

Organised Crime

National Situation Report 2012

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1. PRELIMINARY REMARK

The National Situation Report on Organised Crime contains information about the current situation and developments in the field of organised crime.

The report is drawn up by the Bundeskriminalamt (Federal Criminal Police Office - BKA) in cooperation with the Landeskriminalämter (Land Criminal Police Offices - LKAs), the Zollkriminalamt (Central Office of the German Customs Investigation Service - ZKA) and the Bundespolizeipräsidium (Federal Police Headquarters) on the basis of the definition of “organised crime” formulated by the Working Party of Police and Judicial Authorities (AG Justiz/Polizei) in May 1990. Data on OC investigations conducted during the year under review are compiled by applying the same set of criteria throughout the country.

In a summarised form, the situation report mainly represents the results of law enforcement activities carried out by the police in relation to crime revealed by controls/monitoring. Therefore, it is a description of the recorded cases, i.e. the crime coming to police notice, and any valid estimation on the type and extent of unreported crime cases cannot be deduced from the statistical data. Statements on the developments of Organised Crime are essentially based on the analysis of the development of individual indicators taken from (retrograde) long term monitoring.

2. STATISTICAL OVERVIEW

	2012	2011
<u>Total number of investigations</u>	568	589
Initial reports	278	318
Completed investigations	274	288
 <u>Suspects</u>		
Total number of suspects	7,973	8,413
Newly identified suspects	4,183	3,812
Percentage of German suspects	38.3 %	38.4 %
Percentage of non-German suspects	60.4 %	59.4 %
• 1. Turkish nationals	12.8 %	11.6 %
• 2. Lithuanian nationals	6.2 %	2.7 %
Percentage of persons of unclear nationality/stateless persons	1.3 %	2.2 %
Total number of nationalities	103	107
Armed suspects	5.6 %	5.3 %
 <u>Offender structures</u>		
Heterogeneous offender structures	69.2 %	70.8 %
Homogeneous offender structures	30.8 %	29.2 %
 <u>Financial assets</u>		
Losses identified	1.1 bn €	884 m €
Criminal proceeds identified	580 m €	347 m €
Provisionally seized assets	52 m €	85 m €
Percentage of investigations with provisional asset seizure	24.8 %	32.3 %
<u>Percentage of investigations with money laundering activities</u>	35.4 %	35.5 %

	2012	2011
<u>Main fields of crime</u>		
• Drug trafficking and smuggling	37.0 %	36.7 %
• Property crime	13.2 %	13.1 %
• Crime associated with the business world	13.2 %	14.8 %
• Tax and customs offences	9.3 %	7.6 %
• Counterfeiting/forgery	6.3 %	6.1 %
• Facilitation of illegal immigration	6.3 %	6.8 %
• Crime associated with nightlife	3.9 %	3.6 %
• Violent crime	3.7 %	4.2 %
• Money laundering	1.4 %	1.5 %
• Environmental crime	1.4 %	1,2 %
• Corruption	1.2 %	1.0 %
• Arms trafficking and smuggling	1.2 %	1.2 %
• Cybercrime	1.1 %	1.5 %
• Other fields of crime	0.7 %	0.7 %
 <u>Average OC potential</u> ⁰¹	 42.7 points	 44.1 points
<u>Offences with international links</u>	84.0 %	82.3 %
<u>Groups operating in more than one area of crime</u>	26.4 %	28.5 %

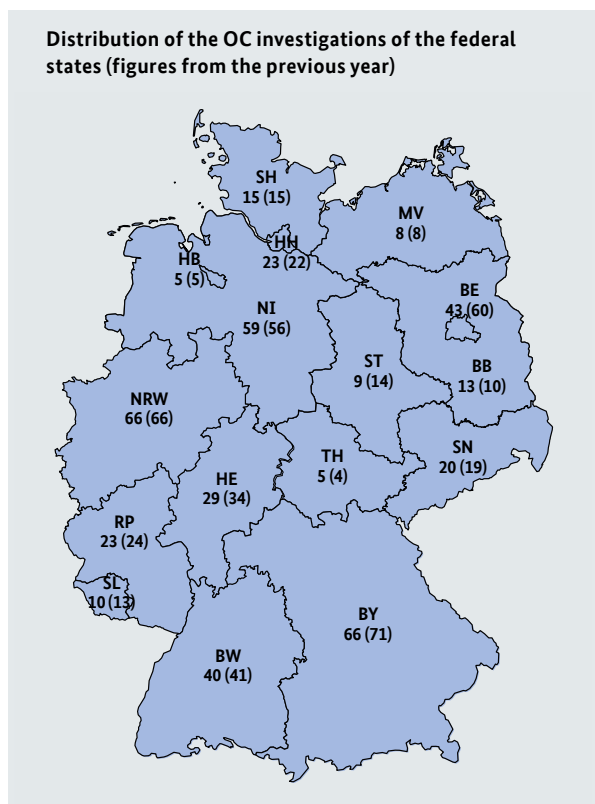
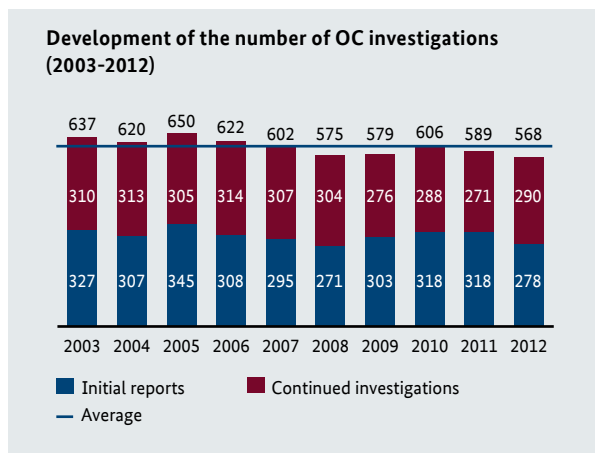
01 For details, see p. 12.

3. THE CRIME SITUATION IN GERMANY

3.1 GENERAL DATA ON INVESTIGATIONS

Number of investigations below the average value of the last 10 years

The proportion of initial reports (OC investigations initiated during the year under review) sank from 54 % in 2011 to 48.9 % in 2012. A total of 274 investigations were completed during 2012



The assignment of the investigations conducted by the federal authorities to the federal States was based on the location of the public prosecutor's office conducting the respective investigations (figures of the previous year in brackets):

Federal State	Fed. State	BKA	Fed. Pol.	Cus-toms	Total
North Rhine-Westphalia	66	6	1	13	86 (80)
Bavaria	66	1	4	9	80 (86)
Lower Saxony ⁰²	59	3	2	12	76 (70)
Hesse	29	11	6	6	52 (62)
Berlin	43	1	2	3	49 (68)
Baden-Württemberg ⁰²	40	1	3	4	48 (49)
Hamburg	23	2	2	3	30 (27)
Saxony	20	1	4	2	27 (27)
Rhineland-Palatinate	23	2	1	0	26 (28)
Brandenburg	13	0	1	6	20 (17)
Schleswig-Holstein	15	1	2	0	18 (19)
Bremen	5	0	0	8	13 (6)
Saxony-Anhalt	9	0	1	3	13 (19)
Mecklenburg-Western Pomerania	8	1	1	1	11 (10)
Saarland	10	1	0	0	11 (13)
Thuringia	5	1	1	1	8 (8)
Total	434 (462)	32 (35)	31 (29)	71 (63)	568 (589)

OC uses mainly commercial or business-like structures

“Organised crime is the planned commission of criminal offences determined by the pursuit of profit or 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,

- by using commercial or business-like structures, or
- by using force or other suitable means of intimidation, or
- by exerting influence on politics, the media, public administration, judicial authorities or the business sector.⁰³

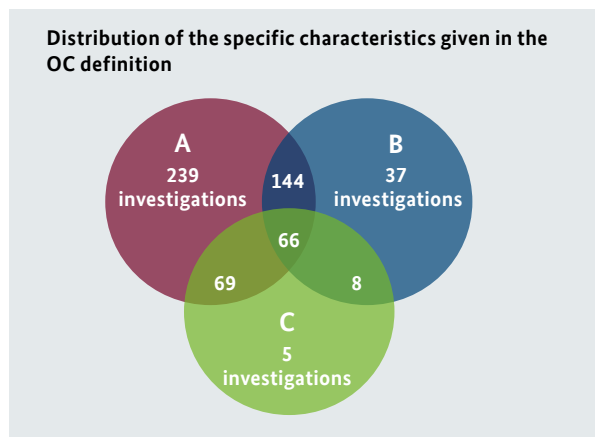
⁰² One investigation from Baden-Württemberg was conducted at a public prosecutor's office in Lower Saxony.

⁰³ Working definition of „organised crime“, which was adopted by the Working Party of the German Police and Judicial Authorities (AG Justiz/Polizei) in May 1990 and serves as the basis for collecting data on organised crime.

All general characteristics and at least one of the specific characteristics listed under a) to c) of the OC definition must be fulfilled for criminal behaviour to be considered organised crime. With regard to the specific characteristics given in the OC definition, the distribution was as follows in the year under review (multiple listings possible):

- 518 investigations: alternative a) applied
- 255 investigations: alternative b) applied
- 148 investigations: alternative c) applied

In 66 investigations, all three alternatives were established.



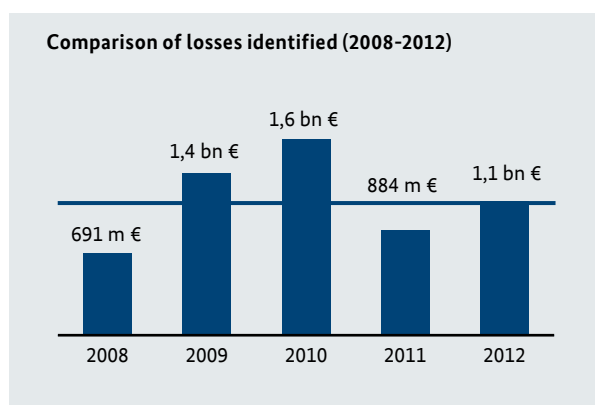
As in the previous years, the cases falling under c) were the smallest group with a share of approximately 26 %. The exertion of influence by organised offender groups was aimed at⁰⁴

- the public administration in 104 investigations (42 in Germany, 54 abroad, 8 in Germany and abroad),
- the judicial authorities in 45 investigations (16 in Germany, 25 abroad, 4 in Germany and abroad),
- the political sector in 32 investigations (9 in Germany, 20 abroad, 3 in Germany and abroad),
- the business sector in 23 investigations (17 in Germany, 5 abroad, 1 in Germany and abroad) and
- the media in 18 investigations (14 in Germany, 4 abroad, 0 in Germany and abroad).

During the year under review, more OC investigations involving an exertion of influence on the political sector were recorded than in the previous year (26). The number of investigations involving an exertion of influence on the media remained unchanged; the numbers of all other types of investigations saw a decrease.

3.2 FINANCIAL ASPECTS

Losses exceeding one billion Euro again



The total losses⁰⁵ reported for 2012 amounted to approx. 1.1 billion Euro. Consequently, the number is approximately 30 % higher than in the previous year (2011:

roughly 884 million Euro). In contrast to the previous years, the highest losses were not caused by crime associated with the business world but by tax and customs offences in 2012. These offences accounted for a loss of 600 million Euro and thus a proportion of approximately 53 % of the total losses established (2011: 212 million Euro, approximately 24 %). Next came crime associated with the business world which accounted for losses of roughly 427 million Euro, i.e. approximately 38 % (2011: 576 million Euro; approximately 65 % and thus the largest share) and then property crime which resulted in losses of 45 million Euro, i.e. approximately 4 % (2011: 41 million Euro, approximately 5 %).

The highest losses caused by one specific group was identified in an investigation into tax and customs offences (evasion of corporation tax and trade tax) and amounted to approximately 340 million Euro.

⁰⁴ Multiple listings possible.

⁰⁵ Losses as defined by the Police Crime Statistics Convention are the illegally obtained monetary value (market value).

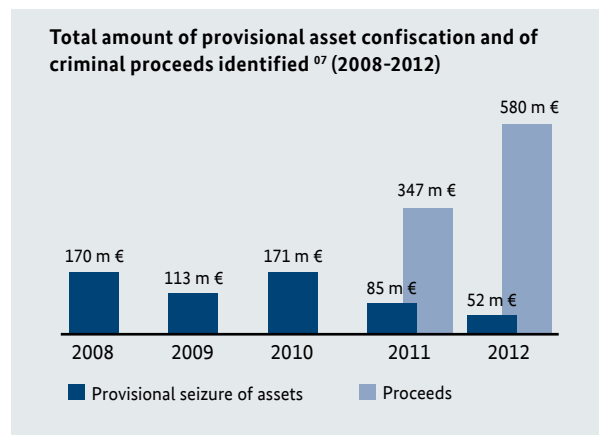
Criminal proceeds totalling about 580 million Euro

In 2012, proceeds totalling about 580 million Euro were established for 246 investigations, i. e. approximately 43% (2011: approximately 49%) which is nearly 70 % more than in the previous year (2011: 347 million Euro). The highest profits were again yielded by the groups in investigations of crimes associated with the business world, i. e. approximately 239 million Euro, which corresponds to approximately 40 % of the total amount (2011: 172 million Euro, approximately 50 % of the total amount). Next came tax and customs offences where profits of roughly 183 million Euro, i. e. about 32 %, were made (2011: 51 million Euro, approximately 15 %) and then drug trafficking and smuggling where the criminal proceeds amounted to 102 million Euro, approximately 18 % (2011: 40 million Euro, approximately 12 %). In 2012, too, the highest individual amount, i. e. 143 million Euro, was reported in an investigation concerning crime associated with the business world and focusing on investment offences. In 322 investigations, i. e. in approximately 57 % (2011: approximately 51 %) of the investigations, no proceeds were established. Similar to 2011, the OC groups were active in the field of drug trafficking and smuggling in approximately 37% of these investigations (2011: approximately 40%).

Roughly 10 % of the criminal proceeds provisionally seized

With approximately 25 %, the percentage of cases where measures to provisionally secure assets were taken, was lower than in the previous year (2011: approx. 32 %). In 2012, assets worth a total of approximately 52 million Euro were provisionally seized, i. e. nearly 40 % less than during the previous year (2011: 85 million Euro). 47 million Euro, i. e. approximately 90 % of the total amount were seized in Germany (2011: roughly 78%). The highest amount of assets seized, both in Germany and abroad, results from one single investigation conducted into tax and customs offences (tax carousel fraud). During the year under review, a total of approximately 22 million Euro were provisionally seized in this investigation (19 million Euro in Germany and 2.8 million Euro in China). The total amount of assets seized in all investigations since their initiation ⁰⁶ amounted to 160 million Euro

(2011: 263 million Euro). 127 million Euro of this amount were seized in Germany, i. e. approx. 80 %, (2011: 237 million Euro, approx. 90 %) and 33 million Euro were seized abroad (2011: approx. 26 million Euro, approx. 10 %). With 48 million Euro, the highest individual amount was provisionally seized in the course of an investigation lasting approximately 3 years and concerning CO2 emission allowance trading. About 11 million Euro of this money were seized abroad. In around 33 % of the investigations during which no assets were provisionally seized, the OC groups were mainly involved in drug trafficking and smuggling. Especially in this field of crime, it is often not possible to identify any perpetrators' assets. All in all, cross-border asset confiscation continued to be difficult. Although international links were established in more than 80 % of the OC investigations, a provisional asset seizure abroad was carried out in a little less than 2 % of all OC investigations only.

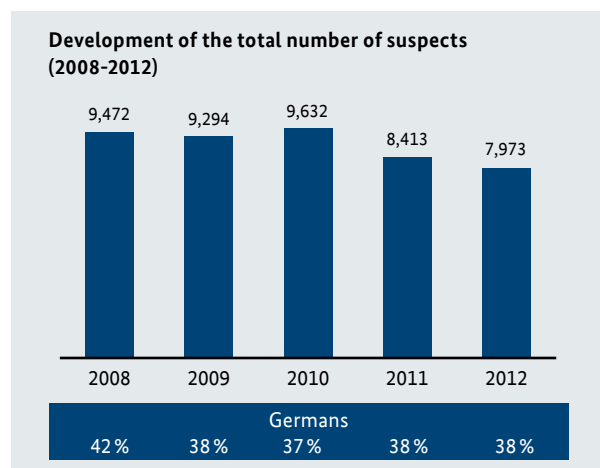


⁰⁶ I. e., in addition to the amount of money reported for the year under review, the amounts of the previous years are also included.

⁰⁷ In 2011, the collection of data on estimated profits of OC groups was for the first time replaced by an identification of the criminal proceeds (obtained through the offence) by means of financial investigations. Therefore, the proceeds can only be shown for the years 2011 and 2012 in the chart.

3.3 SUSPECTS

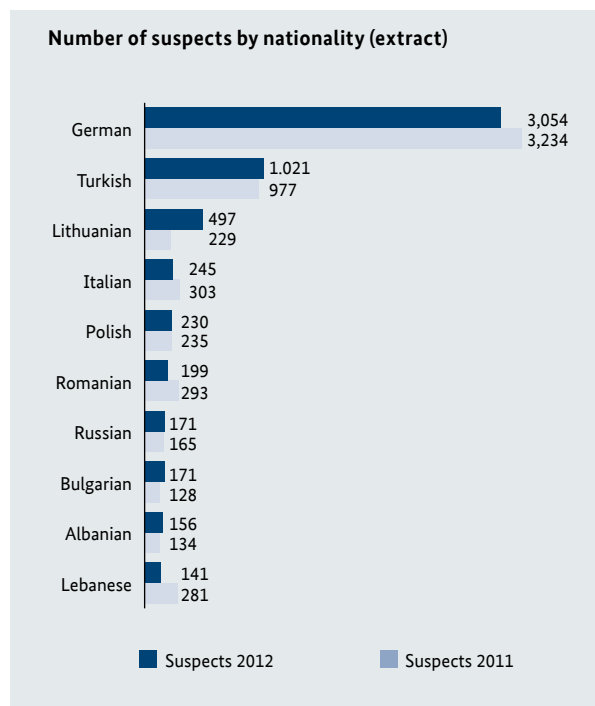
German and Turkish suspects represent the lion's share of OC suspects



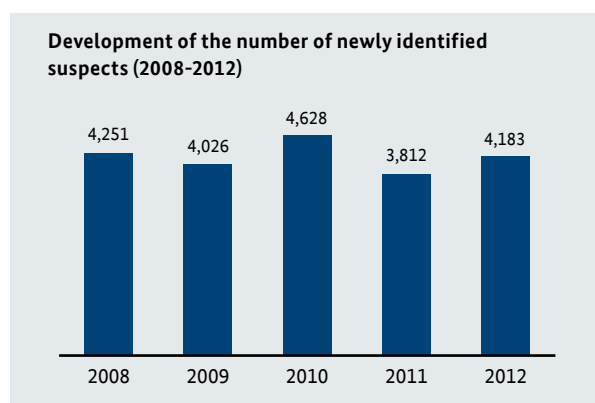
With 38.3 % (2011: 38.4 %), **German** nationals continued to make up the largest group among all suspects. 347 German suspects (11.4 %) had a different nationality at birth (2011: 12.8 %).

Turkish nationals made up 12.8 % of the total number of suspects (2011: 11.6 %).

With 6.2%, the proportion of Lithuanian suspects more than doubled in comparison to the previous year (2011: 2.7 %). This is especially due to one investigation conducted into "shock" calls. The nationality of 1.3 % of all suspects could not be clarified. The following chart shows an extract of the suspects reported during the year under review, listed by nationality. The alphabetic list gives an overview of all suspects identified.



The number of newly identified OC suspects increased by nearly 10 %



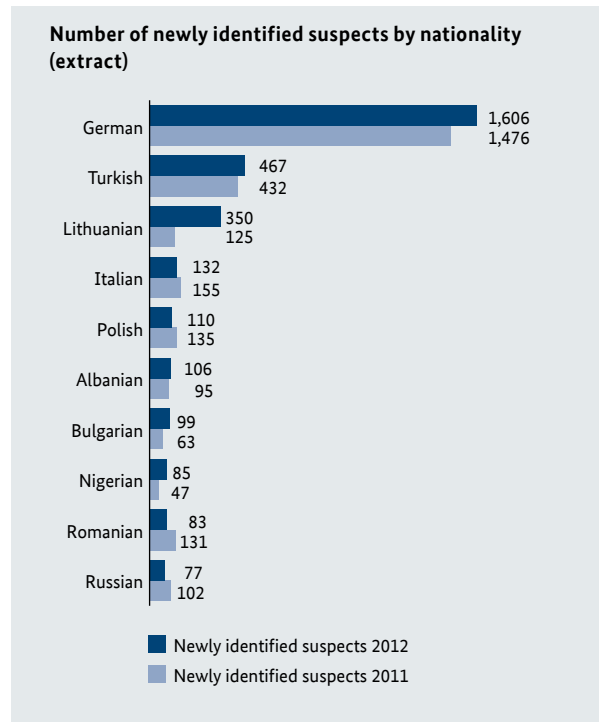
With 38.4 % (2011: 38.7 %), German nationals continued to make up the largest group among all newly identified suspects, as in previous years.

Turkish nationals made up a proportion of 11.2 % (2011: 11.3 %) of all newly identified suspects.

With 350 persons, the number of newly identified Lithuanian suspects was nearly three times as high as during the previous year and can essentially be explained by the investigation into shock calls which was initiated during the year under review. The share in the total number was 8.4 % (2011: 3.3 %).

The nationality of 49 of the newly identified suspects (corresponding to 1.2 % of all newly identified suspects) is still unclear.

The following chart shows an extract of the suspects who were newly identified during the year under review. They are listed by nationality. The alphabetic list gives an overview of all newly identified suspects.



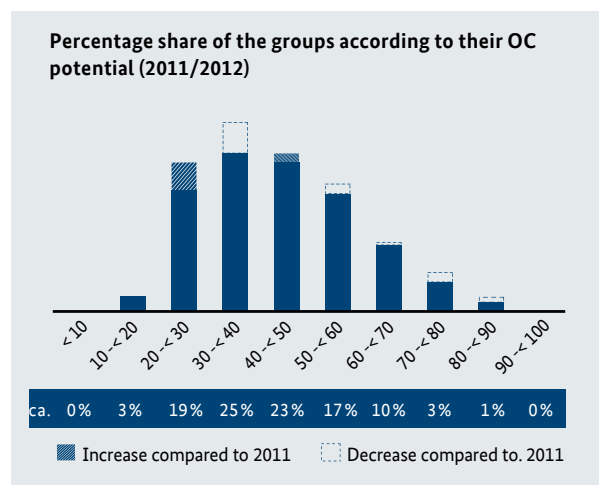
3.4 GROUP STRUCTURES

OC groups mainly consist of up to ten suspects

As in the previous year, the average number of suspects per group was 14 persons. The OC groups mainly consisted of up to ten suspects (2012: 60.7 %, 2011: 60.6 %). The proportion of OC groups consisting of more than 50 suspects (19 groups in total, including 5 groups with more than 100 suspects) remained relatively small, i.e. 3.3 % (2011: 3.4 %).

Only a few groups with a very strong OC potential

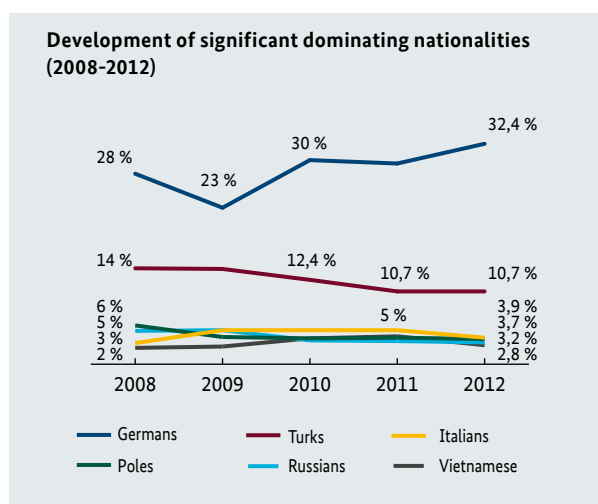
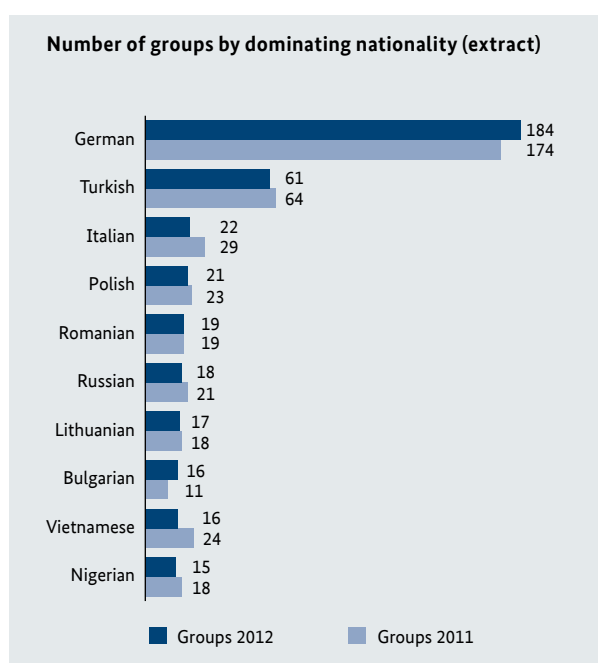
In addition to checking all reported investigations for their OC relevance, OC groups were subjected to a qualitative assessment in terms of their level of organisation and professionalism, which is expressed by the so-called "OC potential". The OC potential is calculated by counting and weighting the applicable indicators taken from the list of "General indicators for identifying OC-relevant cases". In principle, the stages of the offence are evaluated, i.e. preparation and planning of the offence, commission of the offence and use of the crime proceeds. The duration of an investigation and staffing play a decisive role in identifying these indicators. Therefore, a low OC potential does not necessarily imply a low degree of organisation and professionalism.



The average OC potential of all groups amounted to 42.7 points and was lower than that of the previous years (44.1 points in 2011, 43.7 points in 2010, 43.2 points in 2009, 43.7 points in 2008). The distribution of the values has only changed slightly for years. Groups with a medium level of OC potential continue to make up the largest proportion by far. On the other hand, the percentage of groups having a comparatively high OC potential has been relatively low for years.

OC groups dominated by German and Turkish nationals account for roughly 40 %

With respect to the assignment to a group, the nationality of the subjects who held leading positions within the OC groups, is decisive. However, these persons do not necessarily represent the majority within the group. The following chart is an extract of the prevailing nationalities identified during the year under review. In less than 4 % of the investigations, the groups were dominated by other nationalities than German or Turkish. The alphabetic list gives an overview of all groups identified.



Overview of further data of the groups dominated by the following nationalities (figures of the previous year in brackets):

Dominating nationalities	Number of groups	Average OC potential in points ⁰⁸	Average cooperation in years ⁰⁹
German	184 (174)	42,5 (44,4) ↓	3,6 (3,8) ↓
Turkish	61 (64)	45,4 (45,2) ↓	2,9 (2,6) ↑
Italian	22 (29)	40,8 (46,4) ↓	2,7 (3,5) ↓
Polish	21 (23)	40,4 (39,5) ↓	1,9 (2,4) ↓
Romanian	19 (19)	37,0 (43,6) ↓	1,9 (2,8) ↓
Russian	18 (21)	46,3 (43,5) ↓	3,5 (3,4) ↓
Lithuanian	17 (18)	45,1 (42,9) ↓	2,6 (2,8) ↓
Bulgarian	16 (11)	38,7 (38,6) ↓	3,3 (2,8) ↑
Vietnamese	16 (24)	42,8 (46,2) ↓	2,2 (2,5) ↓
Nigerian	15 (18)	39,2 (43,0) ↓	2,5 (2,2) ↑

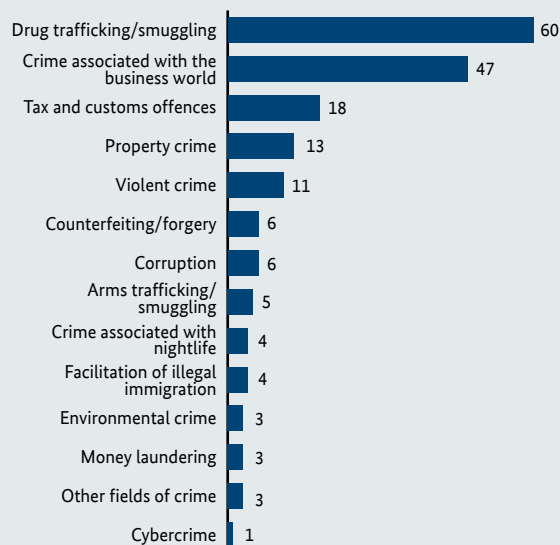
OC groups dominated by German nationals are mainly dedicated to drug trafficking

With 38.3 %, the proportion of German suspects (3,054 suspects) remained on the level of the previous year (2011: 38.4 %, 3,234 suspects). When considering the percentage of German nationals involved in organised crime, it has to be taken into account that, in the year under review, 347 German suspects (11.4 %) were nationals of a different country at birth (2011: 12.8 %). As in the past reporting years, the Russian Federation (88 suspects), Poland (49 suspects), Kazakhstan (45 suspects), Turkey (38 suspects) and Lebanon (21 suspects) continued to be the most important countries of origin of these suspects.

The number of identified OC groups dominated by German nationals (184) rose compared to the previous year (2011: 174, 2010: 182, 2009: 132, 2008: 161). Roughly 41 % (corresponding to 75) of these OC groups were homogeneous in terms of their offender structures (German nationals only). OC groups dominated by German nationals mainly focused on one type of crime (137 OC groups, i. e. 74 %). It was established that 71 % (130 OC groups) committed offences at international level. The identified OC groups dominated by German nationals were mainly active in the field of drug trafficking and smuggling (60 groups, 33 %) and crime associated with the business world (47 groups, 26 %). These groups primarily smuggled cannabis products from the Netherlands and cocaine from South America (Peru and Ecuador) to Germany. Investment offences prevailed in the field of crime associated with the business world.

⁰⁸ The average OC potential of all OC groups amounted to 42.7 points

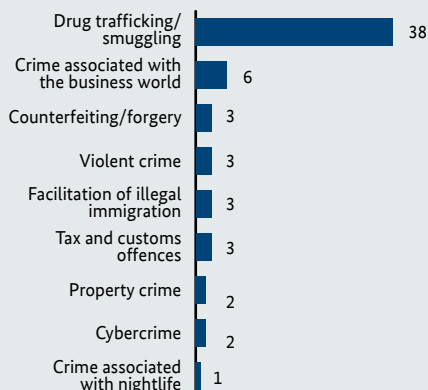
⁰⁹ The average duration of the cooperation was 3 years.

OC groups dominated by German nationals (184)**Number of OC groups dominated by Turkish nationals still decreasing**

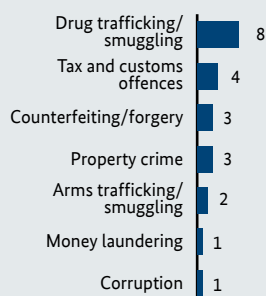
For several years, the number of OC groups dominated by Turkish nationals (61) has been on the decrease (2011: 64, 2010: 75, 2009: 80, 2008: 81). Only 28 % of the OC groups dominated by Turkish nationals were homogeneous in terms of their offender structure (nationality). In most investigations (75 %), offences were committed at international level. OC groups dominated by Turkish nationals mainly focused on one type of crime (61 %).

As in previous years, the criminal activities of Turkish OC groups were focused on drug trafficking and smuggling in 62% of the cases.

Despite a decrease of the total number of OC groups dominated by Turkish nationals, the number of investigations increased by 23 %. The OC groups mainly trafficked and smuggled cannabis products, heroin and cocaine. The heroin mostly arrived in Germany, or was smuggled to the Netherlands, via Turkey, Bulgaria, the Czech Republic and Austria. As in previous years, the cannabis and cocaine mainly stemmed from the Netherlands and the country of destination was Germany.

OC groups dominated by Turkish nationals (61)**OC groups dominated by Italian nationals are mostly heterogeneous**

The number of OC groups dominated by Italian nationals (22) dropped by approximately 24 % compared to the previous year (2011: 29). Only 5 OC groups (23 %) consisted of Italian nationals only (homogeneous offender structure). Roughly 64 % of the OC groups dominated by Italian nationals focused on one type of crime only. Nearly all OC groups dominated by Italian nationals (20 out of the 22) committed offences at international level. As in previous years, it was established that OC groups dominated by Italian nationals focused on the field of drug trafficking and smuggling (8 OC groups). Without exception, they were involved in the trafficking/smuggling of cocaine from the Netherlands or Spain to Germany and sometimes also to Italy.

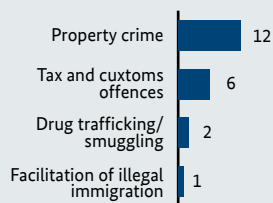
OC groups dominated by Italian nationals (22)

OC groups dominated by Polish nationals are mostly homogeneous

The number of OC groups dominated by Polish nationals (21) was at the same level as the previous year (2011: 23, 2010: 21, 2009: 26, 2008: 33). In about half of these groups (approximately 48 %) only Polish nationals (homogeneous offender structure) were established. All OC groups dominated by Polish nationals committed offences at international level and with the exception of one group, all groups focused their activities on a specific area of crime.

Property crime (12 investigations, mainly theft of motor vehicles in Germany and their transport to Poland) was the most frequently identified offence of these groups, followed by tax and customs offences (6 investigations). The smuggling of cigarettes and/or alcohol, which prevailed in this area in the past, could not be established for the year under review. Instead, the evasion of energy tax was gaining ground. The offenders obtained petroleum products from Polish refineries and - evading the tax regulations - took them to the fiscal territory of the Federal Republic of Germany, stored them temporarily and then sold them on to purchasers in Eastern European EU member states where they were used as fuel.

OC groups dominated by Polish nationals (21)



OC groups dominated by Romanian nationals operate at international level

As in the previous year, 19 investigations were conducted against OC groups dominated by Romanian nationals in 2012 (2010: 16, 2009: 19, 2008: 20). In more than 50 % of these groups, only Romanian nationals were established (homogeneous structures). All OC groups dominated by Romanian nationals operated at international level and nearly all group members concentrated on one specific area of crime only. Their focus was again on counterfeiting/forgery (forged payment cards) and on crime associated with nightlife (human trafficking for the purpose of sexual exploitation, transport from Romania to Germany).

OC groups dominated by Romanian nationals (19)



Number of OC groups dominated by Russian nationals continues to sink

The number of OC groups dominated by Russian nationals (18) has been on the decrease for 5 years (2011: 21, 2010: 23, 2009: 25, 2008: 28). The OC groups dominated by Russian nationals, identified during the year under review, mostly (approximately 94 %) consisted of different nationalities (heterogeneous offender structures) and had associated mainly with other Eastern European nationalities. All groups operated at international level. They were mainly dedicated to property crime (motor vehicle-related property offences) and to tax and customs offences (cigarette smuggling).

OC groups dominated by Russian nationals (18)



Vehicle theft is the domain of OC groups dominated by Lithuanian nationals

The 17 OC groups dominated by Lithuanian nationals (2011: 18, 2010: 15, 2009: 18, 2008: 13) predominantly (64 %) featured homogeneous offender structures or cooperated with other Eastern European nationalities. An international modus operandi, which mainly focused on one field of crime, was established. Groups dominated by Lithuanian nationals were above all active in the field of property crime. More specifically, they stole vehicles in Germany and moved them to Lithuania or Belarus. Furthermore, an investigation into shock calls made to the detriment of elderly people was noteworthy which, based on the number of suspects, led to a twofold increase of the proportion of Lithuanian suspects in 2012.

OC groups dominated by Lithuanian nationals (17)



Number of OC groups dominated by Bulgarian nationals continues to rise

The number of OC groups dominated by Bulgarian nationals (16) has strongly increased over the past five years (2011: 11, 2010: 7, 2009: 4, 2008: 5), so that in the year under review, they ranked among the most frequently identified OC groups. They were structured both homogeneously and heterogeneously. They operated mainly at international level (88 %) and focused on one type of crime (approximately 70 %) in different areas of crime but mainly in the field of crime associated with nightlife (trafficking in human beings for the purpose of sexual exploitation).

OC groups dominated by Bulgarian nationals (16)

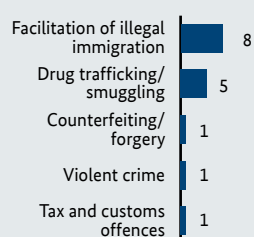


Strong decrease of OC groups dominated by Vietnamese nationals

The number of OC groups dominated by Vietnamese nationals (16) has decreased by one third in comparison to the previous year (2011: 24, 2010: 21, 2009: 15, 2008: 14). Nearly half of these OC groups (44 %) consisted of Vietnamese nationals only or of suspects who were Vietnamese nationals at birth.

They acted at international level, especially in the field of facilitation of illegal immigration (smuggling of Vietnamese nationals to Germany and/or France) and in the field of drug trafficking and smuggling (operation of professional indoor cannabis plantations¹⁰).

OC groups dominated by Vietnamese nationals (16)



OC groups dominated by Nigerian nationals are mainly trafficking in cocaine

In 2012, 15 OC groups dominated by Nigerian nationals were reported (2011: 18, 2010: 19, 2009: 23, 2008: 19). With the exception of one group, all groups were structured heterogeneously (cooperation with German suspects or with nationals from other West African countries). Their criminal focus was on international drug trafficking and smuggling of cocaine from the Netherlands to Germany.

OC groups dominated by Nigerian nationals (15)



10 These are cannabis plantations inside buildings which have the capacity for growing 1,000 plants and more.

3.5 STRUCTURAL CONSIDERATIONS

Information obtained through investigations, analyses and research related to OC groups proves that their members often join up as a result of various common grounds (such as socio-cultural aspects and language). Therefore, OC groups who may have such common features, are looked at from a cumulated perspective.

Every 10th OC investigation is linked to outlaw motorcycle gangs

One phenomenon, by which OC groups dominated by German nationals are characterized, is OC committed by members of outlaw motorcycle gangs. In 2012, 26 OC investigations (4.6 % of all OC investigations) were directed against members of outlaw motorcycle gangs (2011: 32, 2010: 35, 2009: 21, 2008: 15). With regard to the representation of the “four major gangs”,

- 10 investigations concerned members of the Hells Angels Motorcycle Club (MC) (2011: 20),
- 7 investigations concerned members of the Bandidos MC (2011: 6),
- 4 investigations concerned members of the Gremium MC (2011: 4) and
- 1 investigation concerned members of the Mongols MC (2011: 1)

22 of these 26 groups were dominated by German nationals. Their core activities were drug trafficking and smuggling (13 investigations, mainly concerning synthetic drugs/amphetamine and cocaine) and violent crime (6 investigations, mainly concerning extortion offences, crimes against life, bodily injury etc.), followed by crime associated with nightlife (3 investigations), arms trafficking and smuggling (2 investigations) and other fields of crime (2 investigations).

Besides this, 31 investigations (2011: 25) were directed against OC groups with links to members of outlaw motorcycle gangs. Of these groups, 17 were dominated by German, 6 by Turkish, 2 each by Danish and Iranian and 1 each by Bulgarian, Moroccan, Serbian-Montenegrin and Syrian nationals.

As in the previous year, a total of 57 investigations, i.e. nearly every tenth OC investigation, was either conducted directly against members of outlaw motorcycle gangs or against OC groups having connections to the outlaw motorcycle scene.

Investigations against the Italian Mafia frequently revealed links to the 'Ndrangheta

As in the previous year, 8 investigations were directed against Italian Mafia groups, 6 of them against members of the 'Ndrangheta (2011: 7) and 2 of them against members of the Apulian OC (2011: none).

In 2012 as well, the groups were again active in various fields of crime, above all in cocaine trafficking/smuggling (3) and arms trafficking/smuggling (2).

A total of 12 groups featured links to members of Italian Mafia groups (2011: 13), with 11 of them being dominated by Italian nationals.

Among them were

- 2 investigations directed against members of the 'Ndrangheta, in which links to members of the Camorra were established as well
- 1 investigation against members of the Apulian OC, during which links to members of the 'Ndrangheta were identified.
- four further groups had contacts to the Camorra (2011: 4),
- 3 groups were in contact with the Cosa Nostra (2011: 4) and
- 2 groups had links to the 'Ndrangheta (2011: 4).



Numerous investigations conducted against OC groups from the Western Balkans

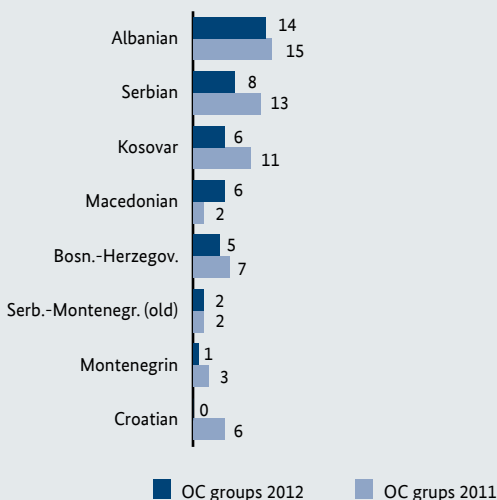
The Western Balkans, as a region of origin of OC groups operating in Germany, has been of significance for years already.¹¹

Due to its transit and logistics function, the region has had an impact on the OC situation in Germany for years, especially with regard to the so-called “Balkan route” for the storage and transport of illicit goods (above all drugs) and as a route for the irregular migration of persons from the Southeast of Europe to Western Europe. A cumulated view of the OC investigations which are dominated by nationals of the Western Balkans region, emphasizes this assessment.

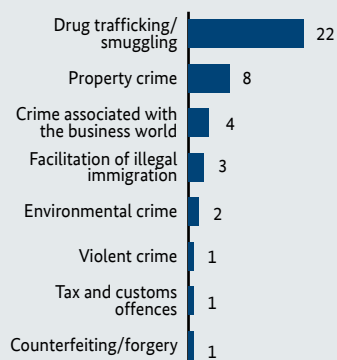
A cumulated view of the OC groups, dominated by nationals of the Western Balkans region, in Germany in 2012 revealed a total of 42 such groups (approx. 7 % of all OC investigations; 2011: 59, approximately 10 % of all OC investigations).

The average number of suspects per group was 11 persons.

Number of OC groups dominated by nationals from the Western Balkans region (42)



Main fields of activity of the OC groups



11 Based on the “OCTA”, the European Organised Crime Threat Assessment, drawn up by Europol, 8 EU priorities with respect to the suppression of crime were set at European level for 2011 - 2013. One of the subjects comprises the Western Balkans region.

Russian speaking OC groups are also at the centre of the investigations

At first, the extent and dimension of this phenomenon was defined in order to narrow it down in a meaningful and feasible way. The internationally used term “Russian-Eurasian Organized Crime” was chosen as a central concept. Apart from common cultural grounds, the Russian language is the unifying element here. Consequently, the following structures are taken into consideration:

- All OC structures, which are dominated by persons who were born in the successor states of the former Soviet Union and therefore have a corresponding “cultural imprint”,
- all OC structures, which are dominated by persons who were born outside a successor state of the former Soviet Union but consider themselves members of an ethnic group of one of the successor states of the former Soviet Union, due to their culture, history, language, traditions or ancestors.

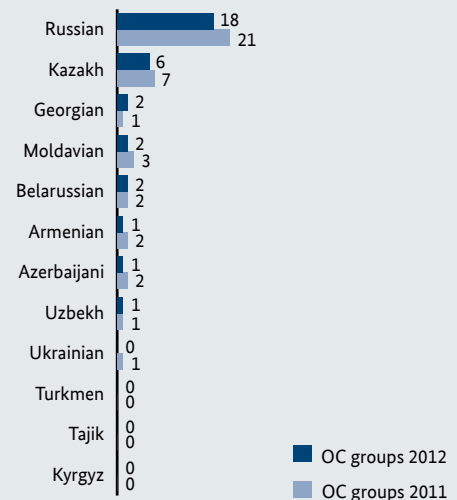


Against the background of this prioritisation by the police, a cumulated view of Russian-Eurasian OC groups shows that in Germany in 2012, a total of 33 OC investigations were conducted against groups dominated by persons who stem from these countries (i.e. approximately 6 % of all OC investigations; 2011: 40, approx. 7 % of all OC investigations).

The average number of suspects per group was 11 persons here as well.

Two investigations were conducted against members of syndicates¹², in one further investigation, an OC group dominated by German nationals turned out to have links/contacts to members of a syndicate. Besides this, three OC groups (one German, one Azerbaijani and one Kazakh group) were found to have links to “thieves in law”¹³.

Number of groups dominated by nationals of the successor states of the Soviet Union (33)



Main fields of activity of the OC groups



12 The criminal syndicates originate from regional gangs that emerged during the period of radical changes in Russia in the 90ies. The syndicates supported the oligarchs in their partly violent takeover of corporate groups and, inter alia in this way, they gained power, influence and fortunes.

13 “Thieves in law” („vory v zakonye“), who have their roots in the Soviet prison camp system, are the highest representatives of the Russian speaking “underworld”. Due to their clearly defined rules, explicit rejection of state power and their economic success, they are quite renowned among the (Russian) population. As a result of the “Obtshak” system (common treasury system), the “thieves” have large assets at their disposal.

Alphabetic list of all identified suspects

Country	Domin. Group	Suspects	New suspects
Afghanistan	2	20	5
Albania	14	156	106
Algeria	0	6	2
Angola	0	1	1
Argentina	0	1	1
Armenia	1	7	3
Australia	0	1	0
Austria	2	40	9
Azerbaijan	1	18	12
Belarus	2	48	7
Belgium	2	19	11
Benin	0	4	2
Bosnia Herzegovina	5	46	19
Brazil	0	4	4
Bulgaria	16	171	99
Burundi	0	1	0
Cameroun	2	10	1
Canada	0	4	4
China	1	7	1
Colombia	4	32	31
Congo (Dem. Rep.)	1	1	0
Congo (Rep.)	0	3	2
Costa Rica	0	1	1
Croatia	0	26	8
Cyprus	0	3	0
Czech Republic	1	44	11
Denmark	2	26	8
Dom. Republic	1	16	15
Ecuador	1	5	5
Egypt	2	13	8
Estonia	2	52	45
Finland	0	1	0
France	2	34	16
Gambia	0	4	4
Georgia	2	12	6
Germany	184	3,054	1,606
Ghana	0	10	5
Greece	5	49	29

Country	Domin. Group	Suspects	New suspects
Guatemala	0	1	0
Guinea	0	3	3
Hungary	2	36	23
Iceland	0	2	1
India	3	18	8
Indonesia	0	1	0
Iran	9	73	65
Iraq	5	50	34
Ireland	0	1	1
Israel	4	20	8
Italy	22	245	132
Jordan	0	3	0
Kazakhstan	6	65	45
Kenya	2	11	2
Kosovo	6	93	44
Kyrgyzstan	0	2	0
Latvia	6	74	34
Lebanon	14	141	51
Liberia	0	1	0
Libya	1	3	0
Lithuania	17	497	350
Luxembourg	1	2	0
Macedonia	6	40	36
Malaysia	1	6	0
Mauritius	0	1	0
Mexico	0	1	1
Montenegro	1	5	0
Morocco	10	120	55
Netherlands	12	121	70
Nigeria	15	135	85
Norway	0	5	4
Not clarified	0	81	43
Other African states	1	7	7
Other Amer. states	0	0	0
Other Europ. states	0	1	1
Pakistan	3	26	4
Paraguay	2	6	3
Peru	0	1	0

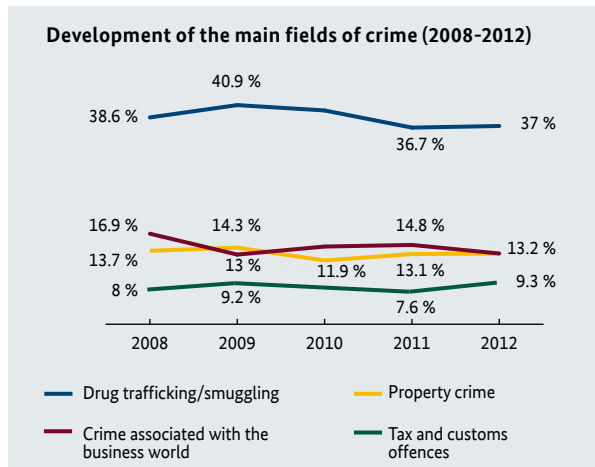
Country	Domin. Group	Suspects	New suspects	Country	Domin. Group	Suspects	New suspects
Poland	21	230	110	Syria	3	34	23
Portugal	0	7	2	Tanzania	0	1	0
Republic of Moldova	2	18	8	Thailand	0	3	2
Romania	19	199	83	Togo	0	2	1
Russian Federation	18	171	77	Tunisia	1	9	7
Serbia	8	88	45	Turkey	61	1,021	467
Serbia and Monten.	2	16	7	UAE	0	2	0
Sierra Leone	0	3	2	Uganda	0	2	0
Slovakia	0	1	0	Ukraine	0	35	17
Slovenia	0	6	3	United Kingdom	6	63	23
South Africa	0	4	1	unknown	0	1	0
Spain	3	30	23	USA	2	15	3
Sri Lanka	0	1	0	Uzbekistan	1	2	0
stateless	0	19	6	Venezuela	0	1	0
Sweden	0	10	8	Vietnam	16	107	53
Switzerland	1	24	15	Total	568	7,973	4,183

3.6 MAIN FIELDS OF CRIME

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

Main fields of crime	Number of groups		Percentage in relation to OC in total		Average OC potential in points	
Drug trafficking/smuggling	210	(216)	37.0 %	(36.7 %)	44.8	(45.1)
Property crime	75	(77)	13.2 %	(13.1 %)	41.9	(40.9)
Crime associated with the business world	75	(87)	13.2 %	(14.8 %)	44.4	(46.4)
Tax and customs offences	53	(45)	9.3 %	(7.6 %)	43.3	(48.2)
Counterfeiting/Forgery	36	(36)	6.3 %	(6.1 %)	36.7	(38.4)
Facilitation of illegal immigration	36	(40)	6.3 %	(6.8 %)	39.2	(39.5)
Crime associated with nightlife	22	(21)	3.9 %	(3.6 %)	41.6	(48.9)
Violent crime	21	(25)	3.7 %	(4.2 %)	49.6	(50.3)
Money laundering	8	(9)	1.4 %	(1.5 %)	42.1	(47.7)
Environmental crime	8	(7)	1.4 %	(1.2 %)	37.1	(40.1)
Corruption	7	(6)	1.2 %	(1.0 %)	26.7	(32.4)
Arms trafficking and smuggling	7	(7)	1.2 %	(1.2 %)	38.2	(38.9)
Cybercrime	6	(9)	1.1 %	(1.5 %)	33.5	(37.2)
Other fields of crime	4	(4)	0.7 %	(0.7 %)	28.8	(35.4)

Drug trafficking is the core activity of the OC groups identified

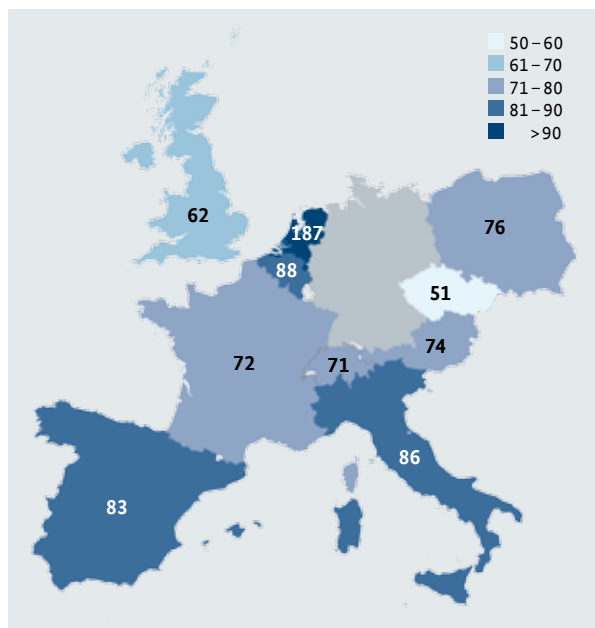


OC groups are internationally networked

In the year under review, 150 groups of perpetrators (26.4 %) were active in more than one field of crime. In comparison, this proportion sank below the level of the previous years (2011: 28.5 %, 2010: 28.7 %, 2009: 28.3 %, 2008: 32.2 %).

Groups active in more than one field of crime continued to display, on average, a higher OC potential than groups active in only one field of crime (49.3 points compared to 40.4 points).

477 investigations (84 %) showed international links to 130 countries. There were supra-regional links in 58 investigations (10.2 %), while merely regional links were established in 33 investigations (5.8 %).

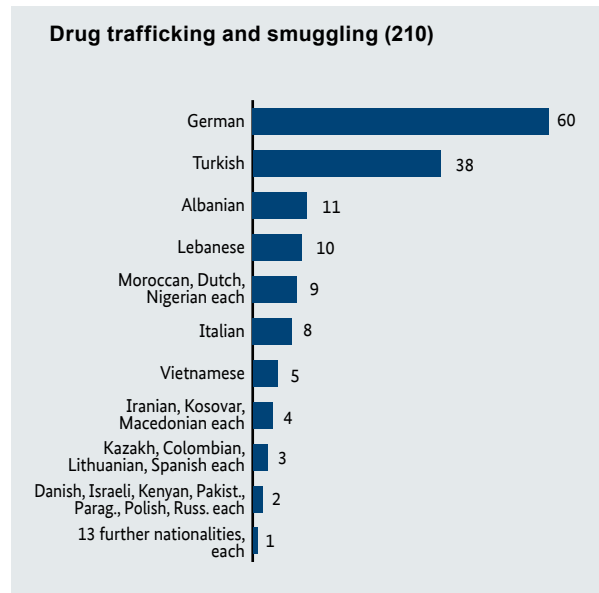


Above all, the commission of offences within Europe was established: in or via the Netherlands (187 investigations), Belgium (88), Italy (86), Spain (83), Poland (76), Austria (74), France (72), Switzerland (71), the United Kingdom (62) and the Czech Republic (51).

The frequent mention of the Netherlands results from the high number of drug-related investigations and from its particular role as a country of origin or transit for drugs transported to Germany.

OC groups are mainly trafficking in cocaine and cannabis

With 210 investigations (37.0 %, number of investigations in 2011: 216, 36.7 %) the OC groups in Germany, as in the previous years, were mainly active in drug trafficking and smuggling (mainly cocaine and cannabis, followed by heroin and synthetic drugs). 72 % of the OC groups were exclusively active in the field of drug trafficking and smuggling (i.e. in one field of crime only). Drug trafficking and smuggling continued to be dominated by German and Turkish OC groups. The proportion of groups dominated by German nationals amounted to 28.6 % and was therefore lower than in the previous year (2011: 30.6 %, 2010: 26.0 %, 2009: 20.3 %, 2008: 23.9 %). The proportion of groups dominated by Turkish nationals (18.1 %) was higher than in the previous year (2011: 14.4 %).



Motor vehicle-related property offences dominate property crime

With a proportion of 13.2 % (13.1 % in 2011), property crime was the second largest field of crime, along with crime associated with the business world. In nearly 80 % of the 75 investigations, the groups of offenders focused on a specific type of crime and vehicle-related property offences prevailed in this context again. Above all, vehicles were stolen in Germany and Italy and then taken to Lithuania or Poland.

Property crime (75)

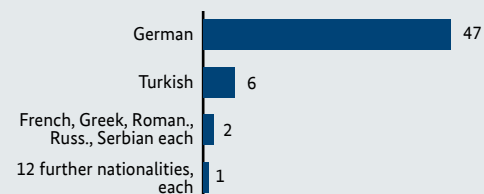


Crime associated with the business world is dominated by German groups

Despite the sinking number of investigations (2012: 75, 2011: 87), crime associated with the business world was number two of the ranking list, as in the previous year. In the year under review, losses totalling approx. 427 million Euro (approx. 576 million Euro in 2011) were caused in this field of crime. This corresponded to approximately 38 % of the losses established in all OC investigations. The largest criminal proceeds were identified in investigations into crime associated with the business world, i.e. about 239 million Euro (approximately 40 % of the total amount, 2011: 172 million Euro, approximately 50 % of the total amount); however only 7.2 million Euro were provisionally seized during the year under review. In almost 80 % of the investigations conducted into crime associated with the business world, the groups of perpetrators exclusively operated in this field of crime (2011: more than 80 %).

With 62.7 %, the proportion of OC groups dominated by German nationals has increased for three consecutive years (2011: 59.8 %, 2010: 47.7 %, 2009: 41.3 %, 2008: 49.5 %). Furthermore, 8 % of the investigative complexes conducted in this field of crime (2011: 9.2 %) were directed against groups dominated by Turkish nationals. On average, these groups collaborated for 4 years and 4 months whereas the average duration of cooperation of all groups was much shorter (3 years).

Crime associated with the business world (75)



Tax and customs offences cause the highest losses

During the year under review, 53 OC investigations (2011: 45) were conducted against OC groups committing mainly tax and customs offences. The smuggling of cigarettes was the core activity of the OC groups active in this field, followed by the smuggling of alcohol and energy tax-related offences.

During the year under review, the tax and customs offences caused the highest losses, i.e. 600 million Euro (of this amount of money, losses totalling 340 million Euro were caused in one specific OC investigation into evasion of corporation tax and trade tax). This makes up a share of 53 % in the total losses identified (2011: 212 million Euro, approximately 24 %). The largest provisional seizure of assets (approximately 22 million Euro, more than 40 % of the total amount seized in 2012) was carried out during an investigation into tax carousel fraud.

With approximately 86.8 %, the proportion of groups focusing on one specific type of crime increased significantly again compared to the previous year (2011: 73.3 %, 2010: 76.5 %, 2009: 81.1 %, 2008: 89.1 %).

Tax and customs offences (53)

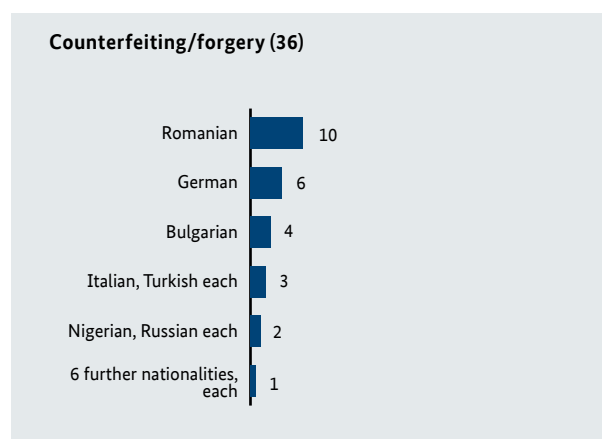


Significance of payment card offences still on the rise

With 36 OC groups, the number of groups focusing on counterfeiting/forgery remained at the same level as the previous year. (2011: 36). 67 % of these groups were exclusively dedicated to counterfeiting/forgery.

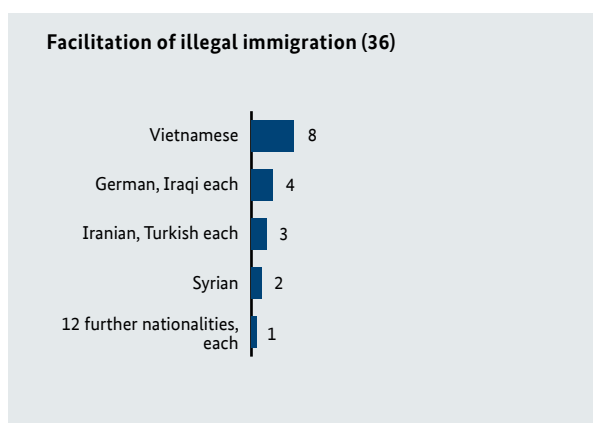
With 15 OC investigations, payment cards crime gained significance in comparison to the previous years (2011: 13, 2010: 7, 2009: 10, 2008: 11). Payment cards crime was dominated by Romanian OC groups.

A total of 10 investigations (2011: 12, 2010: 10, 2009: 11, 2008: 7) concerned the production and distribution of counterfeit money (counterfeit Euro banknotes) which were mainly carried out by OC groups dominated by Italian nationals. Most of the counterfeit banknotes originated from Italy or Bulgaria and were taken to Germany.



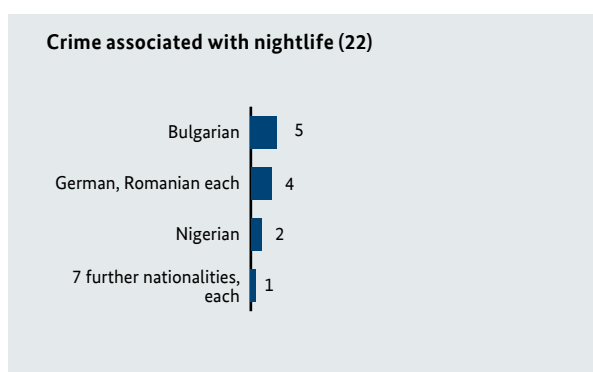
Facilitation of illegal immigration dominated by Vietnamese nationals

During the year under review, 36 OC groups (2011: 40) were investigated for facilitation of illegal immigration. As in the previous year, the illegal immigrants identified in the investigations during the year under review mainly stemmed from Vietnam, Iran, Afghanistan and Iraq. Vietnamese illegal immigrants were above all taken to Germany; the Iranian illegal immigrants mostly came to Germany, the United Kingdom, the Netherlands and Sweden.



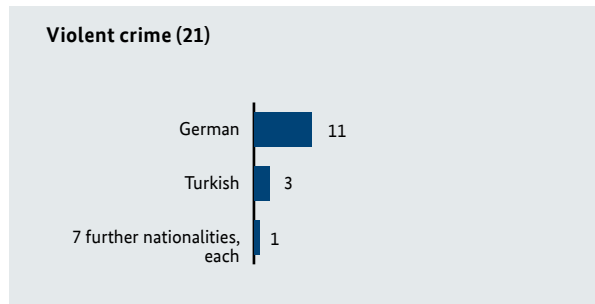
Crime associated with nightlife dominated by South-Eastern European suspects and victims

During the year under review, 22 OC investigations into crime associated with nightlife were conducted (2011:21). The investigations focused on human trafficking for the purpose of sexual exploitation (15 investigations). Most of the victims identified in the course of these investigations came from Romania. Independent of their main criminal activity, OC groups dominated by Bulgarian, German and Romanian nationals were identified above all.



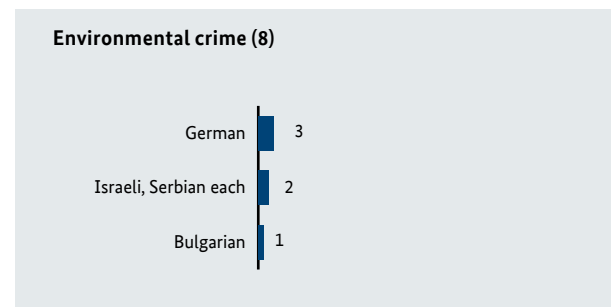
Violent crime often committed by OC groups dominated by German nationals

In 2012, 21 OC investigations (2011: 25) were conducted against OC groups focusing on violent crime. Above all, these investigations dealt with extortion and bodily injury. In 14 investigations the suspects turned out to be armed. These group structures were largely dominated by German nationals.



Illegal circulation of pharmaceuticals is the main subject of environmental crime

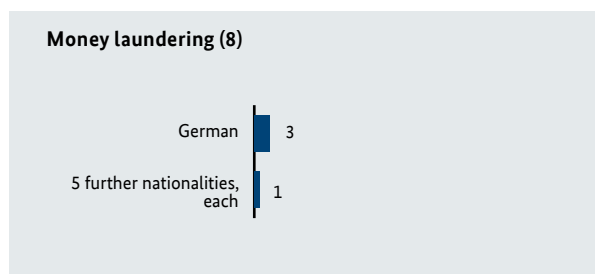
In 2012, eight investigations were conducted against groups who were mainly active in the field of environmental crime (2011: 7). Seven of these investigations concerned the illegal circulation of food or pharmaceuticals. These groups were mainly dominated by German nationals, followed by Israeli, Serbian and Bulgarian nationals.



Indications of money laundering activities in every third investigation

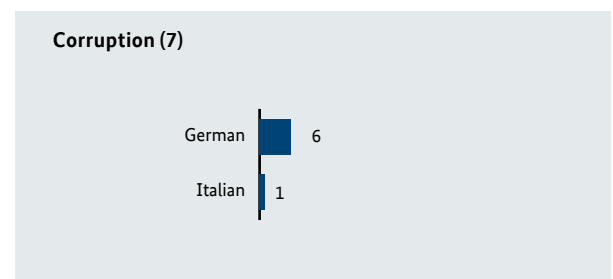
In the year under review, 8 OC groups whose main activity was money laundering, were under investigation (compared to 9 groups in 2011). As far as the group structures are concerned, different nationalities played a role but OC groups dominated by German nationals figured prominently.

Notwithstanding the aforementioned, indications of money laundering activities were established in 201 OC investigations, i.e. 35.4 % (2011: 209 OC investigations, 35.5 %). In 126 investigations (2011: 136), money laundering enquiries were conducted pursuant to section 261 of the German Penal Code. In 90 investigations, a total of 411 suspicious transaction reports were filed pursuant to section 11, subsection 1 of the German Money Laundering Act (2011: 500 suspicious transaction reports in 89 investigations).



The public administration is the target of acts of corruption

In 2012, a total of 7 OC groups were investigated for corruption (2011: 6). In this context, OC groups dominated by German nationals played the most important role. Above all, exertions of influence on the public administration in Germany and abroad were ascertained.



Arms trafficking of little importance

As in the two preceding years, a total of seven groups focusing on arms trafficking and smuggling were investigated in 2012. Their main field of activity was the illegal trade in firearms. These criminal groups were dominated by German nationals.



Phishing in nearly all cybercrime investigations

Compared to the previous year, the number of investigations conducted into cybercrime, i.e. 6 in 2012, has dropped (2011: 9). In nearly all these investigations, forms of phishing were established. In the field of cybercrime, OC groups dominated by Russian, Turkish, German and Latvian nationals were identified.



4. CONCLUSION

The statistical results of the OC law enforcement activities carried out by the police (crime revealed by controls/monitoring) differ only slightly from the results of the previous year. However, the sinking number of investigations does not indicate an easing of the situation. Instead, the demands on investigations are rising as a result of the increasing professionalization of the

groups, especially with regard to the use of modern means of communication, the large proportion of internationally operating groups of offenders and the mobility of OC group members. Therefore, the suppression of Organised Crime must remain a priority of the law enforcement authorities.

LEGAL DETAILS

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