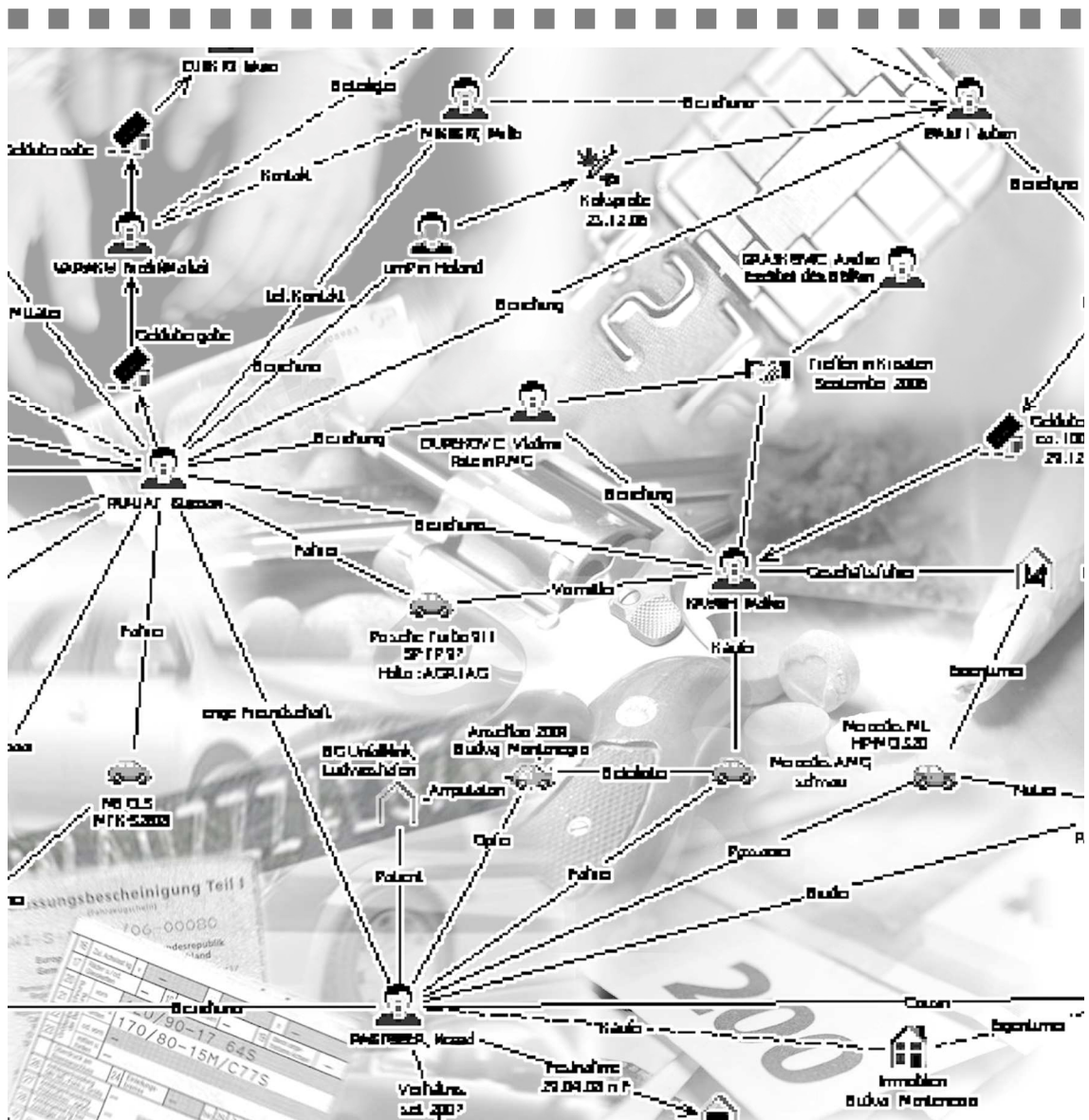




ORGANISED CRIME

National Situation Report 2010



2. STATISTICAL OVERVIEW

	2010	2009
<u>Number of investigations</u>	606	579
Initial reports	318	305
Completed investigations	329	283
<u>Total number of suspects</u>	9,632	9,294
Newly identified suspects	4,628	4,026
Total number of nationalities	113	108
Percentage of German suspects	36.5 %	38.3 %
Percentage of non-German suspects	63.5 %	61.7 %
Including:		
⇒ Turkish nationals	10.3 %	9.2 %
⇒ Italian nationals	3.5 %	3.5 %
<u>Heterogeneous offender structures</u>	73.9 %	75.5 %
<u>Homogeneous offender structures</u>	26.1 %	24.5 %
<u>Armed suspects</u>	4.7 %	4.1 %
<u>Groups operating in more than one area of crime</u>	28.7 %	28.3 %
<u>Losses identified</u>	€ 1.65bn	€ 1.37bn
<u>Estimated profits</u>	€ 903m	€ 903m
<u>Provisionally seized assets</u>	€ 171m	€ 113m

	2010	2009
<u>Offences with international links</u>	84.3 %	88.8 %
<u>Fields of crime</u>		
⇒ Drug trafficking and smuggling	39.9 %	40.9 %
⇒ Crime associated with the business world	14.5 %	13.0 %
⇒ Property crime	11.9 %	14.3 %
⇒ Tax and customs offences	8.4 %	9.2 %
⇒ Facilitation of illegal immigration	5.9 %	6.4 %
⇒ Crime associated with nightlife	4.5 %	3.5 %
⇒ Counterfeiting/forgery	4.3 %	5.2 %
⇒ Violent crime	4.3 %	3.5 %
⇒ Arms trafficking and smuggling	1.2 %	0.3 %
⇒ Environmental crime	1.0 %	0.9 %
⇒ Others	4.1 %	2.8 %
<u>Investigations including</u>		
Money laundering activities	39.9 %	29.7 %
Witness protection measures	8.4 %	6.7 %
Confiscation of assets	28.7 %	26.9 %

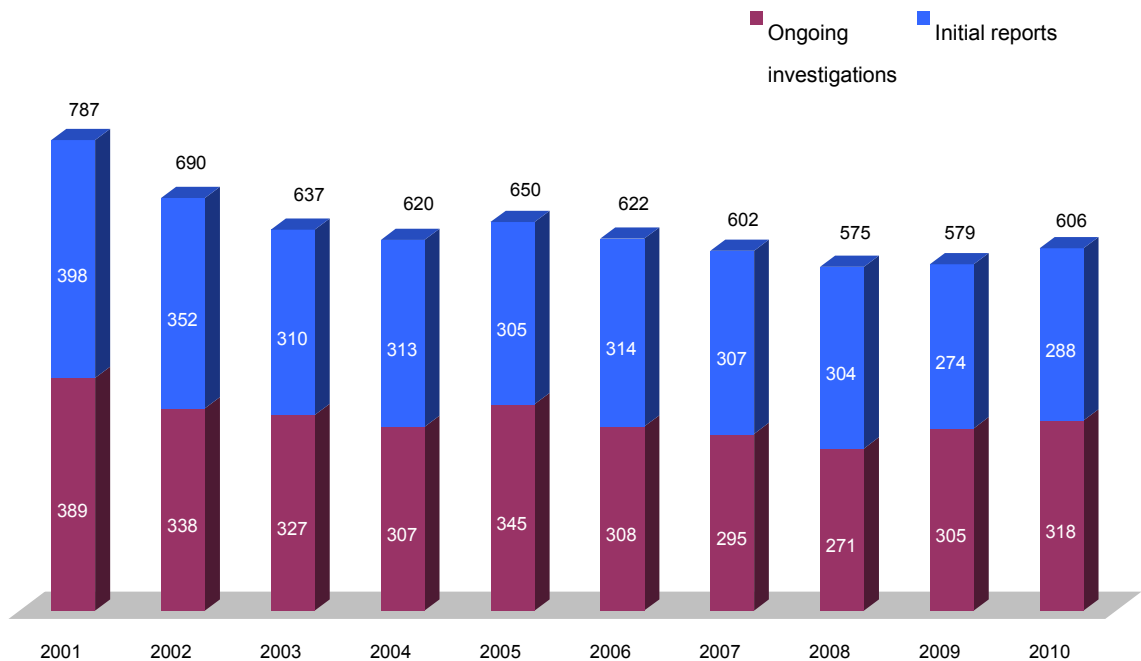
3. THE CRIME SITUATION IN GERMANY

3.1 Investigations

3.1.1 Number of investigations

In the year under review, 606 OC investigations were handled in Germany. A total of 318 of these investigations were initiated in the year under review (initial reports) and 288 were ongoing investigations instituted in previous years. 329 investigations were completed during 2010.

Number of OC investigations



In comparison to the previous year, the number of OC investigations increased by 4.7 %. The number of initial reports increased by 4.3 %.

The table below illustrates the regional distribution of the OC investigations (figures of the previous year in brackets). Assignment of the investigations conducted by the federal authorities to the federal states was based on the location of the respective public prosecutor's office conducting the proceedings.

	Fed. State	BKA	Fed. Pol.	Customs	Total
Bavaria	86 (82)	2 (2)	3 (5)	7 (7)	98 (96)
North Rhine-Westphalia	69 (65)	7 (11)	1 (0)	13 (12)	90 (88)
Berlin	64 (62)	5 (6)	4 (5)	5 (8)	78 (81)
Lower Saxony	52 (38)	2 (3)	2 (3)	11 (11)	67 (55)
Hesse	32 (38)	14 (8)	7 (2)	11 (11)	64 (59)
Baden-Württemberg	39 (34)	2 (3)	1 (2)	5 (4)	47 (43)
Hamburg	29 (28)	1 (1)	0 (1)	1 (5)	31 (35)
Saxony	15 (14)	1 (0)	4 (4)	7 (8)	27 (26)
Rhineland-Palatinate	21 (21)	1 (0)	2 (2)	1 (0)	25 (23)
Schleswig-Holstein	17 (18)	4 (1)	3 (3)	0 (0)	24 (22)
Brandenburg	9 (9)	0 (0)	1 (2)	7 (7)	17 (18)
Saarland	11 (11)	0 (0)	0 (0)	0 (0)	11 (11)
Saxony-Anhalt	10 (8)	0 (0)	0 (0)	1 (2)	11 (10)
Mecklenburg-Western Pomerania	6 (4)	0 (0)	1 (1)	0 (0)	7 (5)
Thuringia	4 (3)	1 (1)	0 (0)	0 (0)	5 (4)
Bremen	4 (3)	0 (0)	0 (0)	0 (0)	4 (3)
Total	468 (438)	40 (36)	29 (30)	69 (75)	606 (579)

A significant increase in the number of investigations conducted in Lower Saxony is seen alongside with a decrease of investigations conducted in Hesse and by the customs authorities. The other figures remained relatively constant.

3.1.2 OC relevance of the investigations

The working definition of "organised crime", formulated by the Working Party of Police and Judicial Authorities (AG Justiz/Polizei) in May 1990, serves as the basis for the selection of the OC investigations relevant for the National Situation Report on Organised Crime.

"Organised crime is the planned commission of criminal offences determined by the pursuit of profit and power which, individually or as a whole, are of considerable importance if more than two persons, each with his/her own assigned tasks, collaborate for a prolonged or indefinite period of time,

- a) by using commercial or business-like structures,
- b) by using force or other suitable means of intimidation, or
- c) by exerting influence on politics, the media, public administration, judicial authorities or the business sector."

Profits

The following data on profits made are estimates. In 2010, no profit was established in 214 investigations (35.3 %) and in 46 investigations (7.6 %), the profits were unknown. For 346 investigations (57.1 %) profits totalling approximately EUR 903 million were indicated. The highest profits were established in investigations into offences associated with the business world (EUR 401 million), followed by tax and customs offences (EUR 189 million); drug trafficking and smuggling (EUR 126 million) and environmental crime (EUR 76 million). With EUR 506 million, OC groups dominated by German nationals generated the highest profits, above all in the field of crime associated with the business world (EUR 376 million) and environmental crime (EUR 52 million), the latter profiting primarily from illegal waste disposal. In **one** investigation into crime associated with the business world, which mainly concerned fraud offences (breach of trust), a profit amounting to EUR 250 million was reported. Groups dominated by Turkish nationals achieved profits totalling approximately EUR 88 million with one investigation into customs and tax offences alone featuring profits in the amount of EUR 40 million.

Confiscation of assets

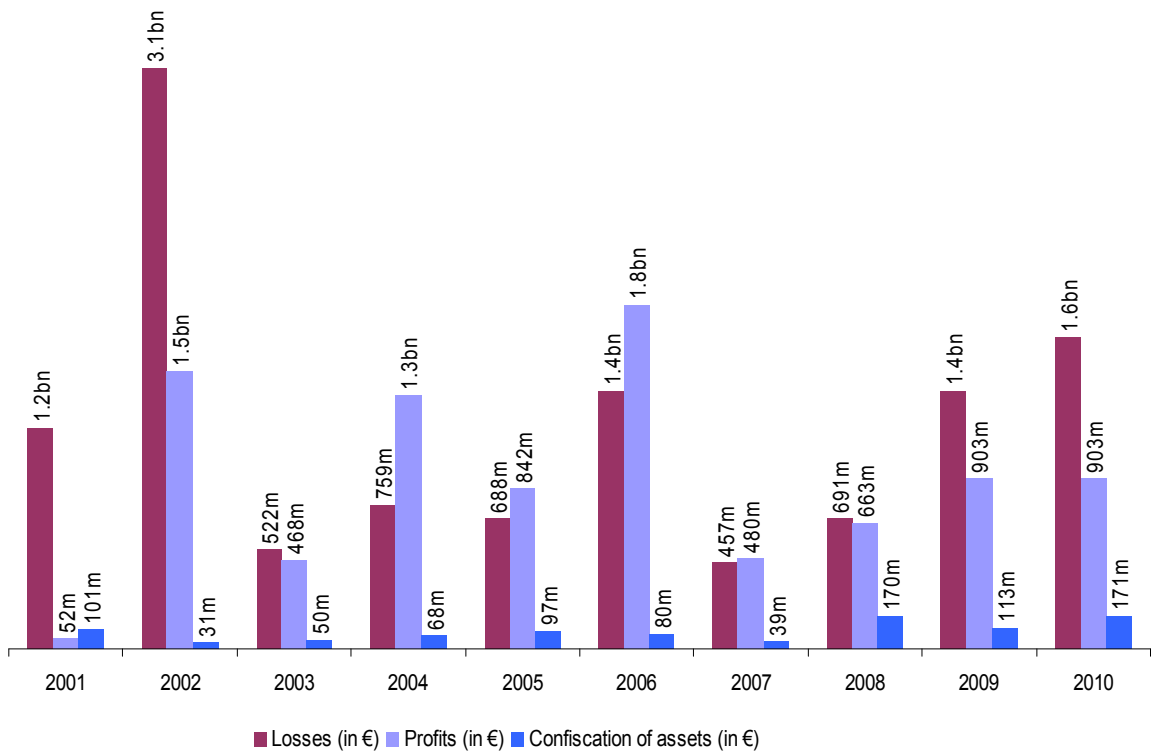
The percentage of cases where measures to secure assets were taken was 28.7 % (2009: 27 %). In this context, assets totalling approximately EUR 171 million were provisionally seized (compared to EUR 113.2 million in 2009). It should be noted that in case of long-term investigations, provisionally seized assets are included only once in the situation report and are not updated. The largest amounts were secured in connection with investigations into tax and customs offences (roughly EUR 78 million). The highest individual assets were seized in an investigation into tax and customs offences committed in connection with the trade in CO2 emission allowances (more than EUR 48 million), an investigation into investment offences (EUR 14 million) and two further investigations into tax and customs offences as well as crime associated with the business world (EUR 12 million each). During investigations directed against groups of offenders dominated by German nationals, more than EUR 78 million were seized. The aforementioned highest individual seizure of more than EUR 48 million was made in the course of an investigation directed against a group of offenders dominated by British nationals.

Money laundering activities / investigations

In 242 investigations (39.9 %), information suggesting money laundering activities was obtained. In 154 cases, investigations were conducted into money laundering pursuant to section 261 of the German Penal Code. In 96 investigations, a total of 757 suspicious transaction reports were filed pursuant to section 11 subsection 1 of the German Money Laundering Act.

Development of the financial aspects

The following table provides an overview of the losses reported, the profits estimated and the assets seized in the last ten years.



Losses, profits and confiscation of assets

With EUR 3.1 billion, the reported losses reached their absolute record level in 2002. In 2010, the losses were estimated at EUR 1.6 billion which was the second largest sum of losses sustained in the past decade. In the past, outstanding sums of losses mostly resulted from **one** investigation.

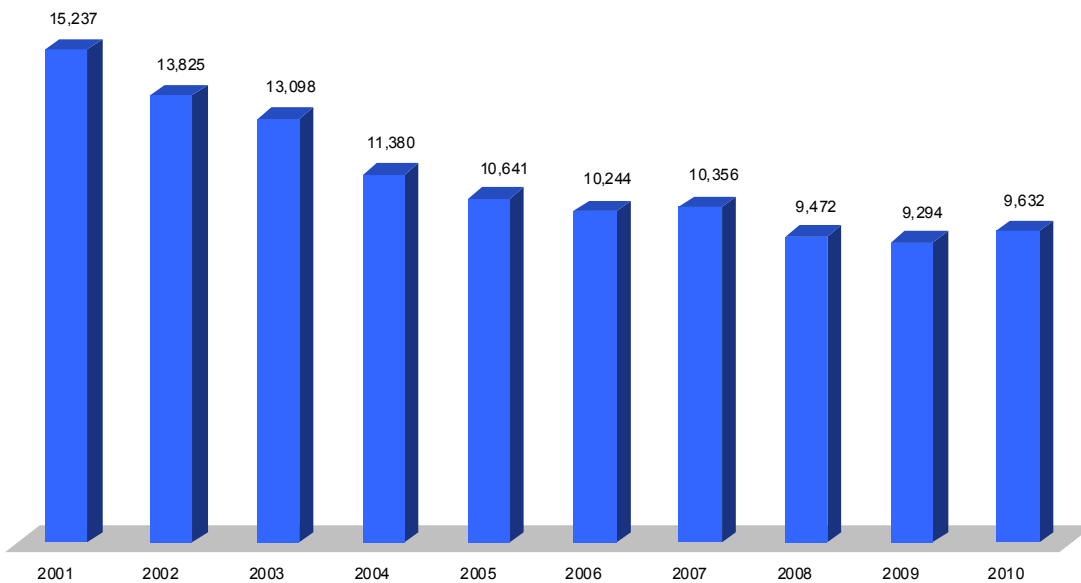
In 2002, 2004 and 2006, the estimated profits of the groups of offenders amounted to more than EUR 1 billion and in the other years, except for the last two years, they ranged significantly below that sum (i.e. roughly EUR 903 million per year). Since 2001, seizures in the three-digit million range were carried out again during the past three years, with an absolute record amount of EUR 171 million in 2010. Although financial investigations were conducted in more than 90 % of the OC investigations, criminal assets were only recovered in almost 30 % of the investigations.

3.2 Suspects

Total number of suspects

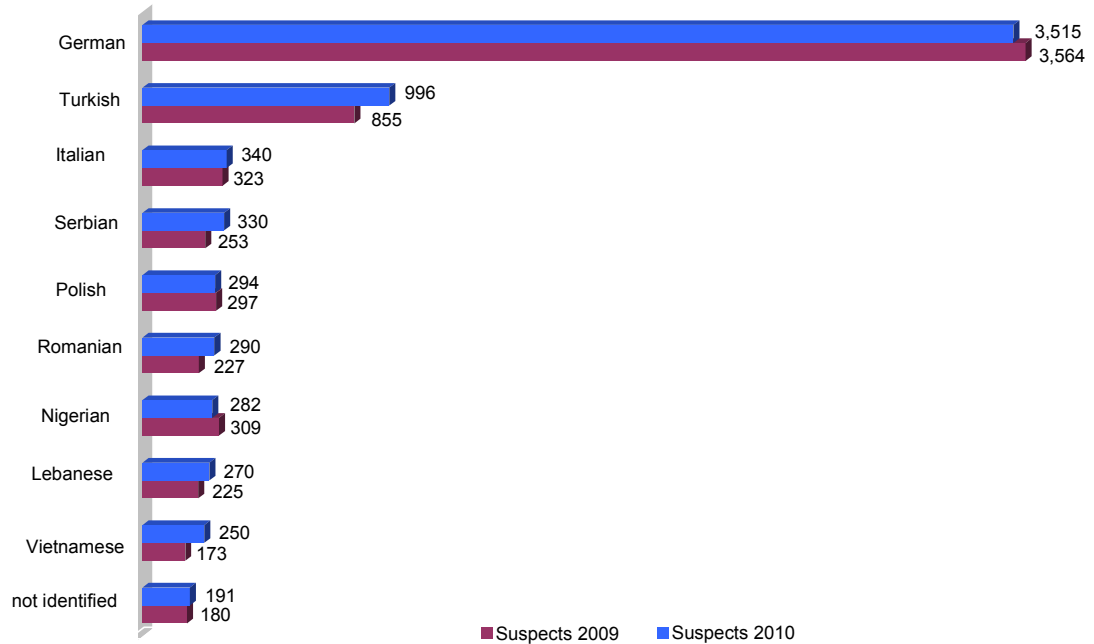
A total of 9,632 suspects were investigated in the year under review (compared to 9,294 suspects in 2009).

Development of the total number of suspects



Consequently, the total number of OC suspects rose by approximately 3.6 % compared to the previous year.

Total number of suspects by nationality



As in previous years, with 36.5 %, German nationals continued to make up the largest group among the total number of suspects (38.3 % in 2009). 14.3 % of the German suspects were nationals of a different country at birth (21 % in 2009).

The largest increase was recorded for Turkish nationals (+ 141), followed by Serbian (+ 77), Vietnamese (+ 77), Romanian (+ 63) and Lebanese suspects (+ 45).

In terms of percentages, the most conspicuous increase was seen in relation to Vietnamese suspects (+ 44.5 %), followed by Serbian (+ 30.4 %), Romanian (+ 27.8 %), Lebanese (+ 20 %) and Turkish suspects (+ 16.5 %).

The highest decrease was recorded for German suspects (- 49), followed by Nigerian suspects (- 27).

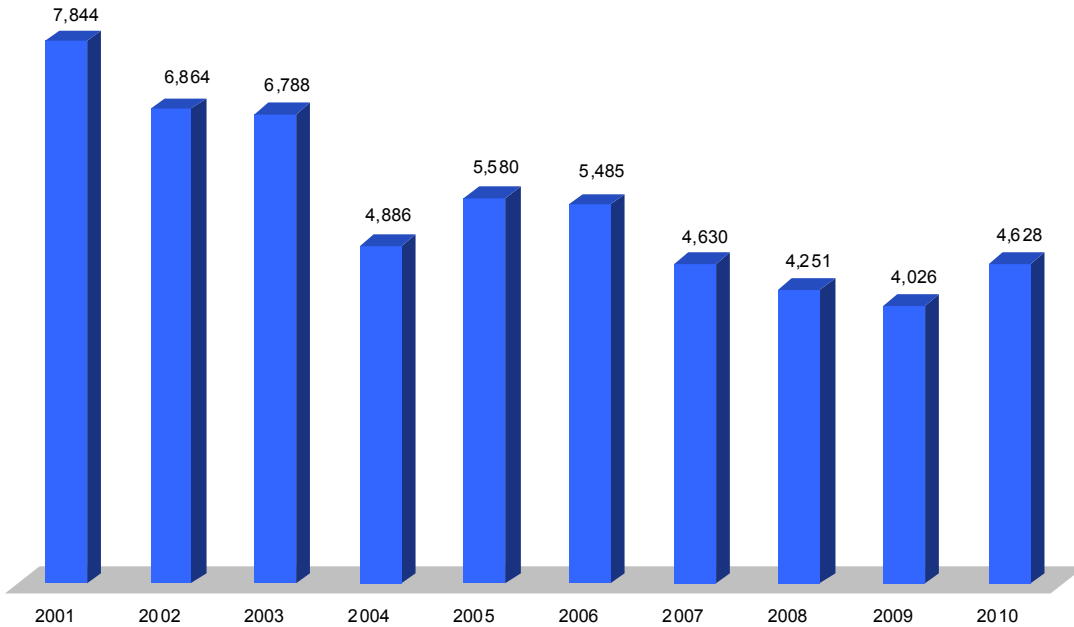
In terms of percentages, the most conspicuous decline, i.e. 8.7 %, was recorded for Nigerian suspects.

The origin of 191 suspects (2 % of all suspects) could not be clarified.

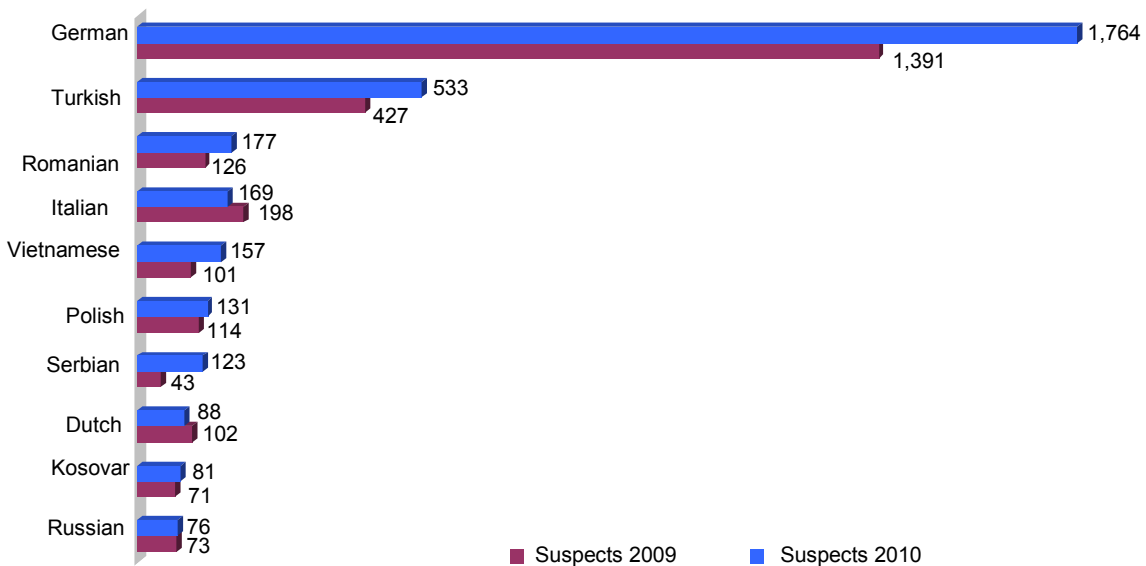
Newly identified suspects

The number of suspects identified for the first time in the period under review rose in comparison to the previous year by approximately 15 % to 4,628 (4,026 in 2009).

Development of the number of newly identified suspects



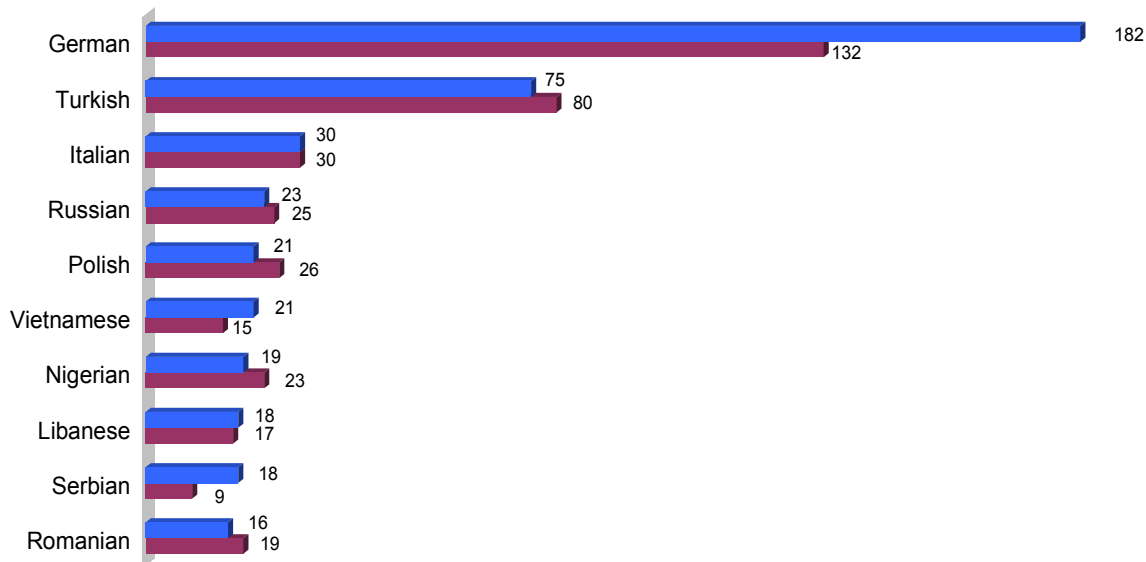
Number of newly identified suspects by nationality



Composition of the groups of perpetrators

As in the previous year, the average number of suspects per group was 16 persons and the proportion of OC groups consisting of more than 50 suspects (27 groups in total, including nine groups with more than 100 suspects) was relatively small, i.e. 4.5 % (compared to 4.5 % in 2009).

Group structures



As in previous years, organised crime in Germany was dominated by German and Turkish OC groups. These were followed by Italian, Russian, Polish and Vietnamese OC groups. The highest increase was established for OC groups dominated by German nationals (+ 50), followed by those dominated by Serbian (+ 9) and Vietnamese (+ 6) nationals.

In terms of percentages, the most conspicuous increase, ie. from 9 to 18 (+100 %), was recorded for OC groups dominated by Serbian nationals, followed by those dominated by Vietnamese (+ 40 %), German (+ 37.9 %) and Lebanese (+ 5.9 %) nationals. In 2009, seven groups dominated by Serbian-Montenegrin nationals were still recorded which no longer explicitly appeared in 2010.

In terms of percentages, the most conspicuous decline was observed for groups dominated by Polish nationals (- 19,2 %), followed by those dominated by Nigerian (- 17.4 %), Romanian (- 15.8 %), Russian (- 8.0 %) and Turkish (- 6.3 %) nationals.

3.3.1 OC groups dominated by German nationals

With 36.5 %, the proportion of German suspects was lower than in the previous year (38.3 % in 2009). When considering the percentage of German nationals involved in organised crime, it has to be taken into account that, in the year under review, 502 German suspects (14.3 %) were nationals of a different country at birth (21.0 % in 2009). As in the past years under review, the Russian Federation (187 suspects), Turkey (105 suspects), Kazakhstan (93 suspects), Poland (38 suspects) and Lebanon (36 suspects) continued to be the most important countries of origin of these suspects.

Compared to the previous years, (2009: 132, 2008: 161), the number of OC groups dominated by German nationals rose to the same level as in 2007 (181). As in previous years, OC groups dominated by German

nationals were mainly involved in drug trafficking and smuggling. In addition, crime associated with the business world played an important role, followed by property and violent crime.

One phenomenon by which the OC groups dominated by German nationals are characterized is OC committed by rocker gangs. 35 OC investigations (5.8 %) were directed against rocker gangs (2009: 21, 2008: 15, 2007: 9, 2006: 2), and among these, the following numbers of investigations were directed against the "four major gangs" in Germany: 20x Hells Angels Motorcycle Club (MC), 9x Bandidos MC, 3x Gremium MC and 1x Outlaws MC. In 33 investigations, the prevailing nationality was German and in 2 investigations, it was Turkish. The main fields of activity of the rocker gangs were violent crime (15x extortion offences, offences against life etc.) as well as drug trafficking and smuggling (13x cocaine and synthetic drugs), followed by crime associated with nightlife (3x), arms trafficking/smuggling (3x) and property crime (1 vehicle-related offence).

In addition, 22 OC investigations were directed against OC groups who had connections to rocker gangs (14 of which were directed against OC groups dominated by German nationals, 5 against OC groups dominated by Turkish nationals and 1 investigation each was directed against OC groups dominated by Armenian, Lebanese and Moroccan nationals).

Consequently, 57 investigations, i.e. nearly every tenth investigation, either concerned rocker gangs directly or it targeted OC groups which only had loose connections to the rocker scene.

3.3.2 OC groups dominated by Turkish nationals

The number of Turkish OC groups (75) decreased slightly in comparison to the previous year (80 in 2009, 81 in 2008, 77 in 2007, 73 in 2006). As in previous years, the criminal activities of Turkish OC groups were focused on drug trafficking and smuggling (48 investigations, 64 %). Their main field of activity was cocaine trafficking and smuggling, followed by heroin trafficking and smuggling and cannabis trafficking. Cocaine was mainly smuggled from the Netherlands to Germany and heroin from Turkey to Germany via Austria and Bulgaria.

3.3.3 OC groups dominated by Italian nationals

The number of OC groups dominated by Italian nationals (30) remained the same as in the year before. Their main criminal activities were drug trafficking and smuggling (cocaine). In comparison to 2009, forgery crimes and other types of crime focusing on money laundering offences increased. Customs and tax offences were on the decrease while investigations into property crime remained unchanged.

7 OC investigations were directed against Italian Mafia groups (6x 'Ndrangheta, 1x Camorra). These groups focused on other areas of crime (money laundering, criminal association etc.) and on drug trafficking and smuggling (cocaine).

13 investigations were directed against OC groups having links to the Mafia (5x Camorra, 4x Cosa Nostra and 4x 'Ndrangheta). Eleven of these groups were dominated by Italian nationals, one by Albanian nationals and one by Lithuanian nationals. These groups were active in the most varied fields of crime

(cocaine trafficking and smuggling, counterfeiting/forgery offences, customs and tax offences, violent crime, economic crime, crime involving weapons and other fields of crime).

3.3.4 OC groups dominated by Russian nationals

The number of Russian OC groups (23) dropped in comparison to the previous years (25 in 2009, 28 in 2008, 23 in 2007 and 30 in 2006). In the period of review and as in 2009, the Russian groups were particularly active in drug trafficking and smuggling (the focal point being the smuggling of heroin from the Netherlands to Germany), in the field of economic crime (fraud offences) and in tax and customs offences (specifically cigarette smuggling).

3.3.5 OC groups dominated by Polish nationals

The number of Polish OC groups (21) dropped in comparison to the previous year (26 in 2009, 33 in 2008, 35 in 2007 and 30 in 2006). Polish OC groups were primarily active in tax and customs offences (cigarette trafficking and smuggling) as well as in the field of property crime (motor vehicle offences). The tax and customs offences consisted in particular of the smuggling of cigarettes mainly from Russia to Germany via Poland and Lithuania.

The following table provides an overview of the most important data of the prevailing groups ordered by the number of groups (figures for the previous year in brackets):

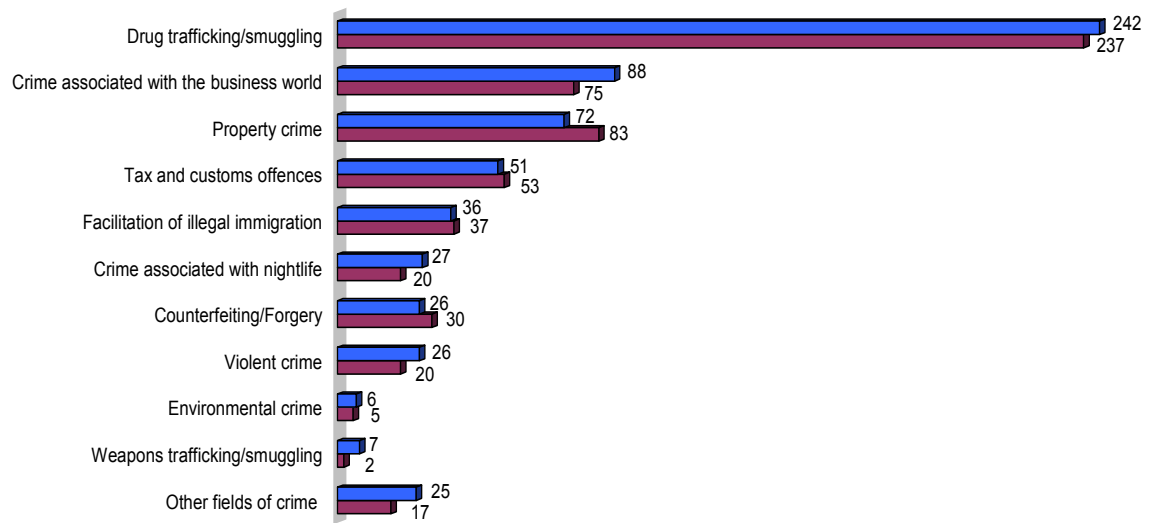
Dominating Nationality	Number of groups	Average OC potential of the groups ¹	Duration of cooperation in years
German	182 (132)	44.1 (46.5)	3.4 (3.5)
Turkish	75 (80)	43.7 (39.9)	2.0 (2.1)
Italian	30 (30)	44.8 (47.9)	2.5 (4.9)
Russian	23 (25)	43.8 (45.2)	2.9 (3.6)
Polish	21 (26)	45.7 (40.5)	2.8 (2.2)
Vietnamese	21 (15)	46.0 (43.2)	2.4 (1.5)
Nigerian	19 (23)	45.6 (46.7)	3.5 (3.2)
Lebanese	18 (17)	47.0 (42.3)	2.5 (2.3)
Serbian	18 (9)	47.9 (40.3)	2.9 (2.6)
Romanian	16 (19)	37.6 (38.9)	2.4 (2.1)

¹ The average OC potential of all OC groups (606) amounts to 43.7.

3.4 Fields of crime

With a percentage of 39.9 %, drug trafficking and smuggling continued to make up the largest share of organised crime in Germany. Besides, offences associated with the business world (14.5 %) and property-related offences (11.9 %) were of particular importance.

Main fields of crime of the OC groups



The following table provides a summarised overview of the most important data concerning the different fields of crime (figures for the previous year in brackets):

Fields of crime	Number of groups	Percentage in relation to OC in total	OC potential of the groups
Drug trafficking/smuggling	242 (237)	39,9 % (40,9 %)	45,0 (43,2)
Crime associated with the business world	88 (75)	14.5 % (13.0 %)	45.1 (45.5)
Property crime	72 (83)	11.9 % (14.3 %)	41.3 (43.7)
Tax and customs offences	51 (53)	8.4 % (9.2 %)	49.1 (48.0)
Facilitation of illegal immigration	36 (37)	5.9 % (6.4 %)	37.8 (35.9)
Crime associated with nightlife	27 (20)	4.5 % (3.5 %)	40.6 (45.0)
Counterfeiting/forgery	26 (30)	4.3 % (5.2 %)	35.1 (31.7)
Violent crime	26 (20)	4.3 % (3.5 %)	47.7 (50.6)
Arms trafficking/smuggling	7 (2)	1.2 % (0.3 %)	33.6 (48.0)
Environmental crime	6 (5)	1.0 % (0.9 %)	42.7 (29.9)
Other fields of crime (money laundering, ICT, corruption)	25 (17)	4.1 % (2.9 %)	41.5 (42.8)

Over the past decade, up until 2010 the by far largest area of crime constantly was drug trafficking and smuggling which last accounted for 40%, followed by crime associated with the business world and property crime which sometimes changed positions in the ranking order and recorded percentages in the lower two digit range (maximally 17.1%). Crime associated with nightlife declined significantly and almost continuously from more than 11 % in 2001 to approximately 4 % in recent years. In 2003 and 2004, figures in the two-digit range were recorded for facilitation of illegal immigration before the figure recently dropped to less than 6 %.



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