



Economic and Social Council

Distr.: Limited
12 April 2019

Original: English

Commission on Crime Prevention and Criminal Justice

Twenty-eighth session

Vienna, 20–24 May 2019

Item 8 of the provisional agenda*

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

Peru and South Africa: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

Enhancing the security of supply chains of precious metals against organized criminal groups

The Economic and Social Council,

Recalling its resolution 2013/38 of 25 July 2013, entitled “Combating transnational organized crime and its possible links to illicit trafficking in precious metals”, in which it underlined the need to develop comprehensive, multifaceted and coherent strategies and measures to counter illicit trafficking in precious metals and invited the United Nations Interregional Crime and Justice Research Institute to conduct a comprehensive study on the possible links between transnational organized crime, other criminal activities and illicit trafficking in precious metals,

Recalling also that the report on the first phase of the study, entitled *Strengthening the Security and Integrity of the Precious Metals Supply Chain*, was launched on 25 May 2016 at the twenty-fifth session of the Commission on Crime Prevention and Criminal Justice,

Alarmed at the illegal exploitation of vulnerabilities in the supply chains of gold and other precious metals, which has a negative impact on, inter alia, the livelihoods of communities and the environment, as well as the capacity of Governments to regulate the mining of and trade in precious metals and stem illicit trade and financial flows linked to the production and trade of precious metals,

Concerned at the growing involvement of organized criminal groups in trafficking in precious metals, as well as the substantial increase in the volume and range of transnational criminal offences related to such trafficking and the rates at which they occur in some parts of the world,

* E/CN.15/2019/1.



Also concerned by the negative effects of the use of mercury in illegal alluvial gold exploitation, which contaminates the environment, degrades the land and poses serious risks to human health among vulnerable populations, in particular women, children and future generations,

Alarmed at the increased rate at which alluvial gold is exploited illegally in protected natural areas and indigenous lands,

Cognizant that the vulnerability of the supply chain facilitates illicit trafficking in precious metals and contributes to the creation of a significant revenue base for organized criminal groups, thereby potentially contributing to the expansion of criminal enterprises, facilitating corruption and undermining the rule of law through the corruption of law enforcement and judicial officials,

Stressing the need to promote universal adherence to and the full implementation of the Convention against Transnational Organized Crime and the Protocols thereto and other relevant international instruments, and stressing also the importance of international cooperation between the Governments of Member States and private sector entities to counter transnational organized crime as described in various reports of the United Nations Office on Drugs and Crime,

Emphasizing that all States have a shared responsibility to take steps to counter transnational organized crime, including by cooperating with one another and with relevant entities such as the United Nations Office on Drugs and Crime and the United Nations Interregional Crime and Justice Research Institute,

Convinced of the importance of partnerships and synergies between the Governments of Member States, civil society and the private sector, in particular in developing measures and strategies to combat illicit trafficking in precious metals and other forms of transnational organized crime,

Underlining the findings referred to in the technical report by the United Nations Interregional Crime and Justice Research Institute on strengthening the security and integrity of the precious metals supply chain on the links between transnational organized crime, other criminal activities and illicit trafficking in precious metals,

Mindful of the need for further research into the links that may exist between illicit trafficking in precious metals and transnational organized crime and ways and means of cooperating to address the issue,

1. *Encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in precious metals by organized criminal groups, including, where appropriate, by adopting and effectively implementing mechanisms for controlling and securing the supply chain and introducing the legislation necessary to prevent, investigate and prosecute illicit trafficking in precious metals;

2. *Calls upon* Member States that have not yet done so to consider becoming parties to the Convention against Transnational Organized Crime and the Protocols thereto;

3. *Calls upon* Member States to support the adoption of an international mechanism to secure the integrity of the precious metals supply chain as prepared by the United Nations Interregional Crime and Justice Research Institute in cooperation with the Organization for Economic Cooperation and Development, under which the importance is stressed of, inter alia, developing national risk assessments on the integrity of the precious metals supply chain, establishing regional laboratories for the analysis of precious metals in which to profile precious metals and analyse their fingerprints, and reinforcing the capacity of Member States to protect the supply chain from infiltration by organized criminal groups;

4. *Invites* Member States and relevant institutions to provide the United Nations Interregional Crime and Justice Research Institute with examples of relevant national, regional and international laws, regulatory standards, case studies on best

practices in securing supply chains and other materials relevant to the study on topics such as money-laundering and import and export controls, for its consideration;

5. *Encourages* Member States to work in cooperation with the United Nations Interregional Crime and Justice Research Institute to identify and promote the use of solutions that utilize emerging technology and can contribute in a concrete manner to preventing and combating illicit trafficking in precious metals by organized criminal groups, including technology that strengthens the integrity of the precious metals supply chain, in particular as regards traceability, authentication and forensics, technology related to forensics, and technology for the analysis and visualization of big data to monitor evolving crime trends and patterns;

6. *Also encourages* Member States to designate focal points for cooperation in developing or strengthening their internal capacity for the collection and analysis of data on trafficking in illicit precious metals by, inter alia, promoting enhanced coordination among relevant competent authorities, and to cooperate with other Member States in providing training to law enforcement personnel on precious metals regarding identification, investigation, taking samples, dispatching samples to laboratories for analysis, recording and reporting seizures, and producing relevant statistics on seizures and prosecutions at the national level;

7. *Further encourages* Member States, consistent with their domestic and international legal and administrative obligations, to provide one another with the broadest possible assistance, including through bilateral or multilateral agreements or arrangements on matters related to law enforcement, and to enhance the effectiveness of law enforcement action to combat offences related to illicit trafficking in precious metals;

8. *Encourages* Member States to adopt, to the extent possible, legislative or other appropriate measures to enable the identification, tracing, freezing, seizure and confiscation of proceeds of crime derived from trafficking in precious metals and, to the extent permitted by domestic law and if so requested, to give priority consideration to returning the confiscated proceeds of crime or property to the requesting State party to the Convention or sharing the proceeds or funds derived from the sale of such proceeds, in accordance with its domestic law or administrative procedures;

9. *Calls upon* Member States in whose jurisdiction the possession, importation, exportation, transportation, trading in or selling of precious metals is not a criminal offence, to adopt legislative or other measures as may be necessary and appropriate to ensure that the integrity of the precious metals supply chain is properly regulated;

10. *Encourages* Member States to adopt legislative or other appropriate measures, to the extent possible, to strengthen border controls as may be necessary to prevent and detect trafficking in precious metals;

11. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

12. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-ninth session on the implementation of the present resolution.