup>8</sup> Center for Social Inclusion Guide on Implicit Bias; August 2013

<sup>9</sup> Racial bias and 'stand your ground' laws: what the data show; Christian Science Monitor, 06 August 2013



demonstrate the link between adverse socio-economic conditions in predominantly black urban areas and the disproportionate level of gun violence amongst African-Americans who become both victim and perpetrator.

### *New York City*

26. Data on gun violence were collected during the first six months of 2013 in New York City <sup>10</sup>.

Blacks compose only 25.5% of the city's residents (2010 census), yet:

- \* Black individuals are almost 25 times more likely to be shot in NY City than a white person and more likely to be arrested for pulling a trigger
- \* Of the 153 murder and manslaughter victims, 63.8% were black versus 8.6% white
- \* Of the 567 shooting victims 73.9% were black versus 2.8% white
- \* Of the 222 people arrested for shootings 70% were black versus 2.9% white

Black community activists have pointed out that these statistics have barely fluctuated since 2009 and reflect the realities of economics in poorer neighborhoods.

### *Chicago*

27. Chicago Police murder reports <sup>11</sup> (January 1, 2003 - December 31, 2012) were analyzed and showed that the death toll by murder in Chicago (4,797) was greater than the number of American forces who have died in Afghanistan (2,166) since the beginning of Operation Enduring Freedom (October 7, 2001 - ongoing) <sup>12</sup>. Between 2003 - 2011, 98% of the murder weapons were handguns that were largely obtained through illegal channels. Whereas 33% of Chicago is black (2010 census), between 2003 - 2011 blacks were victims in 75% of the murders and offenders in 75% of the cases. Analyses of homicides and census data in Chicago have additionally shown that residents living near homicides over the last 12 years were much more likely to be black, earn less money, and lack a college degree <sup>13</sup>, supporting the link between disproportionate exposure to adverse socio-economic conditions (created and fostered by racial discrimination) and gun violence amongst African-Americans.

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<sup>10</sup> New York Police Department stats: 70% of shooting suspects in first half of 2013 were black; New York Daily News, 19 November 2013

<sup>11</sup> Murder Reports: Chicago Police News Desk

<sup>12</sup> Chicago Murders Top Afghanistan Death Toll; WND; 16 January 2013

<sup>13</sup> A Chicago Divided by Killings; The New York Times, 03 January 2013

	<b>NEAR HOMICIDES</b>	<b>NOT NEAR HOMICIDES</b>
<b>Population</b>	1.3 mil.	1.4 mil.
<b>Income</b>	\$38,318	\$61,175
<b>No high school</b>	27%	15%
<b>High school</b>	28%	20%
<b>Bachelor's +</b>	19%	43%
<b>Pct. white</b>	24%	61%
<b>Pct. black</b>	55%	14%
<b>Pct. Asian</b>	3%	8%
<b>Under age 18</b>	28%	20%

Rampant Gun Violence and Proliferation of Stand-Your-Ground Law as Human Rights Issues

28. US obligations under the International Covenant for Civil and Political Rights were reviewed by UN committee in Geneva, Switzerland on March 13-14, 2014. The committee identified rampant gun violence, proliferation of "Stand Your Ground Laws" (that are used to circumvent the limits of legitimate self-defense in violation of the State party's duty to protect life), and the disparate impact of gun violence on minorities, women and children as human rights concerns <sup>14</sup>. The committee detailed several recommendations including continued pursuit of legislation requiring background checks for all private firearm transfers, strict enforcement of the Domestic Violence Offender Gun Ban Legislation of 1996, and review of Stand Your Ground Laws to remove far-reaching immunity and ensure strict adherence to the principles of necessity and proportionality when using deadly force in self-defense.

29. In support of the ICCPR committee concerns, research has shown that guns are rarely used to kill criminals or stop crimes in the United States <sup>15</sup>. In 2010, across the nation there were only 230 justifiable homicides involving a private citizen using a firearm reported to the Federal Bureau of Investigation's uniform Crime Reporting Program as detailed in its Supplementary Homicide Report (SHR). That same year there were 8,275 criminal gun homicides tallied in the SHR. In 2010, for every justifiable homicide in the United States involving a gun, guns were used in 36 criminal homicides. For the five-year period 2006 through 2010, for every justifiable homicide in the United States involving a gun, guns were used in 44 criminal homicides.

30. Additionally, pertinent to ICCPR committee concerns about Stand Your Ground laws, there has been a proliferation of laws allowing individuals to carry concealed handguns into public venues, including establishments that serve alcoholic beverages. Although the gun lobby has been effective in obtaining legislation that blocks access to

<sup>14</sup> United Nations Human Rights Committee (International Covenant on Civil and Political Rights: Concluding Observations on the Fourth Report of the United States of America - reference Paragraph 10

<sup>15</sup> Firearm Justifiable Homicides and Non-Fatal Self-Defense Gun Use: An Analysis of Federal Bureau of Investigation and National Crime Victimization Survey Data; Violence Policy Center; April, 2013

concealed carry permit holder identification for research purposes, analysis of news media reports from May 2007 to present document 475 incidents where private citizens legally allowed to carry concealed guns have caused 636 deaths in 36 states and the District of Columbia <sup>16</sup>. These events are considered to be only an unknown fraction of the unreported number of similar incidents that routinely occur across the nation. In 83 percent of the incidents (395) the permit holder committed suicide (189), has already been convicted (153), perpetrated a murder-suicide (39), or was killed in the incident (14). At least 14 of the victims were law enforcement officers. Twenty-seven of the incidents were mass shootings, resulting in the deaths of 128 victims.

### The Link Between Racial Discrimination, the Gun Lobby, and the US Congress

31. The National Rifle Association (NRA) is cited as being one of the 140 biggest overall donors to federal elections since the 1990 election cycle with total contributions from NRA Political Action Committees cited as being 26 times larger than contributions from individuals <sup>17</sup>. The organization has received an estimated tens of millions of dollars from the firearms industries through corporate fundraising initiatives <sup>18</sup> to support firearms marketing and political lobbying efforts - an industry under financial pressure due to a decades long decline in household gun ownership in America <sup>19</sup>. Additionally, multiple NRA board members have either issued overt racial slurs or racially insensitive remarks over a period of many years <sup>20,21</sup> without consequence to their position in the organization, e.g., longstanding board member (and frequent speaker at NRA conventions) Ted Nugent referring to US President Barack Obama as a "subhuman mongrel" <sup>22</sup> earlier this year with at least three other board members downplaying the statement at a political convention <sup>23</sup>.

32. The influence of the NRA's political contributions on Congress is apparent <sup>24</sup> as recipients, in large part, worked to obstruct virtually every piece of Congressional legislation in 2013 aimed at reducing gun violence <sup>25</sup>; this despite overwhelming support from the American public (86%) for legislation that would have expanded gun buyer background checks <sup>26</sup>.

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<sup>16</sup> Concealed Carry Killers; Violence Policy Center, as of 27 May 2014 update

<sup>17</sup> National Rifle Association: Political Influence and Lobbying; OpenSecrets.org (as of May 28, 2014)

<sup>18</sup> Blood Money II: How Gun Industry Dollars Fund the NRA; Violence Policy Center, September 2013

<sup>19</sup> A Shrinking Minority: The Continuing Decline of Gun Ownership in America; Violence Policy Center, (April 2011)

<sup>20</sup> NRA Family Values: The Extremism, Racism, Sexism, Legal Woes, and Gun Industry Ties of the National Rifle Association's Board of Directors; Violence Policy Center (see section on Racism & Sexism) (June 1996)

<sup>21</sup> Who is the NRA Leadership: NRA Leaders on Race: Coalition to Stop Gun Violence, Washington, DC (as of May 28, 2014)

<sup>22</sup> Accommodating Divisiveness; Charles M. Blow, The New York Times, 21 Feb 2014

<sup>23</sup> NRA Leaders Try To Insulate Organization From Board Member Ted Nugent's Obama Slur; Media Matters; 10 March 2014

<sup>24</sup> NRA Political Contributions by Party of Recipient; OpenSecrets.org (as of May 28, 2014)

<sup>25</sup> The Senate Fails Americans; The New York Times, 17 April 2013

<sup>26</sup> Washington Post-ABC Poll, April 2013

33. Additionally, despite the well known devastating effects of gun violence in the African-American community, Congress is also responsible for sponsoring and enacting two pieces of legislation that work to protect those who engage in illegal gun sales, thus facilitating the ability of some to prey upon, and profit from, the effects of racial discrimination, i.e. Protection of Lawful Commerce in Arms Act that shields gun manufacturers and dealers from liability for a wide range of conduct <sup>27</sup>, and the Tiahrt (Tee-hart) Amendments that significantly weaken law enforcement's ability to investigate gun crimes and prosecute unscrupulous gun dealers <sup>28</sup>.

34. As both the gun lobby and the US Congress have demonstrated little impetus to address the obligation to protect life in a historically discriminated population, it becomes appropriate to seek recourse through the State party's legal obligations under ICERD.

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<sup>27</sup> Gun Industry Immunity Policy Summary; Law Center to Prevent Gun Violence; 21 May, 2012

<sup>28</sup> Federal Law on Tiahrt Amendments; Law Center to Prevent Gun Violence; 21 May 2012