

Countering the smuggling of commercial goods in cases falling within the scope of the United Nations Convention against Transnational Organized Crime

The Commission on Crime Prevention and Criminal Justice,

Recalling the United Nations Convention against Transnational Organized Crime,¹ adopted by the General Assembly in its resolution 55/25 of 15 November 2000, which, inter alia, provides the definition of an organized criminal group and offers an effective legal basis for international cooperation to support the investigation and prosecution of all forms of crimes covered by it,

Recalling also the United Nations Convention against Corruption,² which is aimed, inter alia, at promoting and strengthening measures to prevent and combat corruption more efficiently and effectively and which may be applied by States parties to prevent and counter crimes that fall within its scope and that are related to the smuggling of commercial goods, including in the customs and border control sectors,

Recalling further General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, by which the set of universal and transformative Sustainable Development Goals and targets, including target 16.4, were adopted,

Expressing its concern about the consequences of the smuggling of commercial goods carried out by transnational organized criminal groups and some possible linkages between that crime and corruption and other forms of transnational organized crime, such as money-laundering and drug trafficking,

1. *Urges* States parties to consider using the international cooperation provisions of the United Nations Convention against Transnational Organized Crime⁶⁵ and the United Nations Convention against Corruption,⁶⁶ in applicable and appropriate cases, to investigate and prosecute the smuggling of commercial goods;

2. *Invites* States parties to consider, where appropriate, criminalizing the smuggling of commercial goods, including by making appropriate offences a serious crime, as defined in article 2, paragraph (b), of the Organized Crime Convention, where the offence is transnational in nature and involves an organized criminal group;

3. *Encourages* Member States, in accordance with their domestic legal framework and their international obligations, to share best practices and challenges to prevent and eliminate the smuggling of commercial goods as a form of transnational organized crime and, in this regard, to develop, where appropriate, partnerships and networks to foster international cooperation;

4. *Invites* Member States to provide their views and inputs on how the Commission on Crime Prevention and Criminal Justice can contribute to addressing the smuggling of commercial goods as a form of transnational organized crime, and requests the Secretariat to report thereon at its twenty-ninth session, through existing reporting requirements;

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.

² *Ibid.*, vol. 2349, No. 42146.

5. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.