

**XXVI**

**TECMUN Jr.**

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United Nations

Interregional Crime and

Justice Research Institute

Dear delegates:

It is time for you to demonstrate all the hard work and dedication you have put in order to be standing here, ready to fight for what you believe in and to defend your position. It is really pleasant to know you are willing to take this brilliant journey on TECMUN, just the same way that I did long ago. I would like to tell you a little bit of my own experience here. The way TECMUN has helped me to grow as a person and to find this family that is TECMUN.

It started four years ago, when I went to my first TECMUN, without being ready to do it. Actually, I even got wrong the country I was representing, so I could not do much on the first day. I really wanted to cry. Who could have imagine that little kid who didn't do anything on his first TECMUN would be the president of the United Nations Interregional Crime and Justice Research Institute? I wouldn't. But that is what it's all about: keep trying until you succeed. I went to the following MUN and so on, trying to be the best person I could be. You probably will be scared when you pass for the first time to the front, but don't worry, throughout this three days of sessions you will realize that the fear is only in your head. You are able to become an essential member of this Model and you are able to overcome every inconvenient that comes in front of you. We can't forget of the rest of the delegates, they can be great allies to you. But more important, they can become your friends. I actually found one of my best friends on my first Model.

Delegates, the future is in your hands. We live in a society that needs people who know how to stand their posture and how to fight for what they believe in. And that's exactly the people TECMUN makes. I encourage you to fight for what's best for your delegation and the rest of the world. Fight for what's right. I believe you can do it, even if you are scared, you can do it. You are stronger than you think.

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Giovann Narváez Floresa

President of the United Nations Interregional Crime and Justice Research Institute

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# **Outline of the United Nations Interregional Crime and Justice Research Institute**

The United Nations Interregional Crime and Justice Research Institute (UNICRI) was established in 1969 to prevent crime and to facilitate criminal justice around the world. The headquarters are located in Turin, Italy. UNICRI's goals are to further understand crime-related problems, to support the respect of international instruments and to facilitate international law enforcement cooperation and judicial assistance. It is composed by the members of the United Nations, and the actual president of the organization is Mr. Jayantilal M. Karia, from Uganda.

## **Topic A**

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The possibility of a third Intifada due to recent riots in the border of the Gaza Strip.

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*By: Giovann Narvez Flores  
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## ***Introduction***

The Israeli-Palestinian conflict has been raging for 70 years now. It began in the year 1918, when Great Britain had control over the south part of the Middle East, including Palestine. They allowed Jewish immigration to this territory. This started rising tension within the territory of Palestine. Both, the Jewish and the Palestinians began making acts of violence. In 1930, the British began limiting Jewish immigration. This caused Jewish militias to form to fight the local Arabs and to resist the British Empire. After World War II, 18,000 Jews moved to Palestine, according to the United States Holocaust Memorial Museum. The tension kept growing, and so, the United Nations -commonly referred as UN- tried to divide the land in two: Israel and Palestine, but the Arab nations did not approve this. The Arab-Israeli war began in 1948, and a year later, Israel had won the fight.

On May of 2018, Gazans made a barricade on the border with Israel after the brand new United States of America -commonly referred as US- embassy in Jerusalem was opened, according to ABC news. Israel warned that only peaceful protests would be allowed and positioned hundreds of Israeli Defense Forces outside the fence in order to prevent intruders coming into the territory. After a penetration attempt was perceived, the Israelis murdered more than 60 people. Hamas leader, Ismail Haniya, declared, "The Great Return protests and the raids on the border by our youth is proof that we have confused the enemy," suggesting that they might have been responsible for this riots.

## ***Relation between the Jews and Palestine through the history***

According to the world population review on 2013, 75% of the population in Israel are Jews. The Jewish people has a near relation to this territory in cultural and religious way. Although they had first emerged centuries earlier as an outgrowth of southern Canaanites, and the Jewish Bible claims that a Jewish monarchy existed starting in the 10th century B.C., the first appearance of the name "Israel" in the secular historic record is the Egyptian Merneptah Stele, 1200 B.C.

One element of Westernization, which is the expansion among the West countries, that the Haskalah (intellectual movement among the Jews in Europe, specific influence on the West and Muslim lands) championed was the reform of religion. This movement began in western Europe during the Napoleonic period, when certain aspects of Jewish belief and observance were seen as incompatible with the new position of the Jews in Western society. Napoleon convoked a Sanhedrin in 1807 to create a modern definition of Judaism that renounced Jewish

nationhood and national aspirations, asserted that rabbinic authority was purely spiritual, and recognized the priority of civil over religious authority even in matters of intermarriage.

In countries such as France, the rationale for reform, at least in its early years, was more aesthetic than doctrinal. The external aspects of Jewish worship, the form of the service—was unacceptable to the newly Westernized members of the Jewish bourgeoisie in both Germany and United States, whose cultural standards had been shaped by the surrounding society and who desired, above all, to resemble their Gentile peers. Thus, the short-lived Reform temple established in Seesen in 1810 by the pioneer German reformer Israel Jacobson (1768–1828) introduced organ and choir music, allowed men and women to sit together during worship, delivered the sermon in German instead of Hebrew, and omitted liturgical references to a personal messiah and the restoration of Israel. A more radical temple established in Hamburg in 1818 adopted all of Jacobson's reforms and published its own much-abridged prayer book, which deleted almost all references to the long-awaited restoration of Zion. Reformers in Charleston, South Carolina, introduced similar changes in the synagogue ritual in 1824. It was apparent to the reformers that in Western society Judaism would have to divest itself of its alien customs and conform to the cultural and intellectual standards of the new "age of reason," which is a time of great changes on science through thought and exploration.

German Reform in the 1840s became institutionalized, a matter of organized formal belief and practice. Several synods held at Brunswick, Frankfurt and Breslau, it created the first theological rationalization for changes introduced to the faith in the previous generation. Judaism, it was declared, had always been a developmental religion that conformed to the demands of the times. Rituals that impeded full Jewish participation in German social and political life were no longer considered valid expressions of Jewish religious truth.

The perceived beliefs were one of the main problems Palestine had after the war. The Arabs joined the Allies to fight the Turks during the conflict and convinced themselves that they were due to be given what they believed was their land once the war was over. In August 1929, relations between the Jews and Arabs in Palestine broke down. The focal point of this discontent was Jerusalem. The primary cause of trouble was the increased influx of Jews who had emigrated to Palestine. The number of Jews in the region had doubled in ten years (12 millions approximately), the city of Jerusalem also had major religious significance for both Arabs and Jews and over 200 deaths occurred in just four days in August (23rd to the 26th)

according to the HISPANTV. Arab nationalism was whipped up by the Mufti of Jerusalem, Haji Amin al-Husseini. He claimed that the number of Jews threatened the very lifestyle of the Arabs in Palestine.

### ***The first and second Intifada and its repercussions to the current conflict***

The intifadas were Palestinian uprisings against Israel that had two stages. The first was in the late 1980's and the second in the early 2000's. The first intifada began on December 9, 1987 and ended on September 13, 1993. Israel occupied Palestinian West Bank, Gaza Strip and East Jerusalem applying curfews and carrying out raids, arrests, deportations and house demolitions. The Palestinians began witnessing assassinations as of December 8, where four men were run over by an Israeli Jeep and were later attacked by Israelis shooting aimlessly at a crowd where a 17-year-old boy was murdered and 16 people were injured.

After the attacks that the Palestinians received, protests and confrontations began to appear in the refugee camps in West Bank and East Jerusalem. The Palestinians defended themselves and attacked with stones, blocking roads and taking over the streets. On the other hand, the Israelis attacked by firing rubber bullets, live ammunition and tear gas cartridges into the crowd to stop them. The protests grew and affected dozens of people including women, children and workers who were unemployed. For a year, schools and universities in the West Bank closed, Palestinian farms were razed, protesters who were prevented from paying taxes seized their property and construction permits.

Illegal Jews began to go against the Palestinians. According to the Agency for Aid and Works for Palestine Refugees (UNRWA), the conflicts caused 300 Palestinians to be murdered, 20,000 injured and some 5,500 arrested by Israel's government. Between 23,600 and 29,900 children under the age of ten needed medical treatment.

In 1988, a video was released showing an Israeli soldier beating two young Palestinians. This video causes Israel to lose the image of a Jewish nation surrounded by hostile Arab neighbors, reassuring that Israel was on the offensive. The Palestinian leaders tried to control the situations of violence that were increasing. The Palestine Liberation Organization (PLO) of Yasser Arafat located in Tunisia, called aid to the United Nations with little success. In the Gaza Strip Hamas (Islamic Resistance Movement) recently emerged as the alternative to the PLO based on Fatah. The movement helped the Palestinians move forward.

After the late King Hussein of Jordan cut all administrative and economic ties to the West Bank, the ideas of an independent and strengthened Palestinian state were strengthened. As foreseen in a UN resolution of 1947, the Palestinian National Council accepted the solution

of the states. However, the violence continued and was growing. "From 1989 to 1990, the United States approved the draft resolutions of the UN Security Council that deplored an Israel for its human rights abuses and breach of the Geneva Convention." (Hasan, H; 2017) In 1993, after the United States recognized that the PLO is the "sole legitimate representative" of Palestine, Israeli Prime Minister, Yitzhak Rabin and PLO, Chairman Yasser Arafat, signed the Oslo Agreements in presence of President Bill Clinton.

At the end of the first intifada in 1933, around 1,500 Palestinians and 185 Israelis were killed and another 120,000 Palestinians were arrested. With all the violence done, the Security Council demanded that Israel stop deporting the Palestinians from their lands.

It began on September 28, 2000 when Israeli Prime Minister Ehud Barak and Palestinian Authority (PA) President Yasser Arafat failed to reach a peace agreement for Israeli occupation of Palestinian territory. For this reason, the promised declaration of a Palestinian state was postponed. Ariel Sharon, an Israeli soldier and politician, decided to visit the Al-Aqsa mosque in the company of armed police and soldiers. Sharon intended to "affirm the right of all Israelis to visit the mosque to demonstrate that under a Likud government [the Al-Aqsa mosque] will remain under Israeli sovereignty." The Palestinians were outraged by such a decision and an outbreak of protests began in the Old City of Jerusalem where seven Palestinians were killed and 300 wounded. The following days began mass demonstrations in the West Bank and Gaza, provoking a violent reaction from both sides.

On September 30, a video was released of an Israeli assassination of a 12-year-old boy named Muhammad Al-Durrah, who was fleeing enemy forces with his father. It was a video that had such a global impact that it became an icon representing the oppression suffered by the Palestinians and the indifference of Israel. The following months continued violent operations leaving thousands of people dead or injured. Amnesty International's report on the first year also concluded that the killings and injuries arrived by Israel and the Occupied Territories were carried out by the IDF using excessive force. Helicopters supplied by the USA were used for rocket attacks.

After Sharon was elected to the position of Prime Minister in 2001, he refused to meet with Arafat and all diplomatic offers were paralyzed. It was until 2002 that Palestinian forces stopped the violence to reach a peace agreement by supporting the Arab Peace Initiative outlined by Saudi Arabia. In 2003, Mahmoud Abbas was chosen as Prime Minister of the PA, where negotiations were carried out following a peace plan carried out by the UN, the EU, Russia and the USA. UU., But these failed. The following year the violence continued where senior Hamas officials were killed by Israelis. The removal of Jewish settlers from the Gaza



Strip and the construction of an illegal barrier surrounding the West Bank, according to the International Court of Justice, was illegal.

The death of political leader Arafat in 2004 marks the beginning of the end of the conflict. Abbas, president of the Palestine Liberation Organization (PLO), called for peace with what Israel responded by closing the Gaza Strip. In February, the attacks were mostly suspended. The Israelis began withdrawing armed forces from the West Bank and began releasing Palestinian prisoners.

The end of the conflict was declared on February 8, 2005, when Sharon and Abbas declared a ceasefire at a summit in Sharm El-Sheikh. However, days later Hamas contested the ceasefire and fired rockets at a settlement near the Gaza Strip and the following year, with Hamas's victory over Fatah in the elections led to violent clashes in 2007. Hamas took control of the Gaza Strip, when Fatah withdrew from the West Bank.

### ***United Nations position towards the conflict***

The United Nations got into the conflict on 1947, when they established an independent Arab State, an independent Israel and the city of Jerusalem; starting the Arab-Israeli belic conflict. On May 1948, the UN helped dissipate the conflict by reiterating the Resolution 194, which consisted in allowing Palestinian refugees to go back to their homes and by inaugurating the United Nations Conciliation Commission.

On 1992, the Oslo Accords were signed by Israel and the Palestinian Liberation Organization (PLO), in which the president of Israel, Shimon Peres; and president of Palestine, Mahmoud Abbas, shook hands. Later on that year, Israel recognizes the PLO as representatives of Palestine, and Palestine recognizes the State of Israel.

On January of the present year, at a Security Council briefing, the special coordinator for the Middle East peace process, Nickolay Mladenov, stated that they are in a “critical point” in the peace process within this conflict. He also stated, “we must also reaffirm the international consensus that the two-State solution remains the only viable option for a just and sustainable end to the conflict. We must be unwavering in this position,” referring that allowing a Palestinian and an Israeli country is the only possibility to resolve this conflict.

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## *Glossary*

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### **B**

**Barricade:** A line or pile of objects put together, often quickly, to stop people from going where they want to.

**Briefing:** Information that is given to someone just before the person does something, or a meeting where information is given.

### **D**

**Divest:** Deprive (someone) of power, rights, or possessions.

### **F**

**Foresee:** To realize or understand something in advance or before it happens.

### **I**

**Influx:** The fact of a large number of people or things arriving at the same time.

### **L**

**Liturgical:** A particular set of the words, music, and actions used in ceremonies in some religions, especially Christianity.

### **N**

**Nationhood:** The fact of being a nation.

### **R**

**Raids:** A planned attack by a military group that is done suddenly and unexpectedly and is intended to destroy or damage something.

### **S**

**Synods:** A regular meeting of Church members for the discussion of religious matters.

## **W**

**Whitdraw:** To take or move out or back, or to remove.

## **Topic B**

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Measures to neutralize the threat of the current gun law in the United States of America

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## ***Introduction***

The Article II of the Second Amendment of the United States of America (U.S.S.A) Constitution expresses, “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.” In 1791 the US Constitution was declared, with the right of bearing a fire weapon. Later on, some security measures were added, you needed to have a licence in order to possess such weapon. After years, gun laws have change: for a time assault guns were prohibited, mentally ill people couldn't buy a weapon, and so on. But this measures have not reduced the risk of a homicide or a mass shooting, according to the Gun Violence Archive. President Trump has said that they would implement security measures in case such threat occurs. For instance, preparing teachers and students in case such threat could happen, but he has not stated that there would be a real change in law that could prevent mass shootings from happening.

Only in the first 5 months of 2018, there have been 107 mass shootings across the United States, according to the Gun Violence Archive. Which means, there has been a mass shooting almost everyday, on average. Also, the British newspaper The Sun affirms that the US has the highest homicide-by-firearm rate among the world's most developed nations.

In the United States Constitution is stipulated that if you accomplish certain general rules and specific ones depending on the State, you can buy a gun. According to Kate Taylor, the process is really easy to do (2018). The only groups that are not able to buy guns are; those with mental health problems, illegal immigrants and convicted felons. Each State also has its own laws, which differ in the sort of weapons that are allowed to own or to be carried in public. Thirty-one states allow the open carrying of a handgun without a license and only fifteen states require a license or a permit to carry such weapons. For example, it is prohibited in California to carry around guns in public while in New Jersey it is forbidden to carry long guns, but handguns are allowed.

## ***Clauses within the United States of America gun law***

In 1934, the first piece of national gun control legislation was passed on June 26, 1934. The National Firearms Act (NFA) part of President Franklin Delano Roosevelt's New Deal for Crime, was meant to curtail gangland crimes of that era such as the St. Valentine's Day Massacre.

The Federal Firearms Act (FFA) of 1938 required gun manufacturers, importers, and dealers to obtain a federal firearms license. It also defined a group of people, including convicted felons, who could not purchase guns, and mandated that gun sellers keep customer

records. The FFA was repealed in 1968 by the Gun Control Act (GCA), though many of its provisions were reenacted by the GCA.

In 1986 the Firearm Owners Protection Act was passed by Congress. The law mainly enacted protections for gun owners, prohibiting a national registry of dealer records, limiting ATF inspections to once per year, softening what is defined as engaging in the business of selling firearms, and allowing licensed dealers to sell firearms at gun shows in their state. It also loosened regulations on the sale and transfer of ammunition. The first provision of this law is “to prohibit causes of action against manufacturers, distributors, dealers, and importers of firearms or ammunition products, and their trade associations, [...]” (1787, Philadelphia Convention). It also dismissed pending cases on October 26, 2005. In the same year, the Protection of Lawful Commerce in Arms Act was signed by President George W. Bush to prevent gun manufacturers from being named in federal or state civil suits by those who were victims of crimes involving guns made by that company.

The *District of Columbia v. Heller* is a historical case in which the Supreme Court of the United States held that the Second Amendment is protected by the right of a person who possesses a firearm not related to the service in a traditionally legal militia, as self-defense in the home. The right to bear arms is not unlimited, and firearms and weapons possession will continue to be regulated. *District of Columbia v. Heller* essentially changed a nearly 70-year precedent set by *Miller* in 1939. While the *Miller* ruling focused on the well regulated militia portion of the Second Amendment, *Heller* focused on the individual right to possess a firearm unconnected with service in a militia.

On January 8, 2011 in Arizona, a shootout resulted in 6 deaths and 13 injuries. During the shooting, Congresswoman Gabrielle Giffords received a bullet wound to the head, a girl with the age of nine years and a federal judge were murdered. Four days after this event, former President Barack Obama urged all Americans to participate in a conversation where he stated "We can not and will not be passive in the face of such violence. We should be willing to challenge the old assumptions to diminish the prospects of such violence in the future".

Violent acts continued and on July 20, 2012, a man opened fire in a movie theater in Aurora, Colorado, resulting in 12 people killed and 58 people injured. Days after the shooting, Barack Obama made a trip the same year to Arizona to talk with the families and victims of that event. Barack Obama inspired and reminded all Americans that "even in the darkest days, the extraordinary courage and strength of the people shines".

Days after the shootout at Sandy Hook Elementary School occurred in 2012, the president then, Barack Obama stated "We will not be able to stop every violent act, but if there

is anything we can do to prevent any of these events, we have a deep obligation, all of us, to try". Established that, former President Barack Obama announced Vice President Joe Biden to lead an effort to develop a set of policy proposals to reduce violence in the country. The proposals would be carried out with a deep and specific investigation on the subject, taking into account the opinion of the citizens, including the victims of the most recent violent acts, to broaden the range of concerns, perspectives and opinions. People from all over the country came together to prevent violence. As part of the official response, former President Barack Obama made a video for more than 350,000 people participating. The video appreciates and demonstrates the effort of all citizens who stand up and speak openly. After the video was made, Barack Obama thanked all the Americans who commit to work so that the change was possible, "thanks to you, you have started something and now I ask you to continue with that, I am asking for your help to make a real and significant difference. in the lives of our communities and our country."

### ***Deadliest mass shootings in recent years***

Mass shootings have become more frequent in the recent years. Thousands of innocent people have died because of them. Public order is altered by individuals who are now sentenced to life imprisonment, committed suicide, or shot dead. The following reported cases have been the most dangerous mass shootings, with the number of deaths and incidents with firearms increasing as the years pass by, according to CNN news. On December 2, 2015, 14 people died in San Bernardino, California. On February 14, 2018, 17 people were shot dead in a high school, in Parkland, Florida. On November 5, 2017, 25 people were killed and 20 others were wounded in Texas. On December 14, 2012, 27 adults and kids were killed in Connecticut. And the biggest mass shooting in the century has been in October 1, 2017, when Stephen Paddock opened fire on a crowd of nearly 22,000 people assisting to a concert. The act ended with 58 people dead and almost 500 people injured.

After the events mentioned above, the concern of citizens is growing, because they come to live with the nervousness that at any moment there can be an act of violence where family or friends are injured or killed. That is why different measures have been taken to reduce and prevent violent attacks.

### ***Actions and campaigns to avoid or handle a mass shooting***

As said previously, current president of the U.S., Donald Trump has not stated there would be a change of the law to reduce the risk of a mass shooting. On February 12, 2018,



Trump unveiled the second budget proposal, in which he said there would be a massive budget cut from many assistance programs such as Medicare, Medicaid and others. This has had an impact in people with mental-health and substance abuse problems. Which means the U.S. is taking a step back on the enforcement of the laws that are already on the book, by letting people unaware of their problem and without the treatment they need.

The website Vox has urged the U.S. government the following: to require a better background check. Which, even though it is required to make a criminal background check, around forty percent of all gun sales are made lacking questions, according to Nations Well; denying guns to domestic abusers, since every two out of three murdered women were shot by their intimate partner, since this law has many limitations to it, according to Vox.

With all the threats and violent events where many innocent people have been involved, wounded or even killed, they have been taking measures of security to prevent them from happening. One of the most worrying cases has occurred in schools. But measures had been taken, because, according to an article published by the BBC in 2018, titled US gun laws, it has been sought that there is more security especially in schools and has been working with students that have had a series of shots.

Unlike the United States, other countries such as Canada have already introduced stricter arms control measures, as stated in the BBC news. They have more stringent background checks, there is a database that contains records of violence. On this site, they keep records of inventories and arms sales. In addition, the police have access when it is justified.

### ***United Nations involvement***

The United Nations has committed to maintain international peace and security, and to remove threats against it. To do so, the UN limits the proliferation of illicit firearms. On 2001, 196 member states of the United Nations agreed to implement measures to prevent and eradicate the harmful effects of small arms and light weapons around the world (Gun policy, 2016). These include the UN Firearms Protocol, the UN small arms Program of Action, the UN Register of Conventional Weapons, and the UN Arms Trade Treaty (ATT).

The UN Arms Trade Treaty is an international treaty that regulates the international trade of conventional arms and seeks to prevent illicit trade of conventional arms by establishing international standards governing arm transfers (United Nations, 2014). The ATT contributes to international peace, security and stability, reducing human suffering, and promoting cooperation and transparency among the international community. This Treaty

came into force in 2014, with a total of 96 States Parties and 130 Signatory States (Arms Trade Treaty, 2014).

“How many more mass killings of school-children, of co-workers, of African-American churchgoers -- how many more individual shootings of talented musicians like Christina Grimmie, or politicians like Gabrielle Giffords, will it take before the United States adopts robust gun regulation?” said UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein. A new UN human rights report on the civilian acquisition, possession and use of firearms highlights the “devastating impact” of gun violence on a host of human rights, including the rights to life, security, education, health, an adequate standard of living and participation in cultural life (UN news, 2016).

UN and regional human rights experts have long recommended that firearm control measures must include adequate background check systems, the periodic review of licenses, clear gun removal policies when intervening in domestic violence cases, mandatory training, and the criminalization of illegal sale of firearms, among others.

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## *Glossary*

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### **A**

**Acquisition:** The process of getting something.

### **C**

**Curtail:** To stop something before it is finished, or to reduce or limit something.

### **F**

**Felon:** A person who is guilty of a serious crime.

### **I**

**Infringe:** To break a rule, law, etc.

### **M**

**Militia:** A military force whose members are trained soldiers but who often have other jobs.

### **P**

**Prospects:** The idea of something that will or might happen in the future.

### **S**

**Stringent:** Having a very severe effect, or being extremely limiting.

### **U**

**Unveil:** If you unveil something new, you show it or make it known for the first time.

### **W**

**Wound:** A damaged area of the body, such as a cut or hole in the skin or flesh made by a weapon.